

No. 63
STATE OF MICHIGAN
Journal of the Senate
95th Legislature
REGULAR SESSION OF 2009

Senate Chamber, Lansing, Tuesday, August 18, 2009.

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 not present.

Allen—present
Anderson—present
Barcia—present
Basham—present
Birkholz—present
Bishop—present
Brater—excused
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—present
Kahn—present
Kuipers—present
McManus—present

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

Reverend Dr. Victor F. Halboth of Grace Lutheran Church of Redford offered the following invocation:

Heavenly Father, our hearts are filled with great gratitude for the men and women who serve in this hallowed place. We thank You for the depth of their dedication. In these tense and troubled times—times of terrorism, days of battling budgets, economic worries and woes—be with our elected Senators who lead our nation in these chambers.

In a world that grows more and more complex and complicated, give us hope. Where there is fear, give courage. Where there is loneliness, give companionship. Where there is anxiety, give peace. May our hearts burn within us, and may we be filled with a passion to serve our nation and our state as loyal citizens.

Our Father, we pray in the name of Jesus who is the way, the truth, and the life; the One who loves us regardless of race or color or class or condition. And now may we go in peace, live in harmony, and serve with gladness.

In the name of the Father and of the Son and of the Holy Spirit. Amen.

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

Senator Kuipers entered the Senate Chamber.

Recess

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

The motion prevailed, the time being 10:12 a.m.

10:30 a.m.

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

During the recess, Senators Hunter, Clarke, Scott, Gleason, Sanborn, George, Cassis, Van Woerkom, Pappageorge, Jansen, Birkholz, Gilbert, Jelinek, Hardiman, Kahn, Bishop, Brown and Stamas entered the Senate Chamber.

A quorum of the Senate was present.

Motions and Communications

Senator Allen entered the Senate Chamber.

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

The motion prevailed.

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. 484

Senate Bill No. 698

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

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

The motion prevailed.

Senator Cropsey's statement is as follows:

Today, I want to introduce to the chamber Jacob Kissling. Jacob is a graduate of Fulton High School and has been interning in my office for a year now. His main role has been to respond to constituent requests, writing tributes, and preparing presentations. Jacob has shown my staff and I that he has what it takes to be a very valuable employee to the State Senate.

You know, there are some employees—some folks come to work and do the work. Jacob not only does the work, but he does it with a happy attitude. I don't think I have ever come into the office any morning when he has been there and he hasn't just had a broad, bright smile on his face. It just helps us to wake up in the morning and say this is going to be a great day.

This fall, Jacob will be starting his freshman year at Cornerstone University in Grand Rapids, studying business.

Please join with me in thanking Jacob for his service to the Michigan State Senate.

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

August 6, 2009

Pursuant to Senate Rule 2.104(c), I am requesting that the Senate Finance Committee hold a hearing on the appointments of Patricia L. Halm and Cynthia J. Knoll to the Michigan Tax Tribunal. After the hearing is conducted, please submit the written recommendation to the Senate Government Operations and Reform Committee.

Sincerely,
Michael D. Bishop, Chairman
Government Operations and Reform Committee

The communication was referred to the Secretary for record.

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

August 10, 2009

Pursuant to Joint Rule 3, the Senate, having non-concurred in the House substitute (H-3) to House Bill 4438, appoints the following members to sit on the conference committee:

Senator Ron Jelinek
Senator Cameron Brown
Senator Michael Switalski

Thank you for your prompt consideration of this matter.

August 13, 2009

Pursuant to Joint Rule 3, the Senate, having non-concurred in the House substitute (H-1) to Senate Bill 290, appoints the following members to sit on the conference committee:

Senator Jason Allen
Senator Jud Gilbert
Senator Hansen Clarke

Thank you for your prompt consideration of this matter.

August 13, 2009

Pursuant to Joint Rule 3, the Senate, having non-concurred in the House substitute (H-1) to Senate Bill 293, appoints the following members to sit on the conference committee:

Senator Jason Allen
Senator Jud Gilbert
Senator Hansen Clarke

Thank you for your prompt consideration of this matter.

August 13, 2009

Pursuant to Joint Rule 3, the Senate, having non-concurred in the House substitute (H-1) to Senate Bill 295, appoints the following members to sit on the conference committee:

Senator Jason Allen
Senator Jud Gilbert
Senator Hansen Clarke

Thank you for your prompt consideration of this matter.

August 13, 2009

Pursuant to Joint Rule 3, the Senate, having non-concurred in the House substitute (H-1) to Senate Bill 296, appoints the following members to sit on the conference committee:

Senator Jason Allen
Senator Jud Gilbert
Senator Hansen Clarke

Thank you for your prompt consideration of this matter.

August 13, 2009

Pursuant to Joint Rule 3, the Senate, having non-concurred in the House substitute (H-1) to House Bill 4083, appoints the following members to sit on the conference committee:

- Senator Jason Allen
- Senator Jud Gilbert
- Senator Hansen Clarke

Thank you for your prompt consideration of this matter.

August 13, 2009

Pursuant to Joint Rule 3, the Senate, having non-concurred in the House substitute (H-1) to House Bill 4089, appoints the following members to sit on the conference committee:

- Senator Jason Allen
- Senator Jud Gilbert
- Senator Hansen Clarke

Thank you for your prompt consideration of this matter.

August 13, 2009

Pursuant to Joint Rule 3, the Senate, having non-concurred in the House substitute (H-3) to House Bill 4092, appoints the following members to sit on the conference committee:

- Senator Jason Allen
- Senator Jud Gilbert
- Senator Hansen Clarke

Thank you for your prompt consideration of this matter.

August 13, 2009

Pursuant to Joint Rule 3, the Senate, having non-concurred in the House substitute (H-1) to House Bill 4093, appoints the following members to sit on the conference committee:

- Senator Jason Allen
- Senator Jud Gilbert
- Senator Hansen Clarke

Thank you for your prompt consideration of this matter.

August 13, 2009

Pursuant to Joint Rule 3, the Senate, having non-concurred in the House substitute (H-3) to House Bill 4094, appoints the following members to sit on the conference committee:

- Senator Jason Allen
- Senator Jud Gilbert
- Senator Hansen Clarke

Thank you for your prompt consideration of this matter.

Respectfully yours,
Michael D. Bishop
Majority Leader
State Senate, 12th District

The communications were referred to the Secretary for record.

The Secretary announced that the following official bills were printed on Wednesday, August 5, and are available at the legislative website:

House Bill Nos. 5217 5218 5219 5220 5221 5222 5223 5224 5225 5226 5227 5228 5229 5230 5231

The Secretary announced that the following official bills were printed on Thursday, August 6, and are available at the legislative website:

Senate Bill Nos. 713 714 715 716 717 718 719 720 721 722 723 724 725 726 727 728 729 730 731

The Secretary announced that the following official bills were printed on Wednesday, August 12, and are available at the legislative website:

House Bill Nos. 5232 5233 5234 5235 5236 5237 5238 5239

Messages from the Governor

The following messages from the Governor were received and read:

August 13, 2009

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following appointment to office under Section 22211 of the Public Health Code, 1978 PA 368, MCL 333.22211:

Certificate of Need Commission

Mr. James B. Falahee, Jr., a Republican, of 7463 Cottage Oak Drive, Portage, Michigan 49024, county of Kalamazoo, succeeding Norma Hagenow, who has resigned, is appointed to represent hospitals, for a term commencing August 13, 2009 and expiring April 9, 2010.

August 13, 2009

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following appointments to state office under Section 29 of Article 5 of the Michigan Constitution of 1963:

Civil Rights Commission

Mr. Bertram Marks, a Democrat, of 1811 Burns, Detroit, Michigan 48214, county of Wayne, succeeding Kelvin W. Scott, who has resigned, for a term commencing August 13, 2009 and expiring December 31, 2011.

Mr. Jared I. Rodriguez, a Republican, of 113 Parkers Drive, Portland, Michigan 48875, county of Ionia, succeeding Margaret Van Houten, who has resigned, for a term commencing August 13, 2009 and expiring December 31, 2010.

August 13, 2009

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following reappointment to state office under Section 3 of the Community Corrections Act, 1988 PA 511, MCL 791.403:

State Community Corrections Board

The Honorable Alfred Butzbaugh of 11492 Red Bud Trail, Berrien Springs, Michigan 49103, county of Berrien, is reappointed to represent circuit or recorder's court judges, for a term expiring March 29, 2013.

August 13, 2009

I respectfully submit to the Senate pursuant to Article V, Section 6 of the Michigan Constitution of 1963, the following reappointments to office under Section 2 of the Electrical Administrative Act, 1956 PA 217, MCL 338.882:

Electrical Administrative Board

Mr. Rowland E. Cornish III, of 221 East Northrup Street, Lansing, Michigan 48911, county of Ingham, is reappointed to represent electrical contractors operating in this state, for a term expiring August 10, 2013.

Mr. Richard W. Long of 6858 Longworth, Waterford, Michigan 48329, county of Oakland, is reappointed to represent the general public, for a term expiring August 10, 2013.

August 13, 2009

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following appointments to state office under Section 10 of the Michigan Education Trust Act, 1986 PA 316, MCL 390.1430:

Michigan Education Trust Board of Directors

Ms. Susan Work Martin, Ph.D., of 790 North Hewitt Road, Ypsilanti, Michigan 48197, county of Washtenaw, succeeding Michael Rao, who has resigned, is appointed to represent presidents of state institutions of higher education, for a term commencing August 13, 2009 and expiring December 31, 2009, and reappointed for a term commencing January 1, 2010 and expiring December 31, 2012.

Ms. Gail C. Mee, Ed.D., of 22277 Long Boulevard, Dearborn, Michigan 48124, county of Wayne, succeeding Albert Lorenzo, who has resigned, is appointed to represent presidents of community or junior colleges, for a term commencing August 13, 2009 and expiring December 31, 2009, and reappointed for a term commencing January 1, 2010 and expiring December 31, 2012.

August 13, 2009

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following appointment to state office under Section 88I of the Michigan Strategic Fund Act, 1984 PA 270, MCL 125.2088I:

Strategic Economic Investment and Commercialization Board

Mr. Eric R. Gilbertson of 7371 Glen Eagle Drive, Bay City, Michigan 48706, county of Bay, succeeding Michael Rao, who has resigned, is appointed to represent a public university in Michigan other than Michigan State University, the University of Michigan, Wayne State University, Western Michigan University, or Michigan Technological University, for a term commencing August 13, 2009 and expiring December 31, 2011.

Sincerely,
Jennifer M. Granholm
Governor

The appointments were referred to the Committee on Government Operations and Reform.

Senator Thomas moved that Senator Barcia be temporarily excused from today's session.
The motion prevailed.

Senator Thomas moved that Senator Brater be excused from today's session.
The motion prevailed.

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 Birkholz as Chairperson.

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

Senate Bill No. 484, entitled

A bill to amend 1982 PA 204, entitled "Deaf persons' interpreters act," (MCL 393.501 to 393.509) by adding section 8f.

Senate Bill No. 698, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1278a (MCL 380.1278a), as amended by 2008 PA 316.

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

During the Committee of the Whole, Senator Barcia entered the Senate Chamber.

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

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

House Bill No. 4683

House Bill No. 4684

House Bill No. 4686

House Bill No. 4687

House Bill No. 4695

House Bill No. 4696

Senate Bill No. 700

Senate Bill No. 701

Senate Bill No. 703

Senate Bill No. 706

Senate Bill No. 707

Senate Bill No. 710

Senate Bill No. 712

The motion prevailed.

The following bill was read a third time:

House Bill No. 4683, entitled

A bill to amend 1962 PA 192, entitled "Professional service corporation act," by amending section 8 (MCL 450.228), as amended by 1998 PA 48.

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. 382

Yeas—35

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

Nays—0

Excused—2

Brater	Garcia
--------	--------

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 authorizing the creation of professional service corporations; providing definitions; providing exceptions; providing the manner and method of creating such corporations; providing for individual liability of officers, employees and agents of such corporations in certain instances; authorizing certain investments of corporate funds; regulating the issuance and transfer of capital stock; providing forfeiture of corporate franchise in certain instances; and requiring identification as a corporation,".

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 4684, entitled

A bill to amend 1986 PA 157, entitled "Michigan export development act," by amending section 10 (MCL 447.160), as amended by 2002 PA 302.

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. 383

Yeas—35

Allen	Clark-Coleman	Jansen	Richardville
Anderson	Clarke	Jelinek	Sanborn

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

Nays—0

Excused—2

Brater	Garcia
--------	--------

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 help stimulate the expansion of international export markets of state products and services; to provide for the creation of the Michigan export development authority and to establish its board of directors; to prescribe the powers and duties of the authority and of the board; to provide for the issuance of, and certain terms and conditions of, bonds; to exempt bonds from certain taxes; to prescribe the powers and duties of certain state officers; and to provide for the creation of certain funds and for the funding of the creation and operation of the authority.”.

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 4686, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending sections 159g and 411j (MCL 750.159g and 750.411j), section 159g as amended by 2002 PA 124 and section 411j as amended by 2002 PA 136.

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. 384

Yeas—35

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

Nays—0

Excused—2

Brater

Garcia

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 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.”.

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 4687, entitled

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending section 4701 (MCL 600.4701), as amended by 2007 PA 156.

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. 385**Yeas—35**

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

Nays—0**Excused—2**

Brater

Garcia

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 revise and consolidate the statutes relating to the organization and jurisdiction of the courts of this state; the powers and duties of the courts, and of the judges and other officers of the courts; the forms and attributes of civil claims and actions; the time within which civil actions and proceedings may be brought in the courts; pleading, evidence, practice, and procedure in civil and criminal actions and proceedings in the courts; to provide for the powers and duties of certain state governmental officers and entities; to provide remedies and penalties for the violation of certain provisions of this act; to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act; and to repeal acts and parts of acts.”.

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 4695, entitled

A bill to amend 1965 PA 314, entitled “Public employee retirement system investment act,” by amending section 13 (MCL 38.1133), as amended by 2008 PA 425.

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. 386

Yeas—35

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

Nays—0

Excused—2

Brater	Garcia
--------	--------

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 the investment of assets of public employee retirement systems or plans created and established by the state or any political subdivision; to provide for the payment of certain costs and investment expenses; to authorize investment in variable rate interest loans; to define and limit the investments which may be made by an investment fiduciary with the assets of a public employee retirement system; and to prescribe the powers and duties of investment fiduciaries and certain state departments and officers.”.

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 4696, entitled

A bill to amend 1984 PA 270, entitled “Michigan strategic fund act,” by amending section 23 (MCL 125.2023), as amended by 2002 PA 556.

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. 387

Yeas—35

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

Nays—0

Excused—2

Brater Garcia

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 relating to the economic development of this state; to create the Michigan strategic fund and to prescribe its powers and duties; to transfer and provide for the acquisition and succession to the rights, properties, obligations, and duties of the job development authority and the Michigan economic development authority to the Michigan strategic fund; to provide for the expenditure of proceeds in certain funds to which the Michigan strategic fund succeeds in ownership; to provide for the issuance of, and terms and conditions for, certain notes and bonds of the Michigan strategic fund; to create certain boards and funds; to create certain permanent funds; to exempt the property, income, and operation of the fund and its bonds and notes, and the interest thereon, from certain taxes; to provide for the creation of certain centers within and for the purposes of the Michigan strategic fund; to provide for the creation and funding of certain accounts for certain purposes; to impose certain powers and duties upon certain officials, departments, and authorities of this state; to make certain loans, grants, and investments; to provide penalties; to make an appropriation; and to repeal acts and parts of acts.”

The Senate agreed to the full title.

The following bill was read a third time:

Senate Bill No. 700, entitled

A bill to amend 1976 PA 331, entitled “Michigan consumer protection act,” by amending section 20 (MCL 445.920).

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. 388

Yeas—35

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

Nays—0

Excused—2

Brater	Garcia
--------	--------

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. 701, entitled

A bill to amend 1971 PA 227, entitled “An act to prescribe the rights and duties of parties to home solicitation sales; to regulate certain telephone solicitation; to provide for the powers and duties of certain state officers and entities; and to prescribe penalties and remedies,” by amending section 1 (MCL 445.111), as amended by 2002 PA 612.

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. 389

Yeas—35

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

Nays—0

Excused—2

Brater	Garcia
--------	--------

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. 703, entitled

A bill to amend 1982 PA 162, entitled “Nonprofit corporation act,” by amending section 1137 (MCL 450.3137), as added by 1984 PA 209.

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. 390

Yeas—35

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

Nays—0

Excused—2

Brater	Garcia
--------	--------

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. 706, entitled

A bill to amend 1980 PA 307, entitled “Savings and loan act of 1980,” by amending section 515 (MCL 491.515), as added by 1987 PA 106.

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. 391

Yeas—35

Allen	Clark-Coleman	Jansen	Richardville
Anderson	Clarke	Jelinek	Sanborn

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

Nays—0

Excused—2

Brater	Garcia
--------	--------

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. 707, entitled

A bill to amend 1986 PA 316, entitled “Michigan education trust act,” by amending section 19 (MCL 390.1439).

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. 392

Yeas—35

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

Nays—0

Excused—2

Brater	Garcia
--------	--------

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. 710, entitled

A bill to amend 1994 PA 160, entitled “Credit services protection act,” by amending section 2 (MCL 445.1822).

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. 393**Yeas—35**

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

Nays—0**Excused—2**

Brater	Garcia
--------	--------

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. 712, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 21528 and 50510 (MCL 324.21528 and 324.50510), section 21528 as amended by 1996 PA 181 and section 50510 as amended by 2002 PA 387.

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. 394**Yeas—35**

Allen	Clark-Coleman	Jansen	Richardville
Anderson	Clarke	Jelinek	Sanborn

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

Nays—0

Excused—2

Brater	Garcia
--------	--------

Not Voting—0

In The Chair: Richardville

The Senate agreed to the title of the bill.

By unanimous consent the Senate proceeded to the order of
Resolutions

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

Senate Resolution No. 41

The motion prevailed.

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

Senate Resolution No. 71

Senate Resolution No. 72

The resolution consent calendar was adopted.

Senators Thomas, Jacobs, Prusi, Hunter, Clarke, Clark-Coleman, Scott and Brater offered the following resolution:

Senate Resolution No. 71.

A resolution applauding AT&T Michigan for its recognition of being named one of the 40 Best Companies for Diversity by *Black Enterprise* magazine.

Whereas, The 40 Best Companies for Diversity were determined by analyzing responses from a survey administered to major corporations, which consisted of a comprehensive outreach effort to the CEOs and diversity executives of the top 1,000 publicly-traded companies; and

Whereas, AT&T's workforce is 44 percent female and 39 percent persons of color. In 2008, AT&T spent over \$6 billion with diverse suppliers, which represents 12 percent of AT&T's total procurement with minority, women, and disabled veterans business enterprises; and

Whereas, In fostering diversity and inclusion, AT&T has created a better business environment, which has made the company an employer of choice, a preferred business partner, and an important contributor to the community; and

Whereas, AT&T Michigan continues to distinguish itself as a leader in Michigan through its tireless commitment to invest in our citizens and our communities and to create good-paying jobs of the 21st century in our state; and

Whereas, AT&T Michigan's sustained commitment includes its many contributions to the African-American community's economic growth, social advancement, access to opportunity, and overall well-being; now, therefore, be it

Resolved by the Senate, That we hereby applaud AT&T Michigan for its recognition of being named one of the 40 Best Companies for Diversity by *Black Enterprise* magazine; and be it further

Resolved, That AT&T Michigan's commitment to invest in our citizens, our economic growth, and our future reflects an ethic of business and civic excellence that will contribute greatly to Michigan's success; and be it further

Resolved, That copies of this resolution be transmitted to AT&T Michigan and the Office of the Governor.

Senators Barcia, Cassis, Cherry, Gleason, Hardiman, Jansen, Pappageorge and Switalski were named co-sponsors of the resolution.

Senator Bishop offered the following resolution:

Senate Resolution No. 72.

A resolution designating September 11-17, 2009, as Michigan Patriot Week.

Whereas, The history and First Principles of the United States of America should serve as the cornerstone of civic education. In great reverence to the victims of the 9/11 attacks, we acknowledge that American citizens must take time to honor the principles, founders, documents, and symbols of their history; and

Whereas, The events that led to the signing of *The Constitution of the United States of America* by the delegates of the Constitutional Convention on September 17, 1787, have significance for every American and are honored in public schools across the nation on September 17 as Constitution Day; and

Whereas, Revolution, the rule of law, social compact, equality, unalienable rights, and limited government are the First Principles upon which America was founded and flourishes; and

Whereas, Exceptional, visionary, and indispensable Americans such as Thomas Paine, Patrick Henry, John Adams, John Marshall, George Washington, Abraham Lincoln, Frederick Douglass, Martin Luther King, Jr., Elizabeth Cady Stanton, Susan Anthony, Thomas Jefferson, and James Madison founded and advanced the United States; and

Whereas, The Bennington Flag, work of Betsy Ross, American Flag, Suffragist Flag, Union Flag, Gadsden Flag, and the flag of the state of Michigan are key physical symbols of American history that should be studied and remembered by each American citizen; now, therefore, be it

Resolved by the Senate, That we hereby designate September 11-17, 2009, as Michigan Patriot Week, symbolically beginning this celebration on September 11 and concluding on Constitution Day. We urge the citizens, government agencies, municipalities, businesses, nonprofit organizations, and schools of the state of Michigan to recognize and participate in this extended holiday by honoring and celebrating the First Principles, key historical figures, founding documents, and symbols of America so that they may offer the reverence that is due to our free republic; and be it further

Resolved, That the copies of this resolution be transmitted to the Michigan Council for Social Studies, Michigan Center for Civic Education, State Board of Education, Michigan public and nonpublic schools, State Bar of Michigan, Oakland County Bar Association, Oakland County Circuit Court, Speaker of the House Andy Dillon, and Governor Jennifer M. Granholm.

Senators Anderson, Barcia, Cassis, Cherry, Clarke, Gleason, Hardiman, Jansen, Olshove, Pappageorge and Switalski were named co-sponsors of the resolution.

Senators Kuipers, Cropsey, Patterson, Sanborn, Stamas, Kahn, Birkholz, Bishop, Jansen, Hardiman, Allen, Gilbert and Brown offered the following resolution:

Senate Resolution No. 73.

A resolution to memorialize the United States Congress to make certain intelligence information regarding Guantanamo Bay detention camp detainees available to the Governor and Michigan State Legislature.

Whereas, President Barack Obama has issued an executive order mandating the closure of the detention center at Guantanamo Bay by January 22, 2010. Since the most horrific assault on our nation occurred on September 11, 2001, and the subsequent Global War on Terrorism began, the United States government has held international terrorists at the Guantanamo Bay detention facilities. At last count, 232 suspected terrorists are detained offshore on the 45-square-mile naval base where they await a determination to be made for their transfer, release, or prosecution; and

Whereas, Federal officials have toured a maximum-security prison facility in Standish, Michigan, which is slated to close by the end of the year, as a site under consideration to house trained terrorists who need to be relocated due to Guantanamo Bay's closure. Bringing foreign terrorist detainees onto Michigan soil would undoubtedly pose a security threat to the correctional facility employees and their families, the state of Michigan, its residents and abundant resources, and our great nation; and

Whereas, Should Michigan be mandated against its will to house individuals who actively engage in international terrorism, it is paramount that we be privy to the same intelligence information that the chair and ranking member of the House Permanent Select Committee on Intelligence receive. Such intelligence information pertaining to the detained terrorists must be disclosed so that our state can take the greatest security measures possible to protect our citizens from those who have disdain and hatred for our democratic country; now, therefore, be it

Resolved by the Senate, That we memorialize the United States Congress to make certain intelligence information regarding Guantanamo Bay detention camp detainees available to the Governor and Michigan State Legislature; and be it further

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

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

The motion prevailed.

Senators Kuipers, Cropsey, Patterson, Sanborn, Stamas, Kahn, Birkholz, Jansen, Bishop, Hardiman, Allen, Gilbert and Brown offered the following concurrent resolution:

Senate Concurrent Resolution No. 17.

A concurrent resolution to memorialize the United States Congress to make certain intelligence information regarding Guantanamo Bay detention camp detainees available to the Governor and Michigan State Legislature.

Whereas, President Barack Obama has issued an executive order mandating the closure of the detention center at Guantanamo Bay by January 22, 2010. Since the most horrific assault on our nation occurred on September 11, 2001, and the subsequent Global War on Terrorism began, the United States government has held international terrorists at the Guantanamo Bay detention facilities. At last count, 232 suspected terrorists are detained offshore on the 45-square-mile naval base where they await a determination to be made for their transfer, release, or prosecution; and

Whereas, Federal officials have toured a maximum-security prison facility in Standish, Michigan, which is slated to close by the end of the year, as a site under consideration to house trained terrorists who need to be relocated due to Guantanamo Bay's closure. Bringing foreign terrorist detainees onto Michigan soil would undoubtedly pose a security threat to the correctional facility employees and their families, the state of Michigan, its residents and abundant resources, and our great nation; and

Whereas, Should Michigan be mandated against its will to house individuals who actively engage in international terrorism, it is paramount that we be privy to the same intelligence information that the chair and ranking member of the House Permanent Select Committee on Intelligence receive. Such intelligence information pertaining to the detained terrorists must be disclosed so that our state can take the greatest security measures possible to protect our citizens from those who have disdain and hatred for our democratic country; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That we memorialize the United States Congress to make certain intelligence information regarding Guantanamo Bay detention camp detainees available to the Governor and Michigan State Legislature; and be it further

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

Pending the order that, under rule 3.204, the concurrent 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 concurrent resolution,

Senator Cropsey moved that the concurrent resolution be referred to the Committee on Judiciary.

The motion prevailed.

Introduction and Referral of Bills

Senator Prusi introduced

Senate Bill No. 732, entitled

A bill to amend 1978 PA 566, entitled "An act to encourage the faithful performance of official duties by certain public officers and public employees; to prescribe standards of conduct for certain public officers and public employees; to prohibit the holding of incompatible public offices; and to provide certain judicial remedies," by amending section 3 (MCL 15.183), as amended by 2008 PA 22.

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

Senators Gleason, Clark-Coleman, Hunter, Cherry, Anderson, Olshove, Clarke, Whitmer, Prusi, Thomas, Scott, Brater, Basham, Jacobs and Switalski introduced

Senate Bill No. 733, entitled

A bill to amend 1936 (Ex Sess) PA 1, entitled "Michigan employment security act," by amending section 27 (MCL 421.27), as amended by 2002 PA 192.

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

Senators Whitmer, Clarke, Cherry, Gleason, Switalski, Brater, Prusi, Jacobs, Hunter, Scott, Clark-Coleman and Thomas introduced

Senate Bill No. 734, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 2950 and 2950a (MCL 600.2950 and 600.2950a), section 2950 as amended by 2001 PA 200 and section 2950a as amended by 2001 PA 201.

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

Senators Garcia and Van Woerkom introduced

Senate Bill No. 735, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 14 and 248 (MCL 257.14 and 257.248), as amended by 2004 PA 495.

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

Senator Basham introduced

Senate Bill No. 736, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 30106 (MCL 324.30106), as added by 1995 PA 59, and by adding section 30106a.

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

Senators Kahn and Switalski introduced

Senate Bill No. 737, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," (MCL 168.1 to 168.992) by adding sections 304 and 646e.

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

Senator McManus introduced

Senate Bill No. 738, entitled

A bill to amend 1994 PA 351, entitled "Equine activity liability act," by amending section 5 (MCL 691.1665).

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

Senators Hunter, Jacobs and Thomas introduced

Senate Bill No. 739, entitled

A bill to amend 1980 PA 350, entitled "The nonprofit health care corporation reform act," (MCL 550.1101 to 550.1704) by adding section 416e.

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

Senators Thomas, Jacobs, Hunter and Richardville introduced

Senate Bill No. 740, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 3406s.

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

Senators Anderson, Clark-Coleman, Scott, Cherry, Gleason, Olshove, Switalski, Clarke, Jacobs, Thomas, Hunter, Richardville and Jelinek introduced

Senate Bill No. 741, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 750 (MCL 257.750), as amended by 1988 PA 446.

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

Senator Allen introduced

Senate Bill No. 742, entitled

A bill to amend 1996 PA 381, entitled "Brownfield redevelopment financing act," by amending sections 2 and 16 (MCL 125.2652 and 125.2666), section 2 as amended by 2007 PA 204 and section 16 as amended by 2007 PA 203.

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

Statements

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

The motion prevailed.

Senator George's statement is as follows:

Recently, there has been much discussion of the possibility of using the Standish Maximum Correctional Facility to house either inmates from other states or enemy combatants currently incarcerated in Guantanamo Bay, Cuba. While both of these options raise important questions regarding public safety, legal jurisdiction, and appropriate reimbursement to the state, none of these questions is unprecedented or insolvable. The Standish prison is a maximum security facility with an excellent safety record. There are legal precedents for housing federal inmates within Michigan, and it may be possible to negotiate a favorable intergovernmental agreement.

During World War II, Michigan was the site of over a dozen Prison of War camps. We accounted for approximately 20 percent of America's armament production. The Ford Willow Run plant, which employed my grandfather, produced over 300,000 military aircraft. Other Michigan plants manufactured light, medium, and heavy tanks, tank destroyers, armored cars, amphibious vehicles, jeeps, aircraft engines, propellers, artillery shells, over 12.5 billion rounds of small arms ammunition, and nearly 6 million guns. Despite the risks of making Michigan a military target, our citizens did not hesitate to aid the war effort.

Today, the Standish facility is at real risk of closing due to our ongoing budget problems. The prison has been the largest employer in Arenac County, a county currently suffering a 17.3 percent unemployment rate. Michigan remains a donor state related to the allocation of federal dollars. Moreover, thousands of Michigan residents are currently serving in the armed forces protecting our nation in this time of conflict.

For all of these reasons, I encourage the Governor to continue her discussions with other states and with the federal government regarding possible uses for the Standish facility.

Senator Scott's statement is as follows:

John Adams once said, "Facts are stubborn things; and whatever may be our wishes, our inclinations, or the dictates of our passions, they cannot alter the state of facts and evidence." We have the evidence that auto insurance rates are unfair for many, many Michigan residents. I have shared with you before e-mails that I receive from constituents and people across Michigan about the unfair cost of insuring their cars. Those facts are not going to change unless we take action to change them.

We have the power to make life a little bit easier, a little more affordable for hundreds of thousands, even millions, of Michigan citizens. All we need to do is make auto insurance rates reform a priority. If we did that, then we could change the fact that so many people run up against now—the fact of high auto insurance premiums that some can barely afford and that others can't afford at all.

If you will only join with me and work for true reform, then we can give our constituents; we can give all Michigan citizens a little bit of good news in the midst of what has been a lot of bad financial news lately. We can give them the news that we are finally taking their wishes to heart and reform the auto insurance system so that it is fair to all Michigan drivers.

This is a memorial celebrating the life of Theodore Waterhouse. Theodore Waterhouse, age 85, was the first black certified Level IV city assessor in the United States and in Michigan who served many years in the cities of Detroit and Highland Park. He was a longtime member of the Kappa Alpha Psi Fraternity. He departed this earth Tuesday at Sinai-Grace Hospital in Detroit.

He was the beloved husband of the late Arnetta Waterhouse, loving father of Juanda, Ted, who is deceased, Paula, Roger, and Debbie. Theodore served in World War II, United States Army Quartermaster Corps as an instructor and a French interpreter while stationed in France.

He was still very active in the community even though he retired and served as a consultant as needed up until his death. He was a very nice guy whom everyone loved and respected because he would help anyone out. He was a real estate broker and worked on various committees in and out of Highland Park, such as the Highland Park Men's Forum, the Highland Park Caucus Club, the Veterans of Foreign Wars James Europe Post 2233, the Highland Park Planning Commission, the International Association of Assessors, the Michigan Association of Assessors, and the Real Estate Brokers Association; he was also a precinct delegate, just to name a few.

Born in Chattanooga, Tennessee, on October 2, 1923, he earned his Bachelor of Arts degree in biology and natural science with a minor in chemistry from Talladega College in Talladega, Alabama. He met and married Arnetta, who preceded him in death, after a three-month courtship. That union lasted 51 years and produced four children. They now have three surviving children; four grandchildren, Arnika, Qwann, Theodore, and Julian; two great-grandchildren, Chanele and Keyden; a niece, Dorothy; and a host of relatives and friends.

Committee Reports

The Committee on Commerce and Tourism reported

House Bill No. 4327, entitled

A bill to amend 1976 PA 453, entitled "Elliott-Larsen civil rights act," by amending section 202 (MCL 37.2202), as amended by 1991 PA 11.

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, Stamas and Clarke

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 Commerce and Tourism submitted the following:

Meeting held on Wednesday, August 5, 2009, at 9:00 a.m., Room 100, Farnum Building

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

Excused: Senator Hunter

The Committee on Appropriations reported

Senate Bill No. 484, entitled

A bill to amend 1982 PA 204, entitled "Deaf persons' interpreters act," (MCL 393.501 to 393.509) by adding section 8f.

With the recommendation that the bill pass.

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

Ron Jelinek

Chairperson

To Report Out:

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

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Appropriations submitted the following:

Meeting held on Wednesday, August 5, 2009, at 12:15 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building

Present: Senators Jelinek (C), Hardiman, Kahn, Cropsey, Garcia, Jansen, Brown, McManus, Stamas, Switalski, Anderson, Brater, Cherry, Clark-Coleman and Scott

Excused: Senators Pappageorge, George and Barcia

The Committee on Economic Development and Regulatory Reform reported

Senate Bill No. 674, entitled

A bill to amend 1955 PA 233, entitled "An act to provide for the incorporation of certain municipal authorities to acquire, own, extend, improve, and operate sewage disposal systems, water supply systems, and solid waste management

systems; to prescribe the rights, powers, and duties thereof; to authorize contracts between such authorities and public corporations; to provide for the issuance of bonds to acquire, construct, extend, or improve the systems; and to prescribe penalties and provide remedies,” by amending section 7 (MCL 124.287), as amended by 2002 PA 241.

With the recommendation that the bill pass.

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

Alan Sanborn
Chairperson

To Report Out:

Yeas: Senators Sanborn, Richardville, Allen, Gilbert, Thomas and Jacobs

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Economic Development and Regulatory Reform reported

Senate Bill No. 675, entitled

A bill to amend 1955 PA 233, entitled “An act to provide for the incorporation of certain municipal authorities to acquire, own, extend, improve, and operate sewage disposal systems, water supply systems, and solid waste management systems; to prescribe the rights, powers, and duties thereof; to authorize contracts between such authorities and public corporations; to provide for the issuance of bonds to acquire, construct, extend, or improve the systems; and to prescribe penalties and provide remedies,” by amending section 1 (MCL 124.281), as amended by 1981 PA 154.

With the recommendation that the bill pass.

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

Alan Sanborn
Chairperson

To Report Out:

Yeas: Senators Sanborn, Richardville, Allen, Gilbert, Thomas and Jacobs

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Economic Development and Regulatory Reform reported

Senate Bill No. 676, entitled

A bill to amend 1955 PA 233, entitled “An act to provide for the incorporation of certain municipal authorities to acquire, own, extend, improve, and operate sewage disposal systems, water supply systems, and solid waste management systems; to prescribe the rights, powers, and duties thereof; to authorize contracts between such authorities and public corporations; to provide for the issuance of bonds to acquire, construct, extend, or improve the systems; and to prescribe penalties and provide remedies,” by amending section 10 (MCL 124.290), as amended by 1981 PA 154.

With the recommendation that the bill pass.

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

Alan Sanborn
Chairperson

To Report Out:

Yeas: Senators Sanborn, Richardville, Allen, Gilbert, Thomas and Jacobs

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Economic Development and Regulatory Reform reported

Senate Bill No. 677, entitled

A bill to amend 1955 PA 233, entitled “An act to provide for the incorporation of certain municipal authorities to acquire, own, extend, improve, and operate sewage disposal systems, water supply systems, and solid waste management systems; to prescribe the rights, powers, and duties thereof; to authorize contracts between such authorities and public corporations; to provide for the issuance of bonds to acquire, construct, extend, or improve the systems; and to prescribe penalties and provide remedies,” by amending section 8 (MCL 124.288), as amended by 1981 PA 154.

With the recommendation that the bill pass.

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

Alan Sanborn
Chairperson

To Report Out:

Yeas: Senators Sanborn, Richardville, Allen, Gilbert, Thomas and Jacobs

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Economic Development and Regulatory Reform reported

Senate Bill No. 678, entitled

A bill to amend 1955 PA 233, entitled "An act to provide for the incorporation of certain municipal authorities to acquire, own, extend, improve, and operate sewage disposal systems, water supply systems, and solid waste management systems; to prescribe the rights, powers, and duties thereof; to authorize contracts between such authorities and public corporations; to provide for the issuance of bonds to acquire, construct, extend, or improve the systems; and to prescribe penalties and provide remedies," by amending section 4d (MCL 124.284d), as added by 1985 PA 178.

With the recommendation that the bill pass.

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

Alan Sanborn
Chairperson

To Report Out:

Yeas: Senators Sanborn, Richardville, Allen, Gilbert, Thomas and Jacobs

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Economic Development and Regulatory Reform reported

Senate Bill No. 679, entitled

A bill to amend 1955 PA 233, entitled "An act to provide for the incorporation of certain municipal authorities to acquire, own, extend, improve, and operate sewage disposal systems, water supply systems, and solid waste management systems; to prescribe the rights, powers, and duties thereof; to authorize contracts between such authorities and public corporations; to provide for the issuance of bonds to acquire, construct, extend, or improve the systems; and to prescribe penalties and provide remedies," by amending section 4e (MCL 124.284e), as added by 1985 PA 178.

With the recommendation that the bill pass.

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

Alan Sanborn
Chairperson

To Report Out:

Yeas: Senators Sanborn, Richardville, Allen, Gilbert, Thomas and Jacobs

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Economic Development and Regulatory Reform reported

House Bill No. 4793, entitled

A bill to amend 1980 PA 299, entitled "Occupational code," by amending sections 2004 and 2005 (MCL 339.2004 and 339.2005), section 2004 as amended by 1988 PA 463 and section 2005 as amended by 1998 PA 90.

With the recommendation that the bill pass.

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

Alan Sanborn
Chairperson

To Report Out:

Yeas: Senators Sanborn, Richardville, Allen, Gilbert, Thomas and Jacobs

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Economic Development and Regulatory Reform reported

House Bill No. 4932, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 310b (MCL 750.310b), as added by 1996 PA 539.

With the recommendation that the substitute (S-2) be adopted and that the bill then pass.
The committee further recommends that the bill be given immediate effect.

Alan Sanborn
Chairperson

To Report Out:

Yeas: Senators Sanborn, Richardville, Gilbert and Jacobs

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 Economic Development and Regulatory Reform submitted the following:
Meeting held on Wednesday, August 5, 2009, at 1:00 p.m., Rooms 402 and 403, Capitol Building
Present: Senators Sanborn (C), Richardville, Allen, Gilbert, Thomas and Jacobs
Absent: Senator Hunter

The Committee on Education reported

Senate Bill No. 698, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1278a (MCL 380.1278a), as amended by 2008 PA 316.

With the recommendation that the bill pass.

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

Wayne Kuipers
Chairperson

To Report Out:

Yeas: Senators Kuipers, Van Woerkom, Cassis and Whitmer

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Education submitted the following:
Meeting held on Wednesday, August 5, 2009, at 2:30 p.m., Room 210, Farnum Building
Present: Senators Kuipers (C), Van Woerkom, Cassis and Whitmer
Excused: Senator Gleason

Scheduled Meetings

Agriculture and Bioeconomy - Wednesday, August 19, 9:00 a.m., Room 110, Farnum Building (373-1635)

Appropriations -

Subcommittees -

Capital Outlay - Thursday, September 10, 9:00 a.m., Senate Hearing Room, Ground Floor, Boji Tower (373-2768)

Federal Stimulus Oversight - Wednesday, August 19, 9:00 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

Commerce and Tourism and House New Economy and Quality of Life - Friday, August 21, 1:00 p.m., Traverse City Chamber of Commerce, 202 East Grandview Parkway, Traverse City (373-2413)

Finance - Wednesday, August 19, 11:00 a.m., Room 210, Farnum Building (373-1758)

Legislative Commission on Government Efficiency - Friday, August 21, 9:00 a.m., Legislative Council Conference Room, 3rd Floor, Boji Tower (373-0212)

Legislative Commission on Statutory Mandates - Tuesday, August 25, 9:00 a.m., Executive Conference Room, 5th Floor, Oakland County Executive Office Building, 2100 N. Pontiac Lake Road, Waterford (373-0212)

Legislative Retirement Board of Trustees - Thursdays, September 10 and December 3, 2:00 p.m., Room H-252, Capitol Building (373-0575)

Senator Cropsey moved that the Senate adjourn.
The motion prevailed, the time being 11:24 a.m.

The President pro tempore, Senator Richardville, declared the Senate adjourned until Wednesday, August 19, 2009, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate

