

No. 130
STATE OF MICHIGAN
Journal of the Senate

94th Legislature
REGULAR SESSION OF 2007

Senate Chamber, Lansing, Wednesday, December 12, 2007.

10:00 a.m.

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

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

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

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

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

Senator Raymond E. Basham of the 8th District offered the following invocation:

Heavenly Father, we thank You for this day and for Your bountiful goodness. We ask Your blessings on the people of this state and this state Legislature, our Governor, and our national leaders, as we work together to create and administer good public policy for the benefit of all.

We ask in this time of the holiday year of Hanukkah, Christmas, or Kwanzaa, and other holy days, that You would be with us in all that we do and that You would help us to remember to treat people the way we would want to be treated. We ask Your special blessings on those protecting us at home and overseas. Please keep them safe and strong and keep their families strong as well.

Thank You for all that You provide us, and it's in Your name that we pray. Amen.

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

Motions and Communications

Senators Stamas, Pappageorge, Gleason, Patterson, Clarke and Barcia entered the Senate Chamber.

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

The motion prevailed.

Senator Van Woerkom's statement is as follows:

"LET IT BE KNOWN, That it is with respect and a heavy heart that I honor and remember Specialist Joseph Michael Lancour who recently gave his life while serving our country in Afghanistan. He was killed on November 10th from injuries he sustained when his platoon was ambushed on November 9th. Specialist Lancour was assigned to the Army's 2nd Battalion, 503rd Airborne Infantry Regiment, 173rd Airborne Brigade Combat Team. He was twenty-one years old.

Specialist Lancour graduated from Ludington High School in 2004 where he actively participated on the wrestling and football teams. He was artistic in many ways and loved to cook and to draw. His parents describe him as a fun-loving youth who enjoyed skateboarding, camping, and fishing.

After enlisting in the Army in January 2006, Specialist Lancour trained as a paratrooper at Fort Benning, Georgia. He then enlisted in the Airborne School, where he earned his Airborne wings. Specialist Lancour was stationed with the 173rd Airborne in Vicenza, Italy. There he bonded with several young men and became a part of a great unit. He was deployed in May 2007 when Joe and his unit were sent to Afghanistan. Specialist Lancour was prepared to make the ultimate sacrifice so that others can live and enjoy freedom. Specialist Lancour earned a Bronze Star and a Purple Heart.

Last month, the community held a memorial service where 200 people attended to pay their respects. He was remembered as a young man who loved his family, who loved his country, and who loved his fellow soldiers.

Joe is survived by his parents, Starla and Robert; his sisters, Aja Thomas and Deborah Lancour; and step sisters, Deborah Mast and Danielle and Victoria Roach; and numerous other family members and friends from the community.

While these words cannot bring Joe back, I do hope that they bring some comfort to his family as the state honors his great sacrifice. Specialist Joseph Michael Lancour was a patriot who loved his country and his family. Though he is no longer with us, may his life and memory endure as an example for future generations."

A moment of silence as observed in memory of Army Specialist Joseph Michael Lancour.

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

The motion prevailed.

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

The motion prevailed.

Senator Cropsey moved that Senators Garcia and Jelinek be excused from today's session.

The motion prevailed.

Recess

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

The motion prevailed, the time being 10:11 a.m.

11:23 a.m.

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

During the recess, Senator Brater entered the Senate Chamber.

Senator Cropsey moved that the Committee on Local, Urban and State Affairs be discharged from further consideration of the following bill:

House Bill No. 5449, entitled

A bill to amend 1980 PA 243, entitled "Emergency municipal loan act," by amending sections 4 and 5 (MCL 141.934 and 141.935), section 4 as amended by 2002 PA 405 and section 5 as amended by 1987 PA 282.

The motion prevailed, a majority of the members serving voting therefor, and the bill was placed on the order of General Orders.

Senator Cropsey 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. 981

House Bill No. 5354

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

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. 36

House Concurrent Resolution No. 58

House Concurrent Resolution No. 61

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

Senator Cropsey moved that the rules be suspended and that the following bill, now on the order of General Orders, be placed on the General Orders calendar for consideration today:

House Bill No. 5449

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

The following communication was received:
Department of Management and Budget

November 30, 2007

The enclosed plans for the revolving funds operated by the Department of Management and Budget (DMB) are submitted for fiscal years 2007 and 2008 in accordance with Section 434 of Public Act No. 431 of 1984.

Any questions regarding this report may be directed to Michael Gilliland, DMB's Chief Financial Officer, at 335-1557.

Sincerely,
Lisa Webb Sharpe
Director

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 Tuesday, December 11:

House Bill No. 5511

Senator Gleason moved that the Committee on Judiciary be discharged from further consideration of the following bills:

Senate Bill No. 43, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 2946 (MCL 600.2946), as amended by 1995 PA 249.

House Bill No. 4044, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 2946 (MCL 600.2946), as amended by 1995 PA 249.

On which motion Senator Thomas requested the yeas and nays.

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

The question being on the motion to discharge,

Senator Cropsey moved that further consideration of the motion be postponed for today.

The motion prevailed.

Senator Thomas requested the yeas and nays.

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

The motion prevailed, a majority of the members voting therefor, as follows:

Roll Call No. 552**Yeas—19**

| | | | |
|----------|----------|-------------|--------------|
| Allen | Cropsey | Kahn | Richardville |
| Birkholz | George | Kuipers | Sanborn |
| Bishop | Gilbert | McManus | Stamas |
| Brown | Hardiman | Pappageorge | Van Woerkom |
| Cassis | Jansen | Patterson | |

Nays—15

| | | | |
|----------|---------|---------|-----------|
| Anderson | Cherry | Jacobs | Switalski |
| Barcia | Clarke | Olshove | Thomas |
| Basham | Gleason | Prusi | Whitmer |
| Brater | Hunter | Schauer | |

Excused—3

| | | |
|--------|---------|-------|
| Garcia | Jelinek | Scott |
|--------|---------|-------|

Not Voting—1

Clark-Coleman

In The Chair: Richardville

Protest

Senator Gleason, under his constitutional right of protest (Art. 4, Sec. 18), protested against postponing the motion to discharge the Committee on Judiciary from further consideration of Senate Bill No. 43 and House Bill No. 4044.

Senator Gleason's statement is as follows:

I wasn't the first member of my family to take an oath; I was just the latest. I was distinctly honored and privileged only this past year in taking an oath of office. My oath of office stated, "I John Gleason do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Michigan, and that I will faithfully discharge the duties of the office of Senator in the State Legislature"

I mentioned earlier that I wasn't first, only the last, to take an oath of office. My older brother Jim, just fulfilled his term as president of the State Bar Association for the great state of New Hampshire. I read you what my oath was. The oath of the State Bar of Michigan, which he was also sworn into the state bar of Michigan a few years ago as well, it says, "I will maintain the respect due to courts of justice; I will not counsel or maintain any suit or proceeding which shall appear to me to be unjust, nor any defense except such as I believe to be honestly debatable under the law of the land; I will employ for the purpose of maintaining the causes confided to me such means only as are consistent with truth and honor, and will never seek to mislead the judge or jury by any artifice or false statement of fact or law; I will never reject, from any consideration personal to myself, the cause of the defenseless or oppressed, or delay any cause for lucre or malice;"

I come from a great family; I have great parents. My older brother was sworn in as an attorney. My youngest brother took the Hippocratic Oath as a doctor. He just fulfilled his term as chief of staff at a hospital up in Alaska. These are the terms of the Hippocratic Oath, two versions, modern as well as the classical version. My brother Tim stated these words: "I will remember that there is art to medicine as well as science, and that warmth, sympathy, and understanding may outweigh the surgeon's knife or the chemist's drug." Further, "I will remember that I do not treat a fever chart, a cancerous growth, but a sick human being, whose illness may affect the person's family and economic stability. My responsibility includes these related problems, if I am to care adequately for the sick. I will prevent disease whenever I can, for prevention is preferable to cure." That was the modern version.

The classical version states, "I will neither give a deadly drug to anybody who asked for it, nor will I make a suggestion to this effect. Similarly I will not give to a woman an abortive remedy. In purity and holiness I will guard my life and my art."

My fellow Senators, we have asked for some resolutions for Michigan citizens who have been harmed. Recently, there was a well-noted national settlement from Merck and its affiliation with the drug Vioxx. Forty-nine states have disbursed compensation to their citizens who have been harmed. Michigan was let out of the fact that they could not stand alone. Their citizenry, our citizenry, the ones who we are elected to represent said that we could not offer this wholly as a state. We must conjoin with another state to offer justice and relief, both medical and judicial relief. It's been far too long that we have stood as an isolated state to offer relief to our citizenry who have most recently been reaffirmed to have been harmed. Five billion dollars speaks volumes. That was not an easy disbursement by Merck. That speaks volumes that there were duties that were neglected.

I spoke only a few weeks ago about how were leaving our folks out. I think we need to offer, as representatives of the people of Michigan, justice. Let's remove the impediments that offer our citizenship an opportunity to stand before the judicial system. We have three branches of government because the Founding Fathers of our country, followed by those who founded our state, three branches of government that should be held to the highest honor and responsibility: the executive, the legislative, and the judicial. Yet, in 1996, we removed a very important part of democracy, the judicial branch of our government, by conceding it to the legislative branch.

My fellow Senators, our people have suffered too long. We shouldn't ride on the back of New Jersey or New York. We should be big enough to offer relief and remedies to our citizenry with our own volition. Tens of thousand of Michigan citizens were compromised while taking that medicine. Across the country, between 25,000 and 30,000 American citizens were harmed, and some even have been proposed to have died from taking this drug. Now some will say, "Vioxx has offered a remedy." Our purpose shouldn't be solely about Vioxx; our purpose should be wholly about justice and Michigan citizens getting the relief they deserve; that we were elected to offer them. We should not impede them their day in court.

Mr. Chairman, that is my "no" vote explanation. I ask that we do the job that the people of Michigan have elected us to do. Give them the third branch of government, the judicial process. There are others beside my brothers and sisters who have taken oaths to uphold the dignity of human life. Those in this chamber should join with my family in my effort here today to give our Michigan folks the justice that has been delayed for far too long.

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:

December 11, 2007

Due to an error on the December 7, 2007 letter sent to your office, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following reappointment to state office under Section 88I of the Michigan Strategic Fund Act, 1984 PA 270, MCL 125.2088I, please be advised of the following correction appearing in **bold** print:

Strategic Economic Investment and Commercialization Board

Ms. Lou Anna Simon, Ph.D., 6280 Skyline Drive, East Lansing, Michigan 48823, county of Ingham, **reappointed** to represent Michigan State University, for a term commencing January 1, 2008 and expiring December 31, 2011.

Sincerely,

Jennifer M. Granholm

Governor

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

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

Senate Bill No. 388

The motion prevailed.

Senate Bill No. 59, entitled

A bill to amend 1951 PA 51, entitled "An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, local bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts," (MCL 247.651 to 247.675) by adding section 9c.

The House of Representatives has substituted (H-5) the bill.

The House of Representatives has passed the bill as substituted (H-5) and ordered that it be given immediate effect. Pursuant to rule 3.202, the bill was laid over one day.

Senate Bill No. 241, entitled

A bill to amend 1973 PA 116, entitled "An act to provide for the protection of children through the licensing and regulation of child care organizations; to provide for the establishment of standards of care for child care organizations; to prescribe powers and duties of certain departments of this state and adoption facilitators; to provide penalties; and to repeal acts and parts of acts," by amending sections 1, 2a, 2b, 3c, 3d, 3e, 5, 5f, 5g, 9a, and 11b (MCL 722.111,

722.112a, 722.112b, 722.113c, 722.113d, 722.113e, 722.115, 722.115f, 722.115g, 722.119a, and 722.121b), section 1 as amended by 2005 PA 202, section 2a as amended by 1998 PA 440, section 2b as added by 2004 PA 531, section 3c as added by 1993 PA 219, section 3d as added by 1993 PA 218, section 3e as added by 2002 PA 717, sections 5 and 5f as amended by 2006 PA 580, section 5g as added by 2005 PA 128, section 9a as amended by 2004 PA 315, and section 11b as added by 2002 PA 645.

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

The House of Representatives has passed the bill as substituted (H-1) and ordered that it be given immediate effect. Pursuant to rule 3.202, the bill was laid over one day.

Senate Bill No. 243, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 15g of chapter XVII (MCL 777.15g), as amended by 2005 PA 134.

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. 386, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending sections 520b, 520c, 520d, and 520e (MCL 750.520b, 750.520c, 750.520d, and 750.520e), section 520b as amended by 2006 PA 169, section 520c as amended by 2006 PA 171, and sections 520d and 520e as amended by 2002 PA 714.

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 amended the title to read as follows:

A bill to amend 1931 PA 328, entitled “An act to revise, consolidate, codify, and add to the statutes relating to crimes; to define crimes and prescribe the penalties and remedies; to provide for restitution under certain circumstances; to provide for the competency of evidence at the trial of persons accused of crime; to provide immunity from prosecution for certain witnesses appearing at such trials; and to repeal certain acts and parts of acts inconsistent with or contravening any of the provisions of this act,” by amending sections 520b, 520c, 520d, and 520e (MCL 750.520b, 750.520c, 750.520d, and 750.520e), section 520b as amended by 2006 PA 169, section 520c as amended by 2006 PA 171, and sections 520d and 520e as amended by 2002 PA 714.

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. 553

Yeas—35

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

Nays—0

Excused—3

Garcia

Jelinek

Scott

Not Voting—0

In The Chair: Richardville

The question being on concurring in the committee recommendation to give the bill immediate effect, The recommendation was concurred in, 2/3 of the members serving voting therefor. The Senate agreed to the title as amended. The bill was referred to the Secretary for enrollment printing and presentation to the Governor.

Senate Bill No. 450, entitled

A bill to amend 1980 PA 299, entitled "Occupational code," by amending sections 601, 602, 604, 605, 2405, 2411, and 2412 (MCL 339.601, 339.602, 339.604, 339.605, 339.2405, 339.2411, and 339.2412), sections 601 and 602 as amended by 2005 PA 278, section 604 as amended by 1989 PA 261, and sections 2411 and 2412 as amended by 2001 PA 113, and by adding sections 606 and 2404a.

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. 451, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 4701 (MCL 600.4701), as amended by 2002 PA 142, and by adding section 2975a.

The House of Representatives has amended the bill as follows:

1. Amend page 4, following line 5, by inserting:

"Enacting section 2. This amendatory act takes effect June 1, 2008."

The House of Representatives has passed the bill as amended, 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. 452, entitled

A bill to amend 1980 PA 299, entitled "Occupational code," by amending sections 601, 602, 605, 2402, 2404, 2405, and 2411 (MCL 339.601, 339.602, 339.605, 339.2402, 339.2404, 339.2405, and 339.2411), sections 601 and 602 as amended by 2005 PA 278, section 2404 as amended by 1988 PA 463, and section 2411 as amended by 2001 PA 113, and by adding sections 2404b and 2411a.

The House of Representatives has amended the bill as follows:

1. Amend page 2, line 25, after "**SECOND**" by inserting "**OR SUBSEQUENT**".

2. Amend page 3, line 1, after "**OF**" by striking out "**A THIRD OR SUBSEQUENT OFFENSE**" and inserting "**AN OFFENSE THAT CAUSES DEATH OR SERIOUS INJURY**".

3. Amend page 22, following line 18, by inserting:

"Enacting section 2. Sections 2402, 2404, 2405, and 2411 of the occupational code, 1980 PA 299, MCL 339.2402, 339.2404, 339.2405, and 339.2411, as amended by this amendatory act, and sections 2404b and 2411a of the occupational code, 1980 PA 299, as added by this amendatory act, take effect June 1, 2008."

The House of Representatives has passed the bill as amended, 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. 453, entitled

A bill to amend 1979 PA 152, entitled "State license fee act," by amending section 39 (MCL 338.2239), as amended by 2003 PA 87.

The House of Representatives has substituted (H-3) the bill.

The House of Representatives has passed the bill as substituted (H-3), ordered that it be given immediate effect and amended the title to read as follows:

A bill to amend 1979 PA 152, entitled "An act to provide for the establishment and collection of fees for the investigation, regulation, and enforcement of certain occupations and professions, and for certain agencies and businesses; to create

certain funds for certain purposes; and to prescribe certain powers and duties of certain state agencies and departments,” by amending section 39 (MCL 338.2239), as amended by 2007 PA 77.

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

Senate Bill No. 455, entitled

A bill to amend 1986 PA 281, entitled “The local development financing act,” by amending section 2 (MCL 125.2152), as amended by 2004 PA 17.

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.

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.

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.

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.

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.

Senate Bill No. 730, entitled

A bill to amend 1976 PA 451, entitled “The revised school code,” by amending sections 4, 6, 504, 524, 605, 701, 1296, 1311, 1311g, 1321, 1701, 1701a, 1711, 1723, 1724, 1751, 1752, 1756, 1757, and 1761 (MCL 380.4, 380.6, 380.504, 380.524, 380.605, 380.701, 380.1296, 380.1311, 380.1311g, 380.1321, 380.1701, 380.1701a, 380.1711, 380.1723, 380.1724, 380.1751, 380.1752, 380.1756, 380.1757, and 380.1761), section 4 as amended by 2005 PA 61, sections 6, 701, and 1724 as amended by 2003 PA 299, sections 504 and 1701a as amended by 1994 PA 416, section 524 as added by 2003 PA 179, section 605 as amended by 1985 PA 86, section 1311 as amended by 1999 PA 23, section 1311g as amended by 2007 PA 21, section 1321 as amended by 1990 PA 163, section 1723 as amended by 2004 PA 415, and section 1752 as added by 2006 PA 186.

The House of Representatives has substituted (H-3) the bill.

The House of Representatives has passed the bill as substituted (H-3), ordered that it be given immediate effect and amended the title to read as follows:

A bill to amend 1976 PA 451, entitled “An act to provide a system of public instruction and elementary and secondary schools; to revise, consolidate, and clarify the laws relating to elementary and secondary education; to provide for the organization, regulation, and maintenance of schools, school districts, public school academies, intermediate school districts, and other public school entities; to prescribe rights, powers, duties, and privileges of schools, school districts, public school academies, intermediate school districts, and other public school entities; to provide for the regulation of school teachers and certain other school employees; to provide for school elections and to prescribe powers and duties with respect thereto; to provide for the levy and collection of taxes; to provide for the borrowing of money and issuance of bonds and other evidences of indebtedness; to establish a fund and provide for expenditures from that fund; to provide for and prescribe the powers and duties of certain state departments, the state board of education, and certain

other boards and officials; to provide for licensure of boarding schools; to prescribe penalties; and to repeal acts and parts of acts," by amending sections 4, 6, 504, 605, 701, 859, 861, 1296, 1311, 1311g, 1321, 1701, 1701a, 1711, 1723, 1724, 1751, 1752, 1756, 1757, and 1761 (MCL 380.4, 380.6, 380.504, 380.605, 380.701, 380.859, 380.861, 380.1296, 380.1311, 380.1311g, 380.1321, 380.1701, 380.1701a, 380.1711, 380.1723, 380.1724, 380.1751, 380.1752, 380.1756, 380.1757, and 380.1761), section 4 as amended by 2005 PA 61, sections 6, 701, 859, 861, and 1724 as amended by 2003 PA 299, sections 504 and 1701a as amended by 1994 PA 416, section 605 as amended by 1985 PA 86, section 1311 as amended by 2007 PA 138, section 1311g as amended by 2007 PA 21, section 1321 as amended by 1990 PA 163, section 1723 as amended by 2004 PA 415, and section 1752 as added by 2006 PA 186, and by adding section 504c; and to repeal acts and parts of acts.

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

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 pro tempore, Senator Richardville, designated Senator George as Chairperson.

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

House Bill No. 5193, 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 sections 22, 30b, and 30c (MCL 205.22, 205.30b, and 205.30c), section 22 as amended by 1993 PA 13, section 30b as added by 1986 PA 58, and section 30c as amended by 2002 PA 616.

House Bill No. 5484, entitled

A bill to amend 1984 PA 431, entitled "The management and budget act," by amending sections 268, 350d, and 367b (MCL 18.1268, 18.1350d, and 18.1367b), section 268 as added by 1988 PA 237, section 350d as added by 1988 PA 504, and section 367b as amended by 1999 PA 8.

House Bill No. 5485, entitled

A bill to amend 1984 PA 385, entitled "Technology park development act," by amending section 12 (MCL 207.712), as amended by 2004 PA 321.

House Bill No. 5487, entitled

A bill to amend 1933 (Ex Sess) PA 18, entitled "An act to authorize any city, village, township, or county to purchase, acquire, construct, maintain, operate, improve, extend, and repair housing facilities; to eliminate housing conditions which are detrimental to the public peace, health, safety, morals, or welfare; and for any such purposes to authorize any such city, village, township, or county to create a commission with power to effectuate said purposes, and to prescribe the powers and duties of such commission and of such city, village, township, or county; and for any such purposes to authorize any such commission, city, village, township, or county to issue notes and revenue bonds; to regulate the issuance, sale, retirement, and refunding of such notes and bonds; to regulate the rentals of such projects and the use of the revenues of the projects; to prescribe the manner of selecting tenants for such projects; to provide for condemnation of private property for such projects; to confer certain powers upon such commissions, cities, villages, townships, and counties in relation to such projects, including the power to receive aid and cooperation of the federal government; to provide for a referendum thereon; to provide for cooperative financing by 2 or more commissions, cities, villages, townships, or counties or any combination thereof; to provide for the issuance, sale, and retirement of

revenue bonds and special obligation notes for such purposes; to provide for financing agreements between cooperating borrowers; to provide for other matters relative to the bonds and notes and methods of cooperative financing; for other purposes; and to prescribe penalties and provide remedies,” by amending section 1 (MCL 125.651), as amended by 1996 PA 338.

House Bill No. 5488, entitled

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

House Bill No. 5489, entitled

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” by amending sections 224, 440a, 443, 476a, 476b, 1239, 2352, 2954, 3390, and 5208 (MCL 500.224, 500.440a, 500.443, 500.476a, 500.476b, 500.1239, 500.2352, 500.2954, 500.3390, and 500.5208), section 224 as amended by 2001 PA 143, section 440a as added and section 443 as amended by 1990 PA 256, section 476a as amended by 1998 PA 121, sections 476b, 2352, 2954, and 3390 as added by 1987 PA 261, section 1239 as added by 2001 PA 228, and section 5208 as amended by 2002 PA 146.

House Bill No. 5491, entitled

A bill to amend 1936 (Ex Sess) PA 1, entitled “Michigan employment security act,” by amending section 19 (MCL 421.19), as amended by 2002 PA 192.

House Bill No. 5492, entitled

A bill to amend 2002 PA 593, entitled “Michigan next energy authority act,” by amending section 5 (MCL 207.825).

House Bill No. 5493, entitled

A bill to amend 1969 PA 317, entitled “Worker’s disability compensation act of 1969,” by amending sections 352 and 391 (MCL 418.352 and 418.391), as amended by 1984 PA 46.

House Bill No. 5494, entitled

A bill to amend 1893 PA 206, entitled “The general property tax act,” by amending sections 7hh and 8a (MCL 211.7hh and 211.8a), section 7hh as added by 2004 PA 252 and section 8a as amended by 1998 PA 537.

House Bill No. 5496, entitled

A bill to amend 1953 PA 189, entitled “An act to provide for the taxation of lessees and users of tax-exempt property,” by amending section 1a (MCL 211.181a), as added by 2004 PA 324.

House Bill No. 5497, entitled

A bill to amend 2000 PA 146, entitled “Obsolete property rehabilitation act,” by amending section 10 (MCL 125.2790), as amended by 2004 PA 251.

House Bill No. 5449, entitled

A bill to amend 1980 PA 243, entitled “Emergency municipal loan act,” by amending sections 4 and 5 (MCL 141.934 and 141.935), section 4 as amended by 2002 PA 405 and section 5 as amended by 1987 PA 282.

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

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

Senate Bill No. 731, entitled

A bill to amend 1967 PA 150, entitled “Michigan military act,” (MCL 32.501 to 32.851) by adding section 236.

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. 981, entitled

A bill to amend 1951 PA 51, entitled "An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, local bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts," by amending the title and section 11 (MCL 247.661), the title as amended by 2004 PA 384 and section 11 as amended by 2002 PA 639.

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:
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.

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

House Bill No. 5193

House Bill No. 5484

House Bill No. 5485

House Bill No. 5487

House Bill No. 5488

House Bill No. 5489

House Bill No. 5491

House Bill No. 5492

House Bill No. 5493

House Bill No. 5494

House Bill No. 5496

House Bill No. 5497

House Bill No. 5354

House Bill No. 5449

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

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

- Senate Bill No. 346**
- Senate Bill No. 485**
- Senate Bill No. 294**
- House Bill No. 5193**
- House Bill No. 5484**
- House Bill No. 5485**
- House Bill No. 5487**
- House Bill No. 5488**
- House Bill No. 5489**
- House Bill No. 5491**
- House Bill No. 5492**
- House Bill No. 5493**
- House Bill No. 5494**
- House Bill No. 5496**
- House Bill No. 5497**
- House Bill No. 5354**
- House Bill No. 5449**
- House Bill No. 4711**
- House Bill No. 4712**

The motion prevailed.

The following bill was read a third time:

Senate Bill No. 346, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 66.

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. 554

Yeas—35

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

Nays—0

Excused—3

| | | |
|--------|---------|-------|
| Garcia | Jelinek | Scott |
|--------|---------|-------|

Not Voting—0

In The Chair: Richardville

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 485, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 1 of chapter IX (MCL 769.1), as amended by 1999 PA 87.

The question being on the passage of the bill,

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

Roll Call No. 555

Yeas—35

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

Nays—0

Excused—3

| | | |
|--------|---------|-------|
| Garcia | Jelinek | Scott |
|--------|---------|-------|

Not Voting—0

In The Chair: Richardville

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 294, entitled

A bill to amend 2005 PA 210, entitled “Commercial rehabilitation act,” by amending section 2 (MCL 207.842), as amended by 2006 PA 554.

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. 556

Yeas—35

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

Nays—0

Excused—3

Garcia

Jelinek

Scott

Not Voting—0

In The Chair: Richardville

The Senate agreed to the title of the bill.

The following bill was read a third time:

House Bill No. 5193, 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 sections 22, 30b, and 30c (MCL 205.22, 205.30b, and 205.30c), section 22 as amended by 1993 PA 13, section 30b as added by 1986 PA 58, and section 30c as amended by 2002 PA 616.

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. 557

Yeas—35

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

Nays—0

Excused—3

Garcia

Jelinek

Scott

Not Voting—0

In The Chair: Richardville

Senator Cropsey moved that the bill be given immediate effect.
The motion prevailed, 2/3 of the members serving voting therefor.
The Senate agreed to the title of the bill.

The following bill was read a third time:

House Bill No. 5484, entitled

A bill to amend 1984 PA 431, entitled “The management and budget act,” by amending sections 268, 350d, and 367b (MCL 18.1268, 18.1350d, and 18.1367b), section 268 as added by 1988 PA 237, section 350d as added by 1988 PA 504, and section 367b as amended by 1999 PA 8.

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. 558**Yeas—35**

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

Nays—0**Excused—3**

| | | |
|--------|---------|-------|
| Garcia | Jelinek | Scott |
|--------|---------|-------|

Not Voting—0

In The Chair: Richardville

Senator Cropsey moved that the bill be given immediate effect.
The motion prevailed, 2/3 of the members serving voting therefor.

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

“An act to prescribe the powers and duties of the department of management and budget; to define the authority and functions of its director and its organizational entities; to authorize the department to issue directives; to provide for the capital outlay program; to provide for the leasing, planning, constructing, maintaining, altering, renovating, demolishing, conveying of lands and facilities; to provide for centralized administrative services such as purchasing, payroll, record retention, data processing, and publishing and for access to certain services; to provide for a system of internal accounting and administrative control for certain principal departments; to provide for an internal auditor in certain principal departments; to provide for certain powers and duties of certain state officers and agencies; to codify, revise, consolidate, classify, and add to the powers, duties, and laws relative to budgeting, accounting, and the regulating

of appropriations; to provide for the implementation of certain constitutional provisions; to create funds and accounts; to make appropriations; to prescribe remedies and penalties; to rescind certain executive reorganization orders; to prescribe penalties; and to repeal certain acts and parts of acts.”

The Senate agreed to the full title.

The Assistant President pro tempore, Senator Sanborn, assumed the Chair.

The following bill was read a third time:

House Bill No. 5485, entitled

A bill to amend 1984 PA 385, entitled “Technology park development act,” by amending section 12 (MCL 207.712), as amended by 2004 PA 321.

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. 559

Yeas—35

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

Nays—0

Excused—3

| | | |
|--------|---------|-------|
| Garcia | Jelinek | Scott |
|--------|---------|-------|

Not Voting—0

In The Chair: Sanborn

Senator Cropsey moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

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

“An act to provide for the establishment of technology park districts in local governmental units; to provide certain facilities located in technology park districts an exemption from certain taxes; to levy and collect a specific tax upon the owners of certain facilities; 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 certain state agencies and officers and certain officers of local governmental units; and to provide remedies and penalties.”

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 5487, entitled

A bill to amend 1933 (Ex Sess) PA 18, entitled “An act to authorize any city, village, township, or county to purchase, acquire, construct, maintain, operate, improve, extend, and repair housing facilities; to eliminate housing conditions

which are detrimental to the public peace, health, safety, morals, or welfare; and for any such purposes to authorize any such city, village, township, or county to create a commission with power to effectuate said purposes, and to prescribe the powers and duties of such commission and of such city, village, township, or county; and for any such purposes to authorize any such commission, city, village, township, or county to issue notes and revenue bonds; to regulate the issuance, sale, retirement, and refunding of such notes and bonds; to regulate the rentals of such projects and the use of the revenues of the projects; to prescribe the manner of selecting tenants for such projects; to provide for condemnation of private property for such projects; to confer certain powers upon such commissions, cities, villages, townships, and counties in relation to such projects, including the power to receive aid and cooperation of the federal government; to provide for a referendum thereon; to provide for cooperative financing by 2 or more commissions, cities, villages, townships, or counties or any combination thereof; to provide for the issuance, sale, and retirement of revenue bonds and special obligation notes for such purposes; to provide for financing agreements between cooperating borrowers; to provide for other matters relative to the bonds and notes and methods of cooperative financing; for other purposes; and to prescribe penalties and provide remedies,” by amending section 1 (MCL 125.651), as amended by 1996 PA 338.

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. 560

Yeas—35

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

Nays—0

Excused—3

| | | |
|--------|---------|-------|
| Garcia | Jelinek | Scott |
|--------|---------|-------|

Not Voting—0

In The Chair: Sanborn

Senator Cropsey moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

The Senate agreed to the title of the bill.

The following bill was read a third time:

House Bill No. 5488, entitled

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

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. 561

Yeas—35

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

Nays—0

Excused—3

| | | |
|--------|---------|-------|
| Garcia | Jelinek | Scott |
|--------|---------|-------|

Not Voting—0

In The Chair: Sanborn

Senator Cropsey moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

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

“An act to create and expand certain renaissance zones; to foster economic opportunities in this state; to facilitate economic development; to stimulate industrial, commercial, and residential improvements; to prevent physical and infrastructure deterioration of geographic areas in this state; to authorize expenditures; to provide exemptions and credits from certain taxes; to create certain obligations of this state and local governmental units; to require disclosure of certain transactions and gifts; to provide for appropriations; and to prescribe the powers and duties of certain state and local departments, agencies, and officials.”

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 5489, entitled

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” by amending sections 224, 440a, 443, 476a, 476b, 1239, 2352, 2954, 3390, and 5208 (MCL 500.224, 500.440a, 500.443, 500.476a, 500.476b, 500.1239, 500.2352, 500.2954, 500.3390, and 500.5208), section 224 as amended by 2001 PA 143, section 440a as added and section 443 as amended by 1990 PA 256, section 476a as amended by 1998 PA 121, sections 476b, 2352, 2954, and 3390 as added by 1987 PA 261, section 1239 as added by 2001 PA 228, and section 5208 as amended by 2002 PA 146.

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. 562

Yeas—35

| | | | |
|----------|---------------|---------|--------------|
| Allen | Cherry | Jacobs | Richardville |
| Anderson | Clark-Coleman | Jansen | Sanborn |
| Barcia | Clarke | Kahn | Schauer |
| Basham | Cropsey | Kuipers | Stamas |
| Birkholz | George | McManus | Switalski |

Bishop
Brater
Brown
Cassis

Gilbert
Gleason
Hardiman
Hunter

Olshove
Pappageorge
Patterson
Prusi

Thomas
Van Woerkom
Whitmer

Nays—0

Excused—3

Garcia

Jelinek

Scott

Not Voting—0

In The Chair: Sanborn

Senator Cropsey moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

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

“An act to revise, consolidate, and classify the laws relating to the insurance and surety business; to regulate the incorporation or formation of domestic insurance and surety companies and associations and the admission of foreign and alien companies and associations; to provide their rights, powers, and immunities and to prescribe the conditions on which companies and associations organized, existing, or authorized under this act may exercise their powers; to provide the rights, powers, and immunities and to prescribe the conditions on which other persons, firms, corporations, associations, risk retention groups, and purchasing groups engaged in an insurance or surety business may exercise their powers; to provide for the imposition of a privilege fee on domestic insurance companies and associations and the state accident fund; to provide for the imposition of a tax on the business of foreign and alien companies and associations; to provide for the imposition of a tax on risk retention groups and purchasing groups; to provide for the imposition of a tax on the business of surplus line agents; to provide for the imposition of regulatory fees on certain insurers; to provide for assessment fees on certain health maintenance organizations; to modify tort liability arising out of certain accidents; to provide for limited actions with respect to that modified tort liability and to prescribe certain procedures for maintaining those actions; to require security for losses arising out of certain accidents; to provide for the continued availability and affordability of automobile insurance and homeowners insurance in this state and to facilitate the purchase of that insurance by all residents of this state at fair and reasonable rates; to provide for certain reporting with respect to insurance and with respect to certain claims against uninsured or self-insured persons; to prescribe duties for certain state departments and officers with respect to that reporting; to provide for certain assessments; to establish and continue certain state insurance funds; to modify and clarify the status, rights, powers, duties, and operations of the nonprofit malpractice insurance fund; to provide for the departmental supervision and regulation of the insurance and surety business within this state; to provide for regulation over worker’s compensation self-insurers; to provide for the conservation, rehabilitation, or liquidation of unsound or insolvent insurers; to provide for the protection of policyholders, claimants, and creditors of unsound or insolvent insurers; to provide for associations of insurers to protect policyholders and claimants in the event of insurer insolvencies; to prescribe educational requirements for insurance agents and solicitors; to provide for the regulation of multiple employer welfare arrangements; to create an automobile theft prevention authority to reduce the number of automobile thefts in this state; to prescribe the powers and duties of the automobile theft prevention authority; to provide certain powers and duties upon certain officials, departments, and authorities of this state; to provide for an appropriation; to repeal acts and parts of acts; and to provide penalties for the violation of this act.”

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 5491, entitled

A bill to amend 1936 (Ex Sess) PA 1, entitled “Michigan employment security act,” by amending section 19 (MCL 421.19), as amended by 2002 PA 192.

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. 563

Yeas—35

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

Nays—0

Excused—3

| | | |
|--------|---------|-------|
| Garcia | Jelinek | Scott |
|--------|---------|-------|

Not Voting—0

In The Chair: Sanborn

Senator Cropsey moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

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

“An act to protect the welfare of the people of this state through the establishment of an unemployment compensation fund, and to provide for the disbursement thereof; to create certain other funds; to create the Michigan employment security commission, and to prescribe its powers and duties; to provide for the protection of the people of this state from the hazards of unemployment; to levy and provide for contributions from employers; to provide for the collection of such contributions; to enter into reciprocal agreements and to cooperate with agencies of the United States and of other states charged with the administration of any unemployment insurance law; to furnish certain information to certain governmental agencies for use in administering public benefit and child support programs and investigating and prosecuting fraud; to provide for the payment of benefits; to provide for appeals from redeterminations, decisions and notices of assessments; and for referees and a board of review to hear and decide the issues arising from redeterminations, decisions and notices of assessment; to provide for the cooperation of this state and compliance with the provisions of the social security act and the Wagner-Peyser act passed by the Congress of the United States of America; to provide for the establishment and maintenance of free public employment offices; to provide for the transfer of funds; to make appropriations for carrying out the provisions of this act; to prescribe remedies and penalties for the violation of the provisions of this act; and to repeal all acts and parts of acts inconsistent with the provisions of this act.”.

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 5492, entitled

A bill to amend 2002 PA 593, entitled “Michigan next energy authority act,” by amending section 5 (MCL 207.825).

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. 564

Yeas—35

| | | | |
|----------|---------------|--------|--------------|
| Allen | Cherry | Jacobs | Richardville |
| Anderson | Clark-Coleman | Jansen | Sanborn |
| Barcia | Clarke | Kahn | Schauer |

Basham
Birkholz
Bishop
Brater
Brown
Cassis

Cropsey
George
Gilbert
Gleason
Hardiman
Hunter

Kuipers
McManus
Olshove
Pappageorge
Patterson
Prusi

Stamas
Switalski
Thomas
Van Woerkom
Whitmer

Nays—0

Excused—3

Garcia

Jelinek

Scott

Not Voting—0

In The Chair: Sanborn

Senator Cropsey moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

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

“An act to create and provide for the operation of the Michigan next energy authority; to provide for the powers and duties of the authority; to promote alternative energy technology and economic growth; and to exempt property of an authority from tax.”

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 5493, entitled

A bill to amend 1969 PA 317, entitled “Worker’s disability compensation act of 1969,” by amending sections 352 and 391 (MCL 418.352 and 418.391), as amended by 1984 PA 46.

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. 565

Yeas—35

Allen
Anderson
Barcia
Basham
Birkholz
Bishop
Brater
Brown
Cassis

Cherry
Clark-Coleman
Clarke
Cropsey
George
Gilbert
Gleason
Hardiman
Hunter

Jacobs
Jansen
Kahn
Kuipers
McManus
Olshove
Pappageorge
Patterson
Prusi

Richardville
Sanborn
Schauer
Stamas
Switalski
Thomas
Van Woerkom
Whitmer

Nays—0

Excused—3

Garcia

Jelinek

Scott

Not Voting—0

In The Chair: Sanborn

Senator Cropsey moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

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

“An act to revise and consolidate the laws relating to worker’s disability compensation; to increase the administrative efficiency of the adjudicative processes of the worker’s compensation system; to improve the qualifications of the persons having adjudicative functions within the worker’s compensation system; to prescribe certain powers and duties; to create the board of worker’s compensation magistrates and the worker’s compensation appellate commission; to create certain other boards; to provide certain procedures for the resolution of claims, including mediation and arbitration; to prescribe certain benefits for persons suffering a personal injury under the act; to prescribe certain limitations on obtaining benefits under the act; to create, and provide for the transfer of, certain funds; to prescribe certain fees; to prescribe certain remedies and penalties; to repeal certain parts of this act on specific dates; and to repeal certain acts and parts of acts;”.

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 5494, entitled

A bill to amend 1893 PA 206, entitled “The general property tax act,” by amending sections 7hh and 8a (MCL 211.7hh and 211.8a), section 7hh as added by 2004 PA 252 and section 8a as amended by 1998 PA 537.

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. 566

Yeas—35

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

Nays—0

Excused—3

| | | |
|--------|---------|-------|
| Garcia | Jelinek | Scott |
|--------|---------|-------|

Not Voting—0

In The Chair: Sanborn

Senator Cropsey moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

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

“An act to provide for the assessment of rights and interests, including leasehold interests, in property and the levy and collection of taxes on property, and for the collection of taxes levied; making those taxes a lien on the property taxed, establishing and continuing the lien, providing for the sale or forfeiture and conveyance of property delinquent for taxes, and for the inspection and disposition of lands bid off to the state and not redeemed or purchased; to provide for the establishment of a delinquent tax revolving fund and the borrowing of money by counties and the issuance of notes; to define and limit the jurisdiction of the courts in proceedings in connection with property delinquent for taxes; to limit the time within which actions may be brought; to prescribe certain limitations with respect to rates of taxation; to prescribe certain powers and duties of certain officers, departments, agencies, and political subdivisions of this state; to provide for certain reimbursements of certain expenses incurred by units of local government; to provide penalties for the violation of this act; and to repeal acts and parts of acts.”.

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 5496, entitled

A bill to amend 1953 PA 189, entitled “An act to provide for the taxation of lessees and users of tax-exempt property,” by amending section 1a (MCL 211.181a), as added by 2004 PA 324.

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. 567

Yeas—35

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

Nays—0

Excused—3

| | | |
|--------|---------|-------|
| Garcia | Jelinek | Scott |
|--------|---------|-------|

Not Voting—0

In The Chair: Sanborn

Senator Cropsey moved that the bill be given immediate effect.
The motion prevailed, 2/3 of the members serving voting therefor.
The Senate agreed to the title of the bill.

The following bill was read a third time:

House Bill No. 5497, entitled

A bill to amend 2000 PA 146, entitled “Obsolete property rehabilitation act,” by amending section 10 (MCL 125.2790), as amended by 2004 PA 251.

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. 568**Yeas—35**

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

Nays—0**Excused—3**

| | | |
|--------|---------|-------|
| Garcia | Jelinek | Scott |
|--------|---------|-------|

Not Voting—0

In The Chair: Sanborn

Senator Cropsey moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

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

“An act to provide for the establishment of obsolete property rehabilitation districts in certain 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 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 certain local government officials; and to provide penalties.”.

The Senate agreed to the full title.

The following bill was read a third time:

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 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. 569**Yeas—35**

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

Nays—0

Excused—3

Garcia

Jelinek

Scott

Not Voting—0

In The Chair: Sanborn

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

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

“An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to provide for the levy of taxes against certain health facilities or agencies; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for the implementation of federal law; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to provide for an appropriation and supplements; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates.”.

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 5449, entitled

A bill to amend 1980 PA 243, entitled “Emergency municipal loan act,” by amending sections 4 and 5 (MCL 141.934 and 141.935), section 4 as amended by 2002 PA 405 and section 5 as amended by 1987 PA 282.

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. 570

Yeas—35

Allen
Anderson
Barcia
Basham
Birkholz
Bishop
Brater
Brown
Cassis

Cherry
Clark-Coleman
Clarke
Cropsey
George
Gilbert
Gleason
Hardiman
Hunter

Jacobs
Jansen
Kahn
Kuipers
McManus
Olshove
Pappageorge
Patterson
Prusi

Richardville
Sanborn
Schauer
Stamas
Switalski
Thomas
Van Woerkom
Whitmer

Nays—0

Excused—3

Garcia

Jelinek

Scott

Not Voting—0

In The Chair: Sanborn

Senator Cropsey moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

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

“An act to provide emergency financial assistance for certain municipalities; to create a local emergency financial assistance loan board and to prescribe the powers and duties of this board; to prescribe conditions for granting and receiving loans, to prescribe terms and conditions for the repayment of loans, and to allow the limiting of repayment by a county from specified revenue sources; to impose certain requirements and duties on certain state departments, municipalities of this state, and officials of the state and municipalities of this state; and to prescribe remedies and penalties.”

The Senate agreed to the full title.

The President pro tempore, Senator Richardville, resumed the Chair.

By unanimous consent the Senate proceeded to the order of

Resolutions

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

Senate Resolution No. 99

Senate Resolution No. 100

The motion prevailed.

House Concurrent Resolution No. 36.

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 Jackson Community College relative to the Jackson Community College Health Program Expansion and Information Commons.

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 therefor, as follows:

Roll Call No. 571**Yeas—35**

Allen
Anderson
Barcia
Basham
Birkholz
Bishop
Brater
Brown
Cassis

Cherry
Clark-Coleman
Clarke
Cropsey
George
Gilbert
Gleason
Hardiman
Hunter

Jacobs
Jansen
Kahn
Kuipers
McManus
Olshove
Pappageorge
Patterson
Prusi

Richardville
Sanborn
Schauer
Stamas
Switalski
Thomas
Van Woerkom
Whitmer

Nays—0

Excused—3

Garcia

Jelinek

Scott

Not Voting—0

In The Chair: Richardville

House Concurrent Resolution No. 58.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease among the State of Michigan, the State Building Authority, and West Shore Community College relative to the West Shore Community College New Student Learning 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 therefor, as follows:

Roll Call No. 572

Yeas—35

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

Nays—0

Excused—3

Garcia

Jelinek

Scott

Not Voting—0

In The Chair: Richardville

House Concurrent Resolution No. 61.

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 Student Activities 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 therefor, as follows:

Roll Call No. 573

Yeas—35

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

Nays—0

Excused—3

| | | |
|--------|---------|-------|
| Garcia | Jelinek | Scott |
|--------|---------|-------|

Not Voting—0

In The Chair: Richardville

Senator Patterson offered the following resolution:

Senate Resolution No. 130.

A resolution to request that the Governor reimburse the community of Livonia for the jobs and economic losses resulting from the move of Quicken Loans to downtown Detroit.

Whereas, Quicken Loans is clearly one of the state’s commercial success stories. From its home in Livonia, Quicken Loans has grown to become the nation’s premier online mortgage lender. Indeed, with state and local financial assistance, Quicken Loans has expanded from 500 employees to over 4,000 in seven short years; and

Whereas, The Michigan Economic Development Corporation and Quicken Loans, however, have recently announced that, with the help of up to \$200 million in state incentives, the firm will relocate its operations to downtown Detroit. This move may be an economic shot-in-the-arm for the city of Detroit, but it is a devastating loss to the city of Livonia, which has made significant investments in economic development efforts on behalf of the firm. Indeed, in conjunction with a 2005 state-local financial assistance package that led to a major expansion of Quicken Loan’s facility in Livonia, the city supported the project by providing a parking agreement for the mortgage lender’s employees that alone was valued at \$200,000; and

Whereas, Economic development incentives are an important component in the state’s job development efforts. These scarce resources should be directed toward strategies that promote new job development and the relocation of jobs into Michigan and not merely toward reshuffling the deck on workplace location of existing businesses. This type of economic development activity is more than just inefficient. It brings true economic harm to local businesses and local communities that have made significant investments mirroring those of the state. Clearly, the state should take responsibility for its actions and reimburse the city of Livonia for its loss of Quicken Loans. This reimbursement could be easily provided in the form of special tax incentives or revenue sharing enhancements; now, therefore, be it

Resolved by the Senate, That we hereby request that the Governor reimburse the community of Livonia for the jobs and economic losses resulting from the move of Quicken Loans to downtown Detroit; and be it further

Resolved, That copies of this resolution be transmitted to the Governor and the Michigan Economic Development Corporation.

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

Senator Cropsey 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 Cropsey moved that the resolution be referred to the Committee on Economic Development and Regulatory Reform.

The motion prevailed.

Senators Anderson and Jansen were named co-sponsors of the resolution.

Senators Hardiman, Allen, Cropsey, Bishop, Jansen, Birkholz, Van Woerkom and Kuipers offered the following resolution:

Senate Resolution No. 131.

A resolution to request the congressional Joint Committee on the Library to approve the replacement of Michigan's statue of Zachariah Chandler with an image of President Gerald R. Ford as part of the National Statuary Hall Collection and to take other actions related to this undertaking.

Whereas, Under federal law, each state is invited to provide two statues of distinguished citizens for display in the United States Capitol. Michigan's contributions to this National Statuary Hall Collection, Lewis Cass and Zachariah Chandler, were placed in our nation's Capitol in 1889 and 1913, respectively; and

Whereas, The Architect of the Capitol manages the National Statuary Hall Collection, which was established in 1864. Legislation enacted in 2000 provides for the replacement of statues, which must be approved by the congressional Joint Committee on the Library. This procedure requires the states to take specific actions. This process was followed in 2003, when Kansas provided a statue of President Eisenhower, and more recently in California, which has authorized a statue of President Ronald Reagan that will soon become part of the collection; and

Whereas, The process of a state replacing a statue begins with the state's legislature adopting a resolution to request the Joint Committee on the Library to approve the replacement. This resolution is to identify the statue being replaced, to name the individual who is the subject of the new statue, to select a commission to represent the state in naming a sculptor, and to outline the means of payment for the entire replacement process. The governor of the state must send a letter of approval to the Architect of the Capitol; and

Whereas, The Gerald R. Ford Foundation has expressed its strong commitment to this project and has pledged its leadership and financial support to this important undertaking; and

Whereas, As Michigan history unfolds, the notable accomplishments of Zachariah Chandler are more appropriately celebrated in Michigan. Returning the statue to Michigan can provide an important incentive to our citizens to learn more of his contributions; and

Where, The remarkable story of Gerald R. Ford and his leadership as our 38th President is integral to the nation's history, especially for his lasting impact during the unique challenges of the 1960s and 1970s. This decorated World War II naval officer, who devoted 25 years to the people of western Michigan as their voice in Congress and served as Vice President at a time of great challenges, carved a life of public service that embodied the highest standards. His courageous actions as President in standing up for the country's best interests at the expense of political expediency are now widely recognized by a grateful nation. The personal integrity that marked all aspects of the life of the man from Grand Rapids continues to inspire the people of Michigan; now, therefore, be it

Resolved by the Senate, That we request the congressional Joint Committee on the Library to approve the replacement of Michigan's statue of Zachariah Chandler with an image of President Gerald R. Ford as part of the National Statuary Hall Collection in our nation's Capitol. We make this request on behalf of the people of Michigan; and be it further

Resolved, That we urge the Governor to communicate approval of this replacement project to the Architect of the Capitol and to sign an agreement with the Architect of the Capitol to replace the Zachariah Chandler statue with one of President Gerald R. Ford; and be it further

Resolved, That we hereby select the Gerald R. Ford Foundation as the entity that will develop the process for selecting an artist for the statue of President Ford and underwrite the costs of this entire project, including the costs of creating, transporting, and placing both statues at their respective locations and the costs related to ceremonies that may be held in Lansing and Washington, D.C.; and be it further

Resolved, That copies of this resolution be transmitted to the Office of the Governor, the Architect of the Capitol, the Gerald R. Ford Foundation, the President of the United States Senate, the Speaker of the United States House of Representatives, the members of the Michigan congressional delegation, and the Joint Committee on the Library of Congress.

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

Senator Cropsey moved that the rule be suspended.

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

The resolution was adopted.

Senators Barcia and Switalski were named co-sponsors of the resolution.

Protests

Senators George and Pappageorge, under their constitutional right of protest (Art. 4, Sec. 18), protested against the adoption of Senate Resolution No. 131.

Senator George moved that the statements he made during the discussion of the bill be printed as their reasons for voting “no.”

The motion prevailed.

Senator George’s first statement, in which Senator Pappageorge concurred, is as follows:

It makes me sad to oppose this resolution because it really asks us to weigh the relative merits of two great Michigan figures. We don’t have to do it this way; there is another option. It is not true that Michigan is limited to only two memorials or two statues in the Capitol Complex. In fact, there is precedence for states getting an exemption in the case of special merit to make for special memorials. This is what our congressional delegation should be properly working on.

Rather than replacing one of our existing Michigan heroes with President Ford, who deserves to be memorialized in the Capitol Complex, rather than replacing Zachariah Chandler, they should be following the lead of Jesse Jackson, Jr., and Appeals Court Justice Damon Keith who worked to get special privilege to place a Rosa Parks’ memorial in the Capitol structure that did not involve replacing the Michigan statues that are already there. They didn’t say, “Rosa Parks lived in Detroit, so we’re going to take out one of Michigan’s two statues to put her in.” They didn’t say, “Well, she was born in Alabama; let’s look at Alabama’s representation and maybe we can pluck them out.” Who are the statues from Alabama? Joseph Wheeler, a Confederate Cavalry officer who worked to heal the breach between the North and the South after the war. And Jabez Lamar, an advocate of free universal education and the president of Howard University. You’ve never heard of them; I’d never heard of them before. They didn’t say, “Those people lived 100 years ago; let’s take them out and put Rosa Parks in.” They said that they needed a special tribute to Rosa Parks that didn’t involve disguarding Alabama’s or Michigan’s existing statuary heritage.

When the proponents of a Martin Luther King memorial went to Washington, D.C, and asked for a tribute to Martin Luther King, they didn’t say, “Well, he’s from Georgia, so let’s remove one of the Georgia statues.” Do you know who the Georgia statues are? I’ll bet you’ve never heard of them. One of them was the discoverer of anesthesia, Crawford Long. They didn’t say, “Dr. Long lived over 100 years ago; nobody knows who his is; let’s take him out and put Martin Luther King in. Let’s erase a chapter of Georgia history to put in another chapter.” No, they said, “Martin Luther King deserves a special memorial and we don’t need to re-write Georgia history to recognize that.” So Congress passed and the President authorized a Martin Luther King memorial in the Mall. There was groundbreaking last year that took place.

When the proponents of a World War II memorial said it was time to have a World War II memorial in the Mall, they didn’t say, “Let’s remove the memorial to the War of 1812; that’s over 100 years ago; nobody knows about that.” Mackinac Island was captured, Detroit fell, Washington was burned, but it’s 100 years old, and we don’t need to remember that. Let’s pave it over and put in the World War II memorial. They didn’t say that. They found a new space for the World War II memorial, and that’s because history isn’t a book with 100 pages in it, where you tear out a page whenever you write a new one. History is constantly being written, and each chapter lies in the chapter before it and is enriched by the one before it.

Gerald Ford was a great man, a great President, but if you look back in time, you can trace his presidency back to the work of Zachariah Chandler who helped form the Michigan Republican Party, which then became a movement that spread to other states. Then you had a National Republican Party and they elected President Lincoln. Gerald Ford’s legacy rests on the shoulders of Zachariah Chandler; they’re both important. You can’t say that one trumps the other. Most states have not used their allegations in Statuary Hall to memorialize Presidents because they’re already there. There’s a bust of President Ford in the Capitol, a portrait; there’s an airport and amphitheater, a foundation, a field house, a freeway, a conservation park, a scholastic award, a stamp, and there’ll be a coin coming in a few years.

You know, Mr. President, there’s another way to do this. We should ask our congressional delegation for a special resolution to memorialize the President, an appropriate way that doesn’t supplant existing Michigan history.

Senator George’s second statement, in which Senator Pappageorge concurred, is as follows:

I want to be sure that members have found on their desks comments from several groups, some of which testified at a committee hearing regarding this and others which have submitted written information. But I just want to point out that they include—the opposition includes—groups like the Michigan Historical Commission, appointed by the Governor

that advises the Governor on historical matters, has said that this needs more study. The Historical Society of Michigan, the Michigan Department of Sons of Union Veterans of the Civil War, the Grand Rapids Civil War Roundtable, the Michigan Society of the Sons of the Revolution, the Ann Arbor Civil War Roundtable, and the Daughters of Union Veterans of the Civil War all expressed concerns regarding this.

I also, in the time remaining want to address a couple of the points raised by previous speakers. One has had to do with the potential location of a Gerald Ford statue, that this would be in a better position than the Zachariah Chandler statue currently is. I just wish to read from the rules regarding placement of statues in Statuary Hall. They say that, "The architect will make recommendations for placement of a statue with the least possible disruption of previously placed statues. To assist and developing the recommendation, structural engineers will determine whether the floor and any proposed location can safely support the weight of the statue. It will normally take the place of the older statue." There is nothing in here that says a new statue will automatically will go into the Rotunda, except that a new statue is temporarily placed there on view for six months. So my reading of it is there is no guarantee that a Gerald Ford statue would be in a better location than the Zachariah Chandler statue.

The other thing I think is important to note is that some have pointed this out as being of benefit for the city of Detroit, or a victory for the city of Detroit to remove a piece of Michigan and Detroit history from the nation's Capitol and move it back to Detroit; that somehow this is an upgrade. I disagree with that. Zachariah Chandler is already in Detroit. He is buried in Elmwood Cemetery. He's already there. You have some Chandler tributes, but there aren't any in Washington, D.C. If that was so, if it was better that he be memorialized in Detroit, then wouldn't that logic apply to all the memorials in our Capitol here? We have a Russell Alger from Grand Rapids. How many Grand Rapids schoolchildren know who he is? He was a Civil War Cavalry hero who fought in the Battle of Gettysburg from Grand Rapids. Why don't we return him to the Grand Rapids Public Museum if that is such a great idea? What about Eva Hamilton, first woman Senator to serve here from Grand Rapids? Should she be in the Grand Rapids Public Museum? Or Austin Blair, our Civil War Governor? Should he be in Jackson. Or Henry Crapo? Should he be in Flint? Should we spare the schoolchildren of Michigan the tortuous journey to learn about state history and make it easy for them and just send all memorials back to the native cities? No, I think not.

So once again, colleagues, there is an alternative. There is a way that our congressional delegation can establish a memorial for President Ford that does not involve supplanting what we already have there. I ask that we defeat this resolution so that this better alternative can be pursued.

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

The motion prevailed.

Senator Switalski's statement is as follows:

I think it's appropriate that we have a good fight over this because Zach Chandler never went down without a fight. Allow me to cite two examples. I got these out of great source, *Wikipedia*. While mayor of Detroit, Chandler first encountered Ulysses S. Grant, who was then a lieutenant in the U.S. Army. Grant sued Chandler for not clearing the ice and snow in front of his home after he had slipped and suffered a severe sprain. Chandler chose to defend himself at a trial by jury and aggressively confronted the Army officers, accusing them of, "If you soldiers would keep sober, perhaps you would not fall on people's pavements and hurt your legs." Grant ultimately won the case but had worsened his reputation for drinking heavily. Chandler was fined only 6 cents and court costs of about \$8.00. According to popular lore, Chandler later had Grant ticketed for driving too fast in his carriage.

A year later, while dining at the National Hotel in Washington, D.C., Zach Chandler was assaulted by Edward Allen Hannigan and David Wosely Voorheis, perhaps a relative of former Rep./Senator Voorheis, because he "denounced in very strong terms, Copperheads in general and especially those of the West." Copperheads were people, were Democrats, Northerners, who didn't want to fight the Civil War. According to the newspaper account of the affair, Voorheis, a fellow member of Congress, in earshot of Chandler's comments, who was sitting at another table in company with Hannigan, also of Indiana, arose from his seat, approached Chandler in an excited manner, demanding whether he was referring to him, to which Chandler replied, "Who are you, sir? I do not know you." "I am Voorheis of Indiana." And suiting his action to the word, he struck Chandler on the side of his face. The two closed and the Senator was rapidly getting the better of Voorheis when Hannigan came to his assistance with a heavy milk pitcher, snatched from the table, which he broke on Chandler's head. The contents of the pitcher splashed over the whole company. Chandler was stunned by the blow and had not fully recovered himself when Hannigan dealt him with a second blow with a chair. Chandler's head was slightly cut by the pitcher and his arm and shoulder were considerably bruised by the chair. Though not able to close his hand, he had been out that day attending to his usual duties.

So this is quite a man and I can see why he deserves a statue. Perhaps it is the wish of the body to change the statues in Washington, D.C., and maybe the Detroit Historical Museum is a good spot for Zach—I don't know. But I think the Capitol Committee should take a look at it and decide what is the best place for Zach. It ought to be a place where school kids everywhere would have a chance to see and learn about this guy.

Senator Barcia's statement is as follows:

It pains me a little, because I have such great respect for the Senator from Kalamazoo, that on this issue I do disagree. I would like to explain why I support Senate Resolution No.131, which we know will approve placement of the statue of President Gerald R. Ford in the Statuary Hall Collection in the U.S. Capitol.

As we all know, each state is permitted to have two statues in the Capitol. Michigan is currently represented by Democrat Lewis Cass and Republican Zachariah Chandler. If this resolution is adopted, the Chandler statue would come home to Michigan, as my colleague from Detroit, Senator Thomas, has just explained, perhaps even in a more prominent role where more Michigan citizens, Detroit citizens, as well as visitors to our state would be able to appreciate the history of this great statesman and early national leader.

There is no doubt that Zachariah Chandler has left a lasting impression on Michigan. Elected mayor of the great city of Detroit in 1851, he was one of the founders of the Republican Part, as Senator George has spoken to so well, in terms of his leadership at a time that was so important in our nation's history. In 1854, he became the undisputed leader of the Republican Party. In 1857, he was elected to the United States Senate and was a strong anti-slavery voice. He is also remembered for his ability to secure large amounts of federal resources to invest in our state of Michigan and the developing midwest. Defeated in the Senate election in 1875, Chandler was appointed secretary of the interior by President Grant, but he was removed from office by the succeeding President, Rutherford B. Hayes, in 1876. Chandler, a popular figure, was re-elected to the United States Senate in 1879, but he died soon thereafter on November 1, 1879.

Replacing Zachariah Chandler's statue with that of President Ford certainly does not indicate a lack of esteem for his life and accomplishments. On the contrary, this resolution will allow future generations of families, students, and others who visit the museum to have a deeper appreciation of this important national figure.

Furthermore, honoring the recently-departed President Ford in this way is a testament to his political courage, decency, and ability to bring a fractured nation back together and heal the wounds left by Watergate. President Ford is a man of Michigan. His service in the Michigan Legislature, United States Congress and as Vice President and President has benefited our state and shown that a man of modest beginnings can assume the highest office in the land.

But President Ford is more than just Michigan's favorite son. He is a revered national figure whose reputation and legacy continues to grow as time passes. By placing his statue in the National Statuary Hall Collection in Washington, D.C., our state will show just how much we value the honor, trustworthiness, and accomplishments of this great man.

Senator Allen's statement is as follows:

I also rise in support of this important resolution. Over the past weeks, I have had the opportunity to study this issue, tour, and take committee hearings on this discussion, so-called Chandler compromise. We have had the opportunity to visit the Ford Museum and learn of the history—the living history—and take my children there. At that point in time, we tried to explain to my kids what a pet rock was, what a leisure suit was, or what an 8-track tape stereo was.

I have had the opportunity to visit the Detroit Historical Museum, one of the proposed sites for the location of the Chandler statue when it moves from Washington, D.C., and explain to my family the importance of this—to make sure that history was alive.

I appreciate the discussions that have been going on today and especially the comments from the gentleman from the 4th District about making history alive. Things have changed in the last years since the '70s. It's important for us to recognize one of Michigan's sons who has made an impact currently.

We need to take Gerald Ford home, and I encourage this body to move him to the Capitol.

Senator Hardiman's first statement is as follows:

I rise to offer this resolution to place a statue of President Gerald R. Ford in the United States Capitol. This effort would be paid for with funds through the Gerald R. Ford Foundation, including the movement of the Zachariah Chandler statue, another incredible Michigan statesman, from the Hall of Columns in the Capitol to another prominent place, the Detroit Historical Museum.

The National Statuary Hall Collection is comprised of statues donated by individual states to honor persons notable in their history. As Michigan's only President, I strongly feel that President Gerald R. Ford should receive this honor, and yet, it is also an honor for Michigan as well.

Who can deny that President Ford's life of service is deserving of this honor? He served 25 years in Congress, the longest of any President. President Ford led this country with honor, distinction, and integrity of heart. He helped bring about healing when we really needed it in the wake of Watergate and Vietnam. Even though President Ford has received many honors and awards throughout his life, this would have been a special one for him, but also for his family. It is also an honor for the state of Michigan.

There is a precedent for replacing statues in this collection. In 2003, Kansas replaced a statue of former Governor George Washington Glick with one of President Dwight D. Eisenhower. California is currently in the process of replacing one of their statues with one of President Ronald Reagan. Each state is allowed two positions in the Statuary Hall Collection, which is located in the Capitol Building. Currently, there are only two open spaces available in the rotunda for statues. By acting in a timely manner, not only can we give our President the recognition he deserves, we can also

have one of Michigan's statues permanently placed in the Capitol rotunda which is arguably the most traveled section of a Capitol building. Only former Presidents receive a permanent location in the Capitol rotunda. However, if Michigan does not act now, that space will be taken by another state. President Reagan's statue would take one of the spots, and President Ford's statue would assume the second if we move forward with this resolution.

Furthermore, the Zachariah Chandler statue currently rests in the Hall of Columns, which is down a long hall and not easily visible, and his accomplishments are not noted on the statue. Bringing the Chandler statue back to the Detroit Historical Museum would give a whole new generation of Michigan citizens the ability to learn about Chandler's accomplishments as an abolitionist, mayor Detroit, United States Senator, and a founding leader of the Republican Party.

I wholeheartedly feel that bringing the Chandler statue to a prominent place in Michigan and putting President Ford's statue in a prestigious position in the Capitol rotunda would be a two-fold victory for Michigan. This resolution has the support of the Detroit Historical Museum, and they are excited about getting the statue; and also the city of Detroit. I believe you have a letter on your desks to that effect.

I sincerely request the support for this resolution by every member of this body.

Senator Hardiman's second statement is as follows:

We have had a very spirited and interesting discussion today on this resolution. I would like to speak to a couple of points very briefly that has been brought up. We have been in discussion with Washington, D.C., Congressman Ehlers' office about these issues, and certainly, the placement of the Gerald R. Ford statute in the rotunda is something that has been stated and could happen. There are two positions left. As I stated before, the statue of President Ronald Reagan is already being constructed and so that would be one, and if we move now, we can have President Ford moved there as well.

Secondly, Rosa Parks' statue, that is not part of the collection that allows for two statues. That is a separate issue. It would be wonderful if we could get that, but that is not something that has been approved; that is something that has been proposed. What I am talking about now is something that the House has already approved—a resolution. We have been in communication with the Governor's office and so her approval is needed and that has already been secured, if we would approve this resolution today. So we are talking about something that we can move forward with.

Let me speak to this issue of history and honoring Zachariah Chandler. Let me just say that I love history. I wouldn't claim to be a history buff as my learned colleague from the 20th District, but I do love history. I love history because of what it does. The value in history—to me, history is to teach to correct, to warn, and to inspire. So we learn from the past. We live and work now to the present; we look forward in hope to the future because of that history and based on that history. Let me just very quickly tell you a bit of history that you probably don't know about that has inspired me.

Back in the mid-1800s there was a man his name was Alexander and was born a slave. Alexander had a son that son's name was Paul, and he had a son whose name was Clyde, Sr.; he had a son whose name was Clyde, Jr., and he had another son whose name was Clyde Preston William Hardiman III. Yes, my great-great-grandfather was born a slave. He was born to his father Alexander Hamilton who was a slave owner, but he did not remain in that situation. Alexander Hardiman not only gained his freedom, but he fought in the Civil War. Although he fought in the 8th Regiment Artillery, U.S. Colored Troops, in essence, fought alongside white and black who wanted freedom for all people. He inspires me, but I would not be inspired if I didn't know about that history.

Right now we are discussing two men who can inspire. Zachariah Chandler, his history is incredible. I personally have taken the time to work with the Detroit Historical Museum. I have visited the museum. I have looked at the place of promise where the statue would be placed, and I want that history of Zachariah Chandler, not just the statue because the statue right now is down a hallway in the Capitol with only a nameplate; nothing about what he has done. Most folks probably don't know who he is or what he has done.

But I want it to be in a place where it will inspire a whole new generation of Michigan residents. I want it to inspire people who are yet unborn, and I want President Ford's statue to be in the Capitol rotunda—Michigan's President to also inspire a whole new generation. And, yes, even those in the future, people who are yet unborn. I want them to inspire that history; my own history inspires me. If I didn't know about it, it would not inspire me. We have to make it known and this is one way to do it.

I urge your support of this resolution. It's not primarily for President Ford; it's for this state to place a statue of our only President in the Capitol rotunda where it will be seen and acknowledged and the history will be known.

Introduction and Referral of Bills

Senator Clarke introduced
Senate Bill No. 997, entitled

A bill to amend 1969 PA 317, entitled "Worker's disability compensation act of 1969," by amending section 361 (MCL 418.361), as amended by 1985 PA 103.

The bill was read a first and second time by title and referred to the Committee on Homeland Security and Emerging Technologies.

Senators Basham, Gleason, Prusi, Clarke and Schauer introduced

Senate Bill No. 998, entitled

A bill to amend 1993 PA 354, entitled "Railroad code of 1993," (MCL 462.101 to 462.451) by adding section 318. The bill was read a first and second time by title and referred to the Committee on Transportation.

Senators Kahn, Cassis, Brown, Birkholz, Pappageorge, Cropsey, Bishop, Jansen, Kuipers, Van Woerkom, Allen, Stamas, Jelinek, Richardville and Garcia introduced

Senate Bill No. 999, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 253. The bill was read a first and second time by title and referred to the Committee on Finance.

Senators Birkholz, Jansen, Pappageorge, Garcia and Allen introduced

Senate Bill No. 1000, entitled

A bill to amend 1984 PA 431, entitled "The management and budget act," (MCL 18.1101 to 18.1594) by adding section 257.

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

House Bill No. 5511, entitled

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending section 437 (MCL 208.1437).

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.

By unanimous consent the Senate returned to the order of

Third Reading of Bills

The following bill was read a third time:

House Bill No. 4711, entitled

A bill to amend 1996 PA 381, entitled "Brownfield redevelopment financing act," by amending section 15 (MCL 125.2665), as amended by 2006 PA 32.

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. 574

Yeas—35

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

Nays—0

Excused—3

| | | |
|--------|---------|-------|
| Garcia | Jelinek | Scott |
|--------|---------|-------|

Not Voting—0

In The Chair: Richardville

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

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

“An act to authorize municipalities to create a brownfield redevelopment authority to facilitate the implementation of brownfield plans; to create brownfield redevelopment zones; to promote the revitalization, redevelopment, and reuse of certain property, including, but not limited to, tax reverted, blighted, or functionally obsolete property; to prescribe the powers and duties of brownfield redevelopment authorities; to permit the issuance of bonds and other evidences of indebtedness by an authority; to authorize the acquisition and disposal of certain property; to authorize certain funds; to prescribe certain powers and duties of certain state officers and agencies; and to authorize and permit the use of certain tax increment financing.”

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 4712, entitled

A bill to amend 1996 PA 381, entitled “Brownfield redevelopment financing act,” by amending section 13 (MCL 125.2663), as amended by 2006 PA 467.

The question being on the passage of the bill,

Senator Richardville offered the following amendments:

1. Amend page 3, line 14, after “AND” by inserting “**WHICH BEGINNING DATE**”.
2. Amend page 3, line 21, after “PLAN.” by inserting “**THE AUTHORITY MAY NOT AMEND THE DATE FOR THE BEGINNING OF CAPTURE OF TAX INCREMENT REVENUES IF THE AUTHORITY HAS BEGUN TO REIMBURSE ELIGIBLE ACTIVITIES FROM THE CAPTURE OF TAX INCREMENT REVENUES. THE AUTHORITY MAY NOT AMEND THE DATE FOR THE BEGINNING OF CAPTURE IF THAT AMENDMENT WOULD LEAD TO THE DURATION OF CAPTURE OF TAX INCREMENT REVENUES BEING LONGER THAN 30 YEARS OR THE PERIOD AUTHORIZED UNDER SUBSECTIONS (4) AND (5). IF THE DATE FOR THE BEGINNING OF CAPTURE OF TAX INCREMENT REVENUES IS AMENDED BY THE AUTHORITY AND THAT PLAN INCLUDES THE CAPTURE OF TAX INCREMENT REVENUES FOR SCHOOL OPERATING PURPOSES, THEN THE AUTHORITY THAT AMENDED THAT PLAN SHALL NOTIFY THE DEPARTMENT AND THE MICHIGAN ECONOMIC GROWTH AUTHORITY WITHIN 30 DAYS OF THE APPROVAL OF THE AMENDMENT.**”.
3. Amend page 13, line 14, after “act.” by striking out the balance of the line through “DEPARTMENT.” on line 4 of page 14 and inserting “**IF AN AUTHORITY REIMBURSES A PERSON OR ENTITY UNDER THIS SECTION FOR AN ADVANCE FOR THE PAYMENT OR REIMBURSEMENT OF THE COST OF ELIGIBLE ACTIVITIES AND INTEREST THEREON, THE AUTHORITY MAY CAPTURE LOCAL TAXES FOR THE PAYMENT OF THAT INTEREST. IF AN AUTHORITY REIMBURSES A PERSON OR ENTITY UNDER THIS SECTION FOR AN ADVANCE FOR THE PAYMENT OR REIMBURSEMENT OF THE COST OF BASELINE ENVIRONMENTAL ASSESSMENTS, DUE CARE, AND ADDITIONAL RESPONSE ACTIVITIES AND INTEREST THEREON INCLUDED IN A WORK PLAN APPROVED BY THE DEPARTMENT, THE AUTHORITY MAY CAPTURE TAXES LEVIED FOR SCHOOL OPERATING PURPOSES AND LOCAL TAXES FOR THE PAYMENT OF THAT INTEREST. IF AN AUTHORITY REIMBURSES A PERSON OR ENTITY UNDER THIS SECTION FOR AN ADVANCE FOR THE PAYMENT OR REIMBURSEMENT OF THE COST OF ELIGIBLE ACTIVITIES THAT ARE NOT BASELINE ENVIRONMENTAL ASSESSMENTS, DUE CARE, AND ADDITIONAL RESPONSE ACTIVITIES AND INTEREST THEREON INCLUDED IN A WORK PLAN APPROVED BY THE MICHIGAN ECONOMIC GROWTH AUTHORITY, THE AUTHORITY MAY CAPTURE TAXES LEVIED FOR SCHOOL OPERATING PURPOSES AND LOCAL TAXES FOR THE PAYMENT OF THAT INTEREST PROVIDED THAT THE MICHIGAN ECONOMIC GROWTH AUTHORITY GRANTS AN APPROVAL FOR THE CAPTURE OF TAXES LEVIED FOR SCHOOL OPERATING PURPOSES TO PAY SUCH INTEREST.**”.

The amendments were adopted, a majority of the members serving voting therefor.

The question being on the passage of the bill,

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

Roll Call No. 575

Yeas—35

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

Nays—0

Excused—3

| | | |
|--------|---------|-------|
| Garcia | Jelinek | Scott |
|--------|---------|-------|

Not Voting—0

In The Chair: Richardville

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

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

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

“An act to authorize municipalities to create a brownfield redevelopment authority to facilitate the implementation of brownfield plans; to create brownfield redevelopment zones; to promote the revitalization, redevelopment, and reuse of certain property, including, but not limited to, tax reverted, blighted, or functionally obsolete property; to prescribe the powers and duties of brownfield redevelopment authorities; to permit the issuance of bonds and other evidences of indebtedness by an authority; to authorize the acquisition and disposal of certain property; to authorize certain funds; to prescribe certain powers and duties of certain state officers and agencies; and to authorize and permit the use of certain tax increment financing.”

The Senate agreed to the full title.

By unanimous consent the Senate proceeded to the order of

Statements

Senators Clark-Coleman, Cropsey and Thomas asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator Clark-Coleman’s statement is as follows:

Yesterday there were some spirited activities going on around the Capitol between the good Senator from the 23rd District here in Lansing and the good Senator from the 33rd District. I would request at this time that the good Senator from the 33rd District give a full and detailed accounting of the results of the Salvation Army bell-ringing that happened yesterday.

Senator Cropsey’s statement is as follows:

All I can say is, when I received a phone call from the Salvation Army people yesterday, they said, “Congratulations, Senator, you raised more than what the Speaker of the House did last year and what the Minority Leader of the House did last year.” Which I thought, hey, that’s just great. But then they went on to say, “You ought to be especially thrilled because Senator Whitmer, being on her home territory, was able to raise four times as much as you did.”

I just want to congratulate the good Senator from East Lansing for doing at least four times better than the Speaker of the House did last year and what the Minority Leader did in the House last year. So congratulations to the good Senator from East Lansing.

Senator Thomas' statement is as follows:

Mr. President, in this warm feeling of good will and spirit, on behalf of Senator Scott who is not here today, I would hope that we would continue to feel this warmth and grant—finally—hearings on legislation providing insurance relief to all of the citizens of the state of Michigan.

By unanimous consent the Senate returned to the order of

Motions and Communications

Senator Cropsey moved that the following bill, now on the order of the order of Third Reading of Bills, be referred to the Committee on Government Operations and Reform:

Senate Bill No. 482, entitled

A bill to amend 2006 PA 479, entitled "Michigan promise grant act," by amending sections 2 and 4 (MCL 390.1622 and 390.1624), as amended by 2007 PA 42.

The motion prevailed.

Committee Reports

The Committee on Commerce and Tourism reported

Senate Bill No. 981, entitled

A bill to amend 1951 PA 51, entitled "An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, local bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts," by amending the title and section 11 (MCL 247.661), the title as amended by 2004 PA 384 and section 11 as amended by 2002 PA 639.

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.

Jason E. Allen
Chairperson

To Report Out:

Yeas: Senators Allen, Gilbert and Stamas

Nays: None

Pass: Senator Clarke

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

COMMITTEE ATTENDANCE REPORT

The Committee on Commerce and Tourism submitted the following:
Meeting held on Tuesday, December 11, 2007, at 2:30 p.m., Room 100, Farnum Building
Present: Senators Allen (C), Gilbert, Stamas and Clarke
Excused: Senator Hunter

The Committee on Appropriations reported

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.

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.

Ron Jelinek
Chairperson

To Report Out:

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

Nays: None

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

The Committee on Appropriations reported

House Concurrent Resolution No. 36.

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 Jackson Community College relative to the Jackson Community College Health Program Expansion and Information Commons.

(For text of resolution, see Senate Journal No. 129, p. 2342.)

With the recommendation that the concurrent resolution be adopted.

Ron Jelinek
Chairperson

To Report Out:

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

Nays: None

The concurrent resolution was placed on the order of Resolutions.

The Committee on Appropriations reported

House Concurrent Resolution No. 58.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease among the State of Michigan, the State Building Authority, and West Shore Community College relative to the West Shore Community College New Student Learning Center.

(For text of resolution, see Senate Journal No. 129, p. 2343.)

With the recommendation that the concurrent resolution be adopted.

Ron Jelinek
Chairperson

To Report Out:

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

Nays: None

The concurrent resolution was placed on the order of Resolutions.

The Committee on Appropriations reported

House Concurrent Resolution No. 61.

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 Student Activities Building.

(For text of resolution, see Senate Journal No. 129, p. 2344.)

With the recommendation that the concurrent resolution be adopted.

Ron Jelinek
Chairperson

To Report Out:

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

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 Tuesday, December 11, 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, Stamas, Switalski, Anderson, Barcia, Brater, Cherry and Clark-Coleman

Excused: Senators McManus and Scott

The Committee on Judiciary reported

Senate Bill No. 505, entitled

A bill to amend 1927 PA 372, entitled "An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms and gas ejecting devices; to prohibit the buying, selling, or carrying of certain firearms and gas ejecting devices without a license or other authorization; to provide for the forfeiture of firearms under certain circumstances; to provide for penalties and remedies; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; to prohibit certain conduct against individuals who apply for or receive a license to carry a concealed pistol; to make appropriations; to prescribe certain conditions for the appropriations; and to repeal all acts and parts of acts inconsistent with this act," by amending sections 1 and 5o (MCL 28.421 and 28.425o), as amended by 2002 PA 719.

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.

Wayne Kuipers
Chairperson

To Report Out:

Yeas: Senators Kuipers, Cropsey, Patterson, Whitmer, Clarke and Prusi

Nays: None

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

The Committee on Judiciary reported

Senate Bill No. 968, entitled

A bill to authorize local units of government to fingerprint certain individuals for the purpose of receiving criminal history record information from the department of state police and the federal bureau of investigation; to prescribe the powers and duties of certain state departments and officers; and to provide for the collection of fees.

With the recommendation that the substitute (S-3) be adopted and that the bill then pass.

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

Wayne Kuipers
Chairperson

To Report Out:

Yeas: Senators Kuipers, Cropsey, Sanborn, Patterson, Whitmer, Clarke and Prusi

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 Judiciary submitted the following:

Meeting held on Tuesday, December 11, 2007, at 1:00 p.m., Room 210, Farnum Building

Present: Senators Kuipers (C), Cropsey, Sanborn, Patterson, Whitmer, Clarke and Prusi

Scheduled Meetings

Appropriations -

Subcommittee -

Community Health Department - Thursday, December 13, 1:00 p.m., Room 110, Farnum Building (373-2768)

Senator Cropsey moved that the Senate adjourn.
The motion prevailed, the time being 1:46 p.m.

The President pro tempore, Senator Richardville, declared the Senate adjourned until Thursday, December 13, 2007, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate