

No. 123
STATE OF MICHIGAN
Journal of the Senate
94th Legislature
REGULAR SESSION OF 2007

Senate Chamber, Lansing, Thursday, November 29, 2007.

1:00 p.m.

The Senate was called to order by the President, Lieutenant Governor John D. Cherry, Jr.

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

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

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

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

Reverend Gloria Sims Poe of New Hebrew Baptist Church of Detroit offered the following invocation:

Father God, Creator of heaven and earth, we approach Your throne of grace together here in this house. We acknowledge You and welcome you in the Senate house, where a seat is always available.

In all things, we acknowledge the need of You when it is time to make good and hard decisions. Provide Your righteousness, Father God, and Your mercy and grace as a key element that only You can provide for good decisions. We ask that You forgive our transgressions, show us all the right way, and assure us that You are still sitting on the throne and still in charge.

Now, therefore, also we pray always for You, that our God will count You worthy of this calling and fulfill all the good pleasure of this goodness and the work of this state with power. Let us all say, "Amen."

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

Motions and Communications

Senator Cropsy moved that Senators Cassis, Garcia, Kahn, McManus and Patterson be temporarily excused from today's session.

The motion prevailed.

Senator Thomas moved that Senators Barcia, Basham and Gleason be temporarily excused from today's session.

The motion prevailed.

Senators Patterson, McManus, Cassis, Basham, Brater and Kahn entered the Senate Chamber.

The following communication was received:

Department of State

Administrative Rules Notice of Filing

November 27, 2007

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 Labor & Economic Growth, State Office of Administrative Hearings and Rules filed at 3:37 p.m. this date, administrative rule (07-11-02) for the Department of Labor and Economic Growth, Director's Office, entitled "*Accounting*." These rules become effective immediately upon filing with the Secretary of State unless adopted under sections 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,

Terri Lynn Land

Secretary of State

Robin Houston, Office Supervisor

Office of the Great Seal

The communication was referred to the Secretary for record.

The following communication was received and read:

Office of the Senate Majority Leader

November 28, 2007

Pursuant to Senate Rule 2.104(c), I am requesting that the Senate Appropriations Committee hold a hearing on the appointment of Mohamed Okdie to the Eastern Michigan University Board of Regents, and make written recommendations to the Government Operations and Reform Committee on this appointment.

Sincerely,

Senator Michael D. Bishop, Chairman

Government Operations and Reform Committee

The communication was referred to the Secretary for record.

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

November 29, 2007

Pursuant to PA 98 of 2007, I am appointing Mr. Robert Daddow of 5875 Wellwood Drive, Rochester, Michigan 48326, County of Oakland, to the legislative commission on statutory mandates, for a term of three years.

If you have any questions please contact Bill Sullivan in my office at 373-5180.

November 29, 2007

Pursuant to PA 96 of 2007, I am appointing Mr. Kevin Prokop of 930 Wimbleton Drive, Birmingham, Michigan 48009, County of Oakland, to the legislative commission on government efficiency, for a term of three years.

If you have any questions please contact Bill Sullivan in my office at 373-5180

Sincerely,
Michael D. Bishop
Senate Majority Leader

The communications were referred to the Secretary for record.

The Secretary announced that the following House bills were received in the Senate and filed on Wednesday, November 28:

House Bill Nos. 4050 4317 4680 5274 5354

The Secretary announced that the following official bills were printed on Wednesday, November 28, and are available at the legislative website:

Senate Bill Nos. 917 918 919 920 921 925

House Bill Nos. 5465 5466 5467

Senator Cropsey moved that the rules be suspended and that the following concurrent resolutions, now on Committee Reports, be placed on the Resolutions calendar for consideration today:

House Concurrent Resolution No. 30

House Concurrent Resolution No. 31

House Concurrent Resolution No. 32

House Concurrent Resolution No. 34

House Concurrent Resolution No. 35

House Concurrent Resolution No. 37

House Concurrent Resolution No. 44

House Concurrent Resolution No. 45

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

Senator Cropsey moved that the Committee on Government Operations and Reform be discharged from further consideration of the following appointments:

Certificate of Need Commission

Mr. Thomas M. Smith, a Republican, of 1636 Allendale Drive, Saginaw, Michigan 48638, county of Saginaw, succeeding Roger G. Andrzejewski, whose term has expired, representing a company that is self-insured for health coverage, for a term commencing October 18, 2007 and expiring April 9, 2010.

Mr. Edward B. Goldman, a Democrat, of 1944 Boulder Drive, Ann Arbor, Michigan 48104, county of Washtenaw, reappointed to represent hospitals, for a term expiring April 9, 2010.

Ms. Norma R. Hagenow, a Republican, of 8103 Hawkcrest Drive, Grand Blanc, Michigan 48439, county of Genesee, reappointed to represent hospitals, for a term expiring April 9, 2010.

The motion prevailed, a majority of the members serving voting therefor, and the appointments were placed on the order of Messages from the Governor.

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

The motion prevailed.

Senator Hardiman's statement is as follows:

It's a bittersweet moment for me today. I have someone who has worked with me for almost three years leaving my office. She has just been a bright light there; she has a smile that lights up the room, and this room is being lit up right now because I think she's behind me and she should be beside me.

Robyn Heron has been in my office as communications director. She has done a wide variety of things, and she's done them very well. She is going to be leaving my office to move to be the events coordinator at the Michigan Credit Union League, where I know she will do a wonderful job. I have really appreciated her working with us.

She is a graduate of Western Michigan University and married to Matthew, with a lovely 1-year-old daughter Laylah, who has only helped to brighten her smile.

I would like to present her with this seal signed by my Senate colleagues and just ask my Senate colleagues to help me congratulate Robyn and wish her well as she moves on to her next position.

Senator Switalski's statement is as follows:

I have an intern who is ending her internship with me. Alyssa Johnson is a sophomore at Michigan State University and has done a great job for me. She also has a great smile and a great head of hair; so she brings a lot of assets to the job. She has done a superb job and I will miss her very much.

Messages from the Governor

Senator Cropsy moved that consideration of the following bills be postponed for today:

Senate Bill No. 436

Senate Bill No. 222

Senate Bill No. 229

Senate Bill No. 232

Senate Bill No. 238

Senate Bill No. 240

The motion prevailed.

The following message from the Governor was received and read:

November 28, 2007

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following appointment to state office under Section 22 of The Public School Employees Retirement Act of 1979, 1980 PA 300, MCL 38.1322:

Public School Employees' Retirement Board

Mr. Steven J. Jagusch of 4691 Camelina Drive, Commerce, Michigan 48382, county of Oakland, succeeding Marc G. Whitefield, who has resigned, representing the general public with experience in investments, for a term commencing November 28, 2007 and expiring March 30, 2008.

Sincerely,
Jennifer M. Granholm
Governor

The appointment was referred to the Committee on Government Operations and Reform.

Senator Garcia entered the Senate Chamber.

Certificate of Need Commission

Mr. Thomas M. Smith, a Republican, of 1636 Allendale Drive, Saginaw, Michigan 48638, county of Saginaw, succeeding Roger G. Andrzejewski, whose term has expired, representing a company that is self-insured for health coverage, for a term commencing October 18, 2007 and expiring April 9, 2010.

Senator Cropsy moved that the Senate advise and consent to the appointment.

The question being on advising and consenting to the said appointment to office,

The Senate advised and consented to the appointment, a majority of the members serving voting therefor, as follows:

Roll Call No. 499

Yeas—35

Allen
Anderson

Clark-Coleman
Clarke

Jelinek
Kahn

Sanborn
Schauer

Insofar as we were able to find somebody who had knowledge on that and was willing to give of their own free time, without asking anything in return, it was Tom Smith. When I saw that the Governor had appointed him, it led me to say, "Way to go, Governor." I am delighted that he is appointed, delighted to be able to speak for him, and will be delighted to see the work product that he produces on the Certificate of Need Commission.

Senator Cherry's statement is as follows:

With permission, I'd like to speak about the nomination of Thomas Smith and Norma Hagenow.

My colleagues have heard the qualifications of Tom Smith and I want to concur in the recommendations that we have heard about his appointment. I know Tom Smith very well through a working relationship that I have had with him on the Greater Flint Area Health Coalition. I have served there for at least five years, and now I'm the chair of that coalition. Tom Smith has always been a very active participant in the work of that coalition.

One of the things that I value most about Tom is that he works hard to see an end product. He is also very careful to balance quality and cost to come up with very good solutions that include all of the community. He has been a great partner with the UAW, and I highly recommend his appointment.

Norma Hagenow, as the former CEO of Genesys Health Systems, also served with me on the Greater Flint Health Coalition for the past five years and has been a leader in the work of that coalition. She has been not only a leader with that group, but a leader throughout the community in her care to make sure that services and health care are provided to all who need them in a systems-based approach.

I can't think of any two people who would better serve the state of Michigan on the Certificate of Need Commission, and I commend the Governor for making these appointments.

Senator Barcia entered the Senate Chamber.

Certificate of Need Commission

Mr. Edward B. Goldman, a Democrat, of 1944 Boulder Drive, Ann Arbor, Michigan 48104, county of Washtenaw, reappointed to represent hospitals, for a term expiring April 9, 2010.

Senator Cropsey moved that the Senate advise and consent to the appointment.

The question being on advising and consenting to the said appointment to office,

The Senate advised and consented to the appointment, a majority of the members serving voting therefor, as follows:

Roll Call No. 500

Yeas—37

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

Nays—0

Excused—1

Gleason

Not Voting—0

In The Chair: President

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

The motion prevailed.

Senator George’s statement is as follows:

Mr. Goldman has been affiliated with the University of Michigan since 1973, where he is now their associate vice president and deputy general counsel. He served on the Certificate of Need Commission since 2001 and is currently its vice chair.

The Senate Health Policy Committee held a hearing on his appointment and recommends consent with his appointment.

Senator Gleason entered the Senate Chamber.

Certificate of Need Commission

Ms. Norma R. Hagenow, a Republican, of 8103 Hawkcrest Drive, Grand Blanc, Michigan 48439, county of Genesee, reappointed to represent hospitals, for a term expiring April 9, 2010.

Senator Cropsey moved that the Senate advise and consent to the appointment.

The question being on advising and consenting to the said appointment to office,

The Senate advised and consented to the appointment, a majority of the members serving voting therefor, as follows:

Roll Call No. 501

Yeas—38

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

Nays—0

Excused—0

Not Voting—0

In The Chair: President

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

The motion prevailed.

Senator George’s statement is as follows:

Ms. Hagenow is the current chair of the Certificate of Need Commission, and the Governor has recommended her for reappointment. The Senate Health Policy Committee had a chance to discuss with her issues related to the Certificate of Need process and we find her qualified and wish for her to continue in her post. So the Senate Health Policy Committee has recommend consent with her appointment, and I would hope that my colleagues would concur.

Messages from the House

Senator Cropsey moved that consideration of the following bills be postponed for today:

Senate Bill No. 53

House Bill No. 4120

Senate Bill No. 511
House Bill No. 4507

The motion prevailed.

Senate Bill No. 388, entitled

A bill to amend 1995 PA 29, entitled “Uniform unclaimed property act,” by amending sections 2, 15, and 30 (MCL 567.222, 567.235, and 567.250).

The House of Representatives has substituted (H-2) the bill.

The House of Representatives has passed the bill as substituted (H-2), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

Pursuant to rule 3.202, the bill was laid over one day.

Senate Bill No. 593, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending the heading of part 131 and sections 13101 and 13102 (MCL 333.13101 and 333.13102), as added by 1996 PA 223, and by adding sections 13104, 13105, 13106, 13107, 13108, 13109, 13110, and 13111.

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

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

Pursuant to rule 3.202, the bill was laid over one day.

Senate Bill No. 757, entitled

A bill to amend 1974 PA 198, entitled “An act to provide for the establishment of plant rehabilitation districts and industrial development districts in local governmental units; to provide for the exemption from certain taxes; to levy and collect a specific tax upon the owners of certain facilities; to impose and provide for the disposition of an administrative fee; to provide for the disposition of the tax; to provide for the obtaining and transferring of an exemption certificate and to prescribe the contents of those certificates; to prescribe the powers and duties of the state tax commission and certain officers of local governmental units; and to provide penalties,” by amending sections 2 and 9 (MCL 207.552 and 207.559), section 2 as amended by 2007 PA 12 and section 9 as amended by 2006 PA 436.

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

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

A bill to amend 1974 PA 198, entitled “An act to provide for the establishment of plant rehabilitation districts and industrial development districts in local governmental units; to provide for the exemption from certain taxes; to levy and collect a specific tax upon the owners of certain facilities; to impose and provide for the disposition of an administrative fee; to provide for the disposition of the tax; to provide for the obtaining and transferring of an exemption certificate and to prescribe the contents of those certificates; to prescribe the powers and duties of the state tax commission and certain officers of local governmental units; and to provide penalties,” by amending sections 2, 9, and 14 (MCL 207.552, 207.559, and 207.564), section 2 as amended by 2007 PA 12, section 9 as amended by 2006 PA 436, and section 14 as amended by 2007 PA 39.

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

Senator Cropsey moved that the rule be suspended.

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

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

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

Roll Call No. 502

Yeas—38

| | | | |
|----------|---------------|---------|--------------|
| Allen | Clark-Coleman | Jansen | Richardville |
| Anderson | Clarke | Jelinek | Sanborn |
| Barcia | Cropsey | Kahn | Schauer |
| Basham | Garcia | Kuipers | Scott |
| Birkholz | George | McManus | Stamas |

Bishop
Brater
Brown
Cassis
Cherry

Gilbert
Gleason
Hardiman
Hunter
Jacobs

Olshove
Pappageorge
Patterson
Prusi

Switalski
Thomas
Van Woerkom
Whitmer

Nays—0

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

Senate Bill No. 799, entitled

A bill to amend 1984 PA 22, entitled "Michigan civilian conservation corps act," by amending the title and section 12a (MCL 409.312a), the title as amended by 1994 PA 394 and section 12a as amended by 2002 PA 57.

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.

By unanimous consent the Senate proceeded to the order of

General Orders

Senator Cropsey 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 Cherry, designated Senator Jansen as Chairperson.

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

Senate Bill No. 910, entitled

A bill to amend 1995 PA 24, entitled "Michigan economic growth authority act," by amending sections 6 and 9 (MCL 207.806 and 207.809), section 6 as amended by 2003 PA 248 and section 9 as amended by 2000 PA 144.

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. 104, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 319, 634, 649, and 650 (MCL 257.319, 257.634, 257.649, and 257.650), section 319 as amended by 2004 PA 362 and section 634 as amended by 1988 PA 346.

Substitute (S-3).

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

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:
Senate Bill No. 534, entitled

A bill to amend 1996 PA 381, entitled “Brownfield redevelopment financing act,” by amending section 2 (MCL 125.2652), as amended by 2006 PA 32.

Substitute (S-2).

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

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:
Senate Bill No. 539, entitled

A bill to amend 1996 PA 381, entitled “Brownfield redevelopment financing act,” by amending section 16 (MCL 125.2666), as amended by 2000 PA 145.

Substitute (S-1).

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

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:
Senate Bill No. 885, entitled

A bill to amend 1996 PA 376, entitled “Michigan renaissance zone act,” by amending sections 8e, 9, and 10 (MCL 125.2688e, 125.2689, and 125.2690), section 8e as added by 2006 PA 270 and section 10 as amended by 2005 PA 164.

Substitute (S-1).

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

1. Amend page 6, line 7, after “**AGRICULTURAL**” by striking out “**COMMODITIES**” and inserting “**CROPS**”.
2. Amend page 6, line 7, after “**RESIDUES,**” by striking out “**PLANTS, OR PLANT PRODUCTS**” and inserting “**OR PROCESSED PRODUCTS FROM AGRICULTURAL CROPS**”.

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.

Resolutions

House Concurrent Resolution No. 30.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease among the State of Michigan, the State Building Authority, and the Board of Trustees of Western Michigan University relative to the Western Michigan University Brown Hall Renovations/Addition.

The Assistant Secretary of the Senate made the following statement:

Mr. President and members of the Senate, the lease and exhibits are attached to the resolution and are available for review by the membership now at the rostrum or after session in the offices of the Session Staff in the Romney Building.

The question being on the adoption of the concurrent resolution,

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

Roll Call No. 503

Yeas—38

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

Nays—0

Excused—0

Not Voting—0

In The Chair: President

Senator Clarke was named co-sponsor of the concurrent resolution.

Senator Gleason stated that had he been present earlier today when the votes were taken on the advise and consent of Thomas Smith and Edward Goldman to the Certificate of Need Commission, he would have voted “yea.”

House Concurrent Resolution No. 31.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease among the State of Michigan, the State Building Authority, and Macomb Community College relative to the Macomb Community College Health Sciences and Technology Classroom Building.

The Assistant Secretary of the Senate made the following statement:

Mr. President and members of the Senate, the lease and exhibits are attached to the resolution and are available for review by the membership now at the rostrum or after session in the offices of the Session Staff in the Romney Building.

The question being on the adoption of the concurrent resolution,

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

Roll Call No. 504

Yeas—38

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

Nays—0

Excused—0

Not Voting—0

In The Chair: President

Senator Clarke was named co-sponsor of the concurrent resolution.

House Concurrent Resolution No. 32.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease among the State of Michigan, the State Building Authority, and Macomb Community College relative to the Macomb Community College Emergency Services Training Center.

The Assistant Secretary of the Senate made the following statement:

Mr. President and members of the Senate, the lease and exhibits are attached to the resolution and are available for review by the membership now at the rostrum or after session in the offices of the Session Staff in the Romney Building.

The question being on the adoption of the concurrent resolution,

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

Roll Call No. 505**Yeas—38**

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

Nays—0**Excused—0****Not Voting—0**

In The Chair: President

Senator Clarke was named co-sponsor of the concurrent resolution.

House Concurrent Resolution No. 34.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease among the State of Michigan, the State Building Authority, and Alpena Community College relative to the Alpena Community College Instructional Addition/Renovation.

The Assistant Secretary of the Senate made the following statement:

Mr. President and members of the Senate, the lease and exhibits are attached to the resolution and are available for review by the membership now at the rostrum or after session in the offices of the Session Staff in the Romney Building.

The question being on the adoption of the concurrent resolution,

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

Roll Call No. 506**Yeas—38**

| | | | |
|----------|---------------|---------|--------------|
| Allen | Clark-Coleman | Jansen | Richardville |
| Anderson | Clarke | Jelinek | Sanborn |

| | | | |
|----------|----------|-------------|-------------|
| Barcia | Cropsey | Kahn | Schauer |
| Basham | Garcia | Kuipers | Scott |
| Birkholz | George | McManus | Stamas |
| Bishop | Gilbert | Olshove | Switalski |
| Brater | Gleason | Pappageorge | Thomas |
| Brown | Hardiman | Patterson | Van Woerkom |
| Cassis | Hunter | Prusi | Whitmer |
| Cherry | Jacobs | | |

Nays—0

Excused—0

Not Voting—0

In The Chair: President

Senator Clarke was named co-sponsor of the concurrent resolution.

House Concurrent Resolution No. 35.

A concurrent resolution approving a lease between the State of Michigan and the State Building Authority relative to the Department of Management and Budget State Facility Preservation Projects, Phase I, Phase II, Group E, Special Maintenance Projects (the “Facility”).

The Assistant Secretary of the Senate made the following statement:

Mr. President and members of the Senate, the lease and exhibits are attached to the resolution and are available for review by the membership now at the rostrum or after session in the offices of the Session Staff in the Romney Building.

The question being on the adoption of the concurrent resolution,

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

Roll Call No. 507

Yeas—38

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

Nays—0

Excused—0

Not Voting—0

In The Chair: President

Senator Clarke was named co-sponsor of the concurrent resolution.

House Concurrent Resolution No. 37.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease among the State of Michigan, the State Building Authority, and the Regents of the University of Michigan relative to the University of Michigan-Ann Arbor Observatory Lodge Renovations.

The Assistant Secretary of the Senate made the following statement:

Mr. President and members of the Senate, the lease and exhibits are attached to the resolution and are available for review by the membership now at the rostrum or after session in the offices of the Session Staff in the Romney Building.

The question being on the adoption of the concurrent resolution,

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

Roll Call No. 508**Yeas—38**

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

Nays—0**Excused—0****Not Voting—0**

In The Chair: President

Senator Clarke was named co-sponsor of the concurrent resolution.

House Concurrent Resolution No. 44.

A concurrent resolution to approve the conveyance of property to the State Building Authority and approving a lease between the State of Michigan and the State Building Authority relative to the Department of Information Technology Michigan Public Safety Communication System Critical Platform Upgrades.

The Assistant Secretary of the Senate made the following statement:

Mr. President and members of the Senate, the lease and exhibits are attached to the resolution and are available for review by the membership now at the rostrum or after session in the offices of the Session Staff in the Romney Building.

The question being on the adoption of the concurrent resolution,

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

Roll Call No. 509**Yeas—38**

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

Nays—0**Excused—0****Not Voting—0**

In The Chair: President

Senator Clarke was named co-sponsor of the concurrent resolution.

House Concurrent Resolution No. 45.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease between the State of Michigan and the State Building Authority relative to the Department of Management and Budget Capitol Complex Renovations.

The Assistant Secretary of the Senate made the following statement:

Mr. President and members of the Senate, the lease and exhibits are attached to the resolution and are available for review by the membership now at the rostrum or after session in the offices of the Session Staff in the Romney Building.

The question being on the adoption of the concurrent resolution,

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

Roll Call No. 510**Yeas—38**

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

Nays—0

Excused—0

Not Voting—0

In The Chair: President

Senator Clarke was named co-sponsor of the concurrent resolution.

By unanimous consent the Senate proceeded to the order of
Statements

Senators Scott, Jansen, Prusi, Gilbert, Kahn and Jelinek asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator Scott's statement is as follows:

I rise today for my daily appeal to you to take action on this growing insurance problem we have in Michigan. Now do not think I don't know that it is at this point of the agenda that you roll your eyes, pick up the phones, or busy yourself with paper work. I can only imagine what plots you are hatching in your minds to silence me.

Actor/singer/activist Paul Robeson once told us, "The answer to injustice is not to silence the critic, but to end the injustice." How powerful is that? Let me say it again, "The answer to injustice is not to silence the critic, but to end the injustice."

So instead of wasting precious time planning how to silence me, why don't you just use that time constructively to end the injustice? And you can begin by moving my bills.

Senator Jansen's statement is as follows:

I would ask my colleagues, again, to look at what we're trying to do in the state. I think we're all trying to work together. I think we're trying to come up with a solution. The timer is going and we have less than 24 hours to really meet the deadline. I think a few of us have been making calls, even today, to try to get some folks back to the table.

We can all tell our stories. Some people believe them; some people don't. All I look at is: I have folks back home and you have them in your area. When this service tax goes into place, and just in the warehousing, I'll use them as one example, 13,000 jobs in Michigan. If I use my average in planning, 2.1 children per family, that's 32,000 children; they're packing up and getting ready to go—because they're going to be shipped out of Michigan to go work in northern Indiana, northern Ohio, and they're going to start warehousing in another state.

We have the highest unemployment in the nation: 7.7 percent. What we're trying to fix here is to stop that, and I don't care who you are, I think we need to fix it. So we can point fingers and we can play whatever you want to play, whoever you are, but we do need to fix it. We have 24 hours. I would suggest strongly, whoever has contact with the folks that could be at that table, I know the good Senator who just spoke two times ago is ready; I'm ready; we want to make this happen. We want to fix it. Is it going to be perfect? No. But you know what, negotiations is part of that. You don't like the number, I don't like the number, but we do need to finish this. Twenty-four hours is not a lot of time, but in some respects, it is a lot of time.

I would throw the offer out there that there are those who are ready to continue the conversation and making the progress that we were making in the last 48 hours; continue and let's get this finished.

Senator Prusi's statement is as follows:

You don't often see me up here under Statements, and I really had no intention or preparation to make a statement today on this issue. But, as a member of the workgroup representing this caucus, yesterday was the first and actually only opportunity I had to be in the room while negotiations were ongoing. If there were subsequent negotiations that continued on after I sat around for an hour and a half waiting after the members of the majority left the negotiations, as we waited for a response or another proposal or a response in any fashion, I guess someone neglected to call me, even though my cell phone is available to just about everyone.

So if there were ongoing negotiations, the Senate Democrats were not in the room; were not included. And I believe that the bill that was sent over here that we were voting on last night contained many elements that were put forth by your side of the aisle. I believe that the negotiations that had taken place up to that point had been productive. You had gotten quite a bit of what you wanted. But if we were to work toward the end that you seek, we would have had to find another \$381 million to cut from the current-year budget because the numbers that you were showing us, as analyzed by the nonpartisan Senate Fiscal Agency, shows you were blowing a major hole in the budget had we conceded to your demands at the negotiating table.

Now I'm getting really tired of the mythology that a service tax is purely a Democratic invention and a Democratic tax. I'm tired of the mythology that somehow you're the "put-upon" minority and that you've been bludgeoned and beaten around the head by the Democrats into this situation and that you have this odious service tax that you want to get rid of. We've given you many opportunities to get rid of it, yet you continue to want to rewrite the MBT while you're doing this. I think the media over there has subscribed to your crocodile tears and haven't really pointed out the fact that you control this chamber; you control this agenda. You could have stopped this service tax eight weeks ago. You could have stopped giving it immediate effect, and we could have had until April before the service tax went into effect. But Republicans put up the votes to put it over the top; Republicans put up the votes to give it immediate effect. So when you start to cry your crocodile tears about what's going on here, at least look in the mirror once in a while and wipe the tear off your own cheeks and realize this is partially your fault as well.

There are people in this room who will negotiate with you who you can trust. Just let us get in the room once in a while.

Senator Gilbert's statement is as follows:

I just want to make a few comments about what happened last night. In my eight years in the Legislature, I have never seen anything that such violated a trust. Senator Jansen and myself negotiated on and off all day. We were negotiating right up until the House voted and sent their version of the surcharge that dealt with the service tax.

It's a very important issue. If you look at what's going on in this state, as unemployment increases, we've run up to a situation where our only solution is taxing business in one way or another. We've become entirely too focused on government and not enough on the economy. I think Bill Clinton said it once, "It's the economy, stupid." What's really important here is jobs in Michigan, and it doesn't take someone with an economics degree to figure out that if you take more money from business, there will be less money to employ people.

But as to what happened last night with the negotiations, there was an article in *MIRS* that, I think, sums it all up. One of the chief negotiators, Representative Bieda, said he disagreed with his leadership. He said he didn't agree with cutting off negotiations on the issue and quickly passing the bill. "I thought we were still negotiating," Bieda said, "this was not my call; it was a decision made higher up. A decision made by caucus leadership." In the last sentence of the article it says, "Apparently, when Bieda left, he thought he was going to return for more negotiations." So did I.

I have one conclusion to this. I'm on the conference committee; tell me who I can talk to and who I can trust. I think it's been made very difficult for those of us on that committee to make up their minds who they can trust. If House leadership is willing to do that to one of their own, I can only imagine what they'd be willing to do to me.

Senator Kahn's statement is as follows:

In our caucus from time to time, my good friend Senator Patterson points out we're elected from districts to represent the state as a whole to represent Michigan. As I was talking to folks back my way yesterday and today about this situation that we find ourselves in today, they don't differentiate between Republicans or Democrats, and in important ways, they don't differentiate between House or Senate. They view us as the Legislature as all responsible and the administration too.

Thinking about that, I have a modified quotation for you. We know it as starting, "It was the best of times. It was the worst of times." Let me read a part of this: "It was the worst of times. It was the age of foolishness. An epic of incredulity, a season of darkness, a winter of despair. Nothing before us." In short, that's what I think we are facing here, and we need to come together with a solution. We all agree on that. Let's do it.

Senator Jelinek's statement is as follows:

When we passed the new service tax, it was thought to be a simple tax that would not have very much effect, if any, on our businesses. It was supposed to be a discretionary tax. That meant if you don't use the service, you don't pay the tax. We all know that since we voted on it, the tax collection outlook has grown to a much, much bigger burden on individuals and businesses than anyone imagined. This tax was part of a plan to achieve a balanced budget, but since it is so much more aggressive and damaging than planned, it is our responsibility as legislators to fix it and to prevent almost-sure damage to our state and to those whom it affects.

House members, taking your marbles and going home may work on the playground, but I assumed when I left teaching and came to Lansing, I wouldn't be exposed to that sort of behavior anymore. You must come back to session today or tomorrow. You must come prepared to fix this situation for the good of this state and its residents. One upmanship, partisanship, or any other kind of ship will not solve this dilemma unless you participate in true statesmanship.

I implore you, the House of Representatives, to do what you were elected to do and come back and fix this burdensome tax, name your conference committee members, and work sincerely. Let's fix this situation today.

By unanimous consent the Senate returned to the order of

Introduction and Referral of Bills

Senator Gleason introduced

Senate Bill No. 926, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 17769. The bill was read a first and second time by title and referred to the Committee on Health Policy.

Senators Hunter, Cherry, Gleason, Thomas, Scott and Van Woerkom introduced

Senate Bill No. 927, entitled

A bill to amend 1846 RS 65, entitled "Of alienation by deed, and the proof and recording of conveyances, and the canceling of mortgages," by amending sections 24, 25, 27, 28, and 43 (MCL 565.24, 565.25, 565.27, 565.28, and 565.43), section 25 as amended by 1996 PA 526 and sections 28 and 43 as amended by 1992 PA 212, and by adding section 24a; and to repeal acts and parts of acts.

The bill was read a first and second time by title and referred to the Committee on Local, Urban and State Affairs.

Senator Olshove introduced

Senate Bill No. 928, entitled

A bill to amend 1979 PA 72, entitled "An act to require the governor to report certain tax information with the annual budget message to the legislature," by amending section 3 (MCL 21.273), as amended by 2003 PA 38.

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

Senator Barcia introduced

Senate Bill No. 929, entitled

A bill to amend 1895 PA 215, entitled "The fourth class city act," by amending section 20 (MCL 110.20).

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

Senator Gilbert introduced

Senate Bill No. 930, entitled

A bill to amend 1991 PA 180, entitled "An act to assist in the financing of stadia or convention facilities; to permit eligible municipalities to impose and collect an excise tax on businesses engaged in the preparation and delivery of food and beverages for immediate consumption, in leasing or renting motor vehicles in the eligible municipality, and in providing accommodations for dwelling, lodging, or sleeping purposes; to limit the rate of that excise tax; to authorize voter approval in a single ballot question of the excise tax authorized by this act and of certain purposes for which the excise tax is imposed; to provide for the establishment of procedures for the collection, administration, and enforcement of the excise tax; to prescribe the powers and duties of certain state departments and state and local officials; to provide for the disposition and transmittal of the revenues from the tax for stadia or convention facility development and other purposes and authorize the pledge of those revenues; to authorize the appointment of employees and officials of a local governmental unit to an authority to which revenues from the tax may be pledged; to prescribe penalties and provide remedies; and to repeal certain acts and parts of acts," by amending section 1 (MCL 207.751).

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

Senator McManus introduced

Senate Bill No. 931, entitled

A bill to amend 2003 PA 296, entitled "Michigan early stage venture investment act of 2003," by amending sections 17, 19, and 23 (MCL 125.2247, 125.2249, and 125.2253), as amended by 2005 PA 102.

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

Senator Birkholz introduced

Senate Bill No. 932, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 8716, 14501, 36109, and 73301 (MCL 324.8716, 324.14501, 324.36109, and 324.73301), section 8716 as amended by 2003 PA 163, section 14501 as amended by 2006 PA 254, section 36109 as amended by 2002 PA 75, and section 73301 as added by 1995 PA 58.

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

Senator Stamas introduced

Senate Bill No. 933, entitled

A bill to amend 1974 PA 198, entitled "An act to provide for the establishment of plant rehabilitation districts and industrial development districts in local governmental units; to provide for the exemption from certain taxes; to levy and collect a specific tax upon the owners of certain facilities; to impose and provide for the disposition of an administrative fee; to provide for the disposition of the tax; to provide for the obtaining and transferring of an exemption certificate and to prescribe the contents of those certificates; to prescribe the powers and duties of the state tax commission and certain officers of local governmental units; and to provide penalties," by amending section 11 (MCL 207.561), as amended by 2004 PA 323.

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

Senator Hunter introduced

Senate Bill No. 934, entitled

A bill to amend 1990 PA 100, entitled "City utility users tax act," by amending section 5 (MCL 141.1155), as amended by 2004 PA 322.

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

Senator Pappageorge introduced

Senate Bill No. 935, entitled

A bill to amend 1855 PA 105, entitled "An act to regulate the disposition of the surplus funds in the state treasury; to provide for the deposit of surplus funds in certain financial institutions; to lend surplus funds pursuant to loan agreements secured by certain commercial, agricultural, or industrial real and personal property; to authorize the loan of surplus funds to certain municipalities; to authorize the participation in certain loan programs; to authorize an appropriation; and to prescribe the duties of certain state agencies," by amending section 2a (MCL 21.142a), as amended by 2002 PA 16.

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

Senator Sanborn introduced

Senate Bill No. 936, entitled

A bill to amend 1996 PA 381, entitled "Brownfield redevelopment financing act," by amending section 2 (MCL 125.2652), as amended by 2006 PA 32.

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

Senator George introduced

Senate Bill No. 937, entitled

A bill to amend 1980 PA 56, entitled "Neighborhood assistance and participation act," by amending section 3 (MCL 125.803), as amended by 1983 PA 104.

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

Senator Jansen introduced

Senate Bill No. 938, entitled

A bill to amend 1980 PA 243, entitled "Emergency municipal loan act," by amending section 1 (MCL 141.931), as amended by 1987 PA 282.

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

Senator Richardville introduced

Senate Bill No. 939, entitled

A bill to amend 1987 PA 173, entitled "Mortgage brokers, lenders, and servicers licensing act," by amending section 2 (MCL 445.1652), as amended by 2005 PA 113.

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

Senator Brown introduced

Senate Bill No. 940, entitled

A bill to amend 1939 PA 3, entitled "An act to provide for the regulation and control of public and certain private utilities and other services affected with a public interest within this state; to provide for alternative energy suppliers;

to provide for licensing; to include municipally owned utilities and other providers of energy under certain provisions of this act; to create a public service commission and to prescribe and define its powers and duties; to abolish the Michigan public utilities commission and to confer the powers and duties vested by law on the public service commission; to provide for the continuance, transfer, and completion of certain matters and proceedings; to abolish automatic adjustment clauses; to prohibit certain rate increases without notice and hearing; to qualify residential energy conservation programs permitted under state law for certain federal exemption; to create a fund; to provide for a restructuring of the manner in which energy is provided in this state; to encourage the utilization of resource recovery facilities; to prohibit certain acts and practices of providers of energy; to allow for the securitization of stranded costs; to reduce rates; to provide for appeals; to provide appropriations; to declare the effect and purpose of this act; to prescribe remedies and penalties; and to repeal acts and parts of acts," by amending section 10o (MCL 460.10o), as added by 2000 PA 142.

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

Senator Kahn introduced

Senate Bill No. 941, entitled

A bill to amend 1945 PA 47, entitled "An act to authorize 2 or more cities, townships, and villages, or any combination of cities, townships, and villages, to incorporate a hospital authority for planning, promoting, acquiring, constructing, improving, enlarging, extending, owning, maintaining, and operating 1 or more community hospitals and related buildings or structures and related facilities; to provide for the sale, lease, or other transfer of a hospital owned by a hospital authority to a nonprofit corporation established under the laws of this state for no or nominal monetary consideration; to define hospitals and community hospitals; to provide for changes in the membership therein; to authorize the cities, townships, and villages to levy taxes for community hospital purposes; to provide for the issuance of bonds; to provide for the pledge of assessments; to provide for borrowing money for operation and maintenance and issuing notes for operation and maintenance; to validate elections heretofore held and notes heretofore issued; to validate bonds heretofore issued; to authorize condemnation proceedings; to grant certain powers of a body corporate; to validate and ratify the organization, existence, and membership of entities acting as hospital authorities under the act and the actions taken by hospital authorities and by the members of the hospital authorities; and to prescribe penalties and provide remedies," by amending section 4 (MCL 331.4).

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

Senator Cassis introduced

Senate Bill No. 942, entitled

A bill to amend 1972 PA 284, entitled "Business corporation act," by amending sections 911 and 1062 (MCL 450.1911 and 450.2062), section 911 as amended by 1996 PA 197 and section 1062 as amended by 2005 PA 212.

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

House Bill No. 4050, entitled

A bill to amend 1976 PA 331, entitled "Michigan consumer protection act," (MCL 445.901 to 445.922) by adding section 3e.

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 Commerce and Tourism.

House Bill No. 4317, entitled

A bill to amend 1976 PA 331, entitled "Michigan consumer protection act," by amending section 3 (MCL 445.903), as amended by 2006 PA 508, and by adding section 3f.

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 Commerce and Tourism.

House Bill No. 4680, entitled

A bill to amend 1976 PA 331, entitled "Michigan consumer protection act," (MCL 445.901 to 445.922) by adding section 3g.

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 Commerce and Tourism.

House Bill No. 5274, entitled

A bill to amend 1965 PA 285, entitled "Private detective license act," by amending the title and sections 1, 2, 3, 4, 5, 6, 7, 8, 10, 14, 16, 17, 19, 20, 22, 24, 27, and 29 (MCL 338.821, 338.822, 338.823, 338.824, 338.825, 338.826, 338.827, 338.828, 338.830, 338.834, 338.836, 338.837, 338.839, 338.840, 338.842, 338.844, 338.847, and 338.849), the title and sections 1, 2, 3, 4, 5, 6, 7, 10, 14, 16, 17, 20, 22, 24, and 27 as amended by 2002 PA 474.

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 Economic Development and Regulatory Reform.

House Bill No. 5354, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 16315 (MCL 333.16315), as amended by 2001 PA 232.

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 Appropriations.

By unanimous consent the Senate returned to the order of

Motions and Communications

Senator Cropsey moved that when the Senate adjourns on Saturday, December 1, it stand adjourned until Monday, December 3, at 1:00 p.m.

The motion prevailed.

Senator Cropsey moved that when the Senate adjourns today, it stand adjourned until Friday, November 30, at 10:00 a.m.
The motion prevailed.

The Secretary announced that the Majority Leader has made the appointment of the following standing committee:
Campaign and Election Oversight - Senator Barcia replacing Senator Schauer.

The standing committee appointment was approved, a majority of the members serving voting therefor.

Committee Reports

The Committee on Appropriations reported

House Concurrent Resolution No. 30.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease among the State of Michigan, the State Building Authority, and the Board of Trustees of Western Michigan University relative to the Western Michigan University Brown Hall Renovations/Addition.

(For text of resolution, see Senate Journal No. 96, p. 1493.)

With the recommendation that the concurrent resolution be adopted.

Ron Jelinek
Chairperson

To Report Out:

Yeas: Senators Jelinek, Pappageorge, Hardiman, Kahn, Garcia, George, Brown, McManus, Stamas, Switalski, Anderson, Barcia, Brater, Cherry, Clark-Coleman and Scott

Nays: None

The concurrent resolution was placed on the order of Resolutions.

The Committee on Appropriations reported

House Concurrent Resolution No. 31.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease among the State of Michigan, the State Building Authority, and Macomb Community College relative to the Macomb Community College Health Sciences and Technology Classroom Building.

(For text of resolution, see Senate Journal No. 96, p. 1494.)

With the recommendation that the concurrent resolution be adopted.

Ron Jelinek
Chairperson

To Report Out:

Yeas: Senators Jelinek, Pappageorge, Hardiman, Kahn, Garcia, George, Brown, McManus, Stamas, Switalski, Anderson, Barcia, Brater, Cherry, Clark-Coleman and Scott

Nays: None

The concurrent resolution was placed on the order of Resolutions.

The Committee on Appropriations reported

House Concurrent Resolution No. 32.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease among the State of Michigan, the State Building Authority, and Macomb Community College relative to the Macomb Community College Emergency Services Training Center.

(For text of resolution, see Senate Journal No. 96, p. 1495.)

With the recommendation that the concurrent resolution be adopted.

Ron Jelinek
Chairperson

To Report Out:

Yeas: Senators Jelinek, Pappageorge, Hardiman, Kahn, Cropsey, Garcia, George, Brown, McManus, Stamas, Switalski, Anderson, Barcia, Brater, Cherry, Clark-Coleman and Scott

Nays: None

The concurrent resolution was placed on the order of Resolutions.

The Committee on Appropriations reported

House Concurrent Resolution No. 34.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease among the State of Michigan, the State Building Authority, and Alpena Community College relative to the Alpena Community College Instructional Addition/Renovation.

(For text of resolution, see Senate Journal No. 96, p. 1496.)

With the recommendation that the concurrent resolution be adopted.

Ron Jelinek
Chairperson

To Report Out:

Yeas: Senators Jelinek, Pappageorge, Hardiman, Kahn, Cropsey, Garcia, George, Brown, McManus, Stamas, Switalski, Anderson, Barcia, Brater, Cherry, Clark-Coleman and Scott

Nays: None

The concurrent resolution was placed on the order of Resolutions.

The Committee on Appropriations reported

House Concurrent Resolution No. 35.

A concurrent resolution approving a lease between the State of Michigan and the State Building Authority relative to the Department of Management and Budget State Facility Preservation Projects, Phase I, Phase II, Group E, Special Maintenance Projects (the "Facility").

(For text of resolution, see Senate Journal No. 96, p. 1497.)

With the recommendation that the concurrent resolution be adopted.

Ron Jelinek
Chairperson

To Report Out:

Yeas: Senators Jelinek, Pappageorge, Hardiman, Kahn, Cropsey, Garcia, George, Brown, McManus, Stamas, Switalski, Anderson, Barcia, Brater, Cherry, Clark-Coleman and Scott

Nays: None

The concurrent resolution was placed on the order of Resolutions.

The Committee on Appropriations reported
House Concurrent Resolution No. 37.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease among the State of Michigan, the State Building Authority, and the Regents of the University of Michigan relative to the University of Michigan-Ann Arbor Observatory Lodge Renovations.

(For text of resolution, see Senate Journal No. 96, p. 1498.)

With the recommendation that the concurrent resolution be adopted.

Ron Jelinek
Chairperson

To Report Out:

Yeas: Senators Jelinek, Pappageorge, Hardiman, Kahn, Cropsey, Garcia, George, Brown, McManus, Stamas, Switalski, Anderson, Barcia, Brater, Cherry, Clark-Coleman and Scott

Nays: None

The concurrent resolution was placed on the order of Resolutions.

The Committee on Appropriations reported
House Concurrent Resolution No. 44.

A concurrent resolution to approve the conveyance of property to the State Building Authority and approving a lease between the State of Michigan and the State Building Authority relative to the Department of Information Technology Michigan Public Safety Communication System Critical Platform Upgrades.

(For text of resolution, see Senate Journal No. 96, p. 1499.)

With the recommendation that the concurrent resolution be adopted.

Ron Jelinek
Chairperson

To Report Out:

Yeas: Senators Jelinek, Pappageorge, Hardiman, Kahn, Cropsey, Garcia, George, Brown, McManus, Stamas, Switalski, Anderson, Barcia, Brater, Cherry, Clark-Coleman and Scott

Nays: None

The concurrent resolution was placed on the order of Resolutions.

The Committee on Appropriations reported
House Concurrent Resolution No. 45.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease between the State of Michigan and the State Building Authority relative to the Department of Management and Budget Capitol Complex Renovations.

(For text of resolution, see Senate Journal No. 96, p. 1500.)

With the recommendation that the concurrent resolution be adopted.

Ron Jelinek
Chairperson

To Report Out:

Yeas: Senators Jelinek, Pappageorge, Hardiman, Kahn, Cropsey, Garcia, George, Brown, McManus, Stamas, Switalski, Anderson, Barcia, Brater, Cherry, Clark-Coleman and Scott

Nays: None

The concurrent resolution was placed on the order of Resolutions.

COMMITTEE ATTENDANCE REPORT

The Committee on Appropriations submitted the following:

Meeting held on Wednesday, November 28, 2007, at 2:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building
Present: Senators Jelinek (C), Pappageorge, Hardiman, Kahn, Cropsey, Garcia, George, Jansen, Brown, McManus, Stamas, Switalski, Anderson, Barcia, Brater, Cherry, Clark-Coleman and Scott

COMMITTEE ATTENDANCE REPORT

The Committee on Banking and Financial Institutions submitted the following:

Meeting held on Wednesday, November 28, 2007, at 9:00 a.m., Room 210, Farnum Building
Present: Senators Richardville (C), Cassis, Hunter and Clarke
Excused: Senators Sanborn, Stamas and Olshove

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Higher Education submitted the following:

Meeting held on Thursday, November 29, 2007, at 9:00 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building

Present: Senators Stamas (C), Hardiman, McManus and Anderson

Excused: Senators George, Barcia and Brater

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

Natural Resources Department - Tuesday, December 4, 1:00 p.m. or later immediately following session, Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

Legislative Retirement Board of Trustees - Wednesday, December 5, 3:00 p.m., Room H-252, Capitol Building (373-0575)

Michigan Capitol Committee - Thursday, December 6, 9:00 a.m., Room 426, Capitol Building (373-5527)

Senator Cropsey moved that the Senate adjourn.

The motion prevailed, the time being 2:28 p.m.

In pursuance of the order previously made, the President, Lieutenant Governor Cherry, declared the Senate adjourned until Friday, November 30, 2007, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate