

No. 66
STATE OF MICHIGAN
Journal of the Senate
95th Legislature
REGULAR SESSION OF 2009

Senate Chamber, Lansing, Thursday, August 27, 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—excused
George—present
Gilbert—present
Gleason—present
Hardiman—present
Hunter—excused
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

Senator Patricia L. Birkholz of the 24th District offered the following invocation:

Dear Lord, as we begin our day, let us pause and be reminded of Your strength and power and the source of Your love. Let us remember the people whom we represent across this beautiful state, and let us remember Your love for them.

As Michigan struggles and as our Legislature struggles, guide us as policymakers, and be with us as we make decisions that will affect our state and our future. Be with, guide, and care for those who are suffering and those who are in pain. Let us be ever mindful of Your almighty power, Your glory, and Your care for all of us.

In Your name, we pray. Amen.

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

Motions and Communications

Senators Patterson, Stamas and Clarke entered the Senate Chamber.

Senator Cropsey moved that Senators Hardiman and Brown be temporarily excused from today’s session. The motion prevailed.

Senator Cropsey moved that Senator Garcia be excused from today’s session. The motion prevailed.

Senator Thomas moved that the Committee on Finance be discharged from further consideration of the following bill: **House Bill No. 4922, entitled**

A bill to amend 1995 PA 24, entitled “Michigan economic growth authority act,” by amending section 8 (MCL 207.808), as amended by 2008 PA 257.

The question being on the motion to discharge, Senator Cherry moved that the previous question be ordered. The motion did not prevail.

Senator Thomas requested the yeas and nays. The yeas and nays were ordered, 1/5 of the members present voting therefor. The motion did not prevail, a majority of the members not voting therefor, as follows:

Roll Call No. 409

Yeas—15

Anderson	Cherry	Jacobs	Switalski
Barcia	Clark-Coleman	Olshove	Thomas
Basham	Clarke	Prusi	Whitmer
Brater	Gleason	Scott	

Nays—18

Allen	George	Kuipers	Richardville
Birkholz	Gilbert	McManus	Sanborn
Bishop	Jansen	Pappageorge	Stamas
Cassis	Jelinek	Patterson	Van Woerkom
Cropsey	Kahn		

Excused—3

Brown	Garcia	Hardiman
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Not Voting—1

Hunter

In The Chair: President

Senators Brown and Hardiman entered the Senate Chamber.

The question being on the motion to discharge,
 The motion did not prevail, a majority of the members serving not voting therefor.
 Senator Thomas requested the yeas and nays.
 The yeas and nays were ordered, 1/5 of the members present voting therefor.
 The motion did not prevail, a majority of the members serving not voting therefor, as follows:

Roll Call No. 410**Yeas—16**

Anderson	Cherry	Jacobs	Scott
Barcia	Clark-Coleman	Olshove	Switalski
Basham	Clarke	Prusi	Thomas
Brater	Gleason	Richardville	Whitmer

Nays—19

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

Excused—1

Garcia

Not Voting—1

Hunter

In The Chair: President

Senator Cropsey moved that when the Senate adjourns today, it stand adjourned until Wednesday, September 9, at 10:00 a.m.

The motion prevailed.

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

Michigan Tax Tribunal

Ms. Patricia L. Halm of 5521 McCourt Street, Lansing, Michigan 48911, county of Ingham, is reappointed to represent attorneys, for a term expiring June 30, 2013.

Ms. Cynthia J. Knoll, CPA, of 14682 Hunters Trail, Holland, Michigan 49424, county of Ottawa, succeeding Susan Grimes Munsell, whose term has expired, is appointed to represent certified public accountants, for a term commencing July 1, 2009 and expiring June 30, 2013.

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

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

Senate Concurrent Resolution No. 18

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

Senator Cropsey moved that the rules be suspended and that the following bills, now on Committee Reports, be placed on the General Orders calendar for consideration today:

Senate Bill No. 95

Senate Bill No. 503

Senate Bill No. 504

Senate Bill No. 505

Senate Bill No. 506

Senate Bill No. 507

Senate Bill No. 508

Senate Bill No. 509

Senate Bill No. 510

Senate Bill No. 511

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Senate Bill No. 521

Senate Bill No. 522

Senate Bill No. 523

Senate Bill No. 524

Senate Bill No. 525

Senate Bill No. 526

Senate Bill No. 527

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

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

The motion prevailed.

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

August 26, 2009

Pursuant to Senate Rule 2.104(c), I am requesting that the Senate Committee on Agriculture and Bioeconomy hold a hearing on the appointment of Charles Velmar Green to the Commission of Agriculture, and make written recommendations to the Government Operations and Reform Committee on the appointment.

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

The communication was referred to the Secretary for record.

The Secretary announced that the following House bills were received in the Senate and filed on Wednesday, August 26:

House Bill Nos. 4503 4511 4618 4620 4626 4727 4770 4971 5011 5052

The Secretary announced that the following official bills were printed on Wednesday, August 26, and are available at the legislative website:

Senate Bill Nos. 773 774

Messages from the Governor

Michigan Tax Tribunal

Ms. Cynthia J. Knoll, CPA, of 14682 Hunters Trail, Holland, Michigan 49424, county of Ottawa, succeeding Susan Grimes Munsell, whose term has expired, is appointed to represent certified public accountants, for a term commencing July 1, 2009 and expiring June 30, 2013.

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

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

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

Roll Call No. 411

Yeas—35

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

Nays—0

Excused—2

Garcia	Hunter
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Not Voting—0

In The Chair: President

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

The motion prevailed.

Senator Birkholz's statement is as follows:

I support, adhere to, and ask for your support for the Tax Tribunal appointment of Cynthia Knoll. I first met Ms. Knoll when she was testifying before one of our committees on the new Michigan business tax and the surcharge. She spoke with great clarity. She had several suggested reforms which were not only sensible, but were doable. She impressed everyone in the room as to her effectiveness.

Later when we were both honored at an event in Grand Rapids, and I was able to spend more time with her, I became even more convinced of her professionalism and her commitment to the vitality and the health of the state of Michigan as a good place to raise families and have jobs and promote businesses.

And so I am here to again support her nomination. I know she wants an effective and efficient system of dealing with Tax Tribunal cases. She is also very interested in catching up with the backlog. So I am firmly supportive. I ask for your support and your vote.

Michigan Tax Tribunal

Ms. Patricia L. Halm of 5521 McCourt Street, Lansing, Michigan 48911, county of Ingham, is reappointed to represent attorneys, for a term expiring June 30, 2013.

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

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

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

Roll Call No. 412

Yeas—35

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

Nays—0

Excused—2

Garcia	Hunter
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Not Voting—0

In The Chair: President

Messages from the House

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

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

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 House of Representatives has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

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

Senate Bill No. 430, entitled

A bill to amend 1950 (Ex Sess) PA 23, entitled "Airport zoning act," (MCL 259.431 to 259.465) by adding section 24a. The House of Representatives has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

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

By unanimous consent the Senate proceeded to the order of
Resolutions

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

Senate Resolution No. 41

Senate Resolution No. 17

Senate Concurrent Resolution No. 4

Senate Resolution No. 75

The motion prevailed.

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

Senate Resolution No. 76

The resolution consent calendar was adopted.

Senator Birkholz offered the following resolution:

Senate Resolution No. 76.

A resolution to recognize September 2009 as National Alcohol and Drug Addiction Recovery Month in the state of Michigan.

Whereas, Substance abuse disorders are a problem that affect everyone, regardless of social, economic, or ethnic background; and

Whereas, Based on information from the 2005 National Survey on Drug Use and Health, an estimated 22.2 million persons in the United States, or 9.1 percent of the population aged 12 or older, were classified with substance dependence or abuse in the past year. This figure exceeds the number of people living with coronary heart disease, cancer, and Alzheimer's disease combined; and

Whereas, Effective evidence-based treatment and support for the person, families, and children affected by substance abuse and dependence can help our young people succeed in school; provide children with capable and caring parents; reduce the incidence of drug-related crime; and help people get their lives back through restored health and productivity; thereby saving both lives and dollars; and

Whereas, Studies have consistently found that individualized treatment is essential for people to be successful in their path of recovery. Substance abuse and alcohol addictions adversely affect millions of lives annually. This results in enormous financial and human costs, including absenteeism, impaired work productivity, property damage, incarceration, accidents, medical expenses, dependence on public assistance, child neglect, bodily injury, destruction of family ties, and loss of life; and

Whereas, Real accounts of long-term recovery with positive results can inspire others to ask for help and improve their own lives, the lives of their families, and benefit the entire community; and

Whereas, It is critical that we educate our community members to understand that substance abuse disorders are treatable; yet, sometimes create serious health care problems if not resolved. The resolution of dependence with proper support, care, and treatment improves the quality of life for all throughout our communities—all ages from all walks of life; and

Whereas, There is a need to erode social stigmas about addiction and educate the public, community organizations, public officials, and civic leaders about the impact of alcohol and other drugs on our community, the value of treatment, and the hope of recovery; and

Whereas, To help achieve this goal, the United States Department of Health and Human Services, the Substance Abuse and Mental Health Services Administration's Center for Substance Abuse Treatment, and the White House Office of National Drug Control Policy invite all persons to participate in National Alcohol and Drug Addiction Recovery Month each September; and

Whereas, The National Alcohol and Drug Addiction Recovery Month is a national initiative and annual observance that highlights the societal benefits of substance abuse treatment. It also celebrates people in recovery, recognizes those in the treatment field who dedicate their lives to helping people recover from addiction, and promotes the message that recovery from substance abuse is possible; now, therefore, be it

Resolved by the Senate, That we hereby recognize September 2009 as National Alcohol and Drug Addiction Recovery Month in the state of Michigan; and be it further

Resolved, That a copy of this resolution be transmitted to the Eaton County Recovery Month Coalition as a token of our esteem.

Senate Concurrent Resolution No. 18.

A concurrent resolution to disapprove Executive Order No. 2009-36, setting forth changes in the organization of the executive branch.

The question being on the adoption of the concurrent resolution,

Senator Cropsey requested the yeas and nays.

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

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

Roll Call No. 413

Yeas—22

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

Nays—13

Barcia	Clark-Coleman	Jacobs	Scott
Basham	Clarke	Olshove	Thomas
Brater	Gleason	Prusi	Whitmer
Cherry			

Excused—2

Garcia	Hunter
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Not Voting—0

In The Chair: President

Senator Gleason moved that he be removed as co-sponsor of the concurrent resolution.
The motion prevailed.

Senators Jacobs, Brown, Allen and Clarke asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator Jacobs' statement is as follows:

I rise in opposition to this resolution. There is not a greater supporter of the arts than me in this chamber. I stand with so many of you who care so much about preserving our cultural assets, including the libraries. However, difficult times mean we have to make difficult decisions. This is one of those times where, while change is very, very difficult,

we have been asked not only by our Governor, but by our constituents to shrink government; that we have to reduce the bureaucracy.

Here we have an opportunity to do so, and if we can't agree on this, what is going to happen with the Lieutenant Governor, who as been charged with reducing the number of our governmental departments from 18 down to 7 or 9, which is something that all of us has said we must do to shrink government? Now this is an opportunity for us to think creatively.

We are not ruining our cultural assets, but we are just trying to figure out how we put our arms around a major problem. I think that the Governor has done so in a very creative way. We cannot talk out of both sides of our mouths. Either we don't have the money to provide the kinds of services that we all want to provide, or we do. But if we don't have those dollars, if we don't have those resources, then we are going to have to make some very, very tough decisions, and this is one of them.

So I ask my colleagues on both sides of the aisle to let's be honest with ourselves about what we really need to do here. This is a very tough decision, but it has to be made.

Senator Brown's statement is as follows:

Senate Concurrent Resolution No. 18 disapproves of Executive Order No. 2009-36, issued by the Governor that would eliminate the Department of History, Arts, and Libraries and send its programs to six different departments. While many of us agree with the elimination of the HAL Department to streamline government and save tax dollars, in fact, Mr. President, we have legislation we will be voting on today to do just that. This resolution does not accept the Governor's proposal to separate HAL programs in some six different departments.

We have reached this conclusion upon hearing from many individuals and interest groups who oppose this executive order and asked the Senate to reject it, as it does not accomplish what the people want. The people of Michigan are concerned because they understand these programs in the historical center are interconnected and function more effectively together, rather than apart. Upon hearing these concerns voiced in HAL budget subcommittee hearings last spring, the Senator from the 20th District and I met with the administration to express the people's concerns.

Unfortunately, none of the concerns brought forward by the people of Michigan were considered in the Governor's executive order. Once the executive order was issued, it became apparent that the Governor's plan could likely cost the state more money than it will save, which is the very reason the Governor points to for eliminating the department. The executive order leaves many open-ended questions and the potential for high costs with the transfer of collections to other entities, and the creation of an innovation and reinvention center adds more concern about added costs. The executive directive issued just yesterday makes no substantive changes regarding the location of key programs and does not answer the many unanswered questions that people have. The directive does not have the force of law and could easily be changed any day. The directive was a strategy, perhaps, by the Governor to placate certain groups with words that could change at any time.

I urge the members to vote with the people by rejecting this executive order, and vote for a more productive legislative plan that is before us today that would preserve the history and heritage of our state.

Senator Allen's statement is as follows:

I rise in support of this resolution, and the reasons why are very diverse—as diverse as Michigan. I respect the commentary given by, especially, the gentlelady from the 14th District because I believe that she has some points that need to be addressed.

First of all, this executive order goes far beyond the realignment of the department. It potentially can provide for the elimination of access to countless relics and historical documents which are involved in Michigan's research. As we studied cultural tourism, we studied our great state and the accessibility to these documents is very important.

When you look about the center for Michigan innovation, which I believe has a lot of merit, I believe it is also being discussed at the Henry Ford Museum that there needs to be collaboration going on with that. At least from the studies that were presented by Michigan State University in committee, they were not collaborating with some of the other organizations who are already working on this.

The restructuring of this center for innovation has merit because we know within our state we have to involve the next generation of entrepreneurs and the creativity for us to be able to compete with China, India, and other foreign powers. But it is also invaluable for us to have access to our history so that our students and our children will have an understanding of where Michigan has been so we can plan for the future. The new high school has a significant amount of merit, and I believe in that, but is it ready? Is it right for us to move this cultural and historical center?

The next area that I want to talk about is the synergies that have been created when you start taking a look at cultural tourism. Cultural tourism is part of the reason why people are coming to our area. If you take a look at the creative class of the individuals whom we are trying to bring to our state to create the next generation of entrepreneurs, they look at our history as part of the reasons why they visit. Take a look at people who are looking at lighthouses, historic forts, and historic understanding of the way our state went through with freedoms and fought for our freedoms. It is important to have all that coordinated. The lack of coordination within the departments is going to be a challenge. We asked the different subgroups yesterday in committee, and I was not pleased with their answers.

I believe this realignment makes a lot more sense to move to the Secretary of State because, as the administration talked yesterday that \$1.5 million would be saved, I believe, a significant amount of that cost reduction, as the gentlelady from the 14th District had talked about, is the administrative costs of administering those hundreds of employees who are under the History, Arts, and Libraries Department. The Secretary of State has over 1,600 employees already, so adding a few hundred more is not going to add that additional administrative cost.

I ask for the adoption of this concurrent resolution to reject the Governor's executive order.

Senator Clarke's statement is as follows:

You know, I am probably the last speaker on this resolution. Because of my strong feelings about the arts and the libraries, I thought it would be better not to add emotion to this debate, but try to be logical about it. You know, I am an artist. I have a Bachelor of Fine Arts in painting. It is through the arts that I was the first member of my family to ever attend college. Painting is important to me right now; in fact, I look forward to doing more of that once I leave the Legislature. The arts have inherent value. Those of us who are artists understand that. Those of us who love the arts benefit from it, but the arts also have an economic value.

So here is a question I would ask this Legislature and all those who are out here right now. In this time of an unprecedented economic recession in Michigan of a high unemployment rate, where could the economic value of the arts be best leveraged? With the Secretary of State? In election training and vehicle registration? Or the Michigan Strategic Fund whose commitment is to diversify and expand our economy?

The arts can redevelop a community. The arts alone transformed Manhattan from a run-down ghetto 50 years ago into an economic powerhouse through the development of Soho. It has done that around the country and around the world in cities like Paris and Tokyo. It can do the same in Michigan. If we want to help our economy, let's embed the arts where we need it right now—in economic development that is with the Strategic Fund.

I am a lover of the library. I will say personally, when I dropped out of college and never to go back at 23 years old, it was my visits to the Detroit Public Library in the fine arts section that rekindled my desire to go back to school. Reading is a pleasurable thing. It is a great thing to enjoy. Also libraries now serve a critical role in retraining laid-off workers who have lost their jobs. We need libraries that better educate people in this state so they can get better-paying jobs and raise their families and avoid foreclosures and avoid shut-offs and pay these higher insurance rates and not go into bankruptcy because they don't have health insurance. What better place to put the library to help train people than in the Department of Education, not the Secretary of State.

But yet, this is what pissed me off, and you know I respect everyone in this chamber, but to have the majority leadership of this Senate talk about the benefits of the synergies of keeping all these entities together, let me tell you, the people of Michigan, what these synergies have gotten us. The arts, which are so important to so many of us, the funding has been decimated because of this body. The largest library system in this state that benefited all of southeastern Michigan had all of its state funding—all of it—stripped by this body. How dare you say that the synergies of this current department are here to help preserve the libraries when you destroyed all of the state funding for the Detroit Public Library—how dare you. You know why the Detroit Public Library was allowed to be defunded? Because the people who were hurt by it were poor, ghetto kids. They did not have family members who come up here on buses. They were not able to hire multicient lobbyists to come here and say, "Let's keep our library system." Why is the library system important to Detroit? At the time, this body cut the funding for the Detroit Public Library.

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, Lieutenant Governor Cherry, designated Senator Sanborn as Chairperson.

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

Senate Bill No. 503, entitled

A bill to amend 2001 PA 63, entitled "History, arts, and libraries act," by amending the title and sections 1, 2, 5, 9, and 11 (MCL 399.701, 399.702, 399.705, 399.709, and 399.711), the title and section 2 as amended and section 9 as added by 2008 PA 559; and to repeal acts and parts of acts.

Senate Bill No. 504, entitled

A bill to amend 1976 PA 442, entitled "Freedom of information act," by amending section 13 (MCL 15.243), as amended by 2006 PA 482.

Senate Bill No. 505, entitled

A bill to amend 1984 PA 431, entitled "The management and budget act," by amending sections 284, 287, 288, 289, and 292 (MCL 18.1284, 18.1287, 18.1288, 18.1289, and 18.1292), as amended by 2001 PA 71.

Senate Bill No. 506, entitled

A bill to amend 1992 PA 116, entitled "Records reproduction act," by amending section 1 (MCL 24.401), as amended by 2004 PA 574.

Senate Bill No. 507, entitled

A bill to amend 1947 PA 359, entitled "The charter township act," by amending section 13a (MCL 42.13a), as added by 2006 PA 596.

Senate Bill No. 508, entitled

A bill to amend 1975 PA 197, entitled "An act to provide for the establishment of a downtown development authority; to prescribe its powers and duties; to correct and prevent deterioration in business districts; to encourage historic preservation; to authorize the acquisition and disposal of interests in real and personal property; to authorize the creation and implementation of development plans in the districts; to promote the economic growth of the districts; to create a board; to prescribe its powers and duties; to authorize the levy and collection of taxes; to authorize the issuance of bonds and other evidences of indebtedness; to authorize the use of tax increment financing; to reimburse downtown development authorities for certain losses of tax increment revenues; and to prescribe the powers and duties of certain state officials," by amending section 29 (MCL 125.1679), as amended by 2004 PA 66.

Senate Bill No. 509, entitled

A bill to amend 1984 PA 270, entitled "Michigan strategic fund act," by amending sections 29a and 88j (MCL 125.2029a and 125.2088j), section 29a as added by 2008 PA 75 and section 88j as added by 2005 PA 225.

Senate Bill No. 510, entitled

A bill to amend 2005 PA 280, entitled "Corridor improvement authority act," by amending section 26 (MCL 125.2896).

Senate Bill No. 511, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 4cc (MCL 205.54cc), as amended by 2008 PA 78.

Senate Bill No. 512, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending sections 266 and 435 (MCL 206.266 and 206.435), section 266 as amended by 2008 PA 447 and section 435 as amended by 2008 PA 560.

Senate Bill No. 513, entitled

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending section 435 (MCL 208.1435), as amended by 2008 PA 448.

Senate Bill No. 514, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 811k (MCL 257.811k), as amended by 2006 PA 298.

Senate Bill No. 515, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 63523, 63524, 63545, 72113, 76102, 76103, 76104, 76105, 76107, 76108, 76109, 76110, 76111, 76112, 76113, 76114, and 76118 (MCL 324.63523, 324.63524, 324.63545, 324.72113, 324.76102, 324.76103, 324.76104, 324.76105, 324.76107, 324.76108, 324.76109, 324.76110, 324.76111, 324.76112, 324.76113, 324.76114, and 324.76118), sections 63523 and 63545 as amended by 2001 PA 78, sections 63524, 76105, and 76109 as amended by 2004 PA 325,

section 72113 as added by 2002 PA 454, sections 76102, 76103, 76104, 76108, 76110, 76111, 76112, 76113, 76114, and 76118 as amended by 2001 PA 75, and section 76107 as amended by 2001 PA 155.

Senate Bill No. 516, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending section 32n (MCL 388.1632n), as added by 2007 PA 137.

Senate Bill No. 517, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 76503 (MCL 324.76503), as amended by 2001 PA 78.

Senate Bill No. 518, entitled

A bill to amend 1982 PA 540, entitled "Library of Michigan act," by amending section 2 (MCL 397.12), as amended by 2001 PA 62; and to repeal acts and parts of acts.

Senate Bill No. 519, entitled

A bill to amend 1989 PA 24, entitled "The district library establishment act," by amending section 2 (MCL 397.172), as amended by 2005 PA 60.

Senate Bill No. 520, entitled

A bill to amend 1977 PA 89, entitled "State aid to public libraries act," by amending the title and sections 2 and 25 (MCL 397.552 and 397.575), as amended by 2001 PA 65.

Senate Bill No. 521, entitled

A bill to amend 1913 PA 271, entitled "An act to create the Michigan historical commission; to provide for the appointment of members of the commission; to fix their terms of office, prescribe their powers and duties; to prescribe the powers and duties of certain state agencies and officers; to make an appropriation to carry out the provisions of this act; to provide for the distribution of certain revenue; to provide for the listing and destruction of useless documents, books and papers; and to repeal all acts and parts of acts inconsistent herewith," by amending section 10 (MCL 399.10), as amended by 2001 PA 66.

Senate Bill No. 522, entitled

A bill to amend 1976 PA 69, entitled "An act to permit the department of history, arts, and libraries to acquire and operate state historic sites; to accept gifts for that purpose; and to permit investment in certain funds to carry out the purposes of this act," by amending sections 1, 2, and 3 (MCL 399.111, 399.112, and 399.113), as amended by 2001 PA 73.

Senate Bill No. 523, entitled

A bill to amend 1984 PA 152, entitled "Michigan iron industry museum advisory board act," by amending sections 3 and 4 (MCL 399.73 and 399.74), as amended by 2001 PA 77.

Senate Bill No. 524, entitled

A bill to amend 1998 PA 409, entitled "Michigan freedom trail commission act," by amending section 2 (MCL 399.82), as amended by 2001 PA 79.

Senate Bill No. 525, entitled

A bill to amend 1955 PA 10, entitled "Michigan historical markers act," by amending sections 2 and 6 (MCL 399.152 and 399.156), section 2 as amended and section 6 as added by 2002 PA 488.

Senate Bill No. 526, entitled

A bill to amend 1970 PA 169, entitled "Local historic districts act," by amending section 1a (MCL 399.201a), as amended by 2004 PA 67.

Senate Bill No. 527, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 2137 (MCL 600.2137), as amended by 2001 PA 76.

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. 95, entitled

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

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

Senate Bill No. 589, entitled

A bill to amend 1972 PA 106, entitled "Highway advertising act of 1972," by amending section 7a (MCL 252.307a), as added by 2006 PA 447.

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.

By unanimous consent the Senate returned to the order of

Third Reading of Bills

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

Senate Bill No. 95

Senate Bill No. 503

Senate Bill No. 504

Senate Bill No. 505

Senate Bill No. 506

Senate Bill No. 507

Senate Bill No. 508

Senate Bill No. 509

Senate Bill No. 510

Senate Bill No. 511

Senate Bill No. 512

Senate Bill No. 513

Senate Bill No. 514

Senate Bill No. 515

Senate Bill No. 516

Senate Bill No. 517

Senate Bill No. 518

Senate Bill No. 519

Senate Bill No. 520

Senate Bill No. 521

Senate Bill No. 522

Senate Bill No. 523

Senate Bill No. 524

Senate Bill No. 525

Senate Bill No. 526**Senate Bill No. 527**

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

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

Senate Bill No. 95**House Bill No. 4199****Senate Bill No. 597****Senate Bill No. 503****Senate Bill No. 504****Senate Bill No. 505****Senate Bill No. 506****Senate Bill No. 507****Senate Bill No. 508****Senate Bill No. 509****Senate Bill No. 510****Senate Bill No. 511****Senate Bill No. 512****Senate Bill No. 513****Senate Bill No. 514****Senate Bill No. 515****Senate Bill No. 516****Senate Bill No. 517****Senate Bill No. 518****Senate Bill No. 519****Senate Bill No. 520****Senate Bill No. 521****Senate Bill No. 522****Senate Bill No. 523****Senate Bill No. 524****Senate Bill No. 525****Senate Bill No. 526****Senate Bill No. 527**

The motion prevailed.

The following bill was read a third time:

Senate Bill No. 95, entitled

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

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. 414**Yeas—35**

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

Nays—0

Excused—2

Garcia

Hunter

Not Voting—0

In The Chair: Sanborn

The Senate agreed to the title of the bill.

The following bill was read a third time:

House Bill No. 4199, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” (MCL 324.101 to 324.90106) by adding section 41325.

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. 415**Yeas—35**

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

Nays—0**Excused—2**

Garcia

Hunter

Not Voting—0

In The Chair: Sanborn

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

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

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

“An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, assessments, and donations; to provide certain appropriations; to prescribe penalties and provide remedies; and to repeal acts and parts of acts.”

The Senate agreed to the full title.

The following bill was read a third time:

Senate Bill No. 597, entitled

A bill to amend 2008 PA 23, entitled “Enhanced driver license and enhanced official state personal identification card act,” by amending section 6 (MCL 28.306).

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. 416

Yeas—35

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

Nays—0

Excused—2

Garcia	Hunter
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Not Voting—0

In The Chair: Sanborn

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 503, entitled

A bill to amend 2001 PA 63, entitled “History, arts, and libraries act,” by amending the title and sections 1, 2, 5, 9, and 11 (MCL 399.701, 399.702, 399.705, 399.709, and 399.711), the title and section 2 as amended and section 9 as added by 2008 PA 559; and to repeal acts and parts of acts.

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. 417

Yeas—21

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

Nays—14

Anderson	Cherry	Jacobs	Scott
Barcia	Clark-Coleman	Olshove	Switalski
Basham	Clarke	Prusi	Whitmer
Brater	Gleason		

Excused—2

Garcia	Hunter
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Not Voting—0

In The Chair: Sanborn

The Senate agreed to the title of the bill.

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

The motion prevailed.

Senator Patterson's statement is as follows:

Notwithstanding a persistent and nasty head cold, I think that I heard my learned colleague from the 23rd District invoke not my name, but my residence in a very flattering and honorable fashion. It was in the context in relying on the Michigan Constitution for direction; more specifically, Article 5 pertaining to the executive branch, and even more specifically, Section 2, or at least a pertinent part of Section 2.

Perhaps because of my head cold and other infirmities, I am perplexed because my reading of Section 2 continues, rather than stops at a certain point, and reads: "Where these changes require the force of law, they shall be set forth in executive orders and submitted to the legislature. Thereafter the legislature shall have 60 calendar days of a regular session, or a full regular session if of shorter duration, to disapprove each executive order." And it goes on.

I do not see a constitutional conundrum.

Senator Brown's statement is as follows:

To say that this has to do with politics, absolutely not. I taught Michigan history at our local community college. This proposal is about Michigan's treasures. It's about our flagship museum. I'm surprised to hear that some members haven't even been in the museum. Unbelievable. This is our flagship museum, one of the finest in the nation. It houses our Civil War battle flags. Nothing has been said about where those battle flags are going to be placed. Do you know that one of the reasons the Capitol was built was to be a home for our Civil War battle flags. My great-great-grandfather served in the 11th Michigan Infantry, leaving the farm fields of St. Joseph County to serve in the Union cause.

If you've ever looked at those battle flags in the museum, they are housed in an environmentally-controlled atmosphere. Where will they go? Are they going to go to the DNR? If you've looked at those flags, it's a poignant, moving experience. I invite members to go over to the museum, tour it, and look at those battle flags. They are symbols of the essence of our heritage and our liberty.

We are State Senators. We are stewards of our state treasures. Now if this proposal of bills isn't exactly the way you want it, let's work on it. But the goal is to preserve and protect our heritage for our kids. They come through that museum. They watch us here make fools of ourselves sometimes, but I have to tell you, they go over to the museum and they're inspired, they're encouraged, and they're taught about all things Michigan.

Let's not lose the crown jewel of Michigan's museums. I urge members to seriously consider what we're proposing, the great value of it. It's void of anything partisan. We'll work on it; we'll improve it, but its motives are pure.

Senator Allen's statement is as follows:

These bills transferring the Department of History, Arts, and Libraries to the Department of State are a good compromise. We took two different sets of testimony, 60 days apart, to ensure that we would have appropriate discussion.

We asked for input. We heard loud and clear from groups like the genealogical community, the library community, and countless others who utilize this wonderful treasure, the Department of History, Arts, and Libraries.

Our ability to have access to the research for our genealogical society and the groups who are doing cultural understanding of how our great state was formed is invaluable. The museum and its assets are a tourist destination and give our children, our parents, and our guests an opportunity to understand why Michigan was the arts oldest democracy, supported the Civil War, and led through many of the labor issues which our society was so involved with a generation ago.

I believe that the Secretary of State and her insights would be a good repository for this facility because she already has several thousand employees working with her, so the additional costs of the additional employees would be incremental. I believe that the \$1.7 million which the Governor is asking for to be saved would be seen going over to the Secretary of State.

I also have great reservations about the plan which is being laid out by Michigan State University to set up a center for research and innovation. We need innovation and research, but is it the best utilization of our state library? Moving those facilities over to the Michigan State University campus, how do we maintain control and access to those sites?

We also need to continue to look at the cultural tourism component which we see, whether we are in Detroit or in the western UP. We know that there are citizens, and with our Pure Michigan ads, there are people visiting our state all of the time who look at the culture and look at the history as part of the reason why they come to our state. They may start at the Detroit Institute of Arts which has received a grant from the MCCA organization. They may move up to the Sojourner Truth Trail. They may come up to the Mackinac Island State Historic Parks—visiting our great state, spending their resources, and, hopefully, maybe some of these will stay and create jobs and entrepreneurialism for the next generation.

These critical components are why I believe we need to maintain the Department of History, Arts, and Libraries. I ask this chamber's support of this legislation.

Senator George's statement is as follows:

I think it would be helpful to step back and look at why we are considering this at all today. And, of course, the Governor and the Legislature were trying to look for ways to create a balanced budget to make ends meet. Why is it that this state is so broke that it has to consider transferring its library and museum collections? How did we get ourselves into this pickle? If you asked that question, the answer will lead you to our open-ended social programs. We are adding 15,000 new Medicaid recipients a month to our rolls. We have social programs with no spending constraints, with eligibility requirements that are open-ended. They are not capped. They have unlimited spending potential. In thinking that moving the library or closing it or moving the museum or closing it is somehow going to help us fix that problem, it is incorrect.

Even if we were to save \$1.8 million, which is questionable, it may cost us more just to reshuffle the department around. But even if it did, it still would only be a drop in the bucket. The real thing that we need to do, if we are going to fix our budget problems, is address our runaways—social programs for which there is no end in sight. This will not solve that.

I would like to remind the chamber of where the library and the museum came from. Behind us, we have a portrait of Territorial Governor Lewis Cass. They were both created in 1828 before we were a state. They precede our State Legislature in history; they were here before us—our library and museum. They were created when we were a territory. Why was it that the territorial leaders in Michigan chose to create a library and a museum and a historical society? Why did they care to do that even before we were a state? They did because they were trying to show that Michigan was self-aware and that it was civilized and that it would be a good place to come and settle. They did it in the march toward statehood. To become a state, you needed to have 60,000 free residents, and in order to attract people here, Lewis Cass and the territorial Legislature paved the roads with wood to make it easy for travelers—plank roads. They made peace treaties with Native Americans. They established a local government. Our township system of government came into being before we were a state, and they established the Library of Michigan and the state Historical Society.

The early focus of the Historical Society, by the way, since it was formed in territorial times, wasn't the history of the white settlers; it was the history of the Native Americans. That was the interest of the Historical Society and the museum. In fact, the Historical Society had a special membership category for Indian chieftains. It just shows that our forefathers placed value in the history of their adopted home.

Now it is threatened by runaway social spending, and the answer is not to break up the department and to transfer the collections away. The best answer is what we have done: Reject the executive order and instead transfer these facilities to the Office of the Secretary of the State.

Senator Switalski's statement is as follows:

I hate to interrupt this important debate on this important package of bills, but it is the last day for an intern in my office, Katie Proux, who is a senior at the University of Michigan. I know you hold the University of Michigan in great regard, Mr. President. She is preparing to enter into law school, and she's done a fantastic job for me.

She did a lot of work on preliminary exams, looking at those and looking for efficiencies there. She has a great interest in dogs and cats, and she did a lot of work on legislation on puppy mills and looking at what other states have done. Then

her favorite was working on tax expenditures, which is just a mind-boggling array of things in the law that she brought some sense to for me. It was a great help to me.

I must say, I usually bring my interns in for one day of session, and sometimes we do a bunch of routine matters. But I think she's gotten a great education today because this has been a great debate about government reorganization, and I think it's been very beneficial for her to be here today.

So I just wanted to thank her for her work and wish her well and hope the chamber will acknowledge her.

She has applied to many law schools and is waiting to make her choice when she sees how many of them see how beneficial it would be to have her as one of their students.

The following bill was read a third time:

Senate Bill No. 504, entitled

A bill to amend 1976 PA 442, entitled "Freedom of information act," by amending section 13 (MCL 15.243), as amended by 2006 PA 482.

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. 418

Yeas—21

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

Nays—14

Anderson	Cherry	Jacobs	Scott
Barcia	Clark-Coleman	Olshove	Switalski
Basham	Clarke	Prusi	Whitmer
Brater	Gleason		

Excused—2

Garcia	Hunter
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Not Voting—0

In The Chair: Sanborn

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 505, entitled

A bill to amend 1984 PA 431, entitled "The management and budget act," by amending sections 284, 287, 288, 289, and 292 (MCL 18.1284, 18.1287, 18.1288, 18.1289, and 18.1292), as amended by 2001 PA 71.

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. 419**Yeas—21**

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

Nays—14

Anderson	Cherry	Jacobs	Scott
Barcia	Clark-Coleman	Olshove	Switalski
Basham	Clarke	Prusi	Whitmer
Brater	Gleason		

Excused—2

Garcia	Hunter		
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Not Voting—0

In The Chair: Sanborn

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 506, entitled

A bill to amend 1992 PA 116, entitled "Records reproduction act," by amending section 1 (MCL 24.401), as amended by 2004 PA 574.

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. 420**Yeas—21**

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

Nays—14

Anderson	Cherry	Jacobs	Scott
Barcia	Clark-Coleman	Olshove	Switalski

Basham
Brater

Clarke
Gleason

Prusi

Whitmer

Excused—2

Garcia

Hunter

Not Voting—0

In The Chair: Sanborn

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 507, entitled

A bill to amend 1947 PA 359, entitled "The charter township act," by amending section 13a (MCL 42.13a), as added by 2006 PA 596.

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. 421

Yeas—21

Allen
Birkholz
Bishop
Brown
Cassis
Cropsey

George
Gilbert
Hardiman
Jansen
Jelinek

Kahn
Kuipers
McManus
Pappageorge
Patterson

Richardville
Sanborn
Stamas
Thomas
Van Woerkom

Nays—14

Anderson
Barcia
Basham
Brater

Cherry
Clark-Coleman
Clarke
Gleason

Jacobs
Olshove
Prusi

Scott
Switalski
Whitmer

Excused—2

Garcia

Hunter

Not Voting—0

In The Chair: Sanborn

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 508, entitled

A bill to amend 1975 PA 197, entitled “An act to provide for the establishment of a downtown development authority; to prescribe its powers and duties; to correct and prevent deterioration in business districts; to encourage historic preservation; to authorize the acquisition and disposal of interests in real and personal property; to authorize the creation and implementation of development plans in the districts; to promote the economic growth of the districts; to create a board; to prescribe its powers and duties; to authorize the levy and collection of taxes; to authorize the issuance of bonds and other evidences of indebtedness; to authorize the use of tax increment financing; to reimburse downtown development authorities for certain losses of tax increment revenues; and to prescribe the powers and duties of certain state officials,” by amending section 29 (MCL 125.1679), as amended by 2004 PA 66.

The question being on the passage of the bill,

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

Roll Call No. 422

Yeas—21

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

Nays—14

Anderson	Cherry	Jacobs	Scott
Barcia	Clark-Coleman	Olshove	Switalski
Basham	Clarke	Prusi	Whitmer
Brater	Gleason		

Excused—2

Garcia	Hunter
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Not Voting—0

In The Chair: Sanborn

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 509, entitled

A bill to amend 1984 PA 270, entitled “Michigan strategic fund act,” by amending sections 29a and 88j (MCL 125.2029a and 125.2088j), section 29a as added by 2008 PA 75 and section 88j as added by 2005 PA 225.

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. 423

Yeas—21

Allen	George	Kahn	Richardville
Birkholz	Gilbert	Kuipers	Sanborn

Bishop
Brown
Cassis
Cropsey

Hardiman
Jansen
Jelinek

McManus
Pappageorge
Patterson

Stamas
Thomas
Van Woerkom

Nays—14

Anderson
Barcia
Basham
Brater

Cherry
Clark-Coleman
Clarke
Gleason

Jacobs
Olshove
Prusi

Scott
Switalski
Whitmer

Excused—2

Garcia

Hunter

Not Voting—0

In The Chair: Sanborn

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 510, entitled

A bill to amend 2005 PA 280, entitled "Corridor improvement authority act," by amending section 26 (MCL 125.2896).

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. 424**Yeas—21**

Allen
Birkholz
Bishop
Brown
Cassis
Cropsey

George
Gilbert
Hardiman
Jansen
Jelinek

Kahn
Kuipers
McManus
Pappageorge
Patterson

Richardville
Sanborn
Stamas
Thomas
Van Woerkom

Nays—14

Anderson
Barcia
Basham
Brater

Cherry
Clark-Coleman
Clarke
Gleason

Jacobs
Olshove
Prusi

Scott
Switalski
Whitmer

Excused—2

Garcia

Hunter

Not Voting—0

In The Chair: Sanborn

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 511, entitled

A bill to amend 1933 PA 167, entitled “General sales tax act,” by amending section 4cc (MCL 205.54cc), as amended by 2008 PA 78.

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. 425**Yeas—21**

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

Nays—14

Anderson	Cherry	Jacobs	Scott
Barcia	Clark-Coleman	Olshove	Switalski
Basham	Clarke	Prusi	Whitmer
Brater	Gleason		

Excused—2

Garcia	Hunter
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Not Voting—0

In The Chair: Sanborn

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 512, entitled

A bill to amend 1967 PA 281, entitled “Income tax act of 1967,” by amending sections 266 and 435 (MCL 206.266 and 206.435), section 266 as amended by 2008 PA 447 and section 435 as amended by 2008 PA 560.

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. 426**Yeas—21**

Allen
Birkholz
Bishop
Brown
Cassis
Cropsey

George
Gilbert
Hardiman
Jansen
Jelinek

Kahn
Kuipers
McManus
Pappageorge
Patterson

Richardville
Sanborn
Stamas
Thomas
Van Woerkom

Nays—14

Anderson
Barcia
Basham
Brater

Cherry
Clark-Coleman
Clarke
Gleason

Jacobs
Olshove
Prusi

Scott
Switalski
Whitmer

Excused—2

Garcia

Hunter

Not Voting—0

In The Chair: Sanborn

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 513, entitled

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending section 435 (MCL 208.1435), as amended by 2008 PA 448.

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. 427**Yeas—21**

Allen
Birkholz
Bishop
Brown
Cassis
Cropsey

George
Gilbert
Hardiman
Jansen
Jelinek

Kahn
Kuipers
McManus
Pappageorge
Patterson

Richardville
Sanborn
Stamas
Thomas
Van Woerkom

Nays—14

Anderson
Barcia

Cherry
Clark-Coleman

Jacobs
Olshove

Scott
Switalski

Basham
Brater

Clarke
Gleason

Prusi

Whitmer

Excused—2

Garcia

Hunter

Not Voting—0

In The Chair: Sanborn

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 514, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 811k (MCL 257.811k), as amended by 2006 PA 298.

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. 428

Yeas—21

Allen
Birkholz
Bishop
Brown
Cassis
Cropsey

George
Gilbert
Hardiman
Jansen
Jelinek

Kahn
Kuipers
McManus
Pappageorge
Patterson

Richardville
Sanborn
Stamas
Thomas
Van Woerkom

Nays—14

Anderson
Barcia
Basham
Brater

Cherry
Clark-Coleman
Clarke
Gleason

Jacobs
Olshove
Prusi

Scott
Switalski
Whitmer

Excused—2

Garcia

Hunter

Not Voting—0

In The Chair: Sanborn

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 515, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 63523, 63524, 63545, 72113, 76102, 76103, 76104, 76105, 76107, 76108, 76109, 76110, 76111, 76112, 76113, 76114, and 76118 (MCL 324.63523, 324.63524, 324.63545, 324.72113, 324.76102, 324.76103, 324.76104, 324.76105, 324.76107, 324.76108, 324.76109, 324.76110, 324.76111, 324.76112, 324.76113, 324.76114, and 324.76118), sections 63523 and 63545 as amended by 2001 PA 78, sections 63524, 76105, and 76109 as amended by 2004 PA 325, section 72113 as added by 2002 PA 454, sections 76102, 76103, 76104, 76108, 76110, 76111, 76112, 76113, 76114, and 76118 as amended by 2001 PA 75, and section 76107 as amended by 2001 PA 155.

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. 429

Yeas—22

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

Nays—13

Anderson	Cherry	Gleason	Scott
Barcia	Clark-Coleman	Olshove	Switalski
Basham	Clarke	Prusi	Whitmer
Brater			

Excused—2

Garcia	Hunter
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Not Voting—0

In The Chair: Sanborn

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 516, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending section 32n (MCL 388.1632n), as added by 2007 PA 137.

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. 430

Yeas—21

Allen	George	Kahn	Richardville
Birkholz	Gilbert	Kuipers	Sanborn

Bishop
Brown
Cassis
Cropsey

Hardiman
Jansen
Jelinek

McManus
Pappageorge
Patterson

Stamas
Thomas
Van Woerkom

Nays—14

Anderson
Barcia
Basham
Brater

Cherry
Clark-Coleman
Clarke
Gleason

Jacobs
Olshove
Prusi

Scott
Switalski
Whitmer

Excused—2

Garcia

Hunter

Not Voting—0

In The Chair: Sanborn

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 517, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 76503 (MCL 324.76503), as amended by 2001 PA 78.

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. 431

Yeas—21

Allen
Birkholz
Bishop
Brown
Cassis
Cropsey

George
Gilbert
Hardiman
Jansen
Jelinek

Kahn
Kuipers
McManus
Pappageorge
Patterson

Richardville
Sanborn
Stamas
Thomas
Van Woerkom

Nays—14

Anderson
Barcia
Basham
Brater

Cherry
Clark-Coleman
Clarke
Gleason

Jacobs
Olshove
Prusi

Scott
Switalski
Whitmer

Excused—2

Garcia

Hunter

Not Voting—0

In The Chair: Sanborn

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 518, entitled

A bill to amend 1982 PA 540, entitled “Library of Michigan act,” by amending section 2 (MCL 397.12), as amended by 2001 PA 62; and to repeal acts and parts of acts.

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. 432

Yeas—21

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

Nays—14

Anderson	Cherry	Jacobs	Scott
Barcia	Clark-Coleman	Olshove	Switalski
Basham	Clarke	Prusi	Whitmer
Brater	Gleason		

Excused—2

Garcia	Hunter
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Not Voting—0

In The Chair: Sanborn

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 519, entitled

A bill to amend 1989 PA 24, entitled “The district library establishment act,” by amending section 2 (MCL 397.172), as amended by 2005 PA 60.

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. 433**Yeas—21**

Allen
Birkholz
Bishop
Brown
Cassis
Cropsey

George
Gilbert
Hardiman
Jansen
Jelinek

Kahn
Kuipers
McManus
Pappageorge
Patterson

Richardville
Sanborn
Stamas
Thomas
Van Woerkom

Nays—14

Anderson
Barcia
Basham
Brater

Cherry
Clark-Coleman
Clarke
Gleason

Jacobs
Olshove
Prusi

Scott
Switalski
Whitmer

Excused—2

Garcia

Hunter

Not Voting—0

In The Chair: Sanborn

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 520, entitled

A bill to amend 1977 PA 89, entitled "State aid to public libraries act," by amending the title and sections 2 and 25 (MCL 397.552 and 397.575), as amended by 2001 PA 65.

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. 434**Yeas—21**

Allen
Birkholz
Bishop
Brown
Cassis
Cropsey

George
Gilbert
Hardiman
Jansen
Jelinek

Kahn
Kuipers
McManus
Pappageorge
Patterson

Richardville
Sanborn
Stamas
Thomas
Van Woerkom

Nays—14

Anderson
Barcia

Cherry
Clark-Coleman

Jacobs
Olshove

Scott
Switalski

Basham
Brater

Clarke
Gleason

Prusi

Whitmer

Excused—2

Garcia

Hunter

Not Voting—0

In The Chair: Sanborn

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 521, entitled

A bill to amend 1913 PA 271, entitled "An act to create the Michigan historical commission; to provide for the appointment of members of the commission; to fix their terms of office, prescribe their powers and duties; to prescribe the powers and duties of certain state agencies and officers; to make an appropriation to carry out the provisions of this act; to provide for the distribution of certain revenue; to provide for the listing and destruction of useless documents, books and papers; and to repeal all acts and parts of acts inconsistent herewith," by amending section 10 (MCL 399.10), as amended by 2001 PA 66.

The question being on the passage of the bill,

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

Roll Call No. 435

Yeas—21

Allen
Birkholz
Bishop
Brown
Cassis
Cropsey

George
Gilbert
Hardiman
Jansen
Jelinek

Kahn
Kuipers
McManus
Pappageorge
Patterson

Richardville
Sanborn
Stamas
Thomas
Van Woerkom

Nays—14

Anderson
Barcia
Basham
Brater

Cherry
Clark-Coleman
Clarke
Gleason

Jacobs
Olshove
Prusi

Scott
Switalski
Whitmer

Excused—2

Garcia

Hunter

Not Voting—0

In The Chair: Sanborn

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 522, entitled

A bill to amend 1976 PA 69, entitled “An act to permit the department of history, arts, and libraries to acquire and operate state historic sites; to accept gifts for that purpose; and to permit investment in certain funds to carry out the purposes of this act,” by amending sections 1, 2, and 3 (MCL 399.111, 399.112, and 399.113), as amended by 2001 PA 73.

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. 436**Yeas—21**

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

Nays—14

Anderson	Cherry	Jacobs	Scott
Barcia	Clark-Coleman	Olshove	Switalski
Basham	Clarke	Prusi	Whitmer
Brater	Gleason		

Excused—2

Garcia	Hunter
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Not Voting—0

In The Chair: Sanborn

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 523, entitled

A bill to amend 1984 PA 152, entitled “Michigan iron industry museum advisory board act,” by amending sections 3 and 4 (MCL 399.73 and 399.74), as amended by 2001 PA 77.

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. 437**Yeas—21**

Allen
Birkholz
Bishop
Brown
Cassis
Cropsey

George
Gilbert
Hardiman
Jansen
Jelinek

Kahn
Kuipers
McManus
Pappageorge
Patterson

Richardville
Sanborn
Stamas
Thomas
Van Woerkom

Nays—14

Anderson
Barcia
Basham
Brater

Cherry
Clark-Coleman
Clarke
Gleason

Jacobs
Olshove
Prusi

Scott
Switalski
Whitmer

Excused—2

Garcia

Hunter

Not Voting—0

In The Chair: Sanborn

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 524, entitled

A bill to amend 1998 PA 409, entitled "Michigan freedom trail commission act," by amending section 2 (MCL 399.82), as amended by 2001 PA 79.

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. 438**Yeas—21**

Allen
Birkholz
Bishop
Brown
Cassis
Cropsey

George
Gilbert
Hardiman
Jansen
Jelinek

Kahn
Kuipers
McManus
Pappageorge
Patterson

Richardville
Sanborn
Stamas
Thomas
Van Woerkom

Nays—14

Anderson
Barcia

Cherry
Clark-Coleman

Jacobs
Olshove

Scott
Switalski

Basham
Brater

Clarke
Gleason

Prusi

Whitmer

Excused—2

Garcia

Hunter

Not Voting—0

In The Chair: Sanborn

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 525, entitled

A bill to amend 1955 PA 10, entitled "Michigan historical markers act," by amending sections 2 and 6 (MCL 399.152 and 399.156), section 2 as amended and section 6 as added by 2002 PA 488.

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. 439

Yeas—21

Allen
Birkholz
Bishop
Brown
Cassis
Cropsey

George
Gilbert
Hardiman
Jansen
Jelinek

Kahn
Kuipers
McManus
Pappageorge
Patterson

Richardville
Sanborn
Stamas
Thomas
Van Woerkom

Nays—14

Anderson
Barcia
Basham
Brater

Cherry
Clark-Coleman
Clarke
Gleason

Jacobs
Olshove
Prusi

Scott
Switalski
Whitmer

Excused—2

Garcia

Hunter

Not Voting—0

In The Chair: Sanborn

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 526, entitled

A bill to amend 1970 PA 169, entitled "Local historic districts act," by amending section 1a (MCL 399.201a), as amended by 2004 PA 67.

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. 440

Yeas—21

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

Nays—14

Anderson	Cherry	Jacobs	Scott
Barcia	Clark-Coleman	Olshove	Switalski
Basham	Clarke	Prusi	Whitmer
Brater	Gleason		

Excused—2

Garcia	Hunter
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Not Voting—0

In The Chair: Sanborn

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 527, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 2137 (MCL 600.2137), as amended by 2001 PA 76.

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. 441

Yeas—21

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

Nays—14

Anderson	Cherry	Jacobs	Scott
Barcia	Clark-Coleman	Olshove	Switalski
Basham	Clarke	Prusi	Whitmer
Brater	Gleason		

Excused—2

Garcia	Hunter
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Not Voting—0

In The Chair: Sanborn

The Senate agreed to the title of the bill.

Protests

Senators Whitmer, Gleason and Clark-Coleman, under their constitutional right of protest (Art. 4, Sec. 18), protested against the passage of Senate Bill Nos. 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526 and 527.

Senators Whitmer and Clark-Coleman moved that the statements they made during the discussion of Senate Bill No. 503 be printed as their reasons for voting “no.”

The motion prevailed.

Senator Whitmer’s statement, in which Senator Gleason concurred, is as follows:

I rise to speak against the whole package of these bills, and at the risk of sounding like my colleague from Canton, I dare remind my dear colleagues that we all have taken an oath of office, an oath to uphold the Constitution. Further, taking a page out of the aforementioned colleague’s book, I think I’ll read to you from the State Constitution itself. Article 5, Section 1. Executive Power: “The executive power is vested in the governor.”

The Constitution goes on to say, specifically, Article 5, paragraph 2: “Subsequent to the initial allocation, the governor may make changes in the organization of the executive branch or in the assignment of functions among its units which he”—this Constitution was last drafted a while ago; or she—“considers necessary for efficient administration.”

Now, since these bills impact History, Arts, and Libraries, how about a little history lesson. The abilities of the executive office to reorganize departments were robustly debated in the last Constitutional Convention in 1961. The role of the Legislature and how much input that the Legislature should have was as well—let’s put that into perspective—that was before the advent of term limits. My point is that a seasoned Legislature that had the benefit of time, relationship, and experience concluded that despite all of those attributes, the framers intended and wisdom still weighed in favor of giving the executive the power to organize government like a business. If you don’t believe me, look up Delegate Arthur J. Madar, a delegate from Detroit. Look up his comments in the Constitutional Convention.

Interestingly, some of the debate even highlighted how important, how critical it was that the executive be nimble in times of economic crisis—sounds familiar—how it is important that they be nimble to tighten the reigns on government’s size when the budget shrinks. There was debate on this specifically. It is almost like they were talking about what we are experiencing today. Republican Delegate James Pollock from Ann Arbor said, “It seems to me, Mr. Chairman, that the problem is one of administrative organization and here, it seems to me, the Governor is in a much better position to know what is needed within his (or her) own administrative structure than anybody else.” And, again, I reiterate that was before term limits when they had a lot more experience.

Now I hope this package of bills doesn’t imply that term limits—that the sponsors think that term limits—has rendered the Legislature a wiser body of lawmakers than there were in 1961.

I have three final thoughts. First, the law is pretty clear. The constitutional authority of the executive is clear. Governor Granholm has this authority. It is legal. As a conclusion, we must uphold the action even if we don’t personally

agree with it. And for the record, I don't. I totally disagree with the Governor on this, but I take my oath to uphold the Constitution seriously, and so I am going to vote "no" on these bills.

Second, pursuant to my oath of office as well as my duty as an officer of the court, I'm just appalled to see politics cavalierly trumping the law today.

And, third, I would like my comments printed in the Journal as my "no" vote explanation on each and every bill in this impressive, unconstitutional, bipartisan package.

Senator Clark-Coleman's statement is as follows:

It has been presented to us that moving this department intact to the Secretary of State would somehow be in the best interests of the History, Arts, and Libraries communities. I am sorry I cannot be as eloquent in my words as my colleague from the 1st District. However, I must say, this body can better demonstrate its commitment to those communities through its funding actions. For example, the Governor recommended funding state aid to libraries at \$10 million for '10. This body reduced that funding by 25 percent. As the HAL budget was being debated, I offered an amendment to restore funding to the Governor's recommendation of \$10 million, which was defeated by many of the very same people who are proponents—so-called—of rejecting the Governor's executive order today, under the guise that this is somehow best for Michigan's History, Arts, and Libraries interests.

Moving the pieces of HAL to the Secretary of the State, or anywhere else in state government, is an empty gesture without adequate funding. To say that you are acting in the best interests of these communities is disingenuous given your recent budgetary actions.

Therefore, I urge my colleagues to vote against this package of bills, and I am going to urge my colleagues to also vote "no."

By unanimous consent the Senate proceeded to the order of

Introduction and Referral of Bills

Senators Kuipers, Cropsey and Brown introduced

Senate Joint Resolution K, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by adding section 28 to article I, to provide a right to independent health care.

The joint resolution was read a first and second time by title and referred to the Committee on Health Policy.

Senators Kahn, Pappageorge, Anderson and Kuipers introduced

Senate Joint Resolution L, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 5 of article XI to establish a veteran's preference in the state classified service.

The joint resolution was read a first and second time by title and referred to the Committee on Senior Citizens and Veterans Affairs.

Senators Kuipers and Birkholz introduced

Senate Bill No. 775, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding part 67.

The bill was read a first and second time by title and referred to the Committee on Natural Resources and Environmental Affairs.

Senator Cropsey introduced

Senate Bill No. 776, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 151d (MCL 600.151d), as amended by 2008 PA 197.

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

Senator Stamas introduced

Senate Bill No. 777, entitled

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending section 434 (MCL 208.1434), as amended by 2009 PA 26.

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

Senators Olshove, Hunter, Cherry, Anderson, Scott, Basham, Prusi, Richardville and Whitmer introduced
Senate Bill No. 778, entitled

A bill to amend 1999 PA 276, entitled "Banking code of 1999," (MCL 487.11101 to 487.15105) by adding section 4103a.

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

Senators Sanborn, Richardville, Olshove, Anderson, Whitmer and Prusi introduced

Senate Bill No. 779, entitled

A bill to amend 2003 PA 215, entitled "Credit union act," (MCL 490.101 to 490.601) by adding section 413.

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

Senators Richardville, Olshove, Anderson, Whitmer and Prusi introduced

Senate Bill No. 780, entitled

A bill to amend 1980 PA 307, entitled "Savings and loan act of 1980," (MCL 491.102 to 491.1202) by adding section 629.

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

Senators Olshove, Hunter, Cherry, Anderson, Scott, Basham, Prusi, Richardville and Whitmer introduced

Senate Bill No. 781, entitled

A bill to amend 1996 PA 354, entitled "Savings bank act," (MCL 487.3101 to 487.3804) by adding section 435.

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

Senators McManus and Kuipers introduced

Senate Bill No. 782, entitled

A bill to amend 1974 PA 154, entitled "Michigan occupational safety and health act," by amending section 5 (MCL 408.1005), as amended by 1986 PA 80.

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

Senator McManus introduced

Senate Bill No. 783, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 27a (MCL 211.27a), as amended by 2008 PA 506.

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

Senators Jansen, Stamas and George introduced

Senate Bill No. 784, entitled

A bill to prescribe standards for municipal fire departments and their service personnel, equipment, and operation; to prescribe standards for training and for the construction, care, and use of equipment; to establish the safeguards to be furnished and maintenance required; to establish duties for certain state departments and agencies; 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 Appropriations.

Senator Birkholz introduced

Senate Bill No. 785, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 5202, 8807, 30105, 30301, 30305, 30306, 30306b, 30311, 30312, 30317, 32501, 32512, 32512a, and 32513 (MCL 324.5202, 324.8807, 324.30105, 324.30301, 324.30305, 324.30306, 324.30306b, 324.30311, 324.30312, 324.30317, 324.32501, 324.32512, 324.32512a, and 324.32513), section 5202 as added by 2002 PA 397, section 8807 as added by 1998 PA 287, section 30105 as amended by 2006 PA 531, sections 30301, 30305, 30306, 30312, 32501, and 32512 as amended and section 32512a as added by 2003 PA 14, section 30306b as added by 2006 PA 435, section 30311 as added by 1995 PA 59, section 30317 as amended by 1998 PA 228, and section 32513 as amended by 2008 PA 276, and by adding sections 30303b, 30303d, 30304b, 30305b, 30311b, 30311d, 30312b, 30312d, 30325, 30327, and 30329; 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 Natural Resources and Environmental Affairs.

House Bill No. 4503, entitled

A bill to amend 1915 PA 123, entitled "An act to provide for the recording and use in evidence of affidavits affecting real property; and to provide a penalty for the making of false affidavits," (MCL 565.451a to 565.453) by adding section 1d.

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 Local, Urban and State Affairs.

House Bill No. 4511, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1278b (MCL 380.1278b), as amended by 2007 PA 141.

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 Education.

House Bill No. 4618, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 174a (MCL 750.174a), as amended by 2004 PA 255.

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. 4620, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending sections 159g and 273 (MCL 750.159g and 750.273), section 159g as amended by 2002 PA 124.

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. 4626, 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 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. 4727, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16i of chapter XVII (MCL 777.16i), as amended by 2006 PA 574.

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. 4770, entitled

A bill to amend 2001 PA 142, entitled "Michigan memorial highway act," (MCL 250.1001 to 250.2080) by adding section 1061.

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 Transportation.

House Bill No. 4971, entitled

A bill to amend 1975 PA 238, entitled "Child protection law," by amending section 7j (MCL 722.627j), as amended by 2008 PA 374.

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. 5011, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 1a of chapter IV (MCL 764.1a), as amended by 2005 PA 106.

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. 5052, entitled

A bill to amend 1990 PA 72, entitled “Local government fiscal responsibility act,” (MCL 141.1201 to 141.1291) by adding sections 21a and 41a.

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 Local, Urban and State Affairs.

Statements

Senators Scott, Jacobs, Cassis and Cherry 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 Jimmy Carter gave his inaugural address when he became Governor of Georgia, he said, “Government is a contrivance of human wisdom to provide for human wants. People have the right to expect that these wants will be provided for by this wisdom.” The people who vote for us expect us to do what is right for them. They are the people we need to listen to.

Our constituents are the lobbyists whom we should all pay the most attention to. The people need to be provided for, and we have to find the wisdom to solve the problem of unfair insurance costs that so many Michigan citizens deal with. We have solved more complicated problems that our state has faced. We can solve this problem. We have the smarts to solve this, and we have the experience to solve this problem. We have the bills to solve this problem already in committee.

All we have to do is talk about my bills, give them a public hearing, and then move them to the Senate floor for a vote. So I encourage you to do this with no further delay. On all of your desks’ today, there is a *Detroit Free Press* article entitled “Car insurance rate setting hits Detroiters unfairly.” My bills would deal with that, so I ask you to do this and do it in a timely manner. If we mandate insurance, then we need to do what is right.

Senator Jacobs’ statement is as follows:

This past Monday, the members and guests of the bipartisan/bicameral Talent Caucus went on a pretty awesome field trip. Throughout the morning and early afternoon, we went on a shuttle tour of Detroit, met with Chris Ilitch, and had lunch with young professionals. For what point, you might ask. It’s pretty simple. Sometimes it is truly difficult to see the forest for the trees.

Over the past two years now, the Talent Caucus has been hosting meetings, events, and speakers, all with the express purpose in helping us as lawmakers to determine and implement the policies and the means to attract and retain young talent in our cities. While we can talk and discuss policies and ideas until we’re blue in the face—something we do here quite often—to actually walk the streets and see young entrepreneurs and young talent in their element was really inspiring.

We had the pleasure of meeting with several of these young entrepreneurs and hear straight from them why Michigan, why Detroit. “Authenticity” and “opportunity” are the two words we heard over and over again. Young talent is seeking an authentic, workable urban experience, but they also seek opportunities which allow them to pursue their creative and entrepreneurial ambitions. In Detroit, we witnessed pockets of talent taking hold and beginning to thrive. We will be organizing a like mission into the Grand Rapids area so that legislators from that side of the state will be able to see this firsthand as well.

Now I know that young talent is also seeking these high-density living and workable experiences in communities in all of our districts. So why is this so important to our state and to economic development? Because these are the next wave of inventors and entrepreneurs. Remember, that’s really how the auto industry started in Michigan. Whether or not small business or manufacturing serves as the backbone of our economy, these young people are, without a doubt, the eyes looking forward into the new economy and into the new Michigan.

As legislators, we need to make sure that we give our cities, universities, colleges, and our economic development agencies all of the tools they need in their toolbox to be successful in the new economy. So I look forward to creating a bipartisan/bicameral legislative agenda which will help us attract and retain this young talent—and even some old talent.

Senator Cassis’ statement is as follows:

Earlier in our session today, my good Democratic colleagues attempted to break a deal and discharge House Bill No. 4922 which sits in the Senate Finance Committee. Interestingly, this bill came over to the Senate as a House Democrat bill simply expanding MEGA credits without any accountability after the MEDC and MEGA blithely blew through all of their allotted statutory credits in seven months. This prompted a renewed outcry for the House to pass important MEDC/MEGA

transparency and accounting bills which have been languishing, and still are languishing, in the House for more than six months. I want to say on the record I'm proud of these good government transparency measures.

So I have one important question for the good Senator representing Livonia, who supported the discharge today. Senator, where were you when Quicken Loans got almost \$50 million in MEGA credits to locate in Livonia and then left this fair city for Detroit and gain another \$42 million in credits? Where was your voice then? Why didn't you stand up for your hometown Livonia, losing jobs, losing important revenue? It took a Senator from across 8 Mile Road, a neighbor from Novi, to do so.

This is a precise reason to require transparency and accountability from the Michigan Economic Development Corporation. There couldn't be a more glaring example. So I would say this: Please, let's all work together. Political gamesmanship only undermines those who play it.

Senator Cherry's statement is as follows:

I rise this afternoon just to say quickly that while there may have been some agreement between MEGA and the Senator, there has been no agreement between any of us and the Senator that we attempted to break any deal. While I may understand her deal which she has made with somebody else, I resent the fact that I'm being told that I broke my word when my word was never a part of this. In fact, we never even got the bills until the Senate committee and didn't get to know what was in them prior to that. It never was part of any kind of discussion or negotiation, so how could a deal be broken?

Let me just say that it is important to pass the House bill, too, if we want to make sure that certain projects get done quickly. There's one right now in Wixom, I believe, that we could be acting on quickly if we pass House Bill No. 4922. We are not against transparency, but we believe, I think, that the bill should not be held up just to make sure that one house doesn't get credit and the other house does.

That is why I believe it is important to pass House Bill No. 4922. We should have done it today. We should do it as quickly as we possibly can, and we should get this issue resolved very quickly.

Committee Reports

The Committee on Commerce and Tourism reported

Senate Bill No. 503, entitled

A bill to amend 2001 PA 63, entitled "History, arts, and libraries act," by amending the title and sections 1, 2, 5, 9, and 11 (MCL 399.701, 399.702, 399.705, 399.709, and 399.711), the title and section 2 as amended and section 9 as added by 2008 PA 559; and to repeal acts and parts of acts.

With the recommendation that the bill pass.

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

Jason E. Allen
Chairperson

To Report Out:

Yeas: Senators Allen, Gilbert and Stamas

Nays: Senator Clarke

The bill was referred to the Committee of the Whole.

The Committee on Commerce and Tourism reported

Senate Bill No. 504, entitled

A bill to amend 1976 PA 442, entitled "Freedom of information act," by amending section 13 (MCL 15.243), as amended by 2006 PA 482.

With the recommendation that the bill pass.

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

Jason E. Allen
Chairperson

To Report Out:

Yeas: Senators Allen, Gilbert and Stamas

Nays: Senator Clarke

The bill was referred to the Committee of the Whole.

The Committee on Commerce and Tourism reported

Senate Bill No. 505, entitled

A bill to amend 1984 PA 431, entitled "The management and budget act," by amending sections 284, 287, 288, 289, and 292 (MCL 18.1284, 18.1287, 18.1288, 18.1289, and 18.1292), as amended by 2001 PA 71.

With the recommendation that the bill pass.

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

Jason E. Allen
Chairperson

To Report Out:

Yeas: Senators Allen, Gilbert and Stamas

Nays: Senator Clarke

The bill was referred to the Committee of the Whole.

The Committee on Commerce and Tourism reported

Senate Bill No. 506, entitled

A bill to amend 1992 PA 116, entitled "Records reproduction act," by amending section 1 (MCL 24.401), as amended by 2004 PA 574.

With the recommendation that the bill pass.

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

Jason E. Allen
Chairperson

To Report Out:

Yeas: Senators Allen, Gilbert and Stamas

Nays: Senator Clarke

The bill was referred to the Committee of the Whole.

The Committee on Commerce and Tourism reported

Senate Bill No. 507, entitled

A bill to amend 1947 PA 359, entitled "The charter township act," by amending section 13a (MCL 42.13a), as added by 2006 PA 596.

With the recommendation that the bill pass.

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

Jason E. Allen
Chairperson

To Report Out:

Yeas: Senators Allen, Gilbert and Stamas

Nays: Senator Clarke

The bill was referred to the Committee of the Whole.

The Committee on Commerce and Tourism reported

Senate Bill No. 508, entitled

A bill to amend 1975 PA 197, entitled "An act to provide for the establishment of a downtown development authority; to prescribe its powers and duties; to correct and prevent deterioration in business districts; to encourage historic preservation; to authorize the acquisition and disposal of interests in real and personal property; to authorize the creation and implementation of development plans in the districts; to promote the economic growth of the districts; to create a board; to prescribe its powers and duties; to authorize the levy and collection of taxes; to authorize the issuance of bonds and other evidences of indebtedness; to authorize the use of tax increment financing; to reimburse downtown development authorities for certain losses of tax increment revenues; and to prescribe the powers and duties of certain state officials," by amending section 29 (MCL 125.1679), as amended by 2004 PA 66.

With the recommendation that the bill pass.

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

Jason E. Allen
Chairperson

To Report Out:

Yeas: Senators Allen, Gilbert and Stamas

Nays: Senator Clarke

The bill was referred to the Committee of the Whole.

The Committee on Commerce and Tourism reported

Senate Bill No. 509, entitled

A bill to amend 1984 PA 270, entitled "Michigan strategic fund act," by amending sections 29a and 88j (MCL 125.2029a and 125.2088j), section 29a as added by 2008 PA 75 and section 88j as added by 2005 PA 225.

With the recommendation that the bill pass.

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

Jason E. Allen
Chairperson

To Report Out:

Yeas: Senators Allen, Gilbert and Stamas

Nays: Senator Clarke

The bill was referred to the Committee of the Whole.

The Committee on Commerce and Tourism reported

Senate Bill No. 510, entitled

A bill to amend 2005 PA 280, entitled "Corridor improvement authority act," by amending section 26 (MCL 125.2896).

With the recommendation that the bill pass.

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

Jason E. Allen
Chairperson

To Report Out:

Yeas: Senators Allen, Gilbert and Stamas

Nays: Senator Clarke

The bill was referred to the Committee of the Whole.

The Committee on Commerce and Tourism reported

Senate Bill No. 511, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 4cc (MCL 205.54cc), as amended by 2008 PA 78.

With the recommendation that the bill pass.

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

Jason E. Allen
Chairperson

To Report Out:

Yeas: Senators Allen, Gilbert and Stamas

Nays: Senator Clarke

The bill was referred to the Committee of the Whole.

The Committee on Commerce and Tourism reported

Senate Bill No. 512, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending sections 266 and 435 (MCL 206.266 and 206.435), section 266 as amended by 2008 PA 447 and section 435 as amended by 2008 PA 560.

With the recommendation that the bill pass.

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

Jason E. Allen
Chairperson

To Report Out:

Yeas: Senators Allen, Gilbert and Stamas

Nays: Senator Clarke

The bill was referred to the Committee of the Whole.

The Committee on Commerce and Tourism reported

Senate Bill No. 513, entitled

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending section 435 (MCL 208.1435), as amended by 2008 PA 448.

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

Jason E. Allen
Chairperson

To Report Out:

Yeas: Senators Allen, Gilbert and Stamas
Nays: Senator Clarke
The bill was referred to the Committee of the Whole.

The Committee on Commerce and Tourism reported

Senate Bill No. 514, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 811k (MCL 257.811k), as amended by 2006 PA 298.

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

Jason E. Allen
Chairperson

To Report Out:

Yeas: Senators Allen, Gilbert and Stamas
Nays: Senator Clarke
The bill was referred to the Committee of the Whole.

The Committee on Commerce and Tourism reported

Senate Bill No. 515, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 63523, 63524, 63545, 72113, 76102, 76103, 76104, 76105, 76107, 76108, 76109, 76110, 76111, 76112, 76113, 76114, and 76118 (MCL 324.63523, 324.63524, 324.63545, 324.72113, 324.76102, 324.76103, 324.76104, 324.76105, 324.76107, 324.76108, 324.76109, 324.76110, 324.76111, 324.76112, 324.76113, 324.76114, and 324.76118), sections 63523 and 63545 as amended by 2001 PA 78, sections 63524, 76105, and 76109 as amended by 2004 PA 325, section 72113 as added by 2002 PA 454, sections 76102, 76103, 76104, 76108, 76110, 76111, 76112, 76113, 76114, and 76118 as amended by 2001 PA 75, and section 76107 as amended by 2001 PA 155.

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

Jason E. Allen
Chairperson

To Report Out:

Yeas: Senators Allen, Gilbert and Stamas
Nays: Senator Clarke
The bill was referred to the Committee of the Whole.

The Committee on Commerce and Tourism reported

Senate Bill No. 516, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending section 32n (MCL 388.1632n), as added by 2007 PA 137.

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

Jason E. Allen
Chairperson

To Report Out:

Yeas: Senators Allen, Gilbert and Stamas
Nays: Senator Clarke
The bill was referred to the Committee of the Whole.

The Committee on Commerce and Tourism reported

Senate Bill No. 517, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 76503 (MCL 324.76503), as amended by 2001 PA 78.

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

Jason E. Allen
Chairperson

To Report Out:

Yeas: Senators Allen, Gilbert and Stamas
Nays: Senator Clarke
The bill was referred to the Committee of the Whole.

The Committee on Commerce and Tourism reported

Senate Bill No. 518, entitled

A bill to amend 1982 PA 540, entitled "Library of Michigan act," by amending section 2 (MCL 397.12), as amended by 2001 PA 62; and to repeal acts and parts of acts.

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

Jason E. Allen
Chairperson

To Report Out:

Yeas: Senators Allen, Gilbert and Stamas
Nays: Senator Clarke
The bill was referred to the Committee of the Whole.

The Committee on Commerce and Tourism reported

Senate Bill No. 519, entitled

A bill to amend 1989 PA 24, entitled "The district library establishment act," by amending section 2 (MCL 397.172), as amended by 2005 PA 60.

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

Jason E. Allen
Chairperson

To Report Out:

Yeas: Senators Allen, Gilbert and Stamas
Nays: Senator Clarke
The bill was referred to the Committee of the Whole.

The Committee on Commerce and Tourism reported

Senate Bill No. 520, entitled

A bill to amend 1977 PA 89, entitled "State aid to public libraries act," by amending the title and sections 2 and 25 (MCL 397.552 and 397.575), as amended by 2001 PA 65.

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

Jason E. Allen
Chairperson

To Report Out:

Yeas: Senators Allen, Gilbert and Stamas
Nays: Senator Clarke
The bill was referred to the Committee of the Whole.

The Committee on Commerce and Tourism reported

Senate Bill No. 521, entitled

A bill to amend 1913 PA 271, entitled "An act to create the Michigan historical commission; to provide for the appointment of members of the commission; to fix their terms of office, prescribe their powers and duties; to prescribe the powers and duties of certain state agencies and officers; to make an appropriation to carry out the provisions of this act; to provide for the distribution of certain revenue; to provide for the listing and destruction of useless documents, books and papers; and to repeal all acts and parts of acts inconsistent herewith," by amending section 10 (MCL 399.10), as amended by 2001 PA 66.

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

Jason E. Allen
Chairperson

To Report Out:

Yeas: Senators Allen, Gilbert and Stamas
Nays: Senator Clarke
The bill was referred to the Committee of the Whole.

The Committee on Commerce and Tourism reported

Senate Bill No. 522, entitled

A bill to amend 1976 PA 69, entitled "An act to permit the department of history, arts, and libraries to acquire and operate state historic sites; to accept gifts for that purpose; and to permit investment in certain funds to carry out the purposes of this act," by amending sections 1, 2, and 3 (MCL 399.111, 399.112, and 399.113), as amended by 2001 PA 73.

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

Jason E. Allen
Chairperson

To Report Out:

Yeas: Senators Allen, Gilbert and Stamas
Nays: Senator Clarke
The bill was referred to the Committee of the Whole.

The Committee on Commerce and Tourism reported

Senate Bill No. 523, entitled

A bill to amend 1984 PA 152, entitled "Michigan iron industry museum advisory board act," by amending sections 3 and 4 (MCL 399.73 and 399.74), as amended by 2001 PA 77.

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

Jason E. Allen
Chairperson

To Report Out:

Yeas: Senators Allen, Gilbert and Stamas
Nays: Senator Clarke
The bill was referred to the Committee of the Whole.

The Committee on Commerce and Tourism reported

Senate Bill No. 524, entitled

A bill to amend 1998 PA 409, entitled "Michigan freedom trail commission act," by amending section 2 (MCL 399.82), as amended by 2001 PA 79.

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

Jason E. Allen
Chairperson

To Report Out:

Yeas: Senators Allen, Gilbert and Stamas
Nays: Senator Clarke
The bill was referred to the Committee of the Whole.

The Committee on Commerce and Tourism reported

Senate Bill No. 525, entitled

A bill to amend 1955 PA 10, entitled "Michigan historical markers act," by amending sections 2 and 6 (MCL 399.152 and 399.156), section 2 as amended and section 6 as added by 2002 PA 488.

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

Jason E. Allen
Chairperson

To Report Out:

Yeas: Senators Allen, Gilbert and Stamas

Nays: Senator Clarke

The bill was referred to the Committee of the Whole.

The Committee on Commerce and Tourism reported

Senate Bill No. 526, entitled

A bill to amend 1970 PA 169, entitled "Local historic districts act," by amending section 1a (MCL 399.201a), as amended by 2004 PA 67.

With the recommendation that the bill pass.

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

Jason E. Allen
Chairperson

To Report Out:

Yeas: Senators Allen, Gilbert and Stamas

Nays: Senator Clarke

The bill was referred to the Committee of the Whole.

The Committee on Commerce and Tourism reported

Senate Bill No. 527, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 2137 (MCL 600.2137), as amended by 2001 PA 76.

With the recommendation that the bill pass.

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

Jason E. Allen
Chairperson

To Report Out:

Yeas: Senators Allen, Gilbert and Stamas

Nays: Senator Clarke

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Commerce and Tourism submitted the following:

Meeting held on Wednesday, August 26, 2009, at 8:30 a.m., Room 100, Farnum Building

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

Excused: Senator Hunter

The Committee on Finance reported

Senate Bill No. 773, entitled

A bill to amend 1995 PA 24, entitled "Michigan economic growth authority act," by amending sections 8 and 10 (MCL 207.808 and 207.810), section 8 as amended by 2008 PA 257 and section 10 as amended by 2006 PA 283.

With the recommendation that the substitute (S-4) be adopted and that the bill then pass.

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

Nancy Cassis
Chairperson

To Report Out:

Yeas: Senators Cassis, Gilbert, Pappageorge, Jansen, Jacobs, Cherry and Whitmer

Nays: None

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

The Committee on Finance reported

Senate Bill No. 774, entitled

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending section 431 (MCL 208.1431), as amended by 2008 PA 111.

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.

Nancy Cassis
Chairperson

To Report Out:

Yeas: Senators Cassis, Gilbert, Pappageorge, Jansen, Jacobs and Cherry

Nays: None

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

COMMITTEE ATTENDANCE REPORT

The Committee on Finance submitted the following:

Meeting held on Wednesday, August 26, 2009, at 1:07 p.m., Room 210, Farnum Building

Present: Senators Cassis (C), Gilbert, Pappageorge, Jansen, Jacobs, Cherry and Whitmer

The Committee on Economic Development and Regulatory Reform reported

Senate Bill No. 2, entitled

A bill to create a small business ombudsman's office and a small business compliance advisory panel; and to provide for certain powers and duties of certain state officers and agencies.

With the recommendation that the substitute (S-2) be adopted and that the bill then pass.

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

Alan Sanborn
Chairperson

To Report Out:

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

Nays: Senator Jacobs

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

The Committee on Economic Development and Regulatory Reform reported

Senate Bill No. 340, entitled

A bill to create certain offices in the Michigan economic development corporation; to provide for the appointment of certain officers with the advice and consent of the senate; and to impose certain duties and responsibilities on those officers and on certain state employees and public employees.

With the recommendation that the substitute (S-2) be adopted and that the bill then pass.

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

Alan Sanborn
Chairperson

To Report Out:

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

Nays: Senator Jacobs

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

COMMITTEE ATTENDANCE REPORT

The Committee on Economic Development and Regulatory Reform submitted the following:

Meeting held on Wednesday, August 26, 2009, at 2:00 p.m., Rooms 402 and 403, Capitol Building

Present: Senators Sanborn (C), Richardville, Allen, Gilbert, Thomas and Jacobs

Excused: Senator Hunter

The Committee on Commerce and Tourism reported

Senate Concurrent Resolution No. 18.

A concurrent resolution to disapprove Executive Order No. 2009-36, setting forth changes in the organization of the executive branch.

(For text of resolution, see Senate Journal No. 64, p. 1304.)

With the recommendation that the concurrent resolution be adopted.

Jason E. Allen
Chairperson

To Report Out:

Yeas: Senators Allen, Gilbert and Stamas

Nays: Senator Clarke

The concurrent resolution was placed on the order of Resolutions.

The Committee on Appropriations reported

Senate Bill No. 95, entitled

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

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

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

Ron Jelinek
Chairperson

To Report Out:

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

Nays: None

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

COMMITTEE ATTENDANCE REPORT

The Committee on Appropriations submitted the following:

Meeting held on Wednesday, August 26, 2009, at 2:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building

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

Excused: Senators Garcia, George, Stamas and Cherry

Scheduled Meetings**Appropriations -****Subcommittee -****Capital Outlay** - Thursday, September 10, 9:00 a.m., Senate Hearing Room, Ground Floor, Boji Tower (373-2768)**Homeland Security and Emerging Technologies and Transportation** - Monday, August 31, 10:00 a.m., SEMCOG, Ambassador Conference Room, 535 Griswold Street, Suite 300, Detroit (373-5932)**Legislative Retirement Board of Trustees** - Thursdays, September 10 and December 3, 2:00 p.m., Room H-252, Capitol Building (373-0575)**Subcommittee -****Investment** - Tuesday, September 1, 2:00 p.m., Room 929, South Tower, House Office Building (373-0575)**State Drug Treatment Court Advisory Committee** - Tuesday, September 29, 9:30 a.m., Legislative Council Conference Room, 3rd Floor, Boji Tower (373-0212)**Transportation and Homeland Security and Emerging Technologies** - Monday, August 31, 10:00 a.m., SEMCOG, Ambassador Conference Room, 535 Griswold Street, Suite 300, Detroit (373-5932)

Senator Cropsey moved that the Senate adjourn.

The motion prevailed, the time being 12:38 p.m.

In pursuance of the order previously made, the Assistant President pro tempore, Senator Sanborn, declared the Senate adjourned until Wednesday, September 9, 2009, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate