

No. 26
STATE OF MICHIGAN
Journal of the Senate
95th Legislature
REGULAR SESSION OF 2009

Senate Chamber, Lansing, Tuesday, March 31, 2009.

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—present
Bishop—present
Brater—present
Brown—present
Cassis—present
Cherry—present
Clark-Coleman—present
Clarke—present
Cropsey—present

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

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

Reverend Marsha M. Woolley of Newburg United Methodist Church of Livonia offered the following invocation:

Gracious and Almighty God, as this legislative session begins, we are fresh on the heels of the latest dismal economic news for our state. Just when we think it can't get much worse, it does. Old ways of doing things don't apply. The rules change so quickly it's hard to keep up. Systems we have believed in for decades are faltering. It is overwhelming, O God, and we long to awake tomorrow to discover that this has been one bad April Fool's joke and that things could just return to normal. And, yet, we would be foolish to even try to return to things as they were, for we recognize, O Holy One, the hollowness of our ways.

O God, who works for good in all things, could it be that good can come even from these most dismal of days? Might it be that we will turn from our trust in the stuff of our lives to our trust in the spirit of life itself? Could it be that You would use the likes of us, here, now in this place to help instill a sense of promise to legislate a better way to encourage the people of this state and evoke a spirit of hope for better days ahead?

When so many would give up on Michigan, may each of us gathered here renew our commitment to this state we love. For we are Ludington and Laingsburg; Muskegon and Marquette; Saginaw and Sault Ste. Marie and Sterling Heights; we are Detroit and Dowagiac; Holland and Houghton; Alpena and Ann Arbor; Birmingham and Benton Harbor; Grayling and Grand Haven and Grass Lake.

We are Gerber's, General Motors, and Jiffy Mix; Dow Chemical and Domino's; Steelcase and Spartan Foods; La-Z-Boy and Little Caesars; Hudsonville and Herman Miller; Merrilat and Meijer; Ford and Faygo; Kellogg and Chrysler and Kmart; Borders and Bing Steel; Zingerman's and Zondervan.

We are senior citizens and schoolchildren; farmers and foresters and factory workers; educators and executives. From the shores of Port Huron and Petoskey, we swim and sail; on the peaks of Boyne and Brighton, we ski; at Sleeping Bear and Silver Lake, the sand dunes bid us climb. We are urban and U.P.; city and country—all in a common quest of bringing promise from despair and doing our part to restore the vitality of this Great Lakes state in which we love and live.

Indeed, may these worst of times bring out the best in us. Empower us to help where we can, share where we should, conserve where we're able, and stretch where it's needed. In these confusing times, O God, create a sense of community where no one feels alone. Remind us that security doesn't come from things and that there is more to life than what money can buy. Set our sights on things that are lasting, like Your presence in our midst; like friends and family and simple joys; like hope for tomorrow and Your ability to do a new thing, still today.

As this session convenes, O God, we ask Your guidance upon these, our elected ones. Guide their decisions toward good for all. Help them so they might help us; so that we might all help each other to cope with the current circumstances and create new possibilities.

To that end, Gracious God, guide those who govern us to listen carefully, discern wisely, and lead courageously, so that You would recognize in them the desire to be agents of Your will. And as this season brings its reminders of springtime, hope and resurrection, we pray, by Your grace, to see signs of new life and promise, even in this day.

All this we pray, some in the name of Christ and each of us with a sense of the Divine Spirit through which we are called to serve. Amen.

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

Motions and Communications

Recess

Senator Cropsey moved that the Senate recess subject to the call of the Chair.
The motion prevailed, the time being 10:09 a.m.

10:22 a.m.

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

During the recess, Senators Gilbert, Kuipers, Richardville, Brown, Jansen, Van Woerkom, George, Patterson, Hardiman, Birkholz, Kahn, Allen, Pappageorge, Cassis, Garcia, Bishop and Hunter entered the Senate Chamber.

The following communication was received and read:
Office of the Auditor General

March 27, 2009

Enclosed is a copy of the following audit report:
Performance audit of the Principal Residence Exemption Program, Department of Treasury.

Sincerely,
Thomas H. McTavish, C.P.A.
Auditor General

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

The following communication was received:
Department of Transportation

March 24, 2008

I am pleased to provide the Michigan Department of Transportation's report on transportation accessibility for seniors and persons with disabilities for Fiscal Year 2008.

The report is being forwarded to the Legislature for their information pursuant to Section 10e(21) of Act 51 of the Public Acts of 1951, as amended.

Sincerely,
Kirk T. Steudle
Director

The communication was referred to the Secretary for record.

The following communications were received:
Department of State

Administrative Rules
Notices of Filing

March 27, 2009

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Community Health and the State Office of Administrative Hearings and Rules filed Administrative Rule #2008-051 CH (Secretary of State Filing #09-03-03) on this date at 4:07 p.m. for the Department of Community Health, entitled "Medical Marihuana."

These rules become effective on April 4, 2009.

March 27, 2009

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Energy, Labor, & Economic Growth and the State Office of Administrative Hearings and Rules filed Administrative Rule #2008-012 LG (Secretary of State Filing #09-03-04) on this date at 4:09 p.m. for the Department of Energy, Labor, & Economic Growth, entitled "Part 29. Communication Towers."

These rules take effect 14 days after filing with the Secretary of State.

March 27, 2009

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of History, Arts, & Libraries and the State Office of Administrative Hearings and Rules filed Administrative Rule #2006-058 HA (Secretary of State Filing #09-03-05) on this date at 4:11 p.m. for the Department of History, Arts, & Libraries, entitled "State Aid Rules."

These rules take effect on October 1, 2009.

Sincerely,
Terri Lynn Land
Secretary of State
Robin L. Houston, Departmental Supervisor
Office of the Great Seal

The communications were referred to the Secretary for record.

The Secretary announced that the following House bills were received in the Senate and filed on Thursday, March 26:
House Bill Nos. 4118 4126 4258 4316 4317 4318 4409 4509 4510

The Secretary announced the enrollment printing and presentation to the Governor on Monday, March 30, for her approval the following bill:

Enrolled Senate Bill No. 319 at 10:18 a.m.

The Secretary announced that the following official bills and joint resolution were printed on Thursday, March 26, and are available at the legislative website:

Senate Bill Nos.	403	404	405	406	407	408	409	410						
Senate Joint Resolution		I												
House Bill Nos.	4681	4682	4683	4684	4685	4686	4687	4688	4689	4690	4691	4692	4693	4694
	4695	4696	4697	4698	4699	4700	4701	4702	4703	4704				

The Secretary announced that the following official bills were printed on Friday, March 27, and are available at the legislative website:

House Bill Nos.	4705	4706	4707	4708	4709	4710	4711	4712	4713	4714	4715	4716	4717	4718
	4719	4720	4721	4722										

Messages from the Governor

The following message from the Governor was received:

Date: March 26, 2009
Time: 9:45 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 202 (Public Act No. 2), being

An act to amend 1998 PA 58, entitled “An act to create a commission for the control of the alcoholic beverage traffic within this state, and to prescribe its powers, duties, and limitations; to provide for powers and duties for certain state departments and agencies; to impose certain taxes for certain purposes; to provide for the control of the alcoholic liquor traffic within this state and to provide for the power to establish state liquor stores; to prohibit the use of certain devices for the dispensing of alcoholic vapor; to provide for the care and treatment of alcoholics; to provide for the incorporation of farmer cooperative wineries and the granting of certain rights and privileges to those cooperatives; to provide for the licensing and taxation of activities regulated under this act and the disposition of the money received under this act; to prescribe liability for retail licensees under certain circumstances and to require security for that liability; to provide procedures, defenses, and remedies regarding violations of this act; to provide for the enforcement and to prescribe penalties for violations of this act; to provide for allocation of certain funds for certain purposes; to provide for the confiscation and disposition of property seized under this act; to provide referenda under certain circumstances; and to repeal acts and parts of acts,” by amending section 603 (MCL 436.1603), as amended by 2008 PA 218.

(Filed with the Secretary of State on March 27, 2009, at 2:54 p.m.)

Respectfully,
Jennifer M. Granholm
Governor

The following messages from the Governor were received and read:

March 26, 2009

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following reappointments to state office under Sections 303 and 2002 of the Occupational Code, 1980 PA 299, MCL 339.303 and 339.2002:

Board of Architects

Ms. Lynn Arnott-Bryks of 37089 Cochise Street, Clinton Township, Michigan 48036, county of Macomb, is reappointed to represent the general public, for a term expiring March 31, 2013.

Ms. Catherine M. DeDecker of 11970 Diamond Lane, Washington, Michigan 48094, county of Macomb, is reappointed to represent the Board of Professional Surveyors, for a term expiring March 31, 2013.

Ms. Elisabeth E. Knibbe of 2640 Stommel Road, Ypsilanti, Michigan 48198, county of Washtenaw, is reappointed to represent architects, for a term expiring March 31, 2013.

Mr. Robert L. Stempfen of 32400 Mayfair, Beverly Hills, Michigan 48025, county of Oakland, is reappointed to represent the Board of Professional Engineers, for a term expiring March 31, 2013.

March 26, 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 Sections 302 and 1102 of the Occupational Code, 1980 PA 299, MCL 339.302 and 339.1102:

Board of Barber Examiners

Ms. Tawnya R. Marketti of 4595 Oakvista Avenue, Clarkston, Michigan 48346, county of Oakland, succeeding Gerald Wall, whose term has expired, is appointed to represent the general public, for a term commencing March 26, 2009 and expiring September 30, 2011.

Mr. James F. VanDyken of 16322 Prairie Ronde Road, Schoolcraft, Michigan 49087, county of Kalamazoo, succeeding John Boynton, whose term has expired, is appointed to represent the general public, for a term commencing March 26, 2009 and expiring September 30, 2009.

March 26, 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 Sections 302 and 902 of the Occupational Code, 1980 PA 299, MCL 339.302 and 339.902:

Collection Practices Board

Mr. Scott R. Sousley of 1870 Ludgate Lane, Rochester Hills, Michigan 48309, county of Oakland, succeeding Dwight Stewart, whose term has expired, representing the general public, for a term commencing March 26, 2009 and expiring June 30, 2012.

March 26, 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 Sections 16121 and 17221 of the Public Health Code, 1978 PA 368, MCL 333.16121 and 333.17221:

Michigan Board of Nursing

Ms. Teresa L. Thompson, Ph.D., R.N., of 32478 West 11 Mile Road, Farmington Hills, Michigan 48336, county of Wayne, succeeding Anahid Kulwicki, who has resigned, appointed to represent registered professional nurses with a master's degree engaged in nursing education in a baccalaureate or higher program, for a term commencing March 26, 2009 and expiring June 30, 2011.

March 26, 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 Sections 302 and 2002 of the Occupational Code, 1980 PA 299, MCL 339.302 and 339.2002:

Board of Professional Engineers

Mr. Mahmoud E. El-Gamal of 4713 Maura Lane, West Bloomfield, Michigan 48323, county of Oakland, reappointed to represent professional engineers, for a term expiring March 31, 2013.

Mr. John G. Kraus of 2770 Alger S.E., Grand Rapids, Michigan 49546, county of Kent, reappointed to represent professional engineers, for a term expiring March 31, 2013.

Mr. Kevin F. Prihod of 605 Chicago Boulevard, Detroit, Michigan 48202, county of Wayne, reappointed to represent the general public, for a term expiring March 31, 2013.

Mr. Robert L. Stempien of 32400 Mayfair, Beverly Hills, Michigan 48025, county of Oakland, is reappointed to represent the Board of Architects, for a term expiring March 31, 2013.

March 26, 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 Sections 302 and 2002 of the Occupational Code, 1980 PA 299, MCL 339.302 and 339.2002:

Board of Professional Surveyors

Ms. Catherine M. DeDecker of 11970 Diamond Lane, Washington, Michigan 48094, county of Macomb, is reappointed to represent professional surveyors, for a term expiring March 31, 2013.

Mr. Ronnie M. Lester of 3081 Holt Road, Mason, Michigan 48854, county of Ingham, is reappointed to represent professional surveyors, for a term expiring March 31, 2013.

Mr. Robert A. Stanford of 5660 North Williamston Road, Williamston, Michigan 48895, county of Ingham, is reappointed to represent the general public, for a term expiring March 31, 2013.

March 26, 2009

I respectfully submit to the Senate, pursuant to Article V, Section 6 of the Michigan Constitution of 1963, the following appointment to office under Sections 302 and 2502 of the Occupational Code, 1980 PA 299, MCL 339.302 and 339.2502:

Board of Real Estate Brokers and Salespersons

Mr. Kevin J. Plagens of 774 Irvin, Plymouth, Michigan 48170, county of Wayne, succeeding Kitrina Spencer, who has resigned, representing the general public, for a term commencing March 26, 2009 and expiring June 30, 2012.

March 27, 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 2 of 1960 PA 120, MCL 390.842:

Grand Valley State University Board of Control

Ms. Sue C. Carnell of 38672 Thorncroft Court, Wayne, Michigan 48184, county of Wayne, succeeding Donna Brooks, whose term has expired, is appointed for a term commencing March 27, 2007 and expiring December 31, 2016.

Mr. David L. Way of 905 West Geneva Drive, DeWitt, Michigan 48820, county of Clinton, succeeding Daniel Aronoff, whose term has expired, is appointed for a term commencing March 27, 2007 and expiring December 31, 2016.

Sincerely,
Jennifer M. Granholm
Governor

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

By unanimous consent the Senate proceeded to the order of

General Orders

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

The motion prevailed, and the President, Lieutenant Governor Cherry, designated Senator Clark-Coleman as Chairperson.

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

Senate Bill No. 34, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 78101 and 78110 (MCL 324.78101 and 324.78110), section 78101 as amended by 2006 PA 466 and section 78110 as amended by 2004 PA 587.

The bill was placed on the order of Third Reading of Bills.

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

Senate Bill No. 362, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 216 and 719a (MCL 257.216 and 257.719a), section 216 as amended by 2008 PA 539 and section 719a as amended by 1996 PA 136, and by adding sections 38a, 49a, and 74a.

Substitute (S-1).

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

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

Senate Bill No. 363, entitled

A bill to regulate recreational vehicle dealers, manufacturers, wholesalers, warrantors, and their representatives; to regulate dealings between recreational vehicle manufacturers, wholesalers, warrantors, and dealers; to regulate dealings between consumers and recreational vehicle manufacturers, wholesalers, warrantors, and dealers; to prohibit certain trade practices; to provide for the powers and duties of certain state and local governmental officers and entities; and to provide remedies.

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 proceeded to the order of

Resolutions

Senate Resolution No. 21.

A resolution to memorialize the United States Congress and the U.S. Army Corps of Engineers to fully fund the expansion of the shipping locks at Sault Ste. Marie.

The question being on the adoption of the resolution,

The resolution was adopted.

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

The motion prevailed.

Senator Allen's statement is as follows:

This resolution memorializes the United States Congress and the Army Corps of Engineers to fully fund the construction of a new Soo Locks. The Soo Locks are a critical part of our regional and national infrastructure and national security. Millions of tons of raw materials pass through the locks each year, with more than 8,000 annual passages. It's materials like iron ore that is turned into steel, which we depend on for buildings and cars; or clean-burning coal for our state's power plants; or the grain that we rely on for the foods to feed our nation—all pass through the Soo Locks. All these are critical to our economy and rely on the locks to navigate Lake Superior and the lower Great Lakes.

Currently, 70 percent of the Great Lakes fleet passes through the 40-year-old Poe Locks because this is the only lock large enough for most of the modern ships in the American-flag fleet. If the locks were to become unusable, we would literally bring commerce to a halt in the upper Great Lakes.

In recognition of the critical nature of this lock, Congress first authorized a new lock in 1986. However, it has not begun; in addition to the construction of a new lock that would bring hundreds and thousands of jobs and millions of federal dollars to the Michigan economy.

I thank you, and I urge this body to support the resolution to urge the Congress and Army Corps of Engineers to fully fund these locks.

Senators Brown, Jelinek, Van Woerkom, Cropsey and Jansen offered the following resolution:

Senate Resolution No. 31.

A resolution to urge Congress to enact a waiver or exclusion for youth motorcycles, all-terrain vehicles, and snowmobiles from the lead requirements of the Consumer Product Safety Improvement Act and to encourage the Consumer Product Safety Commission to exclude those products under their regulatory authority.

Whereas, In the aftermath of highly-publicized recalls of children's toys and products containing toxic substances, most notably lead, Congress enacted H.R. 4040 in 2008 to reform and strengthen the authority of the U.S. Consumer Product Safety Commission to monitor the safety of goods sold in the global marketplace. The act prohibits the manufacture and sale of children's products containing lead. "Containing lead" is considered as more than 600 parts per million (ppm) by February 10, 2009, whether the lead is in the paint or content of the product; and

Whereas, Under the newly-enacted law, "children's product" means a consumer product designed or intended primarily for children 12 years of age or younger. This law has had the unintended consequence of halting nationwide sales of off-road motorcycles, all-terrain vehicles (ATV), and after-market parts manufactured for young riders; and

Whereas, Off-road cycling and power sports involving youths is a multimillion-dollar industry. An estimated 100,000 youth bikes were sold in the United States in 2008, and current inventory aimed at children under the age of 12 is valued at \$100 million; and

Whereas, Under the doctrine enunciated in *Chevron, U.S.A., Inc. v. Natural Res. Def. Council*, 467 U.S. 837, 842-45 (1984), a regulatory agency is permitted to adopt a reasonable interpretation of a statute that Congress entrusts that agency to administer. In choosing among reasonable interpretations, an agency may consider their policy implications. (*Chevron*, 467 U.S. at 843.) Here, substantial policy implications point in favor of staying the effective date of Section 101(a)(2) until the final substantive rules and interpretative regulations can be established and regulated entities can, as a practical matter, determine whether particular new and existing products are in compliance with the lead content requirements; and

Whereas, The components, parts, and accessories of the youth motor vehicles that have been targeted by the lead law include lead battery terminals, fittings and connectors, engine housings, chassis parts, tire valve stems, brake levers, clutch levers, and many others. Yet the industry points out that lead-containing parts and accessories are highly unlikely to be touched by children, and any contact that may occur poses no risk to children ages 12 and younger; now, therefore, be it

Resolved by the Senate, That we urge Congress to enact a waiver or exclusion for youth motorcycles, all-terrain, and snowmobiles vehicles from the lead requirements of the Consumer Product Safety Improvement Act; and be it further

Resolved, That we also urge the Consumer Products Safety Commission under the doctrine enunciated in *Chevron, U.S.A., Inc. v. Natural Res. Def. Council*, 467 U.S. 837, 842-45 (1984), to issue a regulation exempting youth motorcycles, all-terrain vehicles, and snowmobiles from the lead requirements of the Consumer Product Safety Improvement Act; and be it further

Resolved, That copies of this resolution be transmitted to the Consumer Product Safety Commission, 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 resolution was adopted.

Senators Barcia, Gleason and Pappageorge were named co-sponsors of the resolution.

Senators Brown, Jelinek, Van Woerkom, Cropsey and Jansen offered the following concurrent resolution:

Senate Concurrent Resolution No. 10.

A concurrent resolution to urge Congress to enact a waiver or exclusion for youth motorcycles and all-terrain vehicles from the lead requirements of the Consumer Product Safety Improvement Act and to encourage the Consumer Product Safety Commission to exclude those products under their regulatory authority.

Whereas, In the aftermath of highly-publicized recalls of children's toys and products containing toxic substances, most notably lead, Congress enacted H.R. 4040 in 2008 to reform and strengthen the authority of the U.S. Consumer Product Safety Commission to monitor the safety of goods sold in the global marketplace. The act prohibits the manufacture and sale of children's products containing lead. "Containing lead" is considered as more than 600 parts per million (ppm) by February 10, 2009, whether the lead is in the paint or content of the product; and

Whereas, Under the newly-enacted law, "children's product" means a consumer product designed or intended primarily for children 12 years of age or younger. This law has had the unintended consequence of halting nationwide sales of off-road motorcycles, all-terrain vehicles (ATV), and after-market parts manufactured for young riders; and

Whereas, Off-road cycling and power sports involving youths is a multimillion-dollar industry. An estimated 100,000 youth bikes were sold in the United States in 2008, and current inventory aimed at children under the age of 12 is valued at \$100 million; and

Whereas, Under the doctrine enunciated in *Chevron, U.S.A., Inc. v. Natural Res. Def. Council*, 467 U.S. 837, 842-45 (1984), a regulatory agency is permitted to adopt a reasonable interpretation of a statute that Congress entrusts that agency to administer. In choosing among reasonable interpretations, an agency may consider their policy implications. (*Chevron*, 467 U.S. at 843.) Here, substantial policy implications point in favor of staying the effective date of Section 101(a)(2) until the final substantive rules and interpretative regulations can be established and regulated entities can, as a practical matter, determine whether particular new and existing products are in compliance with the lead content requirements; and

Whereas, The components, parts, and accessories of the youth motor vehicles that have been targeted by the lead law include lead battery terminals, fittings and connectors, engine housings, chassis parts, tire valve stems, brake levers, clutch levers, and many others. Yet the industry points out that lead-containing parts and accessories are highly unlikely to be touched by children, and any contact that may occur poses no risk to children ages 12 and younger; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That we urge Congress to enact a waiver or exclusion for youth motorcycles, all-terrain, and snowmobiles vehicles from the lead requirements of the Consumer Product Safety Improvement Act; and be it further

Resolved, That we also urge the Consumer Products Safety Commission under the doctrine enunciated in *Chevron, U.S.A., Inc. v. Natural Res. Def. Council*, 467 U.S. 837, 842-45 (1984), to issue a regulation exempting youth motorcycles, all-terrain vehicles, and snowmobiles from the lead requirements of the Consumer Product Safety Improvement Act; and be it further

Resolved, That copies of this resolution be transmitted to the Consumer Product Safety Commission, 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 concurrent resolution was adopted.

Senators Barcia, Gleason and Pappageorge were named co-sponsors of the concurrent resolution.

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

The motion prevailed.

Senator Brown's statement is as follows:

I do rise to speak to Senate Resolution No. 31 and, with your permission, the next item, Senate Concurrent Resolution No. 10. These resolutions urge Congress to enact a waiver or exclusion for youth motorcycles, all-terrain vehicles, and snowmobiles from the lead requirements of the Consumer Product Safety Improvement Act and to encourage the Consumer Product Safety Commission to exclude those products under their regulatory authority.

While the federal CPSIA law was written with good intentions, many unintended consequences are now affecting manufacturers of products that are not stored in a “shared toy box” and are not engaged in any manner that would promote ingestion by young children. The Consumer Product Safety Commission, charged with administering this law, has acknowledged that power sports products pose low risk to kids. In a letter to Congressman John Dingell they state, “The possibility that children will suffer significant lead exposure from these classes of vehicles appears to be remote at best.”

However, because of this law, many dealers and small businesses across the country are embroiled in uncertainty and facing enormous added costs. For example, I have heard from Cobra Moto in Hillsdale, Michigan. They will face \$2 million in costs in the first year alone because of this law. Testing costs per youth motorcycle will exceed \$1,800 per item. This high cost will cause them to close down, despite the fact that their power sports products do not even pose health risks to children 12 and under, as their parts are not placed in children’s mouths. The loss of Cobra Moto would take 35 full-time jobs and 4 part-time jobs from Hillsdale County, which cannot afford to lose more jobs due to burdensome and excessive regulation. There are more than 500 power sports dealers who will be negatively affected by this law in Michigan only.

The National Association of Manufacturers and the Michigan Manufacturers Association support these resolutions. NAM President, former Governor John Engler, recently commented, and I quote, “The law’s overly broad approach applies to products that should not be evaluated using the same safety criteria as products that do pose a risk. It is critical that the CPSC focus on improving safety. This misguided law has triggered the destruction of millions of safe products, costing businesses billions of dollars during one of the worst economic crises in U.S. history.”

There is an urgency for Congress to act on this issue, as the effective date for the law was February 10, 2009. I ask you all to vote in favor of helping businesses in Michigan by asking Congress to make changes to the CPSIA.

House Concurrent Resolution No. 6.

A concurrent resolution to memorialize the President, the Congress, and the Department of Homeland Security of the United States to change requirements, agreements, and memorandums of understanding relating to the creation of Enhanced Drivers Licenses.

Whereas, The Department of Homeland Security is currently requiring that any state that wishes to create an Enhanced Drivers License (EDL) as a result of passage of the federal Western Hemisphere Travel Initiative (WHTI) must create an EDL that incorporates what the federal government refers to as “facilitative technology.” This ambiguous term has been defined in practice to mean the incorporation of unencrypted, long-range, radio-wave computer chip technology that allows for a unique citizen identification number that can be passively read through wallets, purses, doors, and cars without the owner’s knowledge; and

Whereas, After Michigan made several attempts to create an EDL that would not need this technology, it became clear that the Department of Homeland Security would only allow Michigan the option to voluntarily abandon the entire EDL program, jeopardizing the state’s economy. The WHTI’s only true mandate was that Americans needed to prove their citizenship in order to reenter into the United States. Facilitative technology was never required by Congress, places technology contracts over security, and is an example of departmental overreach and encroachment onto states’ rights; and

Whereas, The driver license information of Michigan citizens would be shared with the governments of Canada and Mexico via the Security and Prosperity Partnership (SPP) and EDL agreements. However, how it would be shared is ambiguous and needs to be defined so that we can ensure that potential corruption in foreign bureaucracies does not result in identity theft or other security concerns for U.S. citizens. There is currently little congressional oversight of the SPP, again placing a single department’s bureaucracy largely in charge of rules and regulations that significantly impact the states and their citizens; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we memorialize the President, the Congress, and the Department of Homeland Security of the United States to change requirements, agreements, and memorandums of understanding relating to the creation of Enhanced Drivers Licenses to help address these concerns. We formally call for the Department of Homeland Security to change its rules so that EDLs can be created that do not need to contain what it characterizes as “facilitative technology”; 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, the Department of Homeland Security, and the members of the Michigan congressional delegation.

The House of Representatives has adopted the concurrent resolution.

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 Transportation.

The motion prevailed.

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

Senate Concurrent Resolution No. 5.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease among the State of Michigan, the State Building Authority, and Muskegon Community College relative to the Muskegon Community College Student Services One-Stop Center.

(For text of resolution, see Senate Journal No. 14, p. 252.)

The House of Representatives has adopted the concurrent resolution.

The concurrent resolution was referred to the Secretary for record.

Introduction and Referral of Bills

Senator Switalski introduced

Senate Bill No. 411, entitled

A bill to establish duties and obligations of nonprofit, charitable institutions in the management and use of funds held for charitable purposes; 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 Judiciary.

Senator Kuipers introduced

Senate Bill No. 412, entitled

A bill to amend 1982 PA 162, entitled "Nonprofit corporation act," by amending sections 124, 261, 501, and 541 (MCL 450.2124, 450.2261, 450.2501, and 450.2541), section 124 as amended by 2002 PA 33 and section 541 as amended by 1987 PA 170.

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

Senators Gleason and McManus introduced

Senate Bill No. 413, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," (MCL 168.1 to 168.992) by adding section 473a.

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

Senators Prusi, Jansen, Gleason, Brater, Cherry, Anderson and Basham introduced

Senate Bill No. 414, 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.

Senator Switalski introduced

Senate Bill No. 415, entitled

A bill to amend 1972 PA 239, entitled "McCauley-Traxler-Law-Bowman-McNeely lottery act," by amending section 41 (MCL 432.41), as amended by 2008 PA 274.

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

Senator Switalski introduced

Senate Bill No. 416, entitled

A bill to amend 2005 PA 92, entitled "School bond qualification, approval, and loan act," by amending section 9 (MCL 388.1929), as amended by 2006 PA 71.

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

Senator Basham introduced

Senate Bill No. 417, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 320a (MCL 257.320a), as amended by 2008 PA 463, and by adding section 602b.

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

Senators Allen, Garcia and Kuipers introduced

Senate Bill No. 418, entitled

A bill to amend 1984 PA 270, entitled "Michigan strategic fund act," by amending section 88q (MCL 125.2088q), as added by 2008 PA 175.

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

House Bill No. 4118, entitled

A bill to amend 1994 PA 203, entitled "Foster care and adoption services act," by amending section 4a (MCL 722.954a), as added by 1997 PA 172.

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 Families and Human Services.

House Bill No. 4126, entitled

A bill to amend 2007 PA 36, entitled "Michigan business tax act," (MCL 208.1101 to 208.1601) by adding section 431d.

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.

House Bill No. 4258, entitled

A bill to make, supplement, and adjust appropriations for various state departments and agencies and for capital outlay for the fiscal year ending September 30, 2009; and to provide for the expenditure of the appropriations.

The House of Representatives has passed the bill.

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

House Bill No. 4316, entitled

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

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 Government Operations and Reform.

House Bill No. 4317, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 5805 (MCL 600.5805), as amended by 2002 PA 715.

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 Government Operations and Reform.

House Bill No. 4318, entitled

A bill to amend 1976 PA 331, entitled "Michigan consumer protection act," by amending sections 2 and 3 (MCL 445.902 and 445.903), section 2 as amended by 2006 PA 508 and section 3 as amended by 2008 PA 310.

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 Government Operations and Reform.

House Bill No. 4409, entitled

A bill to amend 1973 PA 116, entitled "An act to provide for the protection of children through the licensing and regulation of child care organizations; to provide for the establishment of standards of care for child care organizations; to prescribe powers and duties of certain departments of this state and adoption facilitators; to provide penalties; and to repeal acts and parts of acts," by amending section 14a (MCL 722.124a), as amended by 1984 PA 396.

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 Families and Human Services.

House Bill No. 4509, entitled

A bill to amend 1953 PA 232, entitled “Corrections code of 1953,” by amending section 44 (MCL 791.244), as amended by 1999 PA 191.

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. 4510, entitled

A bill to amend 1953 PA 232, entitled “Corrections code of 1953,” by amending section 35 (MCL 791.235), as amended by 1998 PA 315.

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.

Statements

Senators Scott, Cassis, Anderson, Basham and Gleason asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator Scott’s statement is as follows:

“When do any of us do enough?” Barbara Jordon asked this question years ago, and I ask it of us today. There are so many issues that our constituents need us to act on. The cost of auto insurance is just one of these important issues, but, really, it should be the easiest issue for us to agree on. We already agree that one community should not subsidize auto insurance rates for another community, and that is exactly what is happening in Detroit.

Detroit drivers are paying much more while other drivers in other areas pay less. None of us want our constituents to pay for anyone else. So, really, we all agree that this rate-setting system is unfair. Then all we have to do is to meet and decide how to fix our broken auto insurance system. We know it’s broken. We know we can fix it. I know we can fix it if we just set our minds to do that.

So let’s get busy and work together to give our constituents the relief they crave from these high auto insurance rates. I just heard this morning that the auto insurance rates are going to increase. When we have fixed the auto insurance rate problem, then we will be able to answer Barbara Jordon’s question and say that, while there is still much left for us to accomplish, we have at least started to act on what our constituents want from us.

Senator Cassis’ statement is as follows:

A CNN reporter described President Obama’s edict on the car companies as tough love. If that is love, I am ready for Dr. Phil, and I guess he is coming to town. Monday’s politically-inspired sucker punch on the workers and people of Michigan was nothing short of a humiliating low blow on a state and its people when they are down. Fire Rick Wagoner and slash auto workers pay and look the other way at AIG bonuses and invite their executives to a lunch at the White House.

Sacrifice has become synonymous with Detroit. Our domestic car companies have been innovating and building award-winning cars: the Malibu, Fusion, and soon the Volt. I take deference with the elite spinners who keep intimidating our car companies. Our car companies have been building the cars that America loves, with our long distances, wide roads, vast horizons, and different lifestyles.

Just witness when gasoline went down in price a few months ago, sales of large cars increased. Don’t get me wrong. We need to keep innovating to be independent from foreign oil, but are we to transition a culture built over decades in one blow, and disrupt the culture and very way of life of those workers who spend and keep our economy alive?

When our steel industry faltered in the late ’90s here in Michigan, I worked alongside my Democratic legislators to right the industry and help it back on its feet. We hear constantly, over and over, diversify Michigan. Well and good. Have I heard a voice in the wilderness saying invigorate and support our home team? Have I heard where Detroit radio hosts knock the Motown insignia? Are cars obsolete? Are we to package our automobiles, brand them, and send them special delivery to other states?

My friends, a bank and housing collapse should not be dumped in the lap of the car companies. Let me say, enough is enough. Coddling and being politically careful in how to react to the federal administration’s bias against Michigan on national TV appearances—enough is enough.

Our Spartans are holding our flag, our Michigan flag, raised high in our battle for self-preservation and dignity. The arsenal of democracy will emerge again as a vital builder of national security and retrieve the pride of Michigan workers.

Senator Anderson's statement is as follows:

Yesterday, citizens across the state of Michigan were told that the cost of driving in our state would increase another \$20 for every vehicle they own. Monday, the Michigan Catastrophic Claims Association announced it would be raising the annual fee assessed on Michigan drivers from \$104 to \$124, a nearly 20 percent increase.

For this increase, Michiganders will receive no new benefits, nothing they did not have before. While \$20 may seem like an insignificant amount to some, it will only make things more difficult for the many people who drive and depend on their ability to drive to get from home to work.

Perhaps the decision to raise rates this year is justified. Unfortunately, it is almost impossible to make that judgment under the current body of law that regulates the Michigan Catastrophic Claims Association. The MCCA, a small, private association of insurance executives, meets behind closed doors to determine how much Michigan residents will be required to pay to drive on Michigan roads. Their proceedings are not subject to the Freedom of Information Act. They are accountable to no one.

Yesterday's news brings to light the urgent need for change. It is time for the public to be heard on this subject. It is why this year I introduced Senate Bill No. 161. The legislation would bring the dealings of the association from behind closed doors, making the proceedings of the group subject to the Freedom of Information Act. It would require an annual audit of the association. It would also end the insurance companies' monopoly of the decision-making body, by expanding the group from five to six voting members, creating a position to act as a representative of the general public. It would also give voting authority to the insurance commissioner. Finally, it would return accountability to the process by making decisions to raise rates subject to the approval of the commissioner of the Office of Financial and Insurance Regulation, providing the commissioner with that authority and the ability to reject premium increases which are deemed to be excessive.

A lot of statements have been made in the past month about the need for greater transparency; to make government more accountable to the people. I think the Michigan Catastrophic Claims Association is crying out for this type of reform. The time has come that we consider this legislation and allow some light to be shed on this process and to give the citizens of Michigan a say.

Senator Basham's statement is as follows:

One of the previous speakers had talked about the President of our country who has only been in office for 61 or 62 days. It was the same speaker who, when we were discussing the SBT a couple of years ago, referred to the auto industry as dinosaurs. No one is happy that the auto industry is in the state that it is in. We all have communities. We have people we represent who are hanging on by a thread, fighting for their lives. Let's not succumb to the easy way out of using this as a political hammer to beat each other up. This issue is too important to our constituents. They deserve better.

Let's look at some of the things that the President did say yesterday. President Obama is proposing that government warranties for those who purchase automobiles will be backed by the government. There are also tax incentives to encourage people to purchase, as well as continue to get credit moving so people can actually buy cars. Most importantly, they are committed to working directly with communities affected to make sure that our people get the kind of support they need to make it through this crisis.

This administration is making some tough choices, but they are rolling up their sleeves and trying to tackle the problems. We can contrast that with what we are doing in this chamber. We have a chance to be approving budgets that invest in jobs right now in services that are critical to Michigan's struggling families. Yet, once again, we are considering putting these resources on hold, staring down a deadline of two weeks, taking a vacation, and talking about not making these decisions for at least a month from now. A large reason for this crisis in the auto industry has been inaction right here in this chamber.

So I would encourage members to roll up their sleeves, sit down and work with the Obama Administration, and try to make sure that we get through this crisis together as a state in a bipartisan effort—without the partisan politics.

Senator Gleason's statement is as follows:

I would say that it would be few who have experienced the automobile industry to the effect that our family has. I had an uncle who had a dealership for 40 years. I had a grandfather who was a sit-down striker. I had uncles who were both white-collar workers in the plants. I have had cousins who worked on the assembly lines. I and other members of my family have built and enhanced automobile plants across this state. So our family just, pretty much, covered every aspect of that automobile industry, from making them to selling them. But we are losing the definition of what today's troubles really are when we say that the Obama Administration is looking upon them differently than they did the finance and insurance industry.

I, for one, as a citizen more so than a Senator, say that I believe every time that we extend the public purse that there should be some reviews of how the money is going to be spent and who is going to be spending it. The last few months I have been hearing that Obama is treating the automobile industry different than he did AIG. I think for those of us who paid attention know that the AIG solution came under the previous administration. The Obama Administration really didn't have a whole lot to say with what happened before January 20 of this year.

I think all of us can appreciate the scrutinizing of how money is spent. I really appreciate—probably not to the same extent as one of the previous speakers did—I really respect the way that he chastised publicly the horrendous bonuses given to those who were at the steering wheel of the failing companies. But, as my good Senator said just before me, there is an awful lot of blame to go around. I think our interests should be not on blaming this particular administration because, actually, the collapse of the automobile industry began falling under much earlier administrations. I don't think any of us were appreciative of the models or the quality of the vehicles that came out 20 to 25 years ago.

I worked in an automobile factory. I helped expand some of them, and I went in to help enhance the automation that was placed in those factories. I know that we can get out of this, but we should not be blaming an administration that really did not have anything to do with AIG and saying that he is treating the Big Three different than AIG when he really didn't treat them any differently because he didn't have a chance at Bear Stearns, AIG, the Lehman Brothers, and others that transpired before he took office.

All of us are impacted by what happens in the automobile industry. Every single one of our districts has components of the automobile industry that affect our local economy. I just happen to live in Genesee County, and that has been our bread and butter for over 100 years now. Every one of us is affected because of the great enhancement we get in our state treasury from the income tax these hardworking men and women pay every paycheck, and also by the sales tax that these good-paying jobs offer our state coffers.

We should be definitive, we should be honest, and we should be accurate when we say, well, the Obama Administration is treating the finance and insurance industry different than it did the domestic automakers. I believe they all should have been scrutinized, but our President today was not offered that chance. So let's get on with our business, and let's put aside the partisanship about blaming the present administration. I have seen a lot of action out of Washington in the last few months. I, for one, was just hoping, pleading, and beseeching that we would get action out of the previous one. Let's not keep saying that the present administration is at fault for our standing in the world today.

Committee Reports

The Committee on Education reported

Senate Bill No. 129, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 24a (MCL 168.24a), as amended by 1982 PA 154.

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

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

Wayne Kuipers
Chairperson

To Report Out:

Yeas: Senators Kuipers, Van Woerkom, Cassis, Whitmer and Gleason

Nays: None

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

The Committee on Education reported

Senate Bill No. 130, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 307 (MCL 168.307), as added by 2003 PA 302.

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, Whitmer and Gleason

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 Thursday, March 26, 2009, at 2:30 p.m., Room 210, Farnum Building

Present: Senators Kuipers (C), Van Woerkom, Cassis, Whitmer and Gleason

The Committee on Hunting, Fishing and Outdoor Recreation reported

Senate Bill No. 164, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 40114 (MCL 324.40114), as amended by 2008 PA 169.

With the recommendation that the bill pass.

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

James A. Barcia
Chairperson

To Report Out:

Yeas: Senators Barcia, Cropsey and Allen

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Hunting, Fishing and Outdoor Recreation reported

Senate Bill No. 349, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 43521 (MCL 324.43521), as amended by 1996 PA 585.

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.

James A. Barcia
Chairperson

To Report Out:

Yeas: Senators Barcia, Cropsey and Allen

Nays: None

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

The Committee on Hunting, Fishing and Outdoor Recreation reported

Senate Bill No. 409, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 43542 (MCL 324.43542), as added by 1995 PA 57.

With the recommendation that the bill pass.

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

James A. Barcia
Chairperson

To Report Out:

Yeas: Senators Barcia, Cropsey and Allen

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Hunting, Fishing and Outdoor Recreation reported

House Bill No. 4286, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 504 (MCL 324.504), as amended by 2004 PA 130.

With the recommendation that the bill pass.

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

James A. Barcia
Chairperson

To Report Out:

Yeas: Senators Barcia, Cropsey and Allen

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Hunting, Fishing and Outdoor Recreation submitted the following:

Meeting held on Thursday, March 26, 2009, at 1:47 p.m., Room 100, Farnum Building

Present: Senators Barcia (C), Cropsey and Allen

Excused: Senators McManus and Prusi

COMMITTEE ATTENDANCE REPORT

The Committee on Energy Policy and Public Utilities submitted the following:
 Meeting held on Thursday, March 26, 2009, at 1:00 p.m., Room 210, Farnum Building
 Present: Senators Patterson (C), Brown, Birkholz, Kuipers, Richardville, Olshove and Clarke
 Absent: Senator Thomas

COMMITTEE ATTENDANCE REPORT

The Legislative Retirement Board of Trustees submitted the following:
 Meeting held on Thursday, March 26, 2009, at 2:00 p.m., Room H-65, Capitol Building
 Present: Senators McManus and Clarke

Scheduled Meetings

Appropriations - Wednesday, April 1, 2:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-6960)

Subcommittees -

Capital Outlay - Thursday, April 2, 8:30 a.m., Senate Hearing Room, Ground Floor, Boji Tower (373-2768)

Environmental Quality Department - Wednesdays, May 6, May 13 and May 20, 3:00 p.m., Rooms 402 and 403, Capitol Building (373-2768)

Federal Stimulus Oversight - Wednesday, April 1, 11:00 a.m. or later immediately following session, Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

Higher Education - Wednesday, April 1, 9:00 a.m., Rooms 402 and 403, Capitol Building; Monday, April 20, 10:00 a.m., University of Michigan-Flint, Harding Mott University Center (UCEN), Michigan Rooms B, C, and D, 400 Mill Street, Flint; Monday, April 27, 10:00 a.m., Central Michigan University, Park Library, 250 East Preston Road, Mt. Pleasant; Monday, May 4, 10:30 a.m., Northwood University, Sloan Family Building for Aftermarket Studies, 400 Whiting Drive, Midland; and Friday, May 15, 10:00 a.m., University of Michigan-Ann Arbor, Michigan League, Vandenberg Room, 911 North University Street, Ann Arbor (373-2768)

Natural Resources Department - Tuesday, April 28, 12:00 noon or later immediately following session, Room 405, Capitol Building; Tuesday, May 5, 12:00 noon or later immediately following session, Rooms 402 and 403, Capitol Building; and Tuesday, May 19, 12:00 noon or later immediately following session, Room 405, Capitol Building (373-2768)

Banking and Financial Institutions - Wednesday, April 1, 9:00 a.m., Room 210, Farnum Building (373-3543)

Finance - Thursday, April 2, 11:00 a.m., Room 110, Farnum Building (373-1758)

Legislative Commission on Government Efficiency - Thursday, April 2, 10:00 a.m., Legislative Council Conference Room, 3rd Floor, Boji Tower (373-0212)

Natural Resources and Environmental Affairs and House Great Lakes and Environment - Wednesday, April 1, 8:00 a.m., Senate Hearing Room, Ground Floor, Boji Tower (373-3447)

Senior Citizens and Veterans Affairs - Wednesday, April 1, 8:30 a.m., Room 100, Farnum Building (373-2413)

Senator Cropsey moved that the Senate adjourn.
 The motion prevailed, the time being 11:10 a.m.

The President, Lieutenant Governor Cherry, declared the Senate adjourned until Wednesday, April 1, 2009, at 10:00 a.m.

CAROL MOREY VIVENTI
 Secretary of the Senate