

No. 37
STATE OF MICHIGAN
Journal of the Senate
95th Legislature
REGULAR SESSION OF 2010

Senate Chamber, Lansing, Thursday, April 29, 2010.

10:00 a.m.

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

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

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

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

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

Reverend Sherri Swanson of Three Oaks United Methodist Church of Three Oaks offered the following invocation:

Almighty God, author of life and source of all goodness, we praise You for this day You have made. We rejoice in the wonders of Your creation. We give thanks especially for the beauty we experience here in our state of Michigan, the place we are blessed to call home.

As we begin this new day, prepare us for the opportunities and challenges it may hold. Show us Your ways. Teach us Your paths. Lead us in Your truth, for You are the God of our salvation, and in You we place our trust. Remind us that we rely always on Your strength. Guide us by Your wisdom. Grant us Your mercy and grace. May Your love, which is so generous and so complete, flow through us to others.

In particular, we lift up to You the members of this body and the work before them this day. May they serve as they have been called to do. May they be faithful to the tasks assigned to them. May they represent well the concerns of their constituents. May they seek the common good in all things. May they discern Your will. May they make decisions which are righteous and just.

O Lord, our ways are not Your ways, and our thoughts are not Your thoughts. Therefore, we call on You for insight and direction. You know all things, and You are in all things.

May Your kingdom come on earth as it is in heaven, and to You be all glory and honor. Amen.

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

Motions and Communications

Senators McManus, Gilbert, Thomas, Jansen, Brater, Barcia, Sanborn, Garcia and Basham entered the Senate Chamber.

The Secretary announced that the following House bills were received in the Senate and filed on Wednesday, April 28:
House Bill Nos. 5198 5199 5371 6044

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

Senate Bill Nos.	1286	1287	1288	1289	1290	1291	1292	1293	1294	1295	1296	1297	1298	1299
	1300	1301	1302	1303	1304									
House Bill Nos.	6071	6072	6073	6074	6075	6076	6077	6078						

By unanimous consent the Senate proceeded to the order of

Messages from the House

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

House Bill No. 4514

The motion prevailed.

Senate Bill No. 468, entitled

A bill to amend 1949 PA 300, entitled "An act to provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or generally accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways; to create certain funds; to provide penalties and sanctions for a violation of this act; to provide for civil liability of owners and operators of vehicles and service of process on residents and nonresidents; to regulate the introduction and use of certain evidence; to provide for the levy of certain assessments; to provide for the enforcement of this act; to provide for the creation of and to prescribe the powers and duties of certain state and local agencies; to impose liability upon the state or local agencies; to provide appropriations for certain purposes; to repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date," by amending sections 732 and 907 (MCL 257.732, and 257.907), section 732 as amended by 2006 PA 298 and section 907 as amended by 2008 PA 463.

The House of Representatives has concurred in the Senate amendment to the House substitute (H-1) and agreed to the title as amended.

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

By unanimous consent the Senate returned to the order of
Motions and Communications

Senator Cropsey moved that Senator Birkholz 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 10:08 a.m.

11:19 a.m.

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

Senator Cropsey moved that rule 3.902 be suspended to allow the guests of Senator Scott admittance to the Senate floor, including the center aisle.
The motion prevailed, a majority of the members serving voting therefor.

Senator Cropsey moved that rule 3.901 be suspended to allow photographs to be taken from the Senate floor.
The motion prevailed, a majority of the members serving voting therefor.

Recess

Senator Cropsey moved that the Senate recess subject to the call of the Chair.
The motion prevailed, the time being 11:20 a.m.

11:34 a.m.

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

During the recess, Senator Scott introduced members of the George Washington Carver Science and Technology Academy Robotics Team, 2010 VEX Robotics National Champions; Coach Yandel Waugh, Principal Celestine Sanders, and team member Taylor Hawthorne; and presented them with a Special Tribute.
Ms. Hawthorne, Ms. Sanders and Mr. Waugh responded briefly.

Messages from the Governor

The following message from the Governor was received and read:

April 28, 2010

Pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, please be advised that Lieutenant Colonel Eddie L. Washington, Jr., of 29838 Stanhurst Road, Farmington Hills, Michigan 48331, county of Oakland, has been appointed as **Director of the Department of State Police**, succeeding Colonel Peter C. Munoz, and effective May 23, 2010.

Sincerely,
Jennifer M. Granholm
Governor

The appointment was referred to the Committee on Government Operations.

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 Basham 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 with a substitute therefor, the following bill:

House Bill No. 5407, entitled

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2010; and to provide for the expenditure of the appropriations.

Substitute (S-1).

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

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

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

House Bill No. 5407

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:

House Bill No. 5407

Senate Bill No. 1206

Senate Bill No. 1207

Senate Bill No. 1208

Senate Bill No. 1241

Senate Bill No. 962

The motion prevailed.

The following bill was read a third time:

House Bill No. 5407, entitled

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2010; and to provide for the expenditure of the appropriations.

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. 218

Yeas—36

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

Nays—1

Cassis

Excused—1

Birkholz

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 of the bill.

Senators Switalski and Brater 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 have with me an intern from my office, Angela Tripi, who is serving her last day here in the Capitol, and she has done a superb job. Angela is a junior at Michigan State, majoring in political science, pre-law, and English. She is going to Italy in a few weeks and will be in Rome for a little over a month.

Mr. President, I have been told, and I agree with this assessment, that she has a remarkably striking resemblance to Grace Slick from Jefferson Airplane. This is just another one of her talents. Probably the most impressive thing she did while in my office—I had been pushing some legislation regarding steroids and caffeine energy drinks. We were contacted by ESPN, and Angela dealt with them in her first week in our office. She spoke with producers there and, really, out of the frying pan into the fire. That is pretty heavy stuff for a new intern.

She has also done a lot on low-income housing, and she likes researching constituent requests for legislation. She enjoys debating the pros and cons with the constituents, which makes them feel as if they are very engaged. So I just wanted to recognize her efforts, and thank her for the great work she has done.

Angela's mother is here in the Gallery, and I would like to recognize her also. Thank you again to Angela for the great work she has done, and I hope she will come back and work for me later.

Senator Brater's statement is as follows:

This is a very bittersweet day in my office. We are saying goodbye to a person whom I have relied on very heavily for many years. Her name is Tina Reynolds. We have worked together since I was in the House, and Tina was our environmental policy central staff person for the Democratic Caucus. So she has worked with many of us who are on this floor now.

In 1997 when her son Logan was born, she came over to my office to work with me, and that was the beginning of a great partnership. She is extremely knowledgeable about environmental and natural resource issues. She attended the University of Michigan School of Natural Resources and then Wayne State University Law School. So it has always been very comforting to me to know that I have someone with such expertise to rely upon.

After I left the House, she stayed on and worked for Representative Chris Kolb. Then when Chris was term-limited, I persuaded her to come back over to the Senate. So it has been a wonderful year and a half that we have had together.

Now she is moving on to work for the Michigan Environmental Council in a health policy position. It is a very relevant issue because in about 20 minutes, we are about to have a press conference about the very high levels of deca and lead that the Ecology Center found here in the Capitol and also in the House Office Building, the Farnum Building, and the Boji Tower. So Tina is going over to the MEC to help educate the public and help promote policy that will phase out some of these dangerous chemicals in the environment.

I am really going to miss her in my office. I know that many of you will miss her also, so I hope you will join me in thanking her for her many years of service in the Legislature.

The following bill was read a third time:

Senate Bill No. 1206, entitled

A bill to amend 1994 PA 295, entitled "Sex offenders registration act," by amending section 2 (MCL 28.722), as amended by 2005 PA 301.

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. 219**Yeas—37**

Allen
Anderson
Barcia
Basham
Bishop
Brater
Brown
Cassis
Cherry
Clark-Coleman

Clarke
Cropsey
Garcia
George
Gilbert
Gleason
Hardiman
Hunter
Jacobs

Jansen
Jelinek
Kahn
Kuipers
McManus
Nofs
Olshove
Pappageorge
Patterson

Prusi
Richardville
Sanborn
Scott
Stamas
Switalski
Thomas
Van Woerkom
Whitmer

Nays—0**Excused—1**

Birkholz

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. 1207, entitled

A bill to amend 1994 PA 295, entitled “Sex offenders registration act,” by amending section 8 (MCL 28.728), as amended by 2004 PA 240.

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. 220**Yeas—37**

Allen
Anderson
Barcia
Basham
Bishop
Brater
Brown
Cassis
Cherry
Clark-Coleman

Clarke
Cropsey
Garcia
George
Gilbert
Gleason
Hardiman
Hunter
Jacobs

Jansen
Jelinek
Kahn
Kuipers
McManus
Nofs
Olshove
Pappageorge
Patterson

Prusi
Richardville
Sanborn
Scott
Stamas
Switalski
Thomas
Van Woerkom
Whitmer

Nays—0

Excused—1

Birkholz

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. 1208, entitled

A bill to amend 1994 PA 295, entitled "Sex offenders registration act," by amending section 5a (MCL 28.725a), as amended by 2005 PA 322.

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. 221**Yeas—37**

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

Nays—0**Excused—1**

Birkholz

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. 1241, entitled

A bill to amend 1994 PA 295, entitled "Sex offenders registration act," by amending section 5 (MCL 28.725), as amended by 2006 PA 402.

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. 222**Yeas—37**

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

Nays—0**Excused—1**

Birkholz

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. 962, entitled

A bill to amend 2007 PA 36, entitled “Michigan business tax act,” by amending section 111 (MCL 208.1111), as amended by 2008 PA 433.

The question being on the passage of the bill,

Senator Thomas moved that Senator Brater be temporarily excused from the balance of today’s session.

The motion prevailed.

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. 223**Yeas—32**

Allen	Clarke	Jacobs	Pappageorge
Anderson	Cropsey	Jansen	Patterson
Barcia	Garcia	Jelinek	Prusi
Basham	George	Kahn	Richardville
Bishop	Gilbert	Kuipers	Sanborn
Brown	Gleason	McManus	Stamas
Cassis	Hardiman	Nofs	Van Woerkom
Cherry	Hunter	Olshove	Whitmer

Nays—4

Clark-Coleman

Scott

Switalski

Thomas

Excused—2

Birkholz

Brater

Not Voting—0

In The Chair: Richardville

The Senate agreed to the title of the bill.

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

The motion prevailed.

Senator Cassis' statement is as follows:

I wasn't going to rise on this bill because we talked about it very thoroughly yesterday. The problems within the Michigan business tax probably are hurting some of our businesses excruciatingly hard, and that is a cascading effect.

But my good friend and Senator from the 10th District brought up a point that I just can't ignore. He admits there are injustices in the tax code. I say bravo. But then to say the state still has to pay its bills, despite injustices, there is another way, my friends, that we can accomplish both. Remove the injustices and reduce spending. Keep our minds and mark on ensuring that we first prioritize what are the necessities of government embedded in the Constitution, and remove what we could call niceties.

One of those niceties that no longer seem to have any merit is the give-away subsidies to Hollywood producers in this state, which show very minimal, if any, benefit. So when we look at the tax code and we look at our spending, let's be certain that we have done all we can do to maximize changes in the injustices in the tax code immediately because, after all, we depend on these small businesses to cover the revenues which will pay for those essential necessities of government services.

By unanimous consent the Senate returned 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 Basham 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. 5822, entitled

A bill to amend 1976 PA 328, entitled "An act to regulate animals running at large; to provide for compensation for damage done by animals running at large; to prescribe penalties; and to repeal certain acts and parts of acts," by amending section 1 (MCL 433.11) and by adding section 4a; and to repeal acts and parts of acts.

House Bill No. 5823, entitled

A bill to amend 1959 PA 66, entitled "An act to prohibit the running at large on or the grazing upon any land owned by or under the control of the department of conservation, by cattle, horses, sheep and swine; to provide for the enforcement of this act; and to prescribe penalties for the violation of the provisions of this act," by amending the title and sections 1, 2, 3, 4, 5, 6, 7, 9, 10, and 11 (MCL 322.581, 322.582, 322.583, 322.584, 322.585, 322.586, 322.587, 322.589, 322.590, and 322.591) and by adding section 12.

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. 198, entitled

A bill to amend 1937 PA 94, entitled "Use tax act," by amending section 4o (MCL 205.94o), as amended by 2004 PA 172.

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.

Resolutions

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

Senate Resolution No. 41

Senate Resolution No. 75

Senate Resolution No. 88

House Concurrent Resolution No. 49

The motion prevailed.

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

Senate Resolution No. 148

The resolution consent calendar was adopted.

Senators Cropsey and Allen offered the following resolution:

Senate Resolution No. 148.

A resolution recognizing May 2-8, 2010, as Home Education Week in the state of Michigan.

Whereas, Home education is the fastest-growing educational trend in the United States, growing by an estimated 15 percent per year with over 2 million children nationwide now in a home education program; and

Whereas, The state of Michigan has long recognized that parents and legal guardians have a natural and fundamental right to direct the care, education, and upbringing of their children; and

Whereas, Home education provides young people with a strong foundation of values and academic skills needed to become responsible citizens of our state and nation; and

Whereas, Home-educating parents see themselves as the primary educators and know that parental supervision and involvement play a major role in the education of students; and

Whereas, Home-educating parents know that teaching morals and values is essential to the complete education of the student since every member of society continually makes moral decisions; and

Whereas, Home-educating parents are dedicated to producing academically-strong students who also commit themselves to service, with studies demonstrating that home-educated students have a stronger understanding and higher participation rate in the governmental system and elections, and a significantly higher percentage are involved in community organizations; and

Whereas, Numerous individuals of note are products of home education, including George Washington, Thomas Edison, Helen Keller, Agatha Christie, and Franklin D. Roosevelt; and

Whereas, Home educators come from diverse socioeconomic backgrounds and a variety of races, sex, and creeds; now, therefore, be it

Resolved by the Senate, That the members of this legislative body recognize May 2-8, 2010, as Home Education Week in the state of Michigan.

Senators Hardiman, Hunter, Jacobs, Kuipers, Nofs, Pappageorge and Van Woerkom were named co-sponsors of the resolution.

By unanimous consent the Senate returned to the order of

Motions and Communications

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

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

Recess

Senator Cropsey moved that the Senate recess until 1:30 p.m.
The motion prevailed, the time being 12:15 p.m.

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

Recess

Senator Cropsey moved that the Senate recess subject to the call of the Chair.
The motion prevailed, the time being 1:31 p.m.

1:52 p.m.

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

Recess

Senator Brown moved that the Senate recess until 2:30 p.m.
The motion prevailed, the time being 1:53 p.m.

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

Recess

Senator Cropsey moved that the Senate recess subject to the call of the Chair.
The motion prevailed, the time being 2:31 p.m.

4:42 p.m.

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

During the recess, Senator Brater entered the Senate Chamber.

Introduction and Referral of Bills

Senators Cropsey, McManus, Kuipers and Bishop introduced
Senate Bill No. 1305, entitled

A bill to amend 1974 PA 258, entitled "Mental health code," by amending section 401 (MCL 330.1401), as amended by 2004 PA 496.

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

Senator Gilbert introduced

Senate Bill No. 1306, entitled

A bill to amend 1978 PA 59, entitled "Condominium act," (MCL 559.101 to 559.276) by adding section 160.

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

Senator Gilbert introduced

Senate Bill No. 1307, entitled

A bill to amend 1990 PA 271, entitled "Limousine transportation act," by amending section 7 (MCL 257.1907), as amended by 2000 PA 487; and to repeal acts and parts of acts.

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

Senators Gilbert, Thomas, Sanborn, Whitmer, Kuipers, Nofs, Jansen, Hunter, Allen, McManus, Olshove, Brown, Pappageorge, Cropsey, Barcia, Cherry, Clarke, Patterson, Scott, Richardville, Stamas, Bishop, Gleason, Anderson, Birkholz, Kahn and Van Woerkom introduced

Senate Bill No. 1308, entitled

A bill to amend 1981 PA 118, entitled "An act to regulate motor vehicle manufacturers, distributors, wholesalers, dealers, and their representatives; to regulate dealings between manufacturers and distributors or wholesalers and their dealers; to regulate dealings between manufacturers, distributors, wholesalers, dealers, and consumers; to prohibit unfair practices; to provide remedies and penalties; and to repeal certain acts and parts of acts," by amending sections 14, 15, 17, and 20 (MCL 445.1574, 445.1575, 445.1577, and 445.1580), section 14 as amended by 2000 PA 239 and section 17 as amended by 1983 PA 188, and by adding sections 14a and 14b.

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

Senators Thomas, Gilbert, Sanborn, Whitmer, Kuipers, Nofs, Jansen, Hunter, Allen, McManus, Olshove, Brown, Pappageorge, Cropsey, Barcia, Clarke, Cherry, Patterson, Scott, Richardville, Stamas, Bishop, Gleason, Birkholz, Anderson, Kahn and Van Woerkom introduced

Senate Bill No. 1309, entitled

A bill to amend 1981 PA 118, entitled "An act to regulate motor vehicle manufacturers, distributors, wholesalers, dealers, and their representatives; to regulate dealings between manufacturers and distributors or wholesalers and their dealers; to regulate dealings between manufacturers, distributors, wholesalers, dealers, and consumers; to prohibit unfair practices; to provide remedies and penalties; and to repeal certain acts and parts of acts," by amending sections 2, 3, 4, 5, 6, 11, 12, and 13 (MCL 445.1562, 445.1563, 445.1564, 445.1565, 445.1566, 445.1571, 445.1572, and 445.1573), sections 2, 3, 5, and 13 as amended by 1998 PA 456, section 4 as amended by 2000 PA 240, and sections 6, 11, and 12 as amended by 1983 PA 188.

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

Senators Hunter, Olshove, Whitmer, Jacobs, Switalski, Anderson, Barcia, Gleason, Brater, Cherry, Prusi, Patterson, Birkholz, Kuipers, Brown, Nofs and Richardville introduced

Senate Bill No. 1310, entitled

A bill to amend 1939 PA 3, entitled "An act to provide for the regulation and control of public and certain private utilities and other services affected with a public interest within this state; to provide for alternative energy suppliers; to provide for licensing; to include municipally owned utilities and other providers of energy under certain provisions of this act; to create a public service commission and to prescribe and define its powers and duties; to abolish the Michigan public utilities commission and to confer the powers and duties vested by law on the public service commission; to provide for the continuance, transfer, and completion of certain matters and proceedings; to abolish automatic adjustment clauses; to prohibit certain rate increases without notice and hearing; to qualify residential energy conservation programs permitted under state law for certain federal exemption; to create a fund; to provide for a restructuring of the manner in which energy is provided in this state; to encourage the utilization of resource recovery facilities; to prohibit certain acts and practices of providers of energy; to allow for the securitization of stranded costs; to reduce rates; to provide for appeals; to provide appropriations; to declare the effect and purpose of this act; to prescribe remedies and penalties; and to repeal acts and parts of acts," (MCL 460.1 to 460.11) by adding section 9d.

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

Senators Thomas, Olshove, Whitmer, Jacobs, Switalski, Anderson, Hunter, Gleason, Brater, Cherry, Prusi, Patterson, Birkholz, Kuipers, Brown, Nofs and Richardville introduced

Senate Bill No. 1311, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 282a.

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

Senators Olshove, Whitmer, Jacobs, Switalski, Anderson, Hunter, Gleason, Brater, Cherry, Prusi, Patterson, Brown, Nofs and Richardville introduced

Senate Bill No. 1312, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16o of chapter XVII (MCL 777.16o), as amended by 2004 PA 457.

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

Senators Clark-Coleman, Olshove, Whitmer, Jacobs, Switalski, Anderson, Hunter, Barcia, Gleason, Brater, Cherry, Clarke, Prusi, Patterson, Birkholz, Kuipers, Brown, Nofs and Richardville introduced

Senate Bill No. 1313, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 81e.

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

Senators Nofs, Olshove, Whitmer, Jacobs, Switalski, Anderson, Hunter, Gleason, Brater, Cherry, Prusi, Patterson, Brown and Richardville introduced

Senate Bill No. 1314, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16d of chapter XVII (MCL 777.16d), as amended by 2005 PA 336.

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

House Bill No. 5198, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 701 (MCL 436.1701), as amended by 2006 PA 682.

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

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

House Bill No. 5199, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 319 (MCL 257.319), as amended by 2008 PA 463.

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

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

House Bill No. 5371, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 321 and 2529 (MCL 600.321 and 600.2529), section 321 as amended by 2007 PA 64 and section 2529 as amended by 2009 PA 239.

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

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

House Bill No. 6044, entitled

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending section 437 (MCL 208.1437), as amended by 2009 PA 241.

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 Finance.

Committee Reports

The Committee on Reforms and Restructuring reported

Senate Bill No. 1075, entitled

A bill to reorganize the executive and administrative agencies of state government; to establish principal state departments and department heads; to allocate executive and administrative powers, duties, functions, and services among the principal

state departments; to prescribe the powers and duties of principal state departments and other agencies and officials; and to repeal acts and parts of acts.

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.

Michael D. Bishop
Chairperson

To Report Out:

Yeas: Senators Bishop, Gilbert, George and Kuipers

Nays: Senators Prusi, Hunter and Cherry

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

COMMITTEE ATTENDANCE REPORT

The Committee on Reforms and Restructuring submitted the following:

Meeting held on Tuesday, April 27, 2010, at 2:30 p.m., Senate Hearing Room, Ground Floor, Boji Tower

Present: Senators Bishop (C), Gilbert, George, Kuipers, Prusi, Hunter and Cherry

The Committee on Natural Resources and Environmental Affairs reported

Senate Bill No. 1177, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding part 317.

With the recommendation that the bill pass.

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

Patricia L. Birkholz
Chairperson

To Report Out:

Yeas: Senators Birkholz, Van Woerkom, Basham and Gleason

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Natural Resources and Environmental Affairs submitted the following:

Meeting held on Wednesday, April 28, 2010, at 1:00 p.m., Room 110, Farnum Building

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

Excused: Senator Patterson

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Federal Stimulus Oversight submitted the following:

Meeting held on Wednesday, April 28, 2010, at 2:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building

Present: Senators Jelinek (C), Pappageorge, Kahn, Jansen, Switalski, Cherry and Clark-Coleman

Excused: Senator Gilbert

COMMITTEE ATTENDANCE REPORT

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

Meeting held on Wednesday, April 28, 2010, at 2:00 p.m., Room 100, Farnum Building

Present: Senators Garcia (C), Cropsey and Barcia

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Department of Natural Resources submitted the following:

Meeting held on Thursday, April 29, 2010, at 1:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building

Present: Senators McManus (C), Jelinek and Brater

COMMITTEE ATTENDANCE REPORT

The Subcommittee on General Government submitted the following:
Meeting held on Thursday, April 29, 2010, at 2:00 p.m., Room 110, Farnum Building
Present: Senators Pappageorge (C), McManus and Anderson
Excused: Senators Jansen and Cherry

Scheduled Meetings

Administrative Rules - Tuesday, May 4, 12:30 p.m., Rooms 402 and 403, Capitol Building (373-6476)

Appropriations -**Subcommittees -**

Agriculture - Tuesday, May 4, 2:00 p.m., Room 405, Capitol Building (373-2768)

Capital Outlay - Thursday, May 6, 9:00 a.m., Senate Hearing Room, Ground Floor, Boji Tower (373-2768)

General Government - Thursdays, May 6 and May 13, 2:00 p.m., Room 110, Farnum Building (373-2768)

Judiciary and Corrections - Tuesdays, May 4 and May 11 (CANCELED), 3:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

Human Services Department - Tuesday, May 4, 12:30 p.m., Senate Hearing Room, Ground Floor, Boji Tower (373-2768)

Commerce and Tourism and House Intergovernmental and Regional Affairs - Tuesday, May 4, 3:00 p.m., Room 519, South Tower, House Office Building (373-2413)

Natural Resources and Environmental Affairs - Wednesday, May 5, 1:00 p.m., Room 110, Farnum Building (373-3447)

Senate Fiscal Agency Board of Governors - Wednesday, May 5, 9:15 a.m., Room S-101, Capitol Building (373-5300)

Transportation - Tuesday, May 4, 1:00 p.m., Room 110, Farnum Building (373-7708)

Senator Cropsey moved that the Senate adjourn.
The motion prevailed, the time being 4:47 p.m.

The President, Lieutenant Governor Cherry, declared the Senate adjourned until Tuesday, May 4, 2010, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate

