

**No. 33**  
**STATE OF MICHIGAN**  
**Journal of the Senate**  
**96th Legislature**  
**REGULAR SESSION OF 2011**

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Senate Chamber, Lansing, Tuesday, April 26, 2011.

10:00 a.m.

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

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

Anderson—present  
Bieda—present  
Booher—present  
Brandenburg—present  
Casperson—present  
Caswell—present  
Colbeck—present  
Emmons—present  
Gleason—present  
Green—present  
Gregory—present  
Hansen—present  
Hildenbrand—present

Hood—present  
Hopgood—present  
Hune—present  
Hunter—present  
Jansen—present  
Johnson—present  
Jones—present  
Kahn—present  
Kowall—present  
Marleau—present  
Meekhof—present  
Moolenaar—present  
Nofs—present

Pappageorge—present  
Pavlov—present  
Proos—present  
Richardville—present  
Robertson—present  
Rocca—present  
Schuitmaker—present  
Smith—present  
Walker—present  
Warren—present  
Whitmer—present  
Young—present

Pastor Herb Harbaugh, Chaplain of the Sterling Heights Police Department, offered the following invocation:

Our Heavenly Father, we thank You for the blessing of this place and the awesome history of those who have gone before us. Now, Lord, as we come together for this session, I thank You for these who have answered the call to public service, and I pray Your special blessing on them as they conduct the people's business.

Lord, I first pray that You would give them wisdom as they struggle with the hard issues. Lord, I pray for courage to help them make those hard decisions. Most of all, Lord, I pray that You would watch over their families. Bless their marriages and children, and give them grace to deal with criticism.

Lord, we thank You so much for the opportunity to come this year, and we thank You for these who will rise to the occasion, the challenge. We ask Your special blessing on today, these days, and this session coming up this year.

We ask these things in Jesus' name. Amen.

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

### **Motions and Communications**

Senators Warren, Johnson and Young entered the Senate Chamber.

Senator Meekhof moved that Senators Schuitmaker and Emmons be temporarily excused from today's session. The motion prevailed.

Senator Hopgood moved that Senator Hunter be temporarily excused from today's session. The motion prevailed.

Senator Meekhof moved that rule 3.902 be suspended to allow the guests of Senators Walker, Casperson and Moolenaar admittance to the Senate floor, including the center aisle.

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

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

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

### **Recess**

Senator Meekhof moved that the Senate recess subject to the call of the Chair. The motion prevailed, the time being 10:06 a.m.

10:17 a.m.

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

During the recess, Senator Walker introduced the St. Ignace High School Lady Saints Basketball Team, 2011 Class C State Champions; Coaches Dorene and Doug Ingalls, and senior captains Nicole Elmblad and Grace Wheeler; and presented them with a Special Tribute.

Ms. Elmblad and Coach Dorene Ingalls responded briefly.

During the recess, Senators Hunter and Emmons entered the Senate Chamber.

Senator Meekhof moved that the rules be suspended and that the following bills, now on Committee Reports, be placed on the General Orders calendar for consideration today:

**Senate Bill No. 169**

**Senate Bill No. 172**

**Senate Bill No. 173**

**Senate Bill No. 175**

**Senate Bill No. 177**

**Senate Bill No. 179**

**Senate Bill No. 182**

**Senate Bill No. 184**

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

Senators Moolenaar 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 Moolenaar's statement is as follows:

I would like to take this time to thank Kate Springsteen who has been interning in my office since January, 15 to 20 hours a week. She is a recent graduate of Saginaw Valley State University in international studies and will be attending Marquette University this fall to pursue a master's degree in international affairs. Kate is from St. Ignace, and Senator Walker is joining us today. Kate's parents are here with us in the Gallery, Michael and Elizabeth Springsteen.

I would ask my colleagues to join me in expressing appreciation for all of Kate's hard work in my office.

Senator Casperson's statement is as follows:

I, too, want to honor an intern who has been working in my office, Scott J. Nagy. He is a student of political science at Central Michigan University and has been working in our office and doing a wonderful job. He has really made our office work very smoothly with the research and things we have asked him to do.

I am giving him a Special Tribute and would just like to honor him for the work he has done for us and the state. I would ask my colleagues to please help me recognize him.

The following communications were received and read:

Office of the Auditor General

April 15, 2011

Enclosed is a copy of the following audit report:

Performance audit of the Mound Correctional Facility, Department of Corrections.

April 15, 2011

Enclosed is a copy of the following audit report:

Performance audit of the Ryan Correctional Facility, Department of Corrections.

Auditor General

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

The following communication was received:

Department of State

Administrative Rules

Notice of Filing

April 1, 2011

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Community Health and the State Office of Administrative Hearings and Rules filed Administrative Rule #2010-027-CH (Secretary of State Filing #11-04-01) on this date at 3:08 p.m. for the Department of Community Health, entitled "Birth Defects Reporting."

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

Sincerely,

Ruth Johnson

Secretary of State

Robin L. Houston, Departmental Supervisor  
Office of the Great Seal

The communication was referred to the Secretary for record.

The Secretary announced that the following House bill was received in the Senate and filed on Thursday, April 14:  
**House Bill No. 4059**

The Secretary announced the enrollment printing and presentation to the Governor on Monday, April 18, for his approval the following bills:

**Enrolled Senate Bill No. 5 at 11:10 a.m.**

**Enrolled Senate Bill No. 53 at 11:12 a.m.**

**Enrolled Senate Bill No. 141 at 11:14 a.m.**

**Enrolled Senate Bill No. 144 at 11:16 a.m.**

The Secretary announced that the following official bills were printed on Thursday, April 14, and are available at the legislative website:

**Senate Bill Nos. 322 323 324 325**

**House Bill Nos. 4536 4537 4538 4539 4540 4541 4542 4543 4544 4545 4546 4547 4548 4549  
 4550 4551 4552 4553 4554**

The Secretary announced that the following official bills were printed on Friday, April 15, and are available at the legislative website:

**Senate Bill Nos. 326 327 328 329 330 331 332 333 334**

**House Bill Nos. 4555 4556 4557 4558 4559 4560 4561 4562 4563**

The Secretary announced that the following official bills were printed on Friday, April 22, and are available at the legislative website:

**House Bill Nos. 4564 4565 4566 4567 4568 4569 4570 4571 4572 4573 4574 4575 4576 4577  
 4578 4579**

### Messages from the Governor

The following messages from the Governor were received:

Date: April 19, 2011

Time: 3:16 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 5 (Public Act No. 20), being**

An act to amend 1998 PA 58, entitled “An act to create a commission for the control of the alcoholic beverage traffic within this state, and to prescribe its powers, duties, and limitations; to provide for powers and duties for certain state departments and agencies; to impose certain taxes for certain purposes; to provide for the control of the alcoholic liquor traffic within this state and to provide for the power to establish state liquor stores; to prohibit the use of certain devices for the dispensing of alcoholic vapor; to provide for the care and treatment of alcoholics; to provide for the incorporation of farmer cooperative wineries and the granting of certain rights and privileges to those cooperatives; to provide for the licensing and taxation of activities regulated under this act and the disposition of the money received under this act; to prescribe liability for retail licensees under certain circumstances and to require security for that liability; to provide procedures, defenses, and remedies regarding violations of this act; to provide for the enforcement and to prescribe penalties for violations of this act; to provide for allocation of certain funds for certain purposes; to provide for the confiscation and disposition of property seized under this act; to provide referenda under certain circumstances; and to repeal acts and parts of acts,” (MCL 436.1101 to 436.2303) by adding section 547.

(Filed with the Secretary of State on April 20, 2011, at 1:40 p.m.)

Date: April 19, 2011

Time: 3:36 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 53 (Public Act No. 21), being**

An act to amend 1961 PA 236, entitled “An act to revise and consolidate the statutes relating to the organization and jurisdiction of the courts of this state; the powers and duties of the courts, and of the judges and other officers of the courts; the forms and attributes of civil claims and actions; the time within which civil actions and proceedings may be

brought in the courts; pleading, evidence, practice, and procedure in civil and criminal actions and proceedings in the courts; to provide for the powers and duties of certain state governmental officers and entities; to provide remedies and penalties for the violation of certain provisions of this act; to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act; and to repeal acts and parts of acts,” (MCL 600.101 to 600.9947) by adding section 2155.

(Filed with the Secretary of State on April 20, 2011, at 1:42 p.m.)

Respectfully,  
Rick Snyder  
Governor

The following messages from the Governor were received and read:

April 5, 2011

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

**Crime Victim Services Commission**

Catherine Garcia-Lindstrom of 3693 Nicole Court, Walker, Michigan 49534, county of Kent, succeeding Ralph Mason, is appointed for a term expiring September 27, 2013.

April 5, 2011

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

**Michigan Onion Committee**

Eric J. Schreur of 4501 New Holland, Hudsonville, Michigan 49426, county of Ottawa, representing growers-at-large, succeeding himself, is reappointed for a term expiring August 20, 2013.

Mark J. Nail of 21705 O Drive North, Marshall, Michigan 49068, county of Calhoun, representing growers-at-large, succeeding himself, is reappointed for a term expiring August 20, 2013.

Glenn J. Leep of 389 118th Avenue, Shelbyville, Michigan 49334, county of Allegan, representing growers-at-large, succeeding himself, is reappointed for a term expiring August 20, 2013.

April 6, 2011

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

**Advisory Council on Deaf and Hard of Hearing**

Robert A. Anthony of 3475 Knapp Street, N.E., Grand Rapids, Michigan 49525, county of Kent, representing deaf or hard of hearing persons, succeeding himself, is reappointed for a term expiring January 18, 2014.

Nancy L. Asher of 710 Charles Street, Ypsilanti, Michigan 48198, county of Washtenaw, representing deaf or hard of hearing persons, succeeding herself, is reappointed for a term expiring January 18, 2014.

Elizabeth M. Kobylak of 1938 Canary Court, Troy, Michigan 48084, county of Oakland, representing deaf or hard of hearing persons, succeeding herself, is reappointed for a term expiring January 18, 2014.

Helmi M. Lepisto of 3893 W. Maple Ridge, 37th Road, Rock, Michigan 49880, county of Delta, representing deaf or hard of hearing persons, succeeding herself, is reappointed for a term expiring January 18, 2014.

April 11, 2011

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

**Barrier Free Design Board**

Jerry N. Harkness of 1706 N. Crystal Cove, Haslett, Michigan 48840, county of Ingham, representing building inspectors of local units of government, succeeding Timothy J. McGladdery, is appointed for a term expiring October 31, 2013.

Vincent P. DeLeonardis of 47087 Dunsany Road, Northville, Michigan 48167, county of Oakland, representing construction industries, is appointed for a term expiring October 31, 2013.

April 11, 2011

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

**State Boundary Commission**

Dennis L. Schornack of 4232 Redbud Trail, Williamston, Michigan 48895, county of Ingham, representing the general public, succeeding Ruth Ann Jamnick, is appointed for a term expiring November 15, 2013.

April 11, 2011

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

**Michigan Community Corrections Board**

Richard McKeon of 206 E. Michigan Avenue, Lansing, Michigan 48909, county of Ingham, as Director, succeeding Patricia L. Caruso, is appointed for a term expiring March 31, 2015.

Leonard Paul Bailey of 7707 Lake Road, Berrien Center, Michigan 49102, county of Berrien, representing county sheriffs, succeeding Robert Pickell, is appointed for a term expiring March 31, 2015.

Larry C. Inman of 8971 Crockett Road, Williamsburg, Michigan 49690, county of Grand Traverse, representing the general public, succeeding himself, is reappointed for a term expiring March 31, 2015.

Jon C. Campbell of 1639 Elm Street, Otsego, Michigan 49078, county of Allegan, representing county commissioners, succeeding Bernard F. Parker, is appointed for a term expiring March 31, 2015.

April 15, 2011

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

**Commissioner, Office of Financial and Insurance Regulation**

R. Kevin Clinton of 6410 Oakencliffe Lane, East Lansing, Michigan 48823, county of Ingham, succeeding Ken Ross, is appointed for a term commencing 12:01 a.m., April 16, 2011 and expiring at the pleasure of the Governor.

April 18, 2011

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

**Michigan Economic Growth Authority Board of Directors**

Bill Martin of 73 Sunnyside Drive, Battle Creek, Michigan 49015, county of Calhoun, succeeding Baldomero Garcia, is appointed for a term expiring April 18, 2015.

Michael J. Jackson, Sr., of 1525 Salina, Dearborn, Michigan 48120, county of Wayne, succeeding Douglas C. Buckler, is appointed for a term expiring April 18, 2015.

April 25, 2011

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

**Michigan Public School Employees' Retirement System Board**

Charles C. Thomas 1265 Kensington, Grosse Pointe Park, Michigan 48230, county of Wayne, representing a member who retired from a finance or operations management retirement system, succeeding Paul B. Lerg, is appointed for a term expiring March 30, 2015.

Sincerely,  
Rick Snyder  
Governor

The appointments were referred to the Committee on Government Operations.

### Messages from the House

**Senate Bill No. 100, entitled**

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending sections 1111, 1113, and 1114 (MCL 436.2111, 436.2113, and 436.2114), as amended by 2010 PA 213.

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

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

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

The Senate agreed to the full title.

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

### Recess

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

The motion prevailed, the time being 10:27 a.m.

10:34 a.m.

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

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

The motion prevailed.

Senator Richardville's statement is as follows:

We have an intern who has been working on the Senate floor who is on her last day. Her name is Amanda Cloonan, and she has been working very hard here for quite a while. She will be going back to Central Michigan University to complete her work and graduate in May with a degree in political science and legal studies and then go on to law school.

Would you and the other members please help me to thank her for her service to the Michigan Senate.

### Recess

Senator Meekhof moved that the Senate recess until 12:45 p.m.

The motion prevailed, the time being 10:35 a.m.

The Senate reconvened at the expiration of the recess and was called to order by the Assistant President pro tempore, Senator Hansen.

Senator Meekhof moved that rule 2.106 be suspended to allow committees to meet during Senate session.

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

### Recess

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

The motion prevailed, the time being 12:46 p.m.

1:45 p.m.

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

During the recess, Senator Schuitmaker entered the Senate Chamber.

By unanimous consent the Senate proceeded to the order of

### General Orders

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

The motion prevailed, and the Assistant President pro tempore, Senator Hansen, designated Senator Jansen as Chairperson.

After some time spent therein, the Committee arose; and, the Assistant President pro tempore, Senator Hansen, having resumed the Chair, the Committee reported back to the Senate, favorably and with a substitute therefor, the following bill:

#### **Senate Bill No. 169, entitled**

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

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 President, Lieutenant Governor Calley, resumed the Chair.

By unanimous consent the Senate returned to the order of

### Third Reading of Bills

Senator Meekhof moved that the rules be suspended and that the following bill, now on the order of Third Reading of Bills, be placed on its immediate passage at the head of the Third Reading of Bills calendar:

#### **Senate Bill No. 169**

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

The following bill was read a third time:

**Senate Bill No. 169, entitled**

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

The 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. 96**

**Yeas—28**

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

**Nays—10**

Anderson	Hunter	Smith	Whitmer
Gregory	Johnson	Warren	Young
Hood	Marleau		

**Excused—0**

**Not Voting—0**

In The Chair: President

The Senate agreed to the title of the bill.

**Protests**

Senators Anderson and Whitmer, under their constitutional right of protest (Art. 4, Sec. 18), protested against the passage of Senate Bill No. 169.

Senator Anderson's statement, in which Senator Whitmer concurred, is as follows:

I opposed this legislation today because, even though I am a supporter of Michigan's vibrant agriculture community along with the Agriculture Department that helps promote it, however, I opposed this budget bill before us today because as it existed and was voted on, it is part of a larger flawed budget plan being hurried through this body. I cannot in good conscience lend my support to any part of it.

This budget being sold to Michigan families as shared sacrifice is in truth nothing of the sort. It represents a giveaway of nearly \$2 billion in tax money to big corporations without a guarantee of creating a single job or a dollar of investment in the state of Michigan. To pay for it, we are gutting some of Michigan's most vital programs, increasing taxes on those who can afford it the least, and cutting school funding to the point that we will directly send hundreds of districts right into bankruptcy.

In this particular budget, we have underfunded the intercounty drain administration and lowered the overall level of support that we provide the department to promote Michigan's agriculture community. Again, all to help pay for the Governor's mis-guided plan.

I hear calls on a daily basis for bipartisanship and cooperation, and I couldn't agree more with those ideas. Unfortunately, this entire budget process has been done behind closed doors before it was ever provided to anyone on our side of the aisle. Unfortunately, that is just not the way a budget process should work. To say that I am disappointed at how this process has gone would be an understatement. To offer any kind of support on this budget proposal would be a disservice to the people of the state of Michigan.

To my colleagues on the other side of the aisle, I say we have actually listened to the voters across our state, and we have news for you. Yes, we all know times are tough, and yes, we are prepared to chip in if it truly means shared sacrifice. But we are not willing to raise pension taxes, slash education, and undercut our state's agriculture providers to provide a \$2 billion tax cut.

I voted "no" on this bill and encourage all who voted to give lengthy thought to what we are doing here with this process and these budgets.

By unanimous consent the Senate returned to the order of

### **General Orders**

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

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

After some time spent therein, the Committee arose; and, the President, Lieutenant Governor Calley, having resumed the Chair, the Committee reported back to the Senate, favorably and with a substitute therefor, the following bill:

#### **Senate Bill No. 172, entitled**

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

Substitute (S-1).

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

By unanimous consent the Senate returned to the order of

### **Third Reading of Bills**

Senator Meekhof moved that the rules be suspended and that the following bill, now on the order of Third Reading of Bills, be placed on its immediate passage at the head of the Third Reading of Bills calendar:

#### **Senate Bill No. 172**

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

The following bill was read a third time:

#### **Senate Bill No. 172, entitled**

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

The 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. 97**

### **Yeas—26**

Booher  
Brandenburg  
Casperson  
Caswell

Hansen  
Hildenbrand  
Hune  
Jansen

Marleau  
Meekhof  
Moolenaar  
Nofs

Proos  
Richardville  
Robertson  
Rocca

Colbeck  
Emmons  
Green

Jones  
Kahn  
Kowall

Pappageorge  
Pavlov

Schuitmaker  
Walker

### Nays—12

Anderson  
Bieda  
Gleason

Gregory  
Hood  
Hopgood

Hunter  
Johnson  
Smith

Warren  
Whitmer  
Young

### Excused—0

### Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

### Protests

Senators Gregory, Whitmer and Anderson, under their constitutional right of protest (Art. 4, Sec. 18), protested against the passage of Senate Bill No. 172.

Senator Gregory moved that the statement he made during the discussion of the bill be printed as his reasons for voting “no.”

The motion prevailed.

Senator Gregory’s statement, in which Senators Whitmer and Anderson concurred, is as follows:

As a minority representative on this committee, I rise today to express my opposition to this legislation. Protecting the public health of our citizens is one of the critical services our government provides. Unfortunately, instead of making the level of service we provide toward that effort our priority in this budget, we instead made it another piece of a political shell game being played to justify the massive corporate tax giveaway this overall budget plan provides.

Make no mistake, the cuts being included in this bill, including gutting the Healthy Michigan Fund and reducing graduate medical education and the Michigan Quality Community Care Council to \$100 placeholders, are disappointing. But when we realize that these are symptoms of that much larger problem, I simply cannot support this budget.

I hear the Governor and my colleagues across the aisle call these cuts shared sacrifice. To that, I ask what is your definition of sacrifice? From what I see, we are asking working families to sacrifice, we are asking seniors to sacrifice, and we are certainly asking our schoolchildren to sacrifice. Yet, while we ask for these sacrifices, big corporations only reap the rewards of the \$1.8 billion tax giveaway that compounds our budget problem and forces cuts to needed programs, such as the ones in the Department of Community Health we are discussing in this bill. That isn’t shared sacrifice. It isn’t right, and it isn’t what the people of Michigan sent us here to Lansing to do.

To my colleagues across the aisle, I say we have actually listened to the voters across our state, and we have news for you. Yes, we all know times are tough, and yes, we are all prepared to chip in if it truly means shared sacrifice. But we are not willing to raise pension taxes, slash education, and cut vital health programs to pay for a \$2 billion tax cut for businesses. I will be voting “no” on this bill and encourage my colleagues to do so.

By unanimous consent the Senate returned to the order of

### General Orders

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

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

After some time spent therein, the Committee arose; and, the President, Lieutenant Governor Calley, having resumed the Chair, the Committee reported back to the Senate, favorably and with a substitute therefor, the following bill:

**Senate Bill No. 179, entitled**

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

Substitute (S-1).

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

By unanimous consent the Senate returned to the order of

**Third Reading of Bills**

Senator Meekhof moved that the rules be suspended and that the following bill, now on the order of Third Reading of Bills, be placed on its immediate passage at the head of the Third Reading of Bills calendar:

**Senate Bill No. 179**

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

The following bill was read a third time:

**Senate Bill No. 179, entitled**

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

The 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. 98**

**Yeas—26**

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

**Nays—12**

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

**Excused—0**

**Not Voting—0**

In The Chair: President

The Senate agreed to the title of the bill.

### Protests

Senators Gregory, Hood, Anderson and Whitmer, under their constitutional right of protest (Art. 4, Sec. 18), protested against the passage of Senate Bill No. 179.

Senator Gregory moved that the statement he made during the discussion of the bill be printed as his reasons for voting “no.”

The motion prevailed.

Senator Gregory’s statement, in which Senators Hood, Anderson and Whitmer concurred, is as follows:

I certainly would like to thank the chair of the Human Services committee. He did an admirable job and worked hard on it. I do stand here as a minority representative on the committee in opposition to this legislation. I also, before I go on, would be remiss if I didn’t say that the chair of the Community Health budget did a great job on that budget too. It was hard work, but in my view, just didn’t go far enough.

So I rise today in opposition to this legislation. The Department of Human Services is a vital lifeline to many residents in Michigan, aiding families who struggle to make ends meet. The critical services provided by DHS speak volumes about our values and how we treat the least among us. Unfortunately, the budget we are voting on today says that we do not treat these with the greatest needs very well. The budget before us says that families in emergency situations will have to wait even longer for help because there will be fewer caseworkers to process their claims.

This budget will lead to more mistakes being made and more families left to languish as overworked staff falls further behind. The budget we have today would end public assistance for 12,600 of the state’s poorest families on the Family Independence Program. More than 90 percent of these families are working but not earning enough to leave assistance. The budget we are voting on says that we care more about lining the pockets of CEOs than clothing and feeding children living in poverty. The Governor said he wants an educational system that starts learning long before kindergarten, yet this budget eliminates funding for the Early Childhood Investment Corporation. This budget also assumes that there will be an administrative savings of \$22 million but fails to say specifically where these cuts will come from.

This is not shared sacrifice. This is asking those who have nothing left to give to give even more. It is a disgrace. To those planning on voting for this budget, I would say that we have actually listened to the voters across the state, and while the people know times are tough and are even prepared to chip in if it truly means shared sacrifice, they are not willing to raise taxes on working families, slash education, and cast aside families in dire need to pay for a \$2 billion tax cut for businesses.

I cannot support this legislation and will be voting “no.” I urge my colleagues to listen to their consciences and do the same.

By unanimous consent the Senate returned to the order of

### General Orders

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

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

After some time spent therein, the Committee arose; and, the President, Lieutenant Governor Calley, having resumed the Chair, the Committee reported back to the Senate, favorably and with a substitute therefor, the following bill:

#### **Senate Bill No. 177, entitled**

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

Substitute (S-1).

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

1. Amend page 75, line 12, by striking out all of section 813a and inserting:

“Sec. 813a. In order to reduce costs and maintain quality, it is the intent of the legislature that, excluding the fleet of motor vehicles for the department of state police, the department of technology, management, and budget will prioritize the utilization of remanufactured parts as the primary means of maintenance and repair for the state of Michigan’s fleet of motor vehicles.”.

2. Amend page 89, following line 9, by inserting:

“Sec. 852a. The commission shall submit a report regarding the cost savings or increase that would result for all public employers from the requirement that all public employees and elected officials be enrolled in a health savings account benefit plan. The report shall include an analysis of required statutory changes, and any other issues that would need to

be addressed. The report shall be submitted to the senate and house of representatives appropriations subcommittees on general government, the senate and house fiscal agencies, and the state budget office. The report shall be submitted not later than March 31, 2012.”.

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

By unanimous consent the Senate returned to the order of

### **Third Reading of Bills**

Senator Meekhof moved that the rules be suspended and that the following bill, now on the order of Third Reading of Bills, be placed on its immediate passage at the head of the Third Reading of Bills calendar:

#### **Senate Bill No. 177**

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

The following bill was read a third time:

#### **Senate Bill No. 177, entitled**

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

The 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. 99**

#### **Yeas—24**

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

#### **Nays—14**

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

#### **Excused—0**

#### **Not Voting—0**

In The Chair: President

The Senate agreed to the title of the bill.

### Protests

Senators Johnson, Whitmer, Hunter, Bieda, Anderson, Hood and Gregory, under their constitutional right of protest (Art. 4, Sec. 18), protested against the passage of Senate Bill No. 177.

Senator Johnson moved that the statement he made during the discussion of the bill be printed as his reasons for voting “no.”

The motion prevailed.

Senator Johnson’s statement, in which Senators Whitmer, Hunter, Bieda, Anderson, Hood and Gregory concurred, is as follows:

I rise today to express my strong opposition to the General Government budget before us. The troubling aspects of this budget are almost too many to list. This budget does not look to me like shared sacrifice. It looks like heavy-handed, draconian cuts to everything that makes our communities good places to live. This budget violates a sacred trust with the voters by requiring the privatization of the State Lottery, a program that provides a substantial amount of money to the state’s School Aid Fund. And, Mr. President, while I’d argue that it provides a substantial amount of money that is dedicated to our schools, we all know this budget and the plan already violates that trust by raiding the School Aid Fund for other purposes.

I cannot support cutting a third of state revenue sharing to our cities, villages, and townships, which will result in devastating cuts to police and fire protection services, closing down libraries and parks, and paring back EMS services as well. Sacrificing our quality of life makes Michigan a less attractive place to do business. While the tax break we provide may be nice, who would open a business in a city that has no one to answer calls to 9-1-1? While there is some merit to consolidation of services, this approach does not work for all communities, and this budget fails to fully incentivize these efforts.

Michigan’s growing film industry has already begun to grow timid by proposals to cap the film credit, but the \$10 million cap in this budget will surely scare away anyone who was still interested in filming here and creating jobs. This budget is so flawed it does not even support full funding for the Governor’s attraction of business and economic gardening plan. If job No. 1 is jobs, then we need to fully fund the MEDC.

This budget is another example of cutting our feet from underneath us as we work to rebuild this state. We all know that times are tough, and we are all prepared to chip in if it truly means shared sacrifice. But we are not willing to raise taxes on our working families, slash education, reduce our quality of life, and diminish public safety to pay for a \$2 billion tax cut for businesses.

I am going to be voting “no” on this budget, Mr. President, and I urge my colleagues who are truly concerned about job creation and protecting citizens to do exactly the same.

### Recess

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

The motion prevailed, the time being 2:39 p.m.

3:44 p.m.

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

By unanimous consent the Senate returned to the order of

### General Orders

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

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

After some time spent therein, the Committee arose; and, the President, Lieutenant Governor Calley, having resumed the Chair, the Committee reported back to the Senate, favorably and with a substitute therefor, the following bill:

#### **Senate Bill No. 182, entitled**

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

Substitute (S-1).

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

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

Senator Meekhof moved that the rules be suspended and that the following bill, now on the order of Third Reading of Bills, be placed on its immediate passage at the head of the Third Reading of Bills calendar:

**Senate Bill No. 182**

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

The following bill was read a third time:

**Senate Bill No. 182, entitled**

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

The 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. 100**

**Yeas—26**

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

**Nays—11**

Anderson	Gregory	Hunter	Whitmer
Bieda	Hood	Smith	Young
Gleason	Hopgood	Warren	

**Excused—0**

**Not Voting—1**

Johnson

In The Chair: President

The Senate agreed to the title of the bill.

By unanimous consent the Senate returned to the order of  
**General Orders**

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

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

After some time spent therein, the Committee arose; and, the President, Lieutenant Governor Calley, having resumed the Chair, the Committee reported back to the Senate, favorably and with a substitute therefor, the following bill:

**Senate Bill No. 173, entitled**

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

Substitute (S-1).

The following is the amendment to the substitute recommended by the Committee of the Whole:

1. Amend page 5, line 13, by striking out all of line 13 and adjusting the subtotals, totals, and section 201 accordingly.

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

By unanimous consent the Senate returned to the order of

**Third Reading of Bills**

Senator Meekhof moved that the rules be suspended and that the following bill, now on the order of Third Reading of Bills, be placed on its immediate passage at the head of the Third Reading of Bills calendar:

**Senate Bill No. 173**

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

The following bill was read a third time:

**Senate Bill No. 173, entitled**

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

The 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. 101**

**Yeas—23**

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

**Nays—15**

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

**Excused—0**

**Not Voting—0**

In The Chair: President

The Senate agreed to the title of the bill.

### Protest

Senator Anderson, under his constitutional right of protest (Art. 4, Sec. 18), protested against the passage of Senate Bill No. 173 and moved that the statement he made during the discussion of the bill be printed as his reasons for voting “no.”

The motion prevailed.

Senator Anderson’s statement is as follows:

I would like to thank the chair of the subcommittee for his efforts to communicate and work together in getting this budget done in a way that was respectful of different opinions and priorities. With that said, I rise today to speak against the Michigan Department of Corrections budget. I will be voting against it because it is a perfect example of the short-sighted mindset that privatization is the cure for all the state’s financial woes. I fail to see how laying off workers and privatizing prison services are sound decisions, especially when privatization as a whole rarely proves as economically viable as my colleague across the aisle like to believe. These proposals are very unwise for food service, the prison store, and most concerning of all, for the operation of what we call the boot camp, or the Special Alternative Incarceration program near Chelsea.

Michigan’s Corrections Department is repeatedly one of the most significant budgets we deal with each year, and we certainly need to explore ways to reconcile that. But simply outsourcing jobs and services is not the answer. Privatization has not been shown to save money in the context of corrections management, and it will cost jobs, which will only make a bad situation worse.

In fact, some previous efforts to privatize food service failed and resulted in clear increased costs. The department has already made great progress in reducing expenditures in this area and should be given the opportunity to implement those changes across the board. Food privatization could also have a negative impact on the state’s agricultural sector, a vital piece of Michigan’s economy, as the department spends tens of millions of dollars on food from Michigan farms and businesses each year. Companies from outside Michigan are unlikely to support our state’s farming industry to the degree we see currently.

Finally, privatizing the Special Alternative Incarceration program facility near Chelsea is the most concerning of all. There are strong safety and other concerns associated with running prisons which make them poor candidates for privatization. Individual state studies have confirmed this, and, in fact, a study by the U.S. General Accounting Office also shows no evidence that savings occur from privatization in corrections and that, in fact, such efforts risk the safety and successful rehabilitation of our prisoners.

Rather than putting more of our state workers out of jobs, I believe we need to bring down corrections costs in this state with sentencing reforms to bring average prison stays more in line with our neighboring states. We also should be focusing on protecting and enhancing our vocational and educational programming for the nonviolent segments of the prison population, who wouldn’t even be in prison in other states.

While it is easy to push privatization as the answer to cost overruns in state government, studies have shown that especially in the area of corrections, privatization causes more problems than it solves. It is also absolutely shameful that in this state we continue to spend significant amounts on corrections while we slash education and important state services that help identify and assist troubled students early and avert them from a life of crime altogether.

While the Governor and my colleagues across the aisle continue to preach shared sacrifice, this is just another example that is not what they practice. This budget will cost public safety jobs, just as cuts to local revenue sharing will jeopardize police and fire workers in our local communities. Of all the budget priorities where we should be making judicious cuts, public safety and education are not some of those.

We all know times are tough, and, yes, the people of Michigan are all prepared to chip in if it truly means shared sacrifice. But we are not willing to raise taxes, slash education, jeopardize safety, and lay off workers to pay for a \$2 billion tax cut for corporations. I will be voting “no” on this bill, and I encourage my colleagues to do likewise.

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

The motion prevailed.

Senator Proos’ statement is as follows:

I rise in support of the Corrections budget that is before you right now—fiscal year 2012 budget. First and foremost, our role and responsibility as legislators is public safety when it comes to the Corrections budget, and in particular, work with our local law enforcement and those folks who put themselves in harm’s way for all of us.

The \$1.9 billion budget that is proposed is a significant departure from previous budgets we have seen in the previous couple of years. This budget seeks to find savings in areas that our constituents have talked about for many years now: savings in terms of efficiencies that can be found in food service, transportation, movement of prisoners, movement of goods and services, and in particular, trying to address why it is some of the folks we find in our prisons continue to come back.

One of those areas we invested in in this particular budget is seeking to close the front door through a new pilot program that is called a swift and shared sanctioning, whereby we utilize monies on the front end with our probation officers in an effort to try to decrease the overall costs for those prisoners who today are \$94 per day per prisoner. Frankly, we need to do better to make sure that those don't continue to rise above that \$94 but, in fact, decrease the number commensurate with other states that average some places in the Midwest around \$75 per day per prisoner.

This particular budget seeks to find additional monies for our sheriffs who already do a great job, one-third of the cost of keeping our prisoners for at least one year. In investing an additional \$10 million in the County Jail Reimbursement Program, we very well save fifty cents for every dollar that is invested because they are no longer folks who end up in our prison system.

We also seek additional savings in the fiscal year by finding savings in the central office, where the average is 2.5 employees to 1 supervisor; an area that we need to find significant operational changes to insist that there be a better ratio of staff to management. The budget is, as it turns out, \$76.3 million below the fiscal year proposal of the Governor and someplace close to \$200 million from the previous fiscal year. That is a significant departure from previous years, and I look forward to continuing the effort with my colleagues, my minority vice chair, and the members of the committee as we try to make fiscal year 2013 an even stronger effort toward efficiency and cost-effectiveness with taxpayer value and public safety as the No. 1 goal and objective.

I urge support of this particular bill.

By unanimous consent the Senate returned to the order of

#### **General Orders**

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

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

After some time spent therein, the Committee arose; and, the President, Lieutenant Governor Calley, having resumed the Chair, the Committee reported back to the Senate, favorably and with a substitute therefor, the following bill:

#### **Senate Bill No. 184, entitled**

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

Substitute (S-1).

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

By unanimous consent the Senate returned to the order of

#### **Third Reading of Bills**

Senator Meekhof moved that the rules be suspended and that the following bill, now on the order of Third Reading of Bills, be placed on its immediate passage at the head of the Third Reading of Bills calendar:

#### **Senate Bill No. 184**

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

The following bill was read a third time:

#### **Senate Bill No. 184, entitled**

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

The 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. 102**

#### **Yeas—24**

Booher  
Casperson

Hansen  
Hildenbrand

Kowall  
Marleau

Pavlov  
Proos

Caswell  
Colbeck  
Emmons  
Green

Hune  
Jansen  
Jones  
Kahn

Meekhof  
Moolenaar  
Nofs  
Pappageorge

Richardville  
Robertson  
Schuitmaker  
Walker

### Nays—14

Anderson  
Bieda  
Brandenburg  
Gleason

Gregory  
Hood  
Hopgood  
Hunter

Johnson  
Rocca  
Smith

Warren  
Whitmer  
Young

### Excused—0

### Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

### Protest

Senator Young, under his constitutional right of protest (Art. 4, Sec. 18), protested against the passage of Senate Bill No. 184 and moved that the statement he made during the discussion of the bill be printed as his reasons for voting “no.”

The motion prevailed.

Senator Young’s statement is as follows:

I would like to start with a quote from Aristotle who says, “Men live together in cities, but they remain together so they can enjoy the good life.” This legislation takes away from that good life and that quality of life. That is why I oppose this bill.

I rise today to voice my opposition to this legislation. Our state troopers provide an invaluable service to Michigan. They put their lives in harm’s way every day to keep our families safe. We should have a budget that reflects our appreciation for the level of service our State Police provide. Instead, we chose to rush this budget to meet an artificial deadline, making cuts before we even know their full impact.

Last year, the Legislature had boilerplate language requiring a study to be done on the impact of closing State Police posts. But rather than wait for that information to write a budget that reflects thoughtful consideration, we decided to rush. We decided to rush for our men and women of valor. We decided to rush for our heroes, for the men and women whose presence alone can determine whether someone lives or dies; could determine whether or not someone is safe in their own home. Have we no shame? That is just disgraceful. If this wasn’t so serious, it might even be funny.

This budget is light on details and heavy on sacrificing the safety of our citizens. What happens when we abandon Detroit and communities across the state by closing 21 State Police posts? I have senior citizens in my district who have told me that they are going, Mr. President, to get CCWs because they don’t feel safe. Grandma shouldn’t be packing. She shouldn’t be doing it. It’s not good. I respect your American right, Mr. President, but senior citizens in my district shouldn’t be doing it, especially when we have a State Police post right there; especially when they are going to get prescription drugs and everything else. That is not right. We can do better than that. We have a duty to keep citizens safe when, instead, we are asking communities to have longer response times from the State Police while we simultaneously cut the funding for local police forces. How will local economies be affected when the State Police who used to eat at local restaurants and run errands at the corner store pack up and leave?

This budget is likely to result in further job loss when our state needs job creation. What happened to the mantra of jobs, jobs, jobs, and more jobs? Jobs first, second, third, fourth, not cut, cut, cut; we’ll get to jobs next year. It is supposed to be jobs today. This is just unbelievable here. I am not Charlie Sheen, but I will deliver a torpedo of truth today. Come on, this is unreal. We have heard a lot about shared sacrifice, but is public safety really something that should be on the chopping blocks?

So to my Republican colleagues, I say again that we have actually listened to the voters across our state, but I don't think you have. If you had, you would know that the people of Michigan are not willing to raise pension taxes, slash education, and undermine public safety to pay for a \$2 billion tax cut for business. That's just wrong. One of our core functions of government is to provide for the safety, well-being, prosperity, general welfare, and public health of the community.

This budget fails to meet those basic requirements. The city of Detroit deserves better. The people of Michigan deserve better. Our State Police officers deserve better. For these reasons, I am voting "no," and I urge all my colleagues to do the same.

By unanimous consent the Senate returned to the order of

### **General Orders**

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

The motion prevailed, and the President, Lieutenant Governor Calley, designated Senator Proos as Chairperson.

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

#### **House Bill No. 4248, entitled**

A bill to amend 1975 PA 197, entitled "An act to provide for the establishment of a downtown development authority; to prescribe its powers and duties; to correct and prevent deterioration in business districts; to encourage historic preservation; to authorize the acquisition and disposal of interests in real and personal property; to authorize the creation and implementation of development plans in the districts; to promote the economic growth of the districts; to create a board; to prescribe its powers and duties; to authorize the levy and collection of taxes; to authorize the issuance of bonds and other evidences of indebtedness; to authorize the use of tax increment financing; to reimburse downtown development authorities for certain losses of tax increment revenues; and to prescribe the powers and duties of certain state officials," by amending section 1 (MCL 125.1651), as amended by 2008 PA 225.

The bill 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. 175, entitled**

A bill to make appropriations for the department of energy, labor, and economic growth for the fiscal year ending September 30, 2012; and to provide for the expenditure of the appropriations.

Substitute (S-1).

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

By unanimous consent the Senate returned to the order of

### **Third Reading of Bills**

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

#### **Senate Bill No. 175**

#### **House Bill No. 4248**

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

The following bill was read a third time:

#### **Senate Bill No. 175, entitled**

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

The 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. 103****Yeas—25**

Booher  
 Brandenburg  
 Casperson  
 Caswell  
 Colbeck  
 Green  
 Hansen

Hildenbrand  
 Hune  
 Jansen  
 Jones  
 Kahn  
 Kowall

Marleau  
 Meekhof  
 Moolenaar  
 Nofs  
 Pappageorge  
 Pavlov

Proos  
 Richardville  
 Robertson  
 Rocca  
 Schuitmaker  
 Walker

**Nays—13**

Anderson  
 Bieda  
 Emmons  
 Gleason

Gregory  
 Hood  
 Hopgood

Hunter  
 Johnson  
 Smith

Warren  
 Whitmer  
 Young

**Excused—0****Not Voting—0**

In The Chair: President

The Senate agreed to the title of the bill.

**Protests**

Senators Johnson, Whitmer, Hood, Hunter and Bieda, under their constitutional right of protest (Art. 4, Sec. 18), protested against the passage of Senate Bill No. 175.

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

The motion prevailed.

Senator Johnson’s statement, in which Senators Whitmer, Hood, Hunter and Bieda concurred, is as follows

I rise today to admittedly oppose the Michigan Department of Energy, Labor, and Economic Growth budget that is before us. I can appreciate that as a result of the poor economy over the last few years, Michigan has been facing a particularly difficult budgetary situation, and we must make hard decisions.

DELEG gets very little General Fund money, so even a small cut has a significant impact; in this case, a greater than 8 percent impact. As its name implies, this department plays a pivotal role in cultivating and stimulating Michigan’s economy and creating jobs, which is something that is extremely important as we work to move Michigan forward. The administration frequently talks about value for money in government, so it seems counterproductive to me to reduce funding for a department that is a revenue generator for this state.

MIOSHA recently brought in \$1.2 million in assessed penalties, and the Liquor Control Commission deposited \$340 million into the General Fund. While these important programs appeared to be spared cuts in the budget before us, other vital programs are not so lucky. In this budget, there is only a \$100.00 placeholder for Focus: HOPE, a nondenominational and nonprofit organization that is dedicated to intelligent and practical solutions to the problems of hunger, economic disparity, inadequate education, and racial divisiveness. This outstanding organization plays a major role in helping turn around struggling communities, but again, this body wants to take more from those who have the least to give.

Of the \$5.6 million total cut this budget is taking, nearly 30 percent comes from the fire protection grants. Local governments are already taking massive hits with cuts to revenue sharing. The Legislature should not be adding to their burden by cutting fire protection grants. This further jeopardizes public safety in our communities, but even worse, it skews the scales of shared sacrifice, targeting working families, education, seniors, and police and fire funding more than others.

In this budget, the Michigan nursing corps is being eliminated at a time when health care is one of the strongest-growing fields, and nurse faculty is needed to reduce the backlog of nursing school applicants. It is not only unwise, but bordering on the absurd to make such drastic cuts to one of the few areas of economic growth our state is seeing.

Not only is this budget flawed, but so is the process and timeliness by which we are moving. We are rushing these budget bills through without giving them time for proper review or to seek input from our Democratic colleagues, all to meet an arbitrary timeline. We are also making these financial decisions prematurely as we are just weeks away from a revenue estimating conference that is most likely to reveal hundreds of millions of dollars that are available for state budgets. Both in its content and its chronology, I can't support it.

To my Republican colleagues, I say we have traveled across the state in recent weeks to listen to the voters, and they have made it clear that they are not willing to raise pension taxes, cut education, jobs, and cut public safety programs to pay for a \$2 billion tax cut for businesses.

I will be voting "no" on this bill, Mr. President. I urge all of my colleagues on both sides of the aisle to do the same.

Senator Whitmer's statement, in which Senators Hood, Hunter and Bieda concurred, is as follows:

I also stand in opposition to the DELEG budget, specifically the \$5.6 million cut this budget is taking, of which nearly 30 percent comes from the fire protection grants. Local governments are already taking a massive hit with cuts to revenue sharing. The Legislature should not be adding to their burden by cutting the fire protection grants. This further jeopardizes public safety in our local communities, but even worse, it skews the scales of shared sacrifice, by targeting firefighters and fire funding more than other state services.

Now I have long supported fire protection grants in my legislative tenure. Communities across the state like mine in East Lansing and Lansing or Big Rapids or Mount Pleasant or Escanaba depend on these fire protection grants to protect our state buildings and our universities and places of historic grandeur that are meaningful to the state—just like the building that we're sitting in now. For those members who may not be aware of the historic value of these grants, I just want to remind you that fire protection grants were implemented by the state to protect state-owned buildings because those properties are not taxable, and therefore, communities that host these buildings are not able to fully fund the fire protection that we need.

This issue directly affects my district and many of yours, by the way, if you've got a university in your district. It is because these grants are at least half of East Lansing's fire resources existing to protect MSU's structures, faculty, and most importantly, students from all 83 counties in Michigan. The high-rise dorms like Hubbard Hall and other significant structures like our chemistry buildings require special equipment, staffing that includes a hazmat team, aerial trucks, and confined space team. The city of East Lansing is required to provide for the health, safety, and welfare of its residents, and they take that responsibility seriously.

So eliminating these grants equates to telling communities like East Lansing that fire suppression, emergency transport, or hazardous cleanup is not a priority, but creating a \$2 billion tax break is. I remember saying in 2005 and this statement is even more true today, the state has shortchanged our local communities to the point where the ability to provide fire protection at colleges, universities, prisons, and other large state-owned office buildings are placed at risk.

If we are going to ask local communities to protect our state property, we must give them the necessary resources. Without this funding, we are putting thousands of residents, state employees, and college students at risk in the event of a fire or disaster.

The following bill was read a third time:

**House Bill No. 4248, entitled**

A bill to amend 1975 PA 197, entitled "An act to provide for the establishment of a downtown development authority; to prescribe its powers and duties; to correct and prevent deterioration in business districts; to encourage historic preservation; to authorize the acquisition and disposal of interests in real and personal property; to authorize the creation and implementation of development plans in the districts; to promote the economic growth of the districts; to create a board; to prescribe its powers and duties; to authorize the levy and collection of taxes; to authorize the issuance of bonds and other evidences of indebtedness; to authorize the use of tax increment financing; to reimburse downtown development authorities for certain losses of tax increment revenues; and to prescribe the powers and duties of certain state officials," by amending section 1 (MCL 125.1651), as amended by 2008 PA 225.

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. 104**

**Yeas—37**

Anderson  
Bieda

Hansen  
Hildenbrand

Kahn  
Kowall

Richardville  
Robertson

Booher	Hood	Marleau	Rocca
Brandenburg	Hopgood	Meekhof	Schuitmaker
Casperson	Hune	Moolenaar	Smith
Colbeck	Hunter	Nofs	Walker
Emmons	Jansen	Pappageorge	Warren
Gleason	Johnson	Pavlov	Whitmer
Green	Jones	Proos	Young
Gregory			

**Nays—1**

Caswell

**Excused—0****Not Voting—0**

In The Chair: President

The question being on concurring in the committee recommendation to give the bill immediate effect,  
 The recommendation was concurred in, 2/3 of the members serving voting therefor.  
 The Senate agreed to the title of the bill.

By unanimous consent the Senate proceeded to the order of

**Resolutions**

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

**Senate Resolution No. 41**

The resolution consent calendar was adopted.

Senators Moolenaar, Booher, Hopgood, Casperson, Hansen, Nofs, Caswell and Proos offered the following resolution:  
**Senate Resolution No. 41.**

A resolution congratulating the Michigan Association of Retired School Personnel (MARSP) upon the celebration of their 60th Anniversary.

Whereas, The Michigan Retired Public School Employees Association was founded in Detroit, Michigan, on December 15, 1951, as a department of the Michigan Education Association (MEA). In 1953, they began publishing the *VANGUARD*, an educational newsletter for retired school employees that still exists today; and

Whereas, The Michigan Retired Public School Employees Association broke ties with the MEA when they became an organized employees union and, on August 24, 1954, affiliated with the National Retired Teachers Association; and

Whereas, In 1965, the Michigan Retired Public School Employees Association officially changed their name to the Michigan Retired Teachers Association and, in 1969, joined the newly-developed Retirement Coordinating Council; and

Whereas, In 1974, the Michigan Retired Teachers Association approved a new constitution and changed their name to the Michigan Association of Retired School Personnel; and

Whereas, In 1983, the MARSP's membership rejected a merger proposal from the Michigan Education Association, moved their association headquarters from Detroit to Lansing, and became a completely independent association; and

Whereas, In 1991, construction was begun on the new MARSP Center located at the corner of Jolly and Collins Roads near Lansing, and in April of 1992, the MARSP Center was dedicated and opened as the new home of the Michigan Association of Retired School Personnel; and

Whereas, The Michigan Association of Retired School Personnel is an advocacy organization which represents exclusively all retired public school personnel in the fight for protection and enhancement of retirement benefits; and

Whereas, The MARSP has become the voice for all school retirees in the Legislature and the Michigan Public School Employees Retirement System. Their dedication to retired public school personnel has never changed through the years; now, therefore, be it

Resolved by the Senate, That the members of this legislative body congratulate the Michigan Association of Retired School Personnel (MARSP) upon the celebration of their 60th Anniversary. We join retired school employees from around the country in congratulating MARSP and their 45,000 members on this event and commend them for their efforts on behalf of current and retired public school employees; and be it further

Resolved, That a copy of this resolution be transmitted to the Office of the Governor and the Michigan Association of Retired School Personnel as a token of our esteem.

Senators Anderson, Bieda, Green, Jones, Kowall and Schuitmaker were named co-sponsors of the resolution.

Senator Brandenburg offered the following resolution:

**Senate Resolution No. 42.**

A resolution to memorialize the Congress of the United States to provide full funding for the F-35 Joint Strike Fighter.

Whereas, Michigan has a proud history of supporting our nation's military, both through the patriotic service of its citizens and the application of its technological capabilities. Michigan will continue its critical role as part of the supplier base for the F-35 Joint Strike Fighter; and

Whereas, The F-35 program creates advanced-technology jobs that help further develop a highly-skilled workforce essential to our national security and economic prosperity here in Michigan; and

Whereas, The members of our armed services need the latest technology supporting them as they protect our nation and ensure peace around the world. The many crises occurring at the present time make it clear that new threats to peace and our national interests are continuing to emerge; and

Whereas, The F-35 Joint Strike Fighter, the most advanced fighter aircraft ever built, is needed to replace the aging fleet of military aircraft that has been in use for 30 years. This aircraft will not only provide needed support for our nation's military, but will also strengthen our international alliances and ensure the success of our peacekeeping missions; and

Whereas, Discussions are currently taking place in Congress about continuing the full funding and production of the F-35 Joint Strike Fighter. In these discussions, it is essential to remember that the United States has been investing in the production of the F-35 for more than a decade. Without full funding and planned production, our nation and its military will lose the notable benefits of this investment; now, therefore, be it

Resolved by the Senate, That we memorialize the United States Congress to recognize the importance of the F-35 Joint Strike Fighter to Michigan, the United States, and our allies around the world by providing full funding for the F-35 Joint Strike Fighter program; and be it further

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

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

Senator Pavlov moved that the rule be suspended.

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

The question being on the adoption of the resolution,

Senator Pavlov moved that the resolution be referred to the Committee on Veterans, Military Affairs and Homeland Security.

The motion prevailed.

Senators Green, Hildenbrand and Kowall were named co-sponsors of the resolution.

Senator Jones offered the following resolution:

**Senate Resolution No. 43.**

A resolution to memorialize the Congress of the United States to allow homeowners in newly identified flood areas to opt out, without penalty, of purchasing flood insurance.

Whereas, Federal law effectively requires most homeowners within a mapped high risk flood area to purchase national flood insurance; and

Whereas, In recent years, the Federal Emergency Management Agency (FEMA) has actively worked to identify new areas in Michigan and throughout our nation as high risk flood areas. Most homeowners in these newly mapped areas will need to purchase national flood insurance for the first time or risk losing their homes; and

Whereas, Requirements to purchase flood insurance are an additional and unfair burden on these homeowners. They bought their homes with certain expectations of the costs involved. Through no fault of their own and without any say in the matter, they will now also need to pay national flood insurance premiums each year. In the current housing market, it would be difficult, if not impossible, for many homeowners to sell their home and avoid these new costs; and

Whereas, Homes within newly identified flood areas are no more likely to flood now than before they were identified. FEMA's actions represent an administrative identification of risk, not a change in the actual chance flooding will occur. In this situation, homeowners should be allowed the freedom to choose whether or not to purchase flood insurance, not compelled by their government after they have purchased their home; now, therefore, be it

Resolved by the Senate, That we memorialize the Congress of the United States to allow homeowners in newly identified flood areas to opt out, without penalty, of purchasing flood insurance; and be it further

Resolved, That we memorialize Congress to pass the Floodplain Maps Moratorium Act (H.R. 700) which would suspend immediately requirements to buy flood insurance until FEMA addresses its mapping methods; and be it further

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

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

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

The question being on the adoption of the resolution,

Senator Pavlov moved that the resolution be referred to the Committee on Insurance.

The motion prevailed.

Senators Caswell, Green, Kowall, Marleau, Proos, Rocca and Schuitmaker were named co-sponsors of the resolution.

### **House Concurrent Resolution No. 6.**

A concurrent resolution to memorialize Congress to adopt and submit to the states for ratification an amendment to the United States Constitution to require a balanced budget.

Whereas, Our country is awash in debt. With an overall national debt pegged at \$14 trillion and an annual budget deficit expected to hit \$1.3 trillion, the future stability of the American economy is in peril. The policies of the past, carried out over decades, represent a threat to the strength and self-determination of our nation. These policies cannot continue if we expect our children and grandchildren to enjoy the opportunities past generations have known; and

Whereas, While a major obstacle is the staggering 60 percent of spending for so-called entitlements, there are few areas of federal expenditure that can escape serious examination in any move to bring sanity to the federal budget. It is clear that specific cuts to government programs will be difficult to achieve. It is also clear, however, that the pain of moves made to work toward a balanced budget will be less destructive than what could occur if the present trend of soaring government debt continues unchecked; and

Whereas, The notion of requiring a balanced budget for our federal government is hardly revolutionary. If businesses do not balance budgets, they fail. If families fail to balance their budgets, they face bankruptcy. State and local governments across the country have no other option but to balance their budget each year; and

Whereas, Congress has both the capacity and the responsibility to adopt and submit to the states for ratification an amendment to the United States Constitution to require a balanced budget. The American people understand the serious harm that unchecked government spending can do to our country; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we memorialize Congress to adopt and submit to the states for ratification an amendment to the United States Constitution to require a balanced budget; and be it further

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

The House of Representatives has adopted the concurrent resolution.

Pursuant to rule 3.204, the concurrent resolution was referred to the Committee on Government Operations.

Senators Booher, Caswell, Green, Jones, Kowall, Marleau, Pappageorge, Proos, Rocca and Schuitmaker were named co-sponsors of the concurrent resolution.

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

Senators Pappageorge, Proos, Marleau, Colbeck, Robertson, Jansen, Nofs and Brandenburg introduced

#### **Senate Bill No. 335, entitled**

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 1a (MCL 205.51a), as amended by 2008 PA 438.

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

Senators Proos, Pappageorge, Marleau, Colbeck, Robertson, Jansen, Nofs and Brandenburg introduced

#### **Senate Bill No. 336, entitled**

A bill to amend 1937 PA 94, entitled "Use tax act," by amending section 2b (MCL 205.92b), as amended by 2008 PA 439.

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

Senator Hansen introduced

**Senate Bill No. 337, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 81133 (MCL 324.81133), as amended by 2008 PA 365.

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

Senators Hildenbrand, Warren, Jones, Proos, Marleau, Kowall, Pavlov, Young, Nofs, Hopgood and Bieda introduced

**Senate Bill No. 338, entitled**

A bill to amend 1893 PA 206, entitled “The general property tax act,” (MCL 211.1 to 211.155) by adding section 700.

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

Senators Warren, Jones, Hildenbrand, Proos, Marleau, Kowall, Pavlov, Young, Nofs, Hopgood and Bieda introduced

**Senate Bill No. 339, entitled**

A bill to amend 1893 PA 206, entitled “The general property tax act,” (MCL 211.1 to 211.155) by adding section 711.

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

Senators Warren, Young, Hopgood, Hood, Whitmer, Gleason, Anderson, Gregory, Johnson, Bieda, Smith and Hunter introduced

**Senate Bill No. 340, entitled**

A bill to amend 1976 PA 453, entitled “Elliott-Larsen civil rights act,” by amending sections 102, 103, and 202 (MCL 37.2102, 37.2103, and 37.2202), section 102 as amended by 1992 PA 124, section 103 as amended by 1999 PA 202, and section 202 as amended by 2009 PA 190.

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

Senators Whitmer, Warren, Gleason, Young, Smith, Bieda, Anderson, Gregory, Hopgood and Johnson introduced

**Senate Bill No. 341, entitled**

A bill to amend 1976 PA 453, entitled “Elliott-Larsen civil rights act,” (MCL 37.2101 to 37.2804) by adding section 202b.

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

Senators Warren, Whitmer, Gleason, Young, Smith, Bieda, Anderson, Gregory, Hopgood and Johnson introduced

**Senate Bill No. 342, entitled**

A bill to amend 1978 PA 390, entitled “An act to regulate the time and manner of payment of wages and fringe benefits to employees; to prescribe rights and responsibilities of employers and employees, and the powers and duties of the department of labor; to require keeping of records; to provide for settlement of disputes regarding wages and fringe benefits; to prohibit certain practices by employers; to prescribe penalties and remedies; and to repeal certain acts and parts of acts,” by amending section 13a (MCL 408.483a), as added by 1982 PA 524.

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

Senators Young, Warren, Whitmer, Gleason, Smith, Bieda, Anderson, Gregory, Hopgood and Johnson introduced

**Senate Bill No. 343, entitled**

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending section 556 (MCL 750.556).

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

Senator Hildenbrand introduced

**Senate Bill No. 344, entitled**

A bill to amend 1937 (Ex Sess) PA 4, entitled “An act relative to continuing tenure of office of certificated teachers in public educational institutions; to provide for probationary periods; to regulate discharges or demotions; to provide for resignations and leaves of absence; to create a state tenure commission and to prescribe the powers and duties thereof; and to prescribe penalties for violation of the provisions of this act,” by amending section 4 of article II (MCL 38.84).

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

Senator Hildenbrand introduced

**Senate Bill No. 345, entitled**

A bill to amend 1947 PA 336, entitled “An act to prohibit strikes by certain public employees; to provide review from disciplinary action with respect thereto; to provide for the mediation of grievances and the holding of elections; to declare and protect the rights and privileges of public employees; to require certain provisions in collective bargaining agreements; and to prescribe means of enforcement and penalties for the violation of the provisions of this act,” by amending section 15 (MCL 423.215), as amended by 2011 PA 9.

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

Senator Schuitmaker introduced

**Senate Bill No. 346, entitled**

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

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

**House Bill No. 4059, entitled**

A bill to amend 1947 PA 336, entitled “An act to prohibit strikes by certain public employees; to provide review from disciplinary action with respect thereto; to provide for the mediation of grievances and the holding of elections; to declare and protect the rights and privileges of public employees; and to prescribe means of enforcement and penalties for the violation of the provisions of this act,” by amending section 10 (MCL 423.210).

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

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

### Statements

Senators Whitmer, Johnson, Kahn, Warren, Hunter, Casperson, Hood and Pappageorge 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:

Like so many parents across the state of Michigan, I’ve been losing sleep ever since the Governor introduced his budget. I’m worried about my kids’ school. I’m worried about their education, and I’m worried about the future of the state of Michigan.

We try to teach our kids lessons in school like honesty is always the best policy, do the right thing, and always do your best. So it was with great dismay when I read the Republican chair of the Education Committee state, “Any additional spending is going to create a hole in this budget.” He made that statement as he urged his colleagues to defeat Democratic amendments that would have restored school funding. What a load of baloney. The only reason there is a hole is because of the unprecedented \$1.8 billion tax giveaway to businesses—a giveaway without a metric or guarantee that it will yield jobs or investment in our state. And that is coming from the Governor himself. It’s a giveaway that dwarfs what the Business Leaders for Michigan even asked for.

We have a \$1.4 billion budget deficit. And lately I’m reminded of the Will Rogers adage: “If you find yourself in a hole, stop digging.”

While attending town halls last week around the state on the budget, I was heartened to see that I don’t need to remind Michiganders that there’s actually a surplus in the School Aid Fund. Yes, you heard me right. In fact, schools could even see a \$260 per-pupil increase if you spent the School Aid Fund on our schools. So you can lie to yourself, but don’t lie to me. Don’t lie to our kids, and don’t lie to the people of Michigan.

With the K-12 budget, you are choosing to give a business tax break over our kids. You are taking our Prop A dollars out of the School Aid Fund to backfill the General Fund so you can afford a \$2 billion tax break for business. Yes, you’re laundering our school dollars in a way that is constitutionally permitted, but just because it’s legal, doesn’t make it right.

At this juncture, I guess your lesson to the kids and taxpayers of Michigan would be to do as I say, not as I do.

Senator Johnson’s statement is as follows:

I must voice my objection to this budget as a whole. I stand with the majority of Michiganders when I say this budget does not reflect our values or our priorities. The process undertaken to pass today’s budget has been subjective at best.

This institutionally-racist, systematically-dysfunctional, economically-depressing, dictatorial, discriminatory budget undermines the citizens of this great state. I am saddened by the lack of judgment used in creating a more uneven playing field for our citizens.

In a time of extraordinary unemployment rates and foreclosure proceedings in Michigan, we are the only state in the nation to cut unemployment benefits. In a time when municipalities are facing unprecedented budget situations, we cut state aid to the poorest of these communities. When economic uncertainty plagues our markets, when seniors and retirees on fixed incomes have taken hits on their investments through the economic collapse of 2008 and 2009, and when we see too many seniors having to go back to low-paying jobs to make ends meet, we tax their pensions. When we see school districts across the state not living up to basic standards, and as we have witnessed the manufacturing economy shipped overseas by greedy CEOs, we selfishly raid the School Aid Fund, undermining our children's educations in order to pay off big businessowners with massive tax cuts.

This budget takes a major step towards creating a classist society in a state where the poorest citizens are being thrust into abject poverty. Midwesterners in general have long had a reputation for common sense and pragmatism. I fear this state government is falling far short of our collective reputation. In a state containing the city that put the world on wheels and revolutionized manufacturing around the globe, we now appear pathetically inept at producing an original thought or idea. Instead of being creative, instead of recognizing and understanding the true problems we are facing, Michigan's Governor and Republican lawmakers have sold out our citizens in order to follow the nationwide, comprehensive Republican plan to suppress wages, bust unions, destroy public education, and deliver the power of controlling commerce to a select few at the top.

In fact, there are members of this very chamber who won election last year largely through the so-called grassroots support of the Tea Party. Those members should be standing here with me pledging their "no" vote explanations as well because this budget goes against the Tea Party's own talking points. And several of my colleagues on the other side of the aisle signed the Americans for Tax Reform's No-Tax Pledge during their campaigns last year. For their own electoral sake, I urge them not to betray their promises to voters, and join me in voting against increased taxes on retirees with fixed incomes and struggling, low-income families.

The corporatization, privatization, and profiteering off of democracy across the United States is deplorable. I'm only more disgusted that Michigan has become the new ground zero for such attacks on our citizens. This budget reflects the more egregious mantra of the party in power to employ the doctrine of nullification.

No greater example exists than to fully understand the meaning of this administration's emergency manager law. The screening and subsequent training of over 200 candidates to serve as EMs before a law was even proposed, debated, and passed screams of arrogant assumption and disingenuousness.

There are but two presiding doctrines over this, our state government: the first is economic free enterprise, and the second is that of political democracy. The two in unison allow for protection of our citizens and their rights. The two, when juxtaposed to another, supplants the integrity of our founding and protective doctrines. Our Constitution protects us all from the tyranny of the majority, more especially, this one.

For clarity's sake, Article 1, Section 10 of the United States Constitution protects citizens from watching the state impair any contract. In reading the United States Supreme Court case, *Home Building and Loan Association v. Blaisdell* of 1934, it becomes more than abundantly clear that the EM law is indeed unconstitutional. The Supreme Court held that emergency conditions created by the Great Depression "may justify the exercise of [the State's] continuing and dominant protective power notwithstanding interference with contracts."

What else could be the effect of creating a whole new level of government bureaucracy with hundreds of trained EMs, coupled with the state budget that without a shadow of a doubt puts municipalities in further financial distress, eventually bankruptcy. In short, this will be a massive, unconstitutional takeover of our local governments by the state of Michigan.

Senator Kahn's statement is as follows:

I rise today in gratitude to thank members on our side of the aisle and the other side of the aisle as well. We have taken today a monumental step toward restoring the opportunity for jobs for our people and our children. We have taken the monumental step today of moving toward a structurally-sound budget that will increase our opportunity to create those jobs. In doing so, we move toward hope for our people, for Michigan, and to bring our kids home from the far-off lands they have gone to seek work. Make no mistake about it, Michigan has lost population for one very good reason: We didn't have work for our people. I remind you of what happened to the Irish in the 1850s and 1860s. Hopefully, the hope we have created will bring them home.

We did it in a transparent manner. We had 100 or more subcommittee meetings. Anyone who wanted to testify could do so. Our good friends on the other side were not restricted from voicing their point of view. As you have seen today, they don't agree with us. They weren't restricted in the subcommittees, and they certainly weren't restricted in the full committees where we allowed virtually anything that they wanted to say as we moved these budget bills along. We allowed that to occur.

So, today, we are halfway home—transparent with tomorrow's budget bills ready to create the job of creating jobs.

Senator Warren's statement is as follows:

Throughout the last four months, we have heard a lot about getting more value for our money in state government. Like any good shopper, I enjoy a bargain as much as the next person, but clearly, what one considers valuable is a much more subjective, and thus difficult, question. So you can imagine my pleasant surprise to find a definition of value for money budgeting on Governor Snyder's website that includes considerable civic participation.

In fact, according to the website, value for money budgeting is a system that "puts citizens first in determining budget priorities," giving them "the first say in how their tax dollars are spent." It promises to "take the budget-writing process out of the Capitol Building backrooms and put it into our communities" and to ultimately place the needs of our state ahead of the desires of special interests. Sounds great in theory, right?

And yet, my reality, since this budget has been proposed, has been reading and responding to thousands of concerned constituent e-mails, handwritten letters, hosting budget town halls and coffee hours, and speaking to countless advocacy groups. I have heard from my constituents and others throughout the state and can say without hesitation that they did not ask for a \$100 million cut to statutory revenue sharing that could mean many of our already-struggling communities are put under the authority of an emergency manager; the privatization of our Medicaid and day-care eligibility workers; cuts to ECIC and day-care subsidies; over \$1 million of cuts to unintended and teen pregnancy prevention programs and over \$1.5 million cut to prenatal care for low-income women; and the closing of 20-plus State Police posts.

What our constituents understand—that we sometimes forget—is that the consequences of the penny-wise pound-foolish decisions we make today will remain long after this term-limited Legislature is gone. They will impact not only those struggling to make their ends meet this month, but also their children and their grandchildren years from now.

If Governor Snyder had done the due diligence his website proclaims, he would know that Michiganders want a state that ensures an excellent quality of life for even our most vulnerable citizens. They want dignity for their workers and quality early childhood education for their kids and healthy cities for their families. I know this because I have spent the time with my constituents to know and share their values. I challenge him and all of you to do the same before it's too late.

Senator Hunter's statement is as follows:

I rise to address the comments made by my colleague from the 38th District, who sarcastically referred to the Democratic Caucus as the party of no. You know what? When it comes to raising taxes on our working families, you're right, we are the party of no. When it comes to burdening our retirees to pay for corporate tax handouts, you're darn right, we are the party of no. And when it comes to voting on a budget plan that cripples our public education system to line the pockets of corporate CEOs, we're the party of h-e-double-hockey-sticks no.

So I pose a question back to the Senator who made this comment and the challenge to the Democratic Party: When will you finally say no, sir? What line aren't you willing to cross? I know where I stand on these issues, and I know where members of the Democratic Caucus stand on these issues. So it's time for you to tell the people of this great state whose side you're on.

Senator Casperson's statement is as follows:

I rise today to talk just briefly on where we are at. Some of the comments I have heard, and some are what I have heard back in the district. Before I get there, I think we need to reflect on history just a little bit. There has been a lot of talk, and it is certainly obvious where the battle lines are being drawn.

Some may try to paint us in this hole that we are just trying to help corporate America, and we don't care about the citizens of the state of Michigan. But I was here a few years back, and I remember we had these similar debates when some folks tried to tax the citizens with a service tax. If you recall that, it actually passed the House, and it only lasted for about three weeks because the people spoke up so loud and clear that they had had enough of government taxing them and that they better get their affairs in order. So they pulled the bill back. I believe it was about three weeks.

So what did we decide to do back then? We decided to go get the business community because they have money. We'll just go get them. Rather than honestly looking at this government and trying to find a way to reform this government to spend the money we had, we said we would go attack businesses. That is just what we did. That was the birth of the 22 percent surcharge we put on top of the business tax. We all saw the results of that.

Then we get back to the last election cycle. I was on the campaign trail quite a bit and listened to a lot of the debates out there. I kept hearing both sides of the aisle say we need to help small business because it is the lifeblood of the state. Well, how come then when we passed the business tax, some who voted for that surcharge attacked small business? How come when you look at voting records—and I would suggest people do that—a lot of my colleagues on the other side can barely hit a 10 percent voting record with small business. Why is that? It seems to me it is pretty obvious. We use the rhetoric to attack business, and we always do it in the framework of big business, big corporate people, we gotta get them. We never talk about the small business people who are the backbone of this state. Here we go again, Mr. President, we are doing it again.

I voted “no” on a budget today because there are some problems I have with it personally. I did talk to the chair of that budget, and I am working through it with him. The difference is I am not just saying no. I am trying to come up with solutions to help us get to a balanced budget. I have sat here and listened to nothing but no. That is all I have heard from the other side. If you want to say no to these budgets, that is your right—say no. But tell us what your solution is. Three or four years ago, we tried tax increases; we tried to go after the people before, but the people have spoken loud and clear, ladies and gentlemen: Stop the spending, stop regulating us into oblivion, give us our lives back, give us our economy back, and get these government affairs in order. That was loud and clear. So my suggestion is instead of just attacking, how about we come up with solutions. I am all ears.

Senator Hood’s statement is as follows:

The issue that we have in this state was not created overnight. It’s been here for quite some time. I think to address that issue of how we get this state back on its feet, I think that this budget is the easy way out.

There was a lot of work done, as I hear, on this budget, but there was no one on this side of the aisle even in the room. So if we talk about giving our ideas on how to solve this budget crisis, I wasn’t invited in the room, and none of my colleagues on this side of the aisle were invited in the room. So to say, “Tell us your ideas,” we could probably come up with some. Probably. Yeah. One of them being the tax-and-fee reform reserve fund, which is over in the House in the Tax Policy Committee. By 2016, they should have some \$719 million in it if it goes through, which is being pushed through. There’s a place that you can start looking at some money, but nobody wants to talk about that.

I talked about it in the Appropriations Committee last week, as folks were asking, “What are your answers?” No one came and asked me about it. No one asked me about it. So to sit here and be disingenuous in saying that nobody has come up with anything, there’s one right there. Talk about tax expenditures, there are some \$34 billion in tax expenditures that we can touch on. If we’re asking state employees to take a 20 percent cut, let’s take 20 percent out of that and put that in the budget. That would be another start, but nobody’s asking.

But the excuse is we don’t have an answer. That’s because you haven’t asked and haven’t allowed anybody to be in the room. We have our budgets. We got word on the budgets—what the budgets were. Some got it a day before; some got it hours before we walked into committee. With all due respect, there was no sharing of that information more than 24 hours before. So to ask what do we have? Be correct when you say that. Just don’t throw some crap up because it sounds good and say that nobody else has the answer but you. But this is the cheap way out.

Let’s sit down in a room and talk about our ideas. Let’s talk about your ideas. Let’s talk about the Governor’s ideas. Let’s talk about the people of the state of Michigan’s ideas and come to a resolution, not just one idea being pushed through. That’s called democracy—democracy—when you come together and you figure out how to make it work. If you question that, you can see because nobody’s over here voting on the budget, so evidently there wasn’t any input by anybody over here. But folks stand up and say, “Well, you don’t have the answer” because you weren’t in the room.

We talk about shared sacrifice. I don’t see any shared sacrifice in these budgets we’ve passed. None whatsoever—none—and we call ourselves a democracy. Shame on us. Shame on us just for the mere fact that we don’t allow anybody in the room to have those conversations.

I can’t accept it wholly, but I’ll accept it a little bit better if I had a say-so in the room, not just in front of the whole committee. I’m talking about when the ideas were put across the table. I’m ashamed of being a part of this Legislature because of that one fact. The people of my district—the approximately 250,000 people I represent—did not have a voice in that room. But everybody else did, and I think that we all should be ashamed of that. I’ll take responsibility for it too. We need to do better, Mr. President.

Senator Pappageorge’s statement is as follows:

I wonder if in the interest of trying to work things out, we can stop starting an argument with a false premise as happened earlier, I believe, with our minority chair. The only people who pay taxes are individuals. Governments have no money. Let me say that again: Governments have no monies, except what they take from citizens, and they do it basically in two ways. The honest way is to go to the citizens and say, “Stick-em up, here is how much money I want from you.” The distinguished way is to order businesses to collect it for us.

So the idea that somehow businesses get a big deal when we order them to collect less from us is nonsense, absolute nonsense, and we ought to stop it. The only people who pay taxes are individuals.

Now has anyone paid attention in the tax proposal that we are trying to work on now? So-called big business is paying more and small business is paying less. Hello, that’s a good thing. If we are going to get together in the center aisle and work out issues, then at least let’s begin honestly by understanding where governments get their money. To repeat what I have said before, the podium at which I am standing, whoever bought it didn’t just pay 6 percent sales tax. At least 25 percent to 40 percent of the cost of this podium is money businesses collected and sent either to the feds, the state, the counties, or locals.

Let’s just be honest about this and quit saying its business versus individuals. That is such a phony argument. We are all smart enough to know that is the case, and we ought to stop it.

### Committee Reports

The Committee on Finance reported

**Senate Bill No. 28, entitled**

A bill to amend 1941 PA 122, entitled "An act to establish the revenue collection duties of the department of treasury; to prescribe its powers and duties as the revenue collection agency of this state; to prescribe certain powers and duties of the state treasurer; to establish the collection duties of certain other state departments for money or accounts owed to this state; to regulate the importation, stamping, and disposition of certain tobacco products; to provide for the transfer of powers and duties now vested in certain other state boards, commissions, departments, and offices; to prescribe certain duties of and require certain reports from the department of treasury; to provide procedures for the payment, administration, audit, assessment, levy of interests or penalties on, and appeals of taxes and tax liability; to prescribe its powers and duties if an agreement to act as agent for a city to administer, collect, and enforce the city income tax act on behalf of a city is entered into with any city; to provide an appropriation; to abolish the state board of tax administration; to prescribe penalties and provide remedies; and to declare the effect of this act," by amending section 19 (MCL 205.19), as amended by 2002 PA 657.

With the recommendation that the substitute (S-1) be adopted and that the bill then pass.

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

Jack M. Brandenburg  
Chairperson

To Report Out:

Yeas: Senators Jansen, Pappageorge, Proos, Robertson, Bieda and Warren

Nays: None

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

### COMMITTEE ATTENDANCE REPORT

The Committee on Finance submitted the following:

Meeting held on Wednesday, April 13, 2011, at 12:30 p.m., Room 210, Farnum Building

Present: Senators Jansen, Pappageorge, Proos, Robertson, Bieda and Warren

Excused: Senator Brandenburg (C)

The Committee on Outdoor Recreation and Tourism reported

**House Bill No. 4111, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 503 (MCL 324.503), as amended by 2004 PA 587.

With the recommendation that the substitute (S-1) be adopted and that the bill then pass.

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

Goeffrey M. Hansen  
Chairperson

To Report Out:

Yeas: Senators Hansen, Hildenbrand, Brandenburg, Casperson and Moolenaar

Nays: Senator Young

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

### COMMITTEE ATTENDANCE REPORT

The Committee on Outdoor Recreation and Tourism submitted the following:

Meeting held on Thursday, April 14, 2011, at 12:30 p.m., Room 210, Farnum Building

Present: Senators Hansen (C), Hildenbrand, Brandenburg, Casperson, Moolenaar, Gleason and Young

The Committee on Natural Resources, Environment and Great Lakes reported

**Senate Resolution No. 30.**

A resolution to call on the state and federal government to work cooperatively to fund the restoration of the breakwall at the Grand Marais Harbor.

(For text of resolution, see Senate Journal No. 29, p. 421.)  
With the recommendation that the resolution be adopted.

Thomas A. Casperson  
Chairperson

To Report Out:

Yeas: Senators Casperson, Pavlov, Kowall, Meekhof, Warren and Hood  
Nays: None  
The resolution was placed on the order of Resolutions.

The Committee on Natural Resources, Environment and Great Lakes reported  
**Senate Concurrent Resolution No. 13.**

A concurrent resolution to call on the state and federal government to work cooperatively to fund the restoration of the breakwall at the Grand Marais Harbor.

(For text of resolution, see Senate Journal No. 29, p. 422.)  
With the recommendation that the concurrent resolution be adopted.

Thomas A. Casperson  
Chairperson

To Report Out:

Yeas: Senators Casperson, Pavlov, Kowall, Meekhof, Warren and Hood  
Nays: None  
The concurrent resolution was placed on the order of Resolutions.

The Committee on Natural Resources, Environment and Great Lakes reported  
**House Concurrent Resolution No. 7.**

A concurrent resolution to urge the U.S. Congress and the U.S. Army Corps of Engineers to take immediate actions to prevent the Asian carp from entering the Great Lakes and to develop long-term strategies to address this problem.

(For text of resolution, see Senate Journal No. 18, p. 231.)  
With the recommendation that the concurrent resolution be adopted.

Thomas A. Casperson  
Chairperson

To Report Out:

Yeas: Senators Casperson, Pavlov, Kowall, Meekhof, Warren and Hood  
Nays: None  
The concurrent resolution was placed on the order of Resolutions.

The Committee on Natural Resources, Environment and Great Lakes reported  
**House Concurrent Resolution No. 8.**

A concurrent resolution to urge the Congress of the United States to make every effort to expedite and fund the Great Lakes and Mississippi River Basin Interbasin Study and to ensure Asian carp do not invade the Great Lakes.

(For text of resolution, see Senate Journal No. 18, p. 231.)  
With the recommendation that the concurrent resolution be adopted.

Thomas A. Casperson  
Chairperson

To Report Out:

Yeas: Senators Casperson, Pavlov, Kowall, Meekhof, Warren and Hood  
Nays: None  
The concurrent resolution was placed on the order of Resolutions.

#### COMMITTEE ATTENDANCE REPORT

The Committee on Natural Resources, Environment and Great Lakes submitted the following:  
Meeting held on Thursday, April 14, 2011, at 8:30 a.m., Room 210, Farnum Building  
Present: Senators Casperson (C), Pavlov, Kowall, Meekhof, Warren and Hood  
Excused: Senator Green

The Committee on Regulatory Reform reported

**House Bill No. 4113, entitled**

A bill to amend 1980 PA 299, entitled "Occupational code," by amending section 2506 (MCL 339.2506), as amended by 1988 PA 463.

With the recommendation that the following amendments be adopted and that the bill then pass:

1. Amend page 1, line 5, after "~~broker~~" by striking out "**THAT LICENSE**" and inserting "**THE SALESPERSON'S CERTIFICATE OF LICENSE AND DELIVER THE POCKET CARD FOR THAT LICENSE TO THE SALESPERSON**".

2. Amend page 2, following line 13, by inserting:

"(3) AS USED IN THIS SUBSECTION, "**POCKET CARD**" MEANS THE POCKET CARD THAT CONTAINS INFORMATION ABOUT THE LICENSE THAT THE DEPARTMENT PROVIDES WHEN IT ISSUES A LICENSE UNDER THIS ARTICLE."

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

Tory Rocca  
Chairperson

To Report Out:

Yeas: Senators Rocca, Jones, Hune, Meekhof, Pavlov, Johnson and Warren

Nays: None

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

The Committee on Regulatory Reform reported

**House Bill No. 4227, entitled**

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

With the recommendation that the bill pass.

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

Tory Rocca  
Chairperson

To Report Out:

Yeas: Senators Rocca, Jones, Hune, Meekhof, Pavlov, Johnson and Warren

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Regulatory Reform reported

**House Bill No. 4228, entitled**

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

With the recommendation that the bill pass.

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

Tory Rocca  
Chairperson

To Report Out:

Yeas: Senators Rocca, Jones, Hune, Meekhof, Pavlov, Johnson and Warren

Nays: None

The bill was referred to the Committee of the Whole.

#### COMMITTEE ATTENDANCE REPORT

The Committee on Regulatory Reform submitted the following:

Meeting held on Thursday, April 14, 2011, at 1:30 p.m., Room 110, Farnum Building

Present: Senators Rocca (C), Jones, Hune, Meekhof, Pavlov, Johnson and Warren

The Committee on Appropriations reported

**Senate Bill No. 169, entitled**

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

With the recommendation that the substitute (S-1) be adopted and that the bill then pass.  
The committee further recommends that the bill be given immediate effect.

Roger Kahn, M.D.  
Chairperson

To Report Out:

Yeas: Senators Kahn, Moolenaar, Jansen, Pappageorge, Booher, Caswell, Colbeck, Green, Proos, Schuitmaker and Walker

Nays: Senators Anderson, Gregory, Hood and Johnson

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

The Committee on Appropriations reported

**Senate Bill No. 172, entitled**

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

With the recommendation that the substitute (S-1) be adopted and that the bill then pass.

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

Roger Kahn, M.D.  
Chairperson

To Report Out:

Yeas: Senators Kahn, Moolenaar, Jansen, Pappageorge, Booher, Caswell, Colbeck, Green, Proos, Schuitmaker and Walker

Nays: Senators Anderson, Gregory, Hood, Hopgood and Johnson

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

The Committee on Appropriations reported

**Senate Bill No. 173, entitled**

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

With the recommendation that the substitute (S-1) be adopted and that the bill then pass.

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

Roger Kahn, M.D.  
Chairperson

To Report Out:

Yeas: Senators Kahn, Moolenaar, Jansen, Pappageorge, Booher, Caswell, Colbeck, Green, Proos, Schuitmaker and Walker

Nays: Senators Anderson, Gregory, Hood, Hopgood and Johnson

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

The Committee on Appropriations reported

**Senate Bill No. 175, entitled**

A bill to make appropriations for the department of energy, labor, and economic growth for the fiscal year ending September 30, 2012; and to provide for the expenditure of the appropriations.

With the recommendation that the substitute (S-1) be adopted and that the bill then pass.

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

Roger Kahn, M.D.  
Chairperson

To Report Out:

Yeas: Senators Kahn, Moolenaar, Jansen, Pappageorge, Booher, Caswell, Colbeck, Green, Proos, Schuitmaker and Walker

Nays: Senators Anderson, Gregory, Hood, Hopgood and Johnson

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

The Committee on Appropriations reported

**Senate Bill No. 177, entitled**

A bill to make appropriations for the legislature, the judiciary, the executive, the department of attorney general, the department of state, the department of treasury, the department of technology, management, and budget, the department

of civil service, the department of civil rights, and certain state purposes related thereto for the fiscal year ending September 30, 2012; to provide for the expenditure of the appropriations; to provide for the disposition of fees and other income received by the state agencies; and to declare the effect of this act.

With the recommendation that the substitute (S-1) be adopted and that the bill then pass.

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

Roger Kahn, M.D.  
Chairperson

To Report Out:

Yeas: Senators Kahn, Moolenaar, Jansen, Pappageorge, Booher, Caswell, Colbeck, Green, Proos, Schuitmaker and Walker

Nays: Senators Anderson, Gregory, Hood, Hopgood and Johnson

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

The Committee on Appropriations reported

**Senate Bill No. 179, entitled**

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

With the recommendation that the substitute (S-1) be adopted and that the bill then pass.

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

Roger Kahn, M.D.  
Chairperson

To Report Out:

Yeas: Senators Kahn, Moolenaar, Jansen, Pappageorge, Booher, Caswell, Colbeck, Green, Proos, Schuitmaker and Walker

Nays: Senators Anderson, Gregory, Hood, Hopgood and Johnson

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

The Committee on Appropriations reported

**Senate Bill No. 182, entitled**

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

With the recommendation that the substitute (S-1) be adopted and that the bill then pass.

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

Roger Kahn, M.D.  
Chairperson

To Report Out:

Yeas: Senators Kahn, Moolenaar, Jansen, Pappageorge, Booher, Caswell, Colbeck, Green, Proos, Schuitmaker and Walker

Nays: Senators Anderson, Gregory, Hood and Johnson

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

The Committee on Appropriations reported

**Senate Bill No. 184, entitled**

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

With the recommendation that the substitute (S-1) be adopted and that the bill then pass.

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

Roger Kahn, M.D.  
Chairperson

To Report Out:

Yeas: Senators Kahn, Moolenaar, Jansen, Pappageorge, Booher, Caswell, Colbeck, Green, Proos, Schuitmaker and Walker

Nays: Senators Anderson, Hood, Hopgood and Johnson

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

## COMMITTEE ATTENDANCE REPORT

The Committee on Appropriations submitted the following:

Meeting held on Wednesday, April 20, 2011, at 10:00 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building

Present: Senators Kahn (C), Moolenaar, Jansen, Pappageorge, Booher, Caswell, Colbeck, Green, Proos, Schuitmaker, Walker, Anderson, Gregory, Hood, Hopgood and Johnson

## COMMITTEE ATTENDANCE REPORT

The Subcommittee on Department of Community Health submitted the following:

Meeting held on Wednesday, April 13, 2011, at 1:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower

Present: Senators Moolenaar (C), Caswell, Booher and Gregory

## COMMITTEE ATTENDANCE REPORT

The Committee on Appropriations submitted the following:

Meeting held on Wednesday, April 13, 2011, at 2:22 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building

Present: Senators Kahn (C), Moolenaar, Jansen, Pappageorge, Booher, Caswell, Colbeck, Green, Proos, Schuitmaker, Walker, Anderson, Gregory, Hood, Hopgood and Johnson

## COMMITTEE ATTENDANCE REPORT

The Subcommittee on Department of Corrections submitted the following:

Meeting held on Thursday, April 14, 2011, at 9:00 a.m., Senate Hearing Room, Ground Floor, Boji Tower

Present: Senators Proos (C), Walker and Anderson

## COMMITTEE ATTENDANCE REPORT

The Subcommittee on Transportation submitted the following:

Meeting held on Thursday, April 14, 2011, at 9:30 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building

Present: Senators Pappageorge (C), Colbeck and Anderson

## COMMITTEE ATTENDANCE REPORT

The Subcommittee on State Police and Military Affairs submitted the following:

Meeting held on Thursday, April 14, 2011, at 1:00 p.m., Room 405, Capitol Building

Present: Senators Colbeck (C), Pappageorge and Gregory

## COMMITTEE ATTENDANCE REPORT

The Subcommittee on Department of Human Services submitted the following:

Meeting held on Thursday, April 14, 2011, at 2:30 p.m., Room 210, Farnum Building

Present: Senators Caswell (C), Jansen, Proos and Gregory

## COMMITTEE ATTENDANCE REPORT

The Subcommittee on Department of Environmental Quality submitted the following:

Meeting held on Thursday, April 14, 2011, at 3:30 p.m., Rooms 402 and 403, Capitol Building

Present: Senators Green (C), Walker, Booher and Hopgood

## COMMITTEE ATTENDANCE REPORT

The Subcommittee on K-12, School Aid, Education submitted the following:

Meeting held on Tuesday, April 19, 2011, at 10:30 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building

Present: Senators Walker (C), Caswell, Pappageorge and Hopgood

## COMMITTEE ATTENDANCE REPORT

The Subcommittee on Higher Education submitted the following:

Meeting held on Tuesday, April 19, 2011, at 1:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building

Present: Senators Schuitmaker (C), Walker and Hood

## COMMITTEE ATTENDANCE REPORT

The Subcommittee on State Police and Military Affairs submitted the following:

Meeting held on Tuesday, April 19, 2011, at 1:00 p.m., Room 405, Capitol Building

Present: Senators Colbeck (C), Pappageorge and Gregory

## COMMITTEE ATTENDANCE REPORT

The Subcommittee on General Government submitted the following:

Meeting held on Tuesday, April 19, 2011, at 2:30 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building

Present: Senators Pappageorge (C), Jansen, Colbeck and Johnson

**Scheduled Meetings**

**Appropriations** - Wednesday, April 27, 2:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-1760)  
(CANCELED)

**Subcommittee -**

**Capital Outlay** - Thursday, May 5, 9:00 a.m., House Appropriations Room, 3rd Floor, Capitol Building (373-8080)

**Economic Development** - Wednesday, April 27, 9:00 a.m., Room 110, Farnum Building (373-5312)

**Judiciary** - Thursday, April 28, 8:30 a.m., Room 110, Farnum Building (373-5323) (CANCELED)

**Legislative Retirement Board of Trustees** - Wednesday, April 27, 1:00 p.m., Room H-65, Capitol Building (373-0575)

**Natural Resources, Environment and Great Lakes** - Thursday, April 28, 8:30 a.m., Room 210, Farnum Building  
(373-5323)

**Reforms, Restructuring and Reinventing** - Wednesday, April 27, 8:30 a.m., Rooms 402 and 403, Capitol Building  
(373-5324)

Senator Pavlov moved that the Senate adjourn.

The motion prevailed, the time being 5:18 p.m.

The President, Lieutenant Governor Calley, declared the Senate adjourned until Wednesday, April 27, 2011, at 10:00 a.m.

CAROL MOREY VIVENTI  
Secretary of the Senate

