

No. 72
STATE OF MICHIGAN
Journal of the Senate
95th Legislature
REGULAR SESSION OF 2010

Senate Chamber, Lansing, Tuesday, September 7, 2010.

12:00 noon.

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

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

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

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

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

Father Roman Pasieczny of St. Martin de Porres Catholic Church of Warren offered the following invocation:

Almighty and everliving God, look with love on all of us gathered here today. Guide the members of the Michigan State Senate, and help them to work together in peace for the people of the state of Michigan and the United States of America. Bless their plans and deliberations, and bring them to success.

Please empower our Michigan State Senators to create laws and political systems that speak for all the people they represent. We trust in Your power and providence, as we humbly profess to be "one nation under God, with liberty and justice for all." Amen.

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

Motions and Communications

Senators Gleason, Brown, McManus, Stamas, Bishop, Garcia, Sanborn, Scott and Prusi entered the Senate Chamber.

Senator Cropsey moved that consideration of the motion to discharge the Committee on Government Operations from further consideration of the following resolution be postponed for today:

Senate Resolution No. 172

The motion prevailed.

Recess

Senator Cropsey moved that the Senate recess subject to the call of the Chair.
The motion prevailed, the time being 12:05 p.m.

1:37 p.m.

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

The following communications were received and read:

Office of the Auditor General

August 27, 2010

Enclosed is a copy of the following audit report:

Performance audit of the Bureau of Transportation Planning, Michigan Department of Transportation.

September 1, 2010

Enclosed is a copy of the financial statements, together with the Auditors' Report, of the Bureau of State Lottery for the six-month periods ended March 31, 2010 and 2009.

If you have questions regarding this report, please call me; Scott M. Strong, C.P.A., Deputy Auditor General; or Laura J. Hirst, C.P.A., Audit Division Administrator, who administers our contractual audits.

Auditor General

The audit reports were referred to the Committee on Government Operations.

The following communication was received:

Michigan State Housing Development Authority

September 3, 2010

The Low Income Housing Tax Credit program, established pursuant to Section 42 of the Internal Revenue Code of 1986, as amended, requires that tax credits allocated by state credit agencies be allocated pursuant to a Qualified Allocation Plan approved by the Governor. Section 22(b)(4) of Public Act 346 of 1966, as amended, further reflects this requirement.

The 2011 Qualified Allocation Plan has been approved by the Governor. The attached copy is transmitted pursuant to the requirements of MCL 125.1422b.

Sincerely,
Christopher L. LaGrand
Director of Legal Affairs

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 Tuesday, August 24:

House Bill Nos. 5034 6245 6272

The Secretary announced that the following House bill was received in the Senate and filed on Thursday, August 26:

House Bill No. 6086

The Secretary announced that the following House bill was received in the Senate and filed on Thursday, September 2:

House Bill No. 5872

The Secretary announced that the following official bills and joint resolutions were printed on Wednesday, August 25, and are available at the legislative website:

Senate Bill Nos. 1465 1466 1467 1468 1469 1470 1471 1472 1473 1474

**House Bill Nos. 6388 6389 6390 6391 6392 6393 6394 6395 6396 6397 6398 6399 6400 6401
6402**

House Joint Resolutions III JJJ

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

House Bill Nos. 6403 6404 6405 6406

The Secretary announced that the following official bills and joint resolution were printed on Thursday, September 2, and are available at the legislative website:

House Bill Nos. 6407 6408 6409 6410 6411 6412

House Joint Resolution KKK

Messages from the Governor

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

Senate Bill No. 1163

The motion prevailed.

The following message from the Governor was received:

Date: September 2, 2010

Time: 10:07 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 795 (Public Act No. 155), being

An act to amend 1949 PA 300, entitled “An act to provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or generally accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways; to create certain funds; to provide penalties and sanctions for a violation of this act; to provide for civil liability of owners and operators of vehicles and service of process on residents and nonresidents; to regulate the introduction and use of certain evidence; to provide for the levy of certain assessments; to provide for the enforcement of this act; to provide for the creation of and to prescribe the powers and duties of certain state and local agencies; to impose liability upon the state or local agencies; to provide appropriations for certain purposes; to repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date,” by amending sections 219, 303, 319, 625n, 626, 732a, and 904d (MCL 257.219, 257.303, 257.319, 257.625n, 257.626, 257.732a, and 257.904d), section 219 as amended by 2005 PA 317, sections 303, 319, 626, 732a, and 904d as amended by 2008 PA 463, and section 625n as amended by 2008 PA 539, and by adding section 304.

(Filed with the Secretary of State on September 2, 2010, at 11:20 a.m.)

Respectfully,
Jennifer M. Granholm
Governor

The following messages from the Governor were received and read:

August 25, 2010

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following appointments and reappointments to state office under Sections 16121 and 16521 of the Public Health Code, 1978 PA 368, MCL 333.16121 and MCL 333.16521:

Michigan Board of Acupuncture

Ms. Margaret R. Batzer of 352 1st Street, Manistee, Michigan 49660, county of Manistee, is appointed to represent acupuncturists, for a term commencing August 25, 2010 and expiring June 30, 2014.

Ms. Annie M. Haas of 2295 Barnsbury Road, East Lansing, Michigan 48823, county of Ingham, is appointed to represent acupuncturists, for a term commencing August 25, 2010 and expiring June 30, 2014.

Ms. Echo Kimpinto of 1400 Holland Street, Birmingham, Michigan 48009, county of Oakland, is appointed to represent acupuncturists, for a term commencing August 25, 2010 and expiring June 30, 2014.

Mr. Charles M. Morris of 7800 Woodmont Avenue, Detroit, Michigan 48228, county of Wayne, is appointed to represent the general public, for a term commencing August 25, 2010 and expiring June 30, 2014.

Ms. Deborah E. Lincoln, R.N., M.S.N., of 1614 Colorado Drive, East Lansing, Michigan 48823, county of Ingham, is reappointed to represent acupuncturists, for a term expiring June 30, 2014.

Mr. John L. Pappas, M.D., of 294 Barden Road, Bloomfield Hills, Michigan 48304, county of Oakland, is reappointed to represent physicians licensed under part 170 or 175, for a term expiring June 30, 2014.

Ms. Chrystal R. Roach of 4606 Chippewa Trail, Fremont, Michigan 49412, county of Newaygo, is reappointed to represent the general public, for a term expiring June 30, 2014.

August 25, 2010

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following reappointment to state office under Sections 16121 and 17903 of the Public Health Code, 1978 PA 368, MCL 333.16121 and MCL 333.17903:

Michigan Athletic Trainer Board

Mr. William F. Bupp of 3991 White Pine Drive, DeWitt, Michigan 48820, county of Clinton, is reappointed to represent the general public, for a term expiring June 30, 2014.

August 25, 2010

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

Civil Rights Commission

Mr. Eliya "Louie" Boji, a Republican, of 3752 Erie Drive, Orchard Lake, Michigan 48324, county of Oakland, is reappointed for a term commencing January 1, 2011 and expiring December 31, 2014.

Mr. Jared I. Rodriguez, a Republican, of 113 Parkers Drive, Portland, Michigan 48875, county of Ionia, is reappointed for a term commencing January 1, 2011 and expiring December 31, 2014.

August 25, 2010

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following reappointment to office under Section 91 of the Executive Organization Act of 1965, 1965 PA 380, MCL 16.191:

Investment Advisory Committee

Mr. Glenn P. Murray of 31275 Bingham Road, Bingham Farms, Michigan 48025, county of Oakland, is reappointed to represent the general public, for a term commencing December 16, 2010 and expiring December 15, 2013.

August 31, 2010

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following appointment to office under Section 3 of the Older Michiganians Act, 1981 PA 180, MCL 400.583:

Commission on Services to the Aging

Mr. Michael J. Sheehan, an Independent, of 3736 South Bay Bluffs Drive, Cedar, Michigan 49621, county of Leelanau, succeeding Rose Gill, whose term has expired, is appointed for a term commencing August 31, 2010 and expiring July 28, 2013.

August 31, 2010

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following appointment to state office under Section 4 of the Michigan Gaming Control and Revenue Act, Initiated Law of 1996, MCL 432.204:

Michigan Gaming Control Board

The Honorable Kenneth N. Sanborn, a Republican, of 16971 Crystal Drive, Macomb, Michigan 48042, county of Macomb, succeeding Michael Watz, who resigned from this position effective July 27, 2010, is appointed for a term

commencing August 31, 2010 and expiring December 31, 2010, and is reappointed for a term commencing January 1, 2011 and expiring December 31, 2014.

September 2, 2010

I respectfully submit to the Senate pursuant to Article V, Section 6 of the Michigan Constitution of 1963, the following reappointment to office under Section 2 of 1968 PA 191, MCL 123.1002:

State Boundary Commission

Ms. Ruth Ann Jamnick of 7776 Lake Crest Drive, Ypsilanti, Michigan 48197, county of Washtenaw, is reappointed as a state member, for a term commencing November 16, 2010 and expiring November 15, 2013.

September 3, 2010

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following appointment to office under Section 26 of 1945 PA 327, MCL 259.26:

Michigan Aeronautics Commission

Mr. Jonathon T. Freye of 2156 Harrison Avenue, Muskegon, Michigan 49441, county of Muskegon, succeeding Joseph Prochazka, who has resigned, is appointed to represent the general public, for a term commencing September 3, 2010 and expiring May 27, 2011.

September 3, 2010

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following appointments and reappointments to state office under Section 6103 of The Insurance Code of 1956, 1956 PA 218, MCL 500.6103:

Automobile Theft Prevention Authority Board of Directors

Mr. Mark Hackel of 50461 Chief Drive, Macomb, Michigan 48044, county of Macomb, succeeding James Barren, whose term has expired, is appointed to represent law enforcement officials of this state, for a term commencing September 3, 2010 and expiring July 1, 2014.

Col. Eddie Washington of 29838 Stanhurst Road, Farmington Hills, Michigan 48331, county of Oakland, succeeding Peter Munoz, who has resigned, is appointed to represent the director of the Department of State Police, for a term commencing September 3, 2010 and expiring July 1, 2014.

Mr. Patrick Joseph Dolan of 32262 Ruehle Avenue, Warren, Michigan 48093, county of Macomb, is reappointed to represent purchasers of automobile insurance in this state, for a term expiring July 1, 2014.

Father Russell Kohler of 1050 Porter Street, Detroit, Michigan 48226, county of Wayne, is reappointed to represent purchasers of auto insurance in this state, for a term expiring July 1, 2014.

Mr. Fausto J. Martin of 50604 Amberly Boulevard, Canton, Michigan 48187, county of Wayne, is reappointed to represent automobile insurers doing business in this state, for a term expiring July 1, 2014.

September 3, 2010

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following reappointments to office under Section 5 of 1966 PA 1, MCL 125.1355:

Barrier Free Design Board

Mr. Richard O. Brunvand of 360 Brockway Avenue, South Haven, Michigan 49090, county of Van Buren, is reappointed to represent severely mobility limited persons, for a term commencing November 1, 2010 and expiring October 31, 2013.

Mr. Joseph B. Shelton, Jr., of 24351 Morton Street, Oak Park, Michigan 48237, county of Oakland, is reappointed to represent the construction industry, for a term commencing November 1, 2010 and expiring October 31, 2013.

September 3, 2010

I respectfully submit to the Senate pursuant to Article V, Section 6 of the Michigan Constitution of 1963, the following reappointment to office under Section 2 of 1964 PA 183, MCL 830.412:

State Building Authority Board of Trustees

Mr. Patrick J. Devlin of 15799 Southampton Street, Livonia, Michigan 48154, county of Wayne, is reappointed to represent the general public, for a term expiring August 21, 2014.

September 3, 2010

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

Certificate of Need Commission

Mr. Charles M. Gayney, a Democrat, of 300 Riverfront Drive, Apt. 191, Detroit, Michigan 48226, county of Wayne, succeeding Adam Miller, who has resigned, is appointed to represent organized labor unions in this state, for a term commencing September 3, 2010 and expiring January 1, 2012.

Mr. Robert L. Hughes, a Republican, of 635 Pine Meadow Lane, Ada, Michigan 49301, county of Kent, succeeding Vicky Schroeder, who has resigned, is appointed to represent companies that are not self-insured for health coverage, for a term commencing September 3, 2010 and expiring January 1, 2011.

September 3, 2010

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following appointments to office under Section 4 of the Child Abuse and Neglect Prevention Act, 1982 PA 250, MCL 722.604:

State Child Abuse and Neglect Prevention Board

Mr. John H. Brown of 7879 Old Elm Court, Ada, Michigan 49301, county of Kent, succeeding Tamara Vander Ark, whose term will expire, is appointed to represent the private sector, for a term commencing December 20, 2010 and expiring December 19, 2013.

Mr. Mark McDaniel of 1057 Cambria Drive, East Lansing, Michigan 48823, county of Ingham, succeeding Abby Dart, whose term will expire, is appointed to represent parents, for a term commencing December 20, 2010 and expiring December 19, 2013.

Father James M. Williams of 1203 Wenniway Drive, Mackinaw City, Michigan 49701, county of Emmet, succeeding Scott Stevenson, whose term will expire, is appointed to represent the religious community, for a term commencing December 20, 2010 and expiring December 19, 2013.

Ms. Shirley Mann Gray of 5399 West Bloomfield Lake Road, West Bloomfield, Michigan 48323, county of Oakland, is reappointed to represent professional providers of child abuse and neglect prevention services, for a term commencing December 20, 2013 and expiring December 19, 2013.

Ms. Cynthia K. Williams of 844 Pebblebrook Lane, East Lansing, Michigan 48823, county of Ingham, is reappointed to represent the legal community, for a term commencing December 20, 2013 and expiring December 19, 2013.

September 3, 2010

Pursuant to Section 7111 of the Public Health Code, 1978 PA 368, MCL 333.7111, please be advised of the following appointment to office:

Controlled Substances Advisory Commission

Mr. Brian M. Sullivan of 21800 Morley Avenue, Apt. 1205, Dearborn, Michigan 48124, county of Wayne, succeeding Sarah Elkins, who has resigned, is appointed to represent the general public, for a term commencing September 3, 2010 and expiring August 30, 2011.

September 3, 2010

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following reappointments to state office under Section 2 of 1976 PA 223, MCL 18.352:

Crime Victim Services Commission

Mr. Ralph J. Mason, an Independent, of 4727 Raintree Drive S.E., Kentwood, Michigan 49512, county of Kent, is reappointed to represent peace officers, for a term commencing September 28, 2010 and expiring September 27, 2013.

Ms. Kym L. Worthy of 1441 St. Antoine Street, Detroit, Michigan 48226, county of Wayne, is reappointed to represent county prosecuting attorneys, for a term expiring September 27, 2012.

Ms. Janet K. Praefke, a Democrat, of 1394 Baldwin Road, Lapeer, Michigan 48446, county of Lapeer, is reappointed to represent community-based victim advocates, for a term expiring September 27, 2012.

September 3, 2010

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following reappointments to office under Section 7 of the Agricultural Commodities Marketing Act, 1965 PA 232, MCL 290.657:

Michigan Dairy Marketing Program Committee

Mr. Eric J. Frahm of 1520 Frahm Road, Frankenmuth, Michigan 48734, county of Saginaw, is reappointed to represent the Michigan Milk Producers Association, for a term commencing January 1, 2011 and expiring December 31, 2013.

Mr. David M. Lott of 1655 North Meridian Road, Mason, Michigan 48854, county of Ingham, is reappointed to represent the Michigan Milk Producers Association, for a term commencing January 1, 2011 and expiring December 31, 2013.

September 3, 2010

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following appointment and reappointments to state office under Sections 16121 and 16621 of the Public Health Code, 1978 PA 368, MCL 333.16121 and 333.16621:

Michigan Board of Dentistry

Ms. Diane I. Hines, D.D.S., of 19500 Cumberland Way, Detroit, Michigan 48203, county of Wayne, succeeding Randy Freij, whose term has expired, is appointed to represent dentists, for a term commencing September 3, 2010 and expiring June 30, 2014.

Ms. Julia A. Bera of 8820 NE Street, Rockford, Michigan 49341, county of Kent, is reappointed to represent dental assistants, for a term expiring June 30, 2014.

Ms. Deborah E. Priestap of 4938 Labodie Road, Milford, Michigan 48380, county of Livingston, is reappointed to represent dentists with health profession specialty certification and who is a dental school faculty, for a term expiring June 30, 2014.

September 3, 2010

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following reappointments to office under Executive Order 2009-40:

Disability Concerns Commission

Ms. Jane P. MacFarlane of 510 North Rochester Road, Apt. 102, Clawson, Michigan 48017, county of Oakland, is reappointed for a term commencing December 1, 2010 and expiring November 30, 2014.

Ms. Dana S. Parker of 1267 Webster Street, Birmingham, Michigan 48009, county of Oakland, is reappointed for a term commencing December 1, 2010 and expiring November 30, 2014.

Mr. Brian F. Sheridan of 6612 Park Valley Drive, Clarkston, Michigan 48348, county of Oakland, is reappointed for a term commencing December 1, 2010 and expiring November 30, 2014.

September 3, 2010

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following reappointments to state office under Section 2 of 1978 PA 389, MCL 400.1502:

Domestic Violence Prevention and Treatment Board

Ms. Shirley Mann Gray of 5399 West Bloomfield Lake Road, West Bloomfield, Michigan 48323, county of Oakland, is reappointed to represent persons with experience in an area related to the problems of domestic violence, for a term commencing October 1, 2010 and expiring September 30, 2013.

The Honorable Nathaniel C. Perry, III, of 3102 Circle Drive, Flint, Michigan 48507, county of Genesee, is reappointed to represent persons with experience in an area related to the problems of domestic violence, for a term commencing October 1, 2010 and expiring September 30, 2013.

Ms. Kym L. Worthy of 1441 St. Antoine Street, Detroit, Michigan 48226, county of Wayne, is reappointed to represent persons with experience in an area related to the problems of domestic violence, for a term commencing October 1, 2010 and expiring September 30, 2013.

September 3, 2010

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following reappointments to state office under Section 7 of the Farm Produce Insurance Act, 2003 PA 198, MCL 285.317:

Farm Produce Insurance Authority Board of Directors

Ms. Carmen L. Cousino of 8032 Crabb Road, Temperance, Michigan 48182, county of Monroe, is reappointed to represent producers from the largest Michigan organization representing general farm interests in Michigan, for a term expiring June 20, 2013.

Mr. Derek LeCronier of 5805 Flajole, Freeland, Michigan 48623, county of Bay, is reappointed to represent producers from the largest Michigan organization representing general farm interests in Michigan, for a term expiring June 20, 2012.

Mr. Lyle H. LeCronier of 5855 Flajole Road, Freeland, Michigan 48623, county of Bay, is reappointed to represent the largest Michigan organization exclusively representing the interests of soybean producers in Michigan, for a term expiring June 20, 2013.

Mr. Scott D. Miller of 6757 Warren Road, Elsie, Michigan 48831, county of Shiawassee, is reappointed to represent the largest Michigan organization exclusively representing the interests of corn producers in Michigan, for a term expiring June 20, 2013.

Mr. Arthur A. Loeffler of 878 Zehnder Drive, Frankenmuth, Michigan 48734, county of Saginaw, is reappointed to represent the largest Michigan organization representing the interests of licensees in Michigan as a nonvoting member, for a term expiring June 20, 2013.

Mr. Mark K. Stoeckle of 5776 Schweigler Road, Cass City, Michigan 48726, county of Tuscola, is reappointed to represent the largest Michigan organization representing the interests of agricultural lenders in Michigan, for a term expiring June 20, 2013.

Mr. Gene R. Van Driessche of 1312 South Scheurman Road, Bay City, Michigan 48708, county of Bay, is reappointed to represent the largest Michigan organization exclusively representing dry bean producers in Michigan, for a term expiring June 20, 2013.

September 3, 2010

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following reappointments to state office under Section 3 of the Firefighters Training Council Act of 1966, 1966 PA 291, MCL 29.363:

Firefighters Training Council

Mr. Randal J. Agruda of 3879 Pleasant Ridge Drive, Williamsburg, Michigan 49690, county of Grand Traverse, is reappointed from a list submitted by the Michigan Townships Association and the Michigan Municipal League, for a term commencing January 1, 2011 and expiring December 31, 2014.

Mr. Timothy A. James of 458 South Main Street, Vermontville, Michigan 49096, county of Eaton, is reappointed from a list submitted by the Michigan Association of Fire Chiefs, for a term commencing January 1, 2011 and expiring December 31, 2014.

Mr. Clifford A. Messing of 8826 East Huron Line Road, Ruth, Michigan 48470, county of Sanilac, is reappointed from a list submitted by the Michigan State Firemen's Association, for a term commencing January 1, 2011 and expiring December 31, 2014.

September 3, 2010

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following reappointments to state office under Executive Order 2002-6, MCL 256.571:

Governor's Traffic Safety Advisory Commission

Mr. Allen L. Byam of 17930 D Drive South, Marshall, Michigan 49068, county of Calhoun, is reappointed to represent local units of government, for a term expiring May 27, 2013.

Mr. Steven M. Puuri of 6480 Zeeb Road, Dexter, Michigan 48130, county of Washtenaw, is reappointed to represent local units of government, for a term expiring May 27, 2012.

September 3, 2010

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following appointments to state office under Section 2 of 1960 PA 120, MCL 390.842:

Grand Valley State University Board of Control

Mr. Douglas W. Crim of 16711 Peacock Lane, Haslett, Michigan 48840, county of Clinton, succeeding Lucille Taylor, whose term will expire, is appointed for a term commencing January 1, 2011 and expiring December 31, 2018.

Ms. Mary L. Kramer of 8162 East Jefferson Avenue, Unit 1A, Detroit, Michigan 48214, county of Wayne, succeeding Dorothy Johnson, whose term will expire, is appointed for a term commencing January 1, 2011 and expiring December 31, 2018.

September 3, 2010

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following reappointments to office under Section 2 of 2010 PA 146, MCL 18.302:

Hispanic/Latino Commission

Mr. Ricardo D. Garcia of 5575 Canoga Lane, Haslett, Michigan 48840, county of Ingham, is reappointed to represent the general public, for a term commencing January 1, 2011 and expiring December 31, 2013.

Mr. Leonard A. Savala III of 3525 Callihan Court, Lansing, Michigan 48910, county of Ingham, is reappointed to represent the general public, for a term commencing December 11, 2010 and expiring December 10, 2013.

September 3, 2010

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following appointments to office under Section 3 of The Mobile Home Commission Act, 1987 PA 96, MCL 125.2303, Executive Order 1997-13, MCL 445.2002 and Executive Order 2010-9:

Manufactured Housing Commission

Ms. Patricia A. Newman of 8672 Deer Trail, Kalamazoo, Michigan 49009, county of Kalamazoo, is appointed to represent a resident of a licensed manufactured housing park, for a term commencing as of the effective date of Executive Order 2010-9 and expiring May 9, 2013.

Mr. Mark M. Raukar of 2506 Garland, Sylvan Lake, Michigan 48320, county of Oakland, is appointed to represent operators of licensed manufactured housing parks, for a term commencing as of the effective date of Executive Order 2010-9 and expiring May 9, 2013.

Mr. Jerome A. Ruggirello of 47800 Bellagio Drive, Northville, Michigan 48167, county of Oakland, is appointed to represent operators of licensed manufactured housing parks, for a term commencing as of the effective date of Executive Order 2010-9 and expiring May 9, 2013.

September 3, 2010

I respectfully submit to the Senate, pursuant to Section 3 of Forbes Mechanical Contractors Act, 1984 PA 192, MCL 338.973, please be advised of the following reappointment to office:

Board of Mechanical Rules

Mr. Patrick M. Maher of 1978 South Long Lake Road, Traverse City, Michigan 49684, county of Grand Traverse, is reappointed to represent HVAC equipment contractors, for a term commencing October 2, 2010 and expiring October 1, 2012.

September 3, 2010

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following reappointment to state office under Sections 16121 and 17021 of the Public Health Code, 1978 PA 368, MCL 333.16121 and 333.17021:

Michigan Board of Medicine

Mr. Nathaniel Smith-Tyge of 3 Park Place West, Allen Park, Michigan 48101, county of Wayne, is reappointed to represent the general public, for a term commencing January 1, 2011 and expiring December 31, 2014.

September 3, 2010

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following reappointments to office pursuant to Executive Order 2001-5, MCL 28.621 and Executive Order 2008-19:

Michigan Commission on Law Enforcement Standards

Mr. Ronald J. Bretz of 3521 Delta River Drive, Lansing, Michigan 48906, county of Ingham, is reappointed to represent individuals submitted by the Criminal Defense Attorneys of Michigan, for a term commencing November 2, 2010 and expiring November 1, 2014.

Mr. James D. Bosscher of 8252 West Falmouth Road, McBain, Michigan 49657, county of Missaukee, is reappointed to represent elected Sheriffs submitted by the Michigan Sheriffs' Association, for a term commencing November 2, 2010 and expiring November 1, 2014.

Mr. David L. Morse of 1752 Town Commons Drive, Howell, Michigan 48855, county of Livingston, is reappointed to represent individuals submitted by the Prosecuting Attorneys Association of Michigan, for a term commencing November 2, 2010 and expiring November 1, 2014.

Ms. Doreen E. Olko of 3874 HiDale Drive, Lake Orion, Michigan 48360, county of Oakland, is reappointed to represent individuals submitted by the Michigan Association of Chiefs of Police, for a term commencing November 2, 2010 and expiring November 1, 2014.

Mr. Richard R. Weiler of 2521 Foxhill Drive, Sterling Heights, Michigan 48310, county of Macomb, is reappointed to represent individuals nominated by the Police Officers Labor Council of Michigan, for a term commencing November 2, 2010 and expiring November 1, 2014.

September 3, 2010

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

Michigan Education Trust Board of Directors

Ms. Barbara A. Klocko of 1752 South Five Lakes Road, Attica, Michigan 48412, county of Lapeer, is reappointed to represent persons with knowledge, skills, and experience in the academic, business, or financial fields, for a term commencing January 1, 2011 and expiring December 31, 2013.

September 3, 2010

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following reappointments to state office under Section 501 of the Natural Resources and Environmental Protection Act, 1994 PA 451, MCL 324.501:

Natural Resources Commission

Mr. John M. Madigan, a Republican, of 831 West Munising Avenue, Munising, Michigan 49862, county of Alger, is reappointed for a term commencing January 1, 2011 and expiring December 31, 2014.

Mr. James R. Richardson, a Republican, of 36658 McGuire Road, Ontonagon, Michigan 49953, county of Ontonagon, is reappointed for a term commencing January 1, 2011 and expiring December 31, 2014.

September 3, 2010

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following appointment to state office under Section 1905 of the Natural Resources and Environmental Protection Act, 1994 PA 451, MCL 324.1905:

Michigan Natural Resources Trust Fund Board

Ms. Lisa K. Wozniak of 1018 North Congress Street, Ypsilanti, Michigan 48197, county of Washtenaw, succeeding Dennis Muchmore, whose term will expire, is appointed for a term commencing October 2, 2010 and expiring October 1, 2014.

September 3, 2010

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following reappointments to state office under Section 1 of 1963 (2nd Ex. Sess.) PA 48, MCL 390.551:

Northern Michigan University Board of Control

Mr. Larry C. Inman of 8971 Crockett, Williamsburg, Michigan 49690, county of Grand Traverse, is reappointed for a term commencing January 1, 2011 and expiring December 31, 2018.

Mr. Douglas B. Roberts, Ph.D., of 1853 Northgate Drive, East Lansing, Michigan 48823, county of Ingham, is reappointed for a term commencing January 1, 2011 and expiring December 31, 2018.

September 3, 2010

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following appointment and reappointments to state office under Section 23 of the Michigan Occupational Health Safety and Health Act, 1974 PA 154, MCL 408.1023:

Occupational Health Standards Commission

Ms. Caroline S. Ross of 10587 Riverside Drive, Saint Louis, Michigan 48880, county of Gratiot, succeeding Margaret Robinson Faville, whose term has expired, is appointed to represent labor, for a term commencing September 3, 2010 and expiring August 5, 2013.

Mr. Andrew J. Comai of 1570 Maywood Avenue, Ann Arbor, Michigan 48103, county of Washtenaw, is reappointed to represent labor, for a term expiring August 5, 2013.

Mr. Satyam R. Talati of 3401 Mill Creek Drive, Lake Orion, Michigan 48360, county of Oakland, is reappointed to represent the general public, for a term expiring August 5, 2013.

September 3, 2010

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following reappointment to state office under Sections 16121 and 18305 of the Public Health Code, 1978 PA 368, MCL 333.16121 and 333.18305:

Michigan Board of Occupational Therapists

Ms. Britt R. Lenfield, OTR, of 400 Haskins Court, S.E., Ada, Michigan 49301, county of Kent, is reappointed to represent occupational therapists, for a term commencing January 1, 2011 and expiring December 31, 2014.

September 3, 2010

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following reappointments to state office under Sections 16121 and 17521 of the Public Health Code, 1978 PA 368, MCL 333.16121 and 333.17521:

Michigan Board of Osteopathic Medicine and Surgery

Mr. William C. Cunningham, D.O., of 1100 Cambridge S.E., Grand Rapids, Michigan 49506, county of Kent, is reappointed to represent physicians, for a term commencing January 1, 2011 and expiring December 31, 2014.

Mr. Dennis W. Dobritt, D.O., of 4572 Walden Drive, Bloomfield Hills, Michigan 48301, county of Oakland, is reappointed to represent physicians, for a term commencing January 1, 2011 and expiring December 31, 2014.

Mr. Charles E. Kelly, D.O., of 1315 Pine Drive, Ortonville, Michigan 48462, county of Oakland, is reappointed to represent physicians, for a term commencing January 1, 2011 and expiring December 31, 2014.

Ms. Sylvia G. Mustonen, D.O., of 10352 Compton Drive, South Haven, Michigan 49090, county of Van Buren, is reappointed to represent physicians, for a term commencing January 1, 2011 and expiring December 31, 2014.

September 3, 2010

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following appointment to state office under Sections 302 and 2402 of the Occupational Code, 1980 PA 299, MCL 339.302 and 339.2402:

Residential Builders' and Maintenance and Alteration Contractors' Board

Mr. Jeff J. Agnew of 10060 Summerfield Road, Temperance, Michigan 48182, county of Monroe, is appointed to represent maintenance and alterations contractors, for a term commencing September 3, 2010 and expiring March 31, 2013.

September 3, 2010

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following reappointments to state office pursuant to Section 7 of the Agricultural Commodities Marketing Act, 1965 PA 232, MCL 290.657:

Michigan Soybean Marketing Program Committee

Mr. Benjamin R. Chaffin of 3239 West St. Charles Road, Ithaca, Michigan 48847, county of Gratiot, is reappointed to represent District 7 growers, for a term commencing September 24, 2010 and expiring September 23, 2013.

Mr. George J. Zmitko of 5105 West Mason Road, Owosso, Michigan 48867, county of Shiawassee, is reappointed to represent District 6 growers, for a term commencing September 24, 2010 and expiring September 23, 2013.

September 3, 2010

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following appointment and reappointments to state office under Section 17605 of 2008 PA 524, MCL 333.17605:

Michigan Board of Speech Language Pathology

Mr. Glendon M. Gardner, M.D., of 4631 Brafferton Drive, Bloomfield Hills, Michigan 48302, county of Oakland, is appointed to represent otolaryngologists, for a term commencing September 3, 2010 and expiring December 31, 2013.

Ms. Brit Austin of 1256 Poppy Hill Drive, Oxford, Michigan 48371, county of Oakland, is reappointed to represent professionals, for a term commencing January 1, 2011 and expiring December 31, 2014.

Ms. Frances E. Eldis, Ph.D., of 8855 Riverdale, Redford, Michigan 48239, county of Wayne, is reappointed to represent professionals, for a term commencing January 1, 2011 and expiring December 31, 2014.

September 3, 2010

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following appointment and reappointments to state office under Section 2 of the Michigan Tourism Policy Act, 1945 PA 106, MCL 2.102:

Michigan Travel Commission

Ms. Elizabeth S. Workman of 7997 Woodland Avenue, Honor, Michigan 49640, county of Benzie, succeeding Christina MacInnes, whose term has expired, is appointed to represent the private sector of the travel, tourism and recreation industry, for a term commencing September 3, 2010 and expiring August 20, 2014.

Mr. Jim M. Berryman of 676 Stonecrest Drive, Adrian, Michigan 49221, county of Lenawee, is reappointed for a term expiring August 20, 2014.

Ms. Susan E. Sherer of 1430 Buckingham Road, Grosse Pointe Park, Michigan 48230, county of Wayne, is reappointed to represent owners and operators of small businesses, for a term expiring August 20, 2014.

September 3, 2010

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following appointment and reappointment to state office under Section 20 of the Michigan Unarmed Combat Regulatory Act, 2004 PA 403, MCL 338.3620:

Michigan Unarmed Combat Commission

Mr. Charles J. McNinch, D.C., of 8330 Bay Drive, Rockford, Michigan 49341, county of Kent, succeeding Albert Low, whose term has expired, is appointed to represent boxing licensees, for a term commencing September 3, 2010 and expiring June 5, 2013.

Mr. Joe W. Byrd of 1368 Autumn Drive, Flint, Michigan 48532, county of Genesee, is reappointed to represent boxing licensees, for a term expiring June 5, 2013.

September 3, 2010

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following appointments and reappointments to state office pursuant to Section 76103 of the Natural Resources and Environmental Protection Act, 1994 PA 451, MCL 324.76103:

Underwater Salvage and Preserve Committee

Mr. Robert 'Terry' Begnoche of 28475 Wildwood Trail, Farmington Hills, Michigan 48336, county of Oakland, succeeding Brian Tippman, whose term has expired, is appointed to represent the general public, for a term commencing September 3, 2010 and expiring August 17, 2013.

Mr. Ronald W. Bloomfield of 1322 East Beaver Road, Kawkawlin, Michigan 48631, county of Bay, succeeding Gregory MacMaster, whose term has expired, is appointed to represent the general public, for a term commencing September 3, 2010 and expiring August 17, 2013.

Ms. Peggy S. Kurpinski of 960 Butternut Drive, Holland, Michigan 49424, county of Allegan, is reappointed to represent a member of the general public having experience in recreational scuba diving, for a term expiring August 17, 2013.

Mr. Peter J. Lindquist of 1204 Commercial Street, Munising, Michigan 49862, county of Alger, is reappointed to represent a member of the general public having experience in recreational scuba diving, for a term expiring August 17, 2013.

Ms. Gail A. Vander Stoep, Ph.D., of 734 Touraine Avenue, East Lansing, Michigan 48823, county of Ingham, is reappointed to represent the general public, for a term expiring August 17, 2013.

September 3, 2010

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following reappointments to state office under Sections 16121 and 18821 of the Public Health Code, 1978 PA 368, MCL 333.16121 and MCL 333.18821:

Michigan Board of Veterinary Medicine

Ms. Michelle Kopcha, D.V.M., of 460 Piper Road, Haslett, Michigan 48840, county of Ingham, is reappointed to represent veterinarians, for a term commencing January 1, 2011 and expiring December 31, 2014.

Mr. Christopher J. Rohwer, D.V.M., of 6024 Texas Drive, Kalamazoo, Michigan 49009, county of Kalamazoo, is reappointed to represent veterinarians, for a term commencing January 1, 2011 and expiring December 31, 2014.

Mr. Henry M. Vaupel, D.V.M., of 2187 Fowlerville Road, P.O. Box 363, Fowlerville, Michigan 48836, county of Livingston, is reappointed to represent veterinarians, for a term commencing January 1, 2011 and expiring December 31, 2014.

September 3, 2010

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following appointment and reappointment to state office under Section 78102 of the Natural Resources and Environmental Protection Act, 1994 PA 451, MCL 324.78102:

Michigan State Waterways Commission

Mr. Brian T. Arp of 30255 White Street, Gibraltar, Michigan 48173, county of Wayne, succeeding Michael Bryanton, whose term will expire, is appointed for a term commencing September 19, 2010 and expiring September 18, 2013.

Mr. Glen Dennis Bailey of 30024 East Maxton, Drummond Island, Michigan 49726, county of Chippewa, is reappointed to represent persons residing north of townline 16 in the Upper Peninsula and individuals who own or operate a harbor or marina, for a term commencing September 19, 2010 and expiring September 18, 2013.

Sincerely,
Jennifer M. Granholm
Governor

The appointments were referred to the Committee on Government Operations.

The following message from the Governor was received and read:

September 3, 2010

Due to errors on the March 28, 2008 and March 5, 2010 letters filed with your office pursuant to Section 22211 of the Public Health Code, 1978 PA 368, MCL 333.22211, please be advised of the following corrections appearing in bold print:

Certificate of Need Commission

Ms. Vicky L. Schroeder, a Republican, of 1240 Mesa Junction Drive S.W., Byron Center, Michigan 49315, county of Kent, succeeding Kathie L. VanderPloeg-Hoekstra, whose term has expired, representing companies that are not self-insured for health coverage, for a term commencing March 28, 2008 and expiring **January 1, 2011**.

Mr. Brian A. Klott, a Republican, of 44001 Basswood Drive, Sterling Heights, Michigan 48314, county of Macomb, succeeding Thomas M. Smith, whose term will expire, is appointed to represent a company that is self-insured for health coverage, for a term commencing April 10, 2010 and expiring **January 1, 2013**.

Sincerely,
Jennifer M. Granholm
Governor

The message was referred to the Committee on Government Operations.

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

Messages from the House

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

House Bill No. 4514

The motion prevailed.

House Bill No. 4932, entitled

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

The House of Representatives has non-concurred in the Senate substitute (S-7) and appointed Reps. Johnson, Haugh and Rocca as conferees.

The message was referred to the Secretary for record.

By unanimous consent the Senate proceeded to the order of

Third Reading of Bills

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

House Bill No. 5221

House Bill No. 5678

House Bill No. 5679

The motion prevailed.

The following bill was read a third time:

House Bill No. 5221, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by repealing part 205 (MCL 324.20501 to 324.20519).

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. 403

Yeas—36

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

Nays—0

Excused—2

Brater

Jacobs

Not Voting—0

In The Chair: Richardville

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

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

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

"An act to 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.

Roll Call No. 405**Yeas—29**

Allen	Cropsey	Jansen	Patterson
Anderson	Garcia	Jelinek	Richardville
Barcia	George	Kahn	Sanborn
Birkholz	Gilbert	Kuipers	Scott
Bishop	Gleason	McManus	Stamas
Brown	Hardiman	Olshove	Switalski
Cassis	Hunter	Pappageorge	Van Woerkom
Clark-Coleman			

Nays—7

Basham	Clarke	Prusi	Whitmer
Cherry	Nofs	Thomas	

Excused—2

Brater	Jacobs
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Not Voting—0

In The Chair: Richardville

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

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

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

“An act to improve and maintain transportation services in this state; to provide for the acquisition and use of funds; to provide for the acquisition of certain railroad facilities and certain property; to provide for the disposition and use of facilities and property acquired under this act; to provide for financial assistance to certain private transportation services; to prescribe the powers and duties of certain state departments and agencies; to provide for the transfer of certain funds; to provide for the creation of certain funds; and to provide for appropriations.”.

The Senate agreed to the full title.

By unanimous consent the Senate returned to the order of

General Orders

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

The motion prevailed, and the President pro tempore, Senator Richardville, designated Senator Switalski as Chairperson.

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

Senate Bill No. 1252, entitled

A bill to amend 1917 PA 253, entitled “An act to authorize the transfer of moneys from the general fund of counties, in certain instances, to the county road fund of said counties, to be used in the construction, maintenance and repair of highways,” by amending section 1 (MCL 247.121).

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

Resolutions

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

Senate Resolution No. 41

Senate Resolution No. 75

Senate Resolution No. 88

House Concurrent Resolution No. 41

Senate Resolution No. 168

Senate Resolution No. 169

Senate Concurrent Resolution No. 48

The motion prevailed.

Senator Hunter offered the following resolution:

Senate Resolution No. 176.

A resolution offered as a memorial for Clarence E. Phillips, former mayor of the city of Pontiac.

Whereas, It is with deep sadness that we have learned of the passing of our colleague Clarence E. Phillips, a dedicated public servant and caring person who enriched many lives. With genuine respect for his legacy of accomplishment, we join with the great city of Pontiac and the surrounding community in extending our condolences to his family and many friends. He will be sincerely missed and long remembered; and

Whereas, Serving others was Clarence's passion and his hallmark. He served his nation as a member of the U.S. Air Force for four years and spent another ten years in the Air Force Reserves as a human relations instructor. He enjoyed a successful career as a teacher in secondary education for 25 years, including serving as the director of Alternative Education in the Oak Park School District for seven years. He was elected to the Pontiac City Council in 1990, where he spent ten years, including four years as City Council president. He was a member of the Pontiac Planning Commission for nine years, as well as the City Council liaison to the Cable Advisory Board for ten years. Ultimately, Clarence realized his fundamental goal of serving his beloved city of Pontiac as its mayor from 2005 through 2009; and

Whereas, Clarence was a stalwart member of the community, having served in many organizations, including the Oakland County Veterans Group and the Pontiac/Oakland Democratic Club. He was also a faithful member of Welcome Missionary Baptist Church, where he sang in the adult choir. He was honored many times for his work, having received the Black History Month Community Service Award, the Lakeside Achievement Award, the Greater Pontiac Community Coalition Award, and the Achievement Award from the Black Professional and Business Women Organization; and

Whereas, In 2000, Clarence was elected to the 91st Michigan House of Representatives, where he served from 2001 until 2005. He was an effective legislator who represented his constituents with distinction. He was very influential in the appropriations process, where he exhibited his deep passion for making sure that every child had access to a high quality public education in this state. His leadership, concern, and contributions earned him the respect of his colleagues on both sides of the aisle; and

Whereas, Clarence is survived by his wife of 42 years, Lorene; sons Kaino, Anthony Howard, and Damani, and a grandson; and

Whereas, The life of Clarence E. Phillips is a study in the power of hard work, dedication, and commitment to his career, his family, and his state. We are certainly grateful for his achievements, which will continue to have an impact on many people across Michigan in the years to come; now, therefore, be it

Resolved by the Senate, That we hereby offer our words of praise as a memorial for Clarence E. Phillips. May his family find comfort in their faith and their memories of this fine man, his life's work, and the many people whose lives he touched; and be it further

Resolved, That a copy of this resolution be transmitted to the family of Clarence E. Phillips as a token of our highest esteem.

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

Senator Cropsey moved that the rule be suspended.

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

The resolution was adopted by a unanimous standing vote of the Senate.

Senator Cropsey moved that rule 3.204 be suspended to name the entire membership of the Senate and the Lieutenant Governor as co-sponsors of the resolution.

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

A moment of silence was observed in memory of former Representative Clarence E. Phillips.

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

The motion prevailed.

Senator Hunter's statement is as follows:

I rise with a heavy heart this afternoon after having heard the news about the passing of our friend and colleague Clarence Phillips last week. I felt compelled to stand up today and acknowledge this very fine man and public servant. The resolution before us reads as follows:

“Whereas, It is with deep sadness that we have learned of the passing of our colleague Clarence E. Phillips, a dedicated public servant and caring person who enriched many lives. With genuine respect for his legacy of accomplishment, we join with the great city of Pontiac and the surrounding community in extending our condolences to his family and many friends. He will be sincerely missed and long remembered; and

Whereas, Serving others was Clarence's passion and his hallmark. He served his nation as a member of the U.S. Air Force for four years and spent another ten years in the Air Force Reserves as a human relations instructor. He enjoyed a successful career as a teacher in secondary education for 25 years, including serving as the director of Alternative Education in the Oak Park School District for seven years. He was elected to the Pontiac City Council in 1990, where he spent ten years, including four years as City Council president. He was a member of the Pontiac Planning Commission for nine years, as well as the City Council liaison to the Cable Advisory Board for ten years. Ultimately, Clarence realized his fundamental goal of serving his beloved city of Pontiac as its mayor from 2005 through 2009; and

Whereas, Clarence was a stalwart member of the community, having served in many organizations, including the Oakland County Veterans Group and the Pontiac/Oakland Democratic Club. He was also a faithful member of Welcome Missionary Baptist Church, where he sang in the adult choir. He was honored many times for his work, having received the Black History Month Community Service Award, the Lakeside Achievement Award, the Greater Pontiac Community Coalition Award, and the Achievement Award from the Black Professional and Business Women Organization; and

Whereas, In 2000, Clarence was elected to the 91st Michigan House of Representatives, where he served from 2001 until 2005. He was an effective legislator who represented his constituents with distinction. He was very influential in the appropriations process, where he exhibited his deep passion for making sure that every child had access to a high quality public education in this state. His leadership, concern, and contributions earned him the respect of his colleagues on both sides of the aisle; and

Whereas, Clarence is survived by his wife of 42 years, Lorene; sons Kaino, Anthony Howard, and Damani, and a grandson; and

Whereas, The life of Clarence E. Phillips is a study in the power of hard work, dedication, and commitment to his career, his family, and his state. We are certainly grateful for his achievements, which will continue to have an impact on many people across Michigan in the years to come; now, therefore, be it

Resolved by the Senate, That we hereby offer our words of praise as a memorial for Clarence E. Phillips. May his family find comfort in their faith and their memories of this fine man, his life's work, and the many people whose lives he touched; and be it further

Resolved, That a copy of this resolution be transmitted to the family of Clarence E. Phillips as a token of our highest esteem.”

Senate Concurrent Resolution No. 52.

A concurrent resolution relative to secondary road patrol funds for counties, cities, and villages.

(For text of resolution, see Senate Journal No. 68, p. 1271.)

The House of Representatives has adopted the concurrent resolution and named Reps. Ball, Constan, Hansen, Horn, Liss, Rogers and Schuitmaker as co-sponsors of the concurrent resolution.

The concurrent resolution was referred to the Secretary for record.

By unanimous consent the Senate proceeded to the order of

Introduction and Referral of Bills

Senator Kuipers introduced

Senate Bill No. 1475, entitled

A bill to amend 1964 PA 170, entitled “An act to make uniform the liability of municipal corporations, political subdivisions, and the state, its agencies and departments, officers, employees, and volunteers thereof, and members of certain boards, councils, and task forces when engaged in the exercise or discharge of a governmental function, for injuries to property and persons; to define and limit this liability; to define and limit the liability of the state when engaged in a proprietary function; to authorize the purchase of liability insurance to protect against loss arising out of this liability; to provide for defending certain claims made against public officers, employees, and volunteers and for paying damages

sought or awarded against them; to provide for the legal defense of public officers, employees, and volunteers; to provide for reimbursement of public officers and employees for certain legal expenses; and to repeal acts and parts of acts," by amending sections 1, 2, and 2a (MCL 691.1401, 691.1402, and 691.1402a), section 1 as amended by 2001 PA 131 and section 2 as amended and section 2a as added by 1999 PA 205.

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

Senators Gleason, Gilbert, Nofs and Allen introduced

Senate Bill No. 1476, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 254 (MCL 168.254), as amended by 1999 PA 218.

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

Senators Sanborn, Gilbert, Nofs, Gleason and Allen introduced

Senate Bill No. 1477, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 267 (MCL 168.267).

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

Senators Van Woerkom, Gilbert, Nofs, Gleason and Allen introduced

Senate Bill No. 1478, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 269 (MCL 168.269), as amended by 1990 PA 7.

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

Senator Birkholz introduced

Senate Bill No. 1479, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 7340a.

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

House Bill No. 5034, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 2918 (MCL 600.2918).

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. 6245, entitled

A bill to amend 1966 PA 346, entitled "State housing development authority act of 1966," by amending section 15a (MCL 125.1415a), as amended by 1994 PA 363.

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 Commerce and Tourism.

House Bill No. 6272, entitled

A bill to amend 1998 PA 386, entitled "Estates and protected individuals code," by amending sections 5410, 5422, 5423, and 5501 (MCL 700.5410, 700.5422, 700.5423, and 700.5501), section 5423 as amended by 2005 PA 204.

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

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

Statements

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

The motion prevailed.

Senator Switalski's statement is as follows:

I appreciate Senator Hunter's presentation for our former colleague Clarence Phillips. I just remember Clarence was a great guy, just a real character. He was one of the great characters I have known during my time in the Legislature. Clarence was a big man; he was probably 6'4" or 6'5" and maybe about 280 pounds, but he moved with grace. He was very light on his feet. He had a way of walking, an unforgettable way. He was a pleasure to work with.

He also had a way; he was dumb like a fox. He would ask you how to do something, and he probably knew very well how to do it himself. But he would listen to you and thank you so much for helping him and explaining something to him. Before you knew it, you were working to get his idea into legislation or get his bill passed.

He was a great guy, and he will be sorely missed.

Senator Scott's statement is as follows:

The poet W. H. Auden claimed: "No human being can make another one happy." I disagree. I believe that we can make hundreds of thousands of Michigan drivers happy by passing meaningful auto insurance reform. I believe that we can make our fellow Michigan citizens happy by requiring that auto insurance policies are based on your driving record and the kind of car that you drive. I believe that we can make people happy, and especially those people who don't have any debt, by banning the use of credit scores in setting policy rates.

I believe that we can make people happy by doing our job by passing the auto insurance reform bills that we have in committee. I believe that we still have time to do this. I believe that we can leave here at the end of this legislative session having given the people what they want: fair and affordable auto insurance reform.

Committee Reports

The Committee on Natural Resources and Environmental Affairs reported

Senate Bill No. 1442, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 5204 and 19708 (MCL 324.5204 and 324.19708), section 5204 as amended by 2005 PA 253 and section 19708 as amended by 2005 PA 256, and by adding sections 5204b, 5204c, and 19703a.

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.

Patricia L. Birkholz
Chairperson

To Report Out:

Yeas: Senators Birkholz, Van Woerkom, Basham and Gleason

Nays: None

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

The Committee on Natural Resources and Environmental Affairs reported

Senate Bill No. 1443, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 5204a (MCL 324.5204a), as added by 2005 PA 254, and by adding section 5317.

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.

Patricia L. Birkholz
Chairperson

To Report Out:

Yeas: Senators Birkholz, Van Woerkom, Basham and Gleason

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 Natural Resources and Environmental Affairs submitted the following:

Meeting held on Tuesday, August 24, 2010, at 12:00 noon, Room 110, Farnum Building

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

Excused: Senator Patterson

The Committee on Commerce and Tourism reported

Senate Bill No. 1234, entitled

A bill to amend 2005 PA 280, entitled "Corridor improvement authority act," by amending section 3 (MCL 125.2873), as amended by 2007 PA 44.

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, Stamas, Clarke and Hunter

Nays: None

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 Tuesday, August 24, 2010, at 2:30 p.m., Room 100, Farnum Building

Present: Senators Allen (C), Nofs, Stamas, Clarke and Hunter

COMMITTEE ATTENDANCE REPORT

The Committee on Appropriations submitted the following:

Meeting held on Tuesday, August 24, 2010, at 11:45 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building

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

Excused: Senators Pappageorge, Kahn, George and Brown

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Department of Community Health submitted the following:

Joint meeting held on Tuesday, August 24, 2010, at 1:05 p.m., Senate Hearing Room, Ground Floor, Boji Tower

Present: Senators Kahn (C), Pappageorge, George, Stamas, Cherry, Barcia and Switalski

COMMITTEE ATTENDANCE REPORT

The Committee on Health Policy submitted the following:

Joint meeting held on Tuesday, August 24, 2010, at 1:05 p.m., Senate Hearing Room, Ground Floor, Boji Tower

Present: Senators George (C), Allen, Clarke, Gleason and Jacobs

Excused: Senators Patterson and Sanborn

COMMITTEE ATTENDANCE REPORT

The Committee on Finance submitted the following:

Meeting held on Thursday, August 26, 2010, at 11:08 a.m., Room 110, Farnum Building

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

Excused: Senators Cherry and Whitmer

Scheduled Meetings

Appropriations - Wednesday, September 8, 2:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-6960)

Senator Cropsey moved that the Senate adjourn.
The motion prevailed, the time being 2:07 p.m.

The President pro tempore, Senator Richardville, declared the Senate adjourned until Wednesday, September 8, 2010, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate

