

No. 7
STATE OF MICHIGAN
Journal of the Senate
95th Legislature
REGULAR SESSION OF 2009

Senate Chamber, Lansing, Thursday, February 5, 2009.

10:00 a.m.

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

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

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

Garcia—present
George—present
Gilbert—present
Gleason—present
Hardiman—present
Hunter—present
Jacobs—present
Jansen—present
Jelinek—excused
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

Father James Lopez of Our Lady on the River Parish of Marine City offered the following invocation:

O Lord, we ask for Your wisdom and guidance upon our legislators as they begin to discharge their duties for the people who have called them to be leaders of our state of Michigan. May they preserve the peace within our communities and continue to promote outreach to the poor and to the neglected.

May they do their work with honesty and with integrity so that all will know that we are a state in which our leaders are selfless men and women. Amen.

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

Motions and Communications

Senator Sanborn entered the Senate Chamber.

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

February 3, 2009

Pursuant to MCL 399.1, I am appointing Thomas R. Truscott, 3333 Moores River Drive, #206, Lansing, Michigan 48911-1053, county of Ingham, to the Michigan Historical Commission for a term from January 1, 2009 to December 31, 2010. This appointment replaces Michael Ranville.

If you have any questions, please feel free to contact Bill Sullivan in my office at 373-2417.

Sincerely,
Michael D. Bishop
Senate Majority Leader

The communication was referred to the Secretary for record.

Senator Cropsey moved that Senators Allen, Garcia, Jansen and Pappageorge be temporarily excused from today's session. The motion prevailed.

Senator Cropsey moved that Senator Jelinek be excused from today's session. The motion prevailed.

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

Senate Bill No. 102

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

Senators Allen, Jansen, Garcia, Pappageorge and Kahn entered the Senate Chamber.

The Secretary announced that the following official bills and joint resolutions were printed on Wednesday, February 4, and are available at the legislative website:

Senate Bill Nos.	162	163	164	165	166	167	168	169	170	171	172	173	174	175
	176	177	178	179	180	181	182	183	184	185				
Senate Joint Resolutions		G	H											

By unanimous consent the Senate proceeded to the order of

General Orders

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

The motion prevailed, and the President, Lieutenant Governor Cherry, designated Senator Sanborn as Chairperson.

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

Senate Bill No. 99, entitled

A bill to amend 1982 PA 294, entitled "Friend of the court act," by amending sections 2, 2a, 5, 5a, 9a, 11a, 13, 15, 17, 17b, 19, 27, and 28 (MCL 552.502, 552.502a, 552.505, 552.505a, 552.509a, 552.511a, 552.513, 552.515, 552.517,

552.517b, 552.519, 552.527, and 552.528), sections 2 and 2a as amended by 2004 PA 210, sections 5, 13, and 15 as amended and section 5a as added by 2002 PA 571, section 9a as added by 1999 PA 150, section 11a as added by 2002 PA 569, sections 17, 17b, and 19 as amended by 2004 PA 207, and section 28 as added by 1996 PA 365.

Senate Bill No. 101, entitled

A bill to amend 1970 PA 91, entitled “Child custody act of 1970,” by amending section 7b (MCL 722.27b), as amended by 2006 PA 353.

Senate Bill No. 102, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending section 321c (MCL 257.321c), as added by 1996 PA 240.

Senate Bill No. 103, entitled

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending sections 2137, 2529, and 2538 (MCL 600.2137, 600.2529, and 600.2538), section 2137 as amended by 2001 PA 76, section 2529 as amended by 2004 PA 205, and section 2538 as amended by 2003 PA 178.

Senate Bill No. 104, entitled

A bill to amend 1971 PA 174, entitled “Office of child support act,” by amending sections 3 and 3a (MCL 400.233 and 400.233a), section 3 as amended by 2002 PA 564 and section 3a as amended by 1998 PA 112; and to repeal acts and parts of acts.

Senate Bill No. 105, entitled

A bill to amend 1846 RS 84, entitled “Of divorce,” by amending sections 23 and 24 (MCL 552.23 and 552.24), section 23 as amended and section 24 as added by 1999 PA 159.

Senate Bill No. 106, entitled

A bill to amend 1956 PA 205, entitled “The paternity act,” by amending sections 2, 7, and 19a (MCL 722.712, 722.717, and 722.729a), section 2 as amended by 2004 PA 253, section 7 as amended by 2004 PA 209, and section 19a as added by 1999 PA 157; and to repeal acts and parts of acts.

Senate Bill No. 107, entitled

A bill to amend 1966 PA 138, entitled “The family support act,” by amending sections 1, 2, and 8a (MCL 552.451, 552.452, and 552.458a), section 1 as amended by 2002 PA 8 and sections 2 and 8a as amended by 2002 PA 574; and to repeal acts and parts of acts.

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 amendments, the following bill:

Senate Bill No. 100, entitled

A bill to amend 1982 PA 295, entitled “Support and parenting time enforcement act,” by amending sections 2, 3, 3a, 5b, 5c, 5d, 5e, 7, 8, 9, 11a, 19, 24, 25a, 26b, 28, 29, 30, 31, 33, 35, 39, 44, 45, 46, and 48 (MCL 552.602, 552.603, 552.603a, 552.605b, 552.605c, 552.605d, 552.605e, 552.607, 552.608, 552.609, 552.611a, 552.619, 552.624, 552.625a, 552.626b, 552.628, 552.629, 552.630, 552.631, 552.633, 552.635, 552.639, 552.644, 552.645, 552.646, and 552.648), sections 2 and 3a as amended by 2004 PA 208, sections 3, 19, and 24 as amended by 2002 PA 572, section 5b as added and section 26b as amended by 2001 PA 106, section 5c as added and section 28 as amended by 2002 PA 565, section 5d as added by 2002 PA 570, section 5e as added by 2004 PA 211, sections 7, 33, and 35 as amended by 2004 PA 206, section 8 as amended by 1995 PA 236, sections 9, 11a, and 48 as amended by 1999 PA 160, section 25a as amended by 2004 PA 484, sections 29 and 30 as amended by 1998 PA 334, section 31 as amended by 2004 PA 569, and sections 44 and 45 as amended by 2002 PA 568.

The following are the amendments recommended by the Committee of the Whole:

1. Amend page 7, line 26, after “under” by striking out “**PART 435 OF**”.
2. Amend page 8, line 1, after “MCL” by striking out “**324.43501 TO 324.43561**” and inserting “324.101 to 324.90106”.

3. Amend page 19, line 20, after “AFTER” by striking out “DECEMBER 31, 2009” and inserting “1 YEAR AFTER THE DATE THE AMENDATORY ACT THAT ADDED THIS SUBSECTION IS ENACTED INTO LAW”.

4. Amend page 31, line 4, after “BEFORE” by striking out “APRIL 1, 2009” and inserting “90 DAYS AFTER THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED SUBSECTION (3)”.

5. Amend page 31, line 6, after “OR,” by striking out “AFTER MARCH 31, 2009” and inserting “ON OR AFTER 90 DAYS AFTER THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED SUBSECTION (3)”.

6. Amend page 60, line 6, after “effect” by striking out “June 30, 2009” and inserting “December 31, 2009”.

7. Amend page 60, line 10, after “effect” by striking out “April 1, 2009” and inserting “90 days after the date this amendatory act is enacted into law”.

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

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

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

The following bill was read a third time:

Senate Bill No. 93, entitled

A bill to amend 1974 PA 154, entitled “Michigan occupational safety and health act,” (MCL 408.1001 to 408.1094) by adding section 17.

The question being on the passage of the bill,

Senator Sanborn offered the following substitute:

Substitute (S-2).

The substitute was adopted, a majority of the members serving voting therefor.

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. 3

Yeas—20

Allen	Cropsey	Jansen	Patterson
Birkholz	Garcia	Kahn	Richardville
Bishop	George	Kuipers	Sanborn
Brown	Gilbert	McManus	Stamas
Cassisi	Hardiman	Pappageorge	Van Woerkom

Nays—16

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

Excused—1

Jelinek

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

Protests

Senators Thomas, Jacobs, Whitmer, Gleason, Basham and Anderson, under their constitutional right of protest (Art. 4, Sec. 18), protested against the passage of Senate Bill No. 93 and moved that the statements they made during the discussion of the bill be printed as their reasons for voting “no.”

The motion prevailed.

Senator Thomas’ statement is as follows:

Mr. President, I rise in opposition to Senate Bill No. 93. While I agree that we must promote legislation that will bolster our state’s economy and grow business in Michigan, I must rise in opposition of this bill, just as I did in previous sessions of this Legislature. We have heard consistently that businesses are concerned that new ergonomic standards will increase their costs. This is a legitimate issue for the Legislature to consider. However, if you look at the composition of the commission that will be considering these new rules, these proposed rules, they include representatives from the business community as well as organized labor, academia, and the general public. It is doubtful that those in the business community will issue significant regulations that will harm their own business as they move forward. Rather, it is in their best interest to encourage ergonomic rules that will reduce injury, increase productivity, and improve quality, as a number of our state’s major manufacturers have already voluntarily done.

Frankly, this bill is a bill in search of a problem. There are no rules specifically to object to. We are still in the administrative rules process. There are only recommendations pending before a workgroup of the commission. I worked with some of my colleagues here in 2003 on the Administrative Rules Committee, chaired by two members of this chamber, Senators Pappageorge and Bishop, where we provide the Legislature with the opportunity to object to any rules promulgated by boards appointed by the executive branch. So the Legislature does have oversight.

This legislation is an inappropriate intrusion into the administrative rules process. As one who supports the tradition that has existed in this Legislature of that process, I would hope that my colleagues would join me in rejecting this legislation and letting the administrative rules process continue and the commission appointed to review and implement new standards complete their work free from legislative interruption.

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

Mr. President, I also rise in opposition to this Senate bill. I think we have to look at the history of what has been going on in order to have a measured conservative approach to protecting workers. Now, it is important to note that the General Industry Safety Standards Commission and the Occupational Health Standards Commission conducted a joint meeting just a few weeks ago to address this proposed standard that this workgroup has been working on. Almost 80 people showed up for this meeting. There was a public comment period, and there was only one person who stood up in opposition to this standard. There were people who came from all different businesses as well as businesses being represented on both of these commissions. So businesses had tremendous input in this very conservative approach to protecting workers. I think we are going down the wrong road to try to circumvent the rules process by passing this bill.

So I urge my colleagues to vote “no” on Senate Bill No. 93.

Senator Gleason’s statement is as follows:

I rise today in opposition to this legislation. Since the day I arrived down here in Lansing over six years ago, we have had a pretty vigorous debate on reducing the health care cost of our corporations. We have a tremendous disadvantage to domestic corporations compared to foreign lands because they undertake health care obligations for their workers. If we are going to deny workers the opportunity to work under a safe environment, it seems that common sense would dictate that we are going to elevate the costs of our corporations to take care of their workers—an obligation that many of us have stood steadily forward. I would only cite a recent example that occurred in Flint, Michigan.

We had a worker working on a project that the state of Michigan actually helped fund to the tune of about \$6 million. There was a worker who was hurt on that because he violated the corporation—because he was under the obligation to do what his employer said or lose his job. He fell several stories from the old historic Durant Hotel. For centuries here in America, workers who were trying to provide for their families were dictated to and literally held hostage in regard to their workplace employment by employers who didn’t have the employees’ best interest at heart. But the bottom line, I think it would be very easy to find instances where workers had to decide whether they were going to work in a safe environment or do what the bosses or the corporation workers had indicated.

I haven’t seen in my six years down here a need or a request or an outcry for changing the ergonomics requirements in this state. So I think we ought to do the right thing and stand up for the workers who have a more difficult time today than ever. In this environment when we see corporation cuts, layoffs across this country, and recently determined yesterday and announced yesterday, 600,000 more Americans joining unemployment rolls—that we would compromise Michigan workers by saying you have to decide whether you are willing to work in an unsafe environment to keep your job. I think all of us understand that this has happened in the past and that this could offer future opportunities ready to compromise the safety of Michigan workers.

So I think this is counterproductive to all the recent years' work in reducing the health care costs of manufacturers and companies in this state. So I think we ought to do the common-sense thing and say today that we do not support reducing the health care and safety obligations of our employers across this state.

Senator Basham's statement is as follows:

Probably everything has been said on this issue, but not by everybody. We are currently on the ergonomic standard advisory committee draft No. 17. It was going forward with folks from labor, management, the general public, technical folks, liaison folks, and staff from MIOSHA. This is a process that works. I don't understand why the Legislature wants to circumvent a process that works when we should be about collaboration. We should be about protecting the interest of folks from getting carpal tunnel syndrome and other issues related to competitive movement at the worksite.

For example, if you redesign a tool that might cost you a couple hundred dollars, you could save thousands, maybe tens of thousands of dollars from having to have surgery, physical therapy, and loss time from work. There are numerous reasons that some management folks and most labor folks support ergonomic rules.

There is no reason to vote for this bill which would be voting against management and labor moving forward with a set of ergonomic rules. I'll be voting against this piece of legislation. I would encourage my colleagues from both sides of the aisle to vote against this bill.

Senator Anderson's statement is as follows:

I would urge members to stop just a moment and take a deep breath. What we are trying to do now is taking a pre-emptive measure to prevent a rule that hasn't even been promulgated yet. We also need to stop and take a minute to think about the fact that millions of dollars are currently being lost by employers in this state due to on-the-job injuries, medical bills, surgery for their employees, and lost productivity. Protecting workers and helping employers shouldn't be mutually exclusive. We just need to stop and think about the effects of what we are doing today.

I would like to share with members the fact that I may be the only member sitting here who has had carpal tunnel surgery on both hands. I know the employer I worked for took action to try to protect their employees by changing the job to fit the employee. I think that there are many things that employers can do that don't cost anything. It won't break the bank.

I think we need to stop and realize what we are doing here. We are taking action for a problem that doesn't even exist yet. I think it's a little disingenuous of folks to get up and say how much we are going to save employers when we are disregarding the cost to human lives and to those employers for lost productivity. I would urge members to vote "no."

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

The motion prevailed.

Senator Sanborn's statement is as follows:

I want to clear up some confusion here. Senate Bill No. 93 does not suggest reduction in workplace safety. I just want to make sure that we do not further burden Michigan's already-crippled economy.

Again, I reiterate to you this will be a cost to Michigan businesses and job providers of at least \$500 million. The good Senator from the 4th District said there is not even really a rule in place when, in fact—he heard testimony in committee to say that if you look at the DELEG website, you can see after six years and 17 drafts as to the model. It is wrong-minded and naive to consider that this administration will not implement. The notion that this administration will not implement one of the 17 drafts is naive and, I suggest, even disingenuous. Check the DELEG website as I had indicated.

Now, two states have already put into implementation these burdensome ergonomic rules. One state, Washington, found the results so disastrous the people of the state of Washington went back and repealed these disastrous ergonomics rules.

Michigan rules would be even more burdensome than that liberal state of California, which takes two complaints to begin a MIOSHA investigation. In Michigan, you would be able to do this after only one complaint. Michigan has already reduced workplace injuries 40 percent over the past six years, a time that the administration's DELEG was crafting up all these burdensome rules. So we have shown that voluntary implementation of the rules is most effective at working at reducing workplace injuries.

We don't need to further burden Michigan's already-crippled economy, making Michigan less competitive with surrounding states to attract new businesses here. We don't need more rules. We don't need higher taxes. We don't need more burdensome regulation when Michigan has shown voluntary implementation will suffice.

Senator Cassis' statement is as follows:

As chair of the Senate Finance Committee, I just want to make a few comments. My good colleagues on the other side of the aisle are urging us to wait, just hold on, and don't act. We also feel very strongly that the need is now to send a positive message to Michigan's businesses home team, if you will, the long-serving, tax-paying, civic-minded businesses in our state that have been trying to hold on.

Believe me, these onerous ergonomic rules will be viewed and perceived as a tax increase should they go through; in the worst time ever in the last 50 years, to scare more Michigan businesses, job providers, out of our state. That is why we are saying we can't afford to wait, to relax, and just see what happens. Let us act now. Let us pass Senate Bill No. 93, and I want to say to all my colleagues this is really, really urgent.

The following bill was read a third time:

Senate Bill No. 10, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 40107b.

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. 4

Yeas—36

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

Nays—0

Excused—1

Jelinek

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 89, entitled

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending section 429 (MCL 208.1429).

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. 5

Yeas—36

Allen	Cherry	Hunter	Prusi
Anderson	Clark-Coleman	Jacobs	Richardville

Barcia	Clarke	Jansen	Sanborn
Basham	Cropsey	Kahn	Scott
Birkholz	Garcia	Kuipers	Stamas
Bishop	George	McManus	Switalski
Brater	Gilbert	Olshove	Thomas
Brown	Gleason	Pappageorge	Van Woerkom
Cassis	Hardiman	Patterson	Whitmer

Nays—0

Excused—1

Jelinek

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 90, 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. 6

Yeas—36

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

Nays—0

Excused—1

Jelinek

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 91, entitled

A bill to amend 2007 PA 36, entitled “Michigan business tax act,” by amending section 503 (MCL 208.1503).

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. 7**Yeas—36**

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

Nays—0**Excused—1**

Jelinek

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 92, entitled

A bill to amend 2007 PA 36, entitled “Michigan business tax act,” by amending section 117 (MCL 208.1117).

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. 8**Yeas—36**

Allen	Cherry	Hunter	Prusi
Anderson	Clark-Coleman	Jacobs	Richardville
Barcia	Clarke	Jansen	Sanborn

Basham	Cropsey	Kahn	Scott
Birkholz	Garcia	Kuipers	Stamas
Bishop	George	McManus	Switalski
Brater	Gilbert	Olshove	Thomas
Brown	Gleason	Pappageorge	Van Woerkom
Cassis	Hardiman	Patterson	Whitmer

Nays—0

Excused—1

Jelinek

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 98, entitled

A bill to amend 2007 PA 36, entitled “Michigan business tax act,” by amending section 501 (MCL 208.1501).

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. 9

Yeas—36

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

Nays—0

Excused—1

Jelinek

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

By unanimous consent the Senate proceeded to the order of
Resolutions

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

Senate Resolution No. 7

The resolution consent calendar was adopted.

Senators Gleason, Basham, Clarke, Clark-Coleman, Whitmer, Switalski, Cherry, Olshove, Prusi, Brater, Hunter, Barcia, Jacobs, Anderson, Thomas and Scott offered the following resolution:

Senate Resolution No. 7.

A resolution declaring February 11, 2009, as White Shirt Day in the state of Michigan.

Whereas, We are proud to join our brothers and sisters of the United Auto Workers (UAW) as they gather to mark the 72nd anniversary of their first contract with General Motors. This anniversary is a reflection of extreme sacrifice, commitment, and determination of those first UAW members who paved the way for higher pay and improved benefits that have created a positive atmosphere for all of America's working men and women. We remember those heroes, living and deceased, on this anniversary; and

Whereas, On February 11, 2009, UAW members and retirees will wear white shirts to commemorate the anniversary of the end of the famous Flint Sit-Down Strike in 1937. While the members of this distinguished organization celebrate the 72nd anniversary of this event, we offer our thanks for the outstanding contributions they have made to the Flint community, our state, and our nation; and

Whereas, United Auto Workers White Shirt Day can trace its origins to 1948 when Bert Christensen, a member of Local 598, first suggested it. His idea was to ask that workers wear the white shirts traditionally worn by managers to show the company that they were equally important to the business. The shirts represent equal respect and treatment for blue-collar workers and the unity and strength of UAW members; and

Whereas, With ceremonies to celebrate its history, the members and officers of the United Auto Workers will remember the vision of its founders and the commitment of its workers that have brought them to this point. Fittingly, as they look to the past, they will also be casting an eye to the future and to the many ways in which United Auto Workers will continue to serve the working men and women of this great country; now, therefore, be it

Resolved by the Senate, That the members of this legislative body declare February 11, 2009, as White Shirt Day in the state of Michigan. We commemorate the 72nd anniversary of the first United Auto Workers contract with General Motors. We commend everyone who has contributed to the UAW's success and thank them for the manner in which they have strengthened Michigan.

Senator Scott offered the following resolution:

Senate Resolution No. 8.

A resolution proclaiming February 6, 2009, as Go Red for Women Day.

Whereas, Heart disease is the No. 1 cause of death among women; and

Whereas, Cardiovascular disease claims the lives of 460,000 American women every year—almost one death per minute; and

Whereas, More women die of cardiovascular disease than the next five causes of death combined, including all forms of cancer; and

Whereas, Sixty-four percent of women who die suddenly of coronary heart disease have no previous symptoms; and

Whereas, Research shows that 80 percent of cardiac events in women could be prevented if women made the right choices for their hearts; and

Whereas, The American Heart Association started Go Red for Women Day in 2004 to educate women about heart disease and its prevention; and

Whereas, Go Red for Women Day is celebrated throughout the United States to raise awareness of heart disease in women and how to prevent it; and

Whereas, February is designated as American Heart Month; now, therefore, be it

Resolved by the Senate, That in recognition of the importance of the ongoing fight against heart disease and stroke, we do hereby proclaim February 6, 2009, as Go Red for Women Day in Michigan. We encourage all citizens to wear red in recognition of family, friends, and neighbors who have suffered from heart disease and as a show of support to fight this deadly disease. By increasing awareness of the risk factors for this devastating disease and taking actions to reduce them, we can save thousands of lives each year; and be it further

Resolved, That a copy of this resolution be transmitted to the Go Red for Women Leadership Committee as evidence of our esteem for their dedication and commitment to fighting this disease and saving countless lives.

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

Senator Cropsey moved that the rule be suspended.

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

The resolution was adopted.

Senators Anderson, Barcia, Brater, Cassis, Clark-Coleman, Clarke, Hardiman, Hunter, Jacobs, Kahn, Olshove, Pappageorge, Prusi and Switalski were named co-sponsors of the resolution.

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

The motion prevailed.

Senator Scott's statement is as follows:

This is a resolution proclaiming February 6, 2009, as Go Red for Women Day:

“Whereas, Heart disease is the No. 1 cause of death among women; and

Whereas, Cardiovascular disease claims the lives of 460,000 American women every year—almost one death per minute; and

Whereas, More women die of cardiovascular disease than the next five causes of death combined, including all forms of cancer; and

Whereas, Sixty-four percent of women who die suddenly of coronary heart disease have no previous symptoms; and

Whereas, Research shows that 80 percent of cardiac events in women could be prevented if women made the right choices for their hearts; and

Whereas, The American Heart Association started Go Red for Women Day in 2004 to educate women about heart disease and its prevention; and

Whereas, Go Red for Women Day is celebrated throughout the United States to raise awareness of heart disease in women and how to prevent it; and

Whereas, February is designated as American Heart Month; now, therefore, be it

Resolved by the Senate, That in recognition of the importance of the ongoing fight against heart disease and stroke, we do hereby proclaim February 6, 2009, as Go Red for Women Day in Michigan. We encourage all citizens to wear red in recognition of family, friends, and neighbors who have suffered from heart disease and as a show of support to fight this deadly disease. By increasing awareness of the risk factors for this devastating disease and taking actions to reduce them, we can save thousands of lives each year; and be it further

Resolved, That a copy of this resolution be transmitted to the Go Red for Women Leadership Committee as evidence of our esteem for their dedication and commitment to fighting this disease and saving countless lives.”

I personally want to thank everyone who wore red today, and I apologize for not letting some of the Senators know sooner. Thank you all.

House Concurrent Resolution No. 3.

A concurrent resolution to request the State Officers' Compensation Commission to recommend a 10 percent reduction in salaries of the members of the Legislature, the Governor, the Lieutenant Governor, the Attorney General, and the Secretary of State the next time the commission meets and to urge the commission to ensure that none of its future recommendations exceed the average increase in state employee pay.

Whereas, Our state's continuing economic struggles emphasize the need to make sacrifices for our future economic and fiscal health. All avenues to encourage that fiscal policies and decisions reflect this need for prudence must be pursued; and

Whereas, Article IV, Section 12 of the State Constitution of 1963 provides for the State Officers' Compensation Commission. This commission determines the salaries and expense allowances of certain elected state officers, including the members of the Legislature, the Governor, the Lieutenant Governor, the Attorney General, and the Secretary of State. Pursuant to state statutes amended to conform to 2002 changes in the constitutional provisions regarding the commission, the State Officers' Compensation Commission will next meet in 2009; and

Whereas, It is important for all possible mechanisms to be put in place to avoid unnecessary spending. Reducing the salaries of the state's highest elected officers and restraining spending increases can help safeguard the public's interests at an important time in our state's history. Establishing a ceiling for the recommendations that the State Officers' Compensation Commission can make, by making sure future recommendations cannot exceed the average increase in state employee pay, is an appropriate and long-overdue step to take. These moves can enable other reforms in policy to take root; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we request the State Officers' Compensation Commission to recommend a 10 percent reduction in salaries of the members of the Legislature, the Governor, the Lieutenant Governor, the Attorney General, and the Secretary of State the next time the commission meets and to urge

the commission to ensure that none of its future recommendations exceed the average increase in state employee pay; and be it further

Resolved, That copies of this resolution be transmitted to the State Officers' Compensation Commission.

The House of Representatives has adopted the concurrent resolution.

Pursuant to rule 3.204, the concurrent resolution was referred to the Committee on Government Operations and Reform.

Senators Barcia, Cassis, Clarke, Jacobs and Olshove were named co-sponsors of the concurrent resolution.

By unanimous consent the Senate proceeded to the order of

Statements

Senators Brown, Birkholz, Thomas, Pappageorge, Scott, Patterson, Kahn, Sanborn, Bishop and Jacobs asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator Brown's statement is as follows:

When students come to the Capitol to experience Michigan government, they look down from the Gallery and see this spectacle we call democracy. But when they complete their day tour with a visit to our state's Historical Museum, they see the face of Michigan. The announcement in the Governor's State of the State message to eliminate the Department of History, Arts, and Libraries causes one to reflect on just what this dispensable department does. Much to our surprise, it does much with little, and the staff and department personnel are among Michigan's finest employees.

History, they say, is a thing of the past, and now its departmental namesake is being given notice that it, too, is destined to be a thing of the past. How we configure the valued role of History, Arts, and Libraries in the life of state government will indeed be a discussion we will have in this Legislature and soon. The valued assets of HAL, most notably, our flagship state Historical Museum, must be reintegrated into the structures of state government with care, thought, and appreciation for the important role these assets play in the quality of life of the people of Michigan, in the preservation of our heritage, in the inquisitive fascination our children have for all things Michigan, and for the future generations who seek to learn about the past as a springboard to the future.

And a similar tribute must be extended to the valuable employees of the Department of History, Arts, and Libraries. How many of you have called our state library, for instance, with a request for information? The response is always superlative and exemplary customer service at its best.

I close with a statement of gratitude and appreciation for the administration, staff, and personnel of the Department of History, Arts, and Libraries. They themselves are a valued treasure and among Michigan's greatest assets.

The President pro tempore, Senator Richardville, assumed the Chair.

Senator Birkholz's statement is as follows:

As legislators, we are the initiators of laws in the state of Michigan. We are all concerned about a wide variety of issues in this state. We bring those issues to the House and the Senate for discussion and debate and usually, after much negotiation, we pass them into law.

We are all very concerned about reliable, affordable energy in Michigan, and we are also concerned about emissions from those sources. That is why the Legislature passed the energy legislation last fall, and the Governor signed those bills into law. For much of that last year, the House and the Senate were involved in very intense negotiations about the energy future of Michigan. After much debate, we came to an agreement on what direction we should go. That agreement, that law, says that Michigan will have a 10 percent RPS—Renewable Portfolio Standard. It will be met in a variety of ways: energy reduction, renewable energy, and advanced cleaner technologies.

During this lengthy process, we also realized that at this point in time, renewable energy cannot meet the baseload needs of the state. We never said that this could not be done in the future but that it is not viable at this time. In order to address this issue, we set in place a certificate-of-need process so that the PSC could review requests from companies and determine the best avenue for our state to proceed.

It was negotiated. It is law—PA 286. That particular expertise which we were relying on is within the PSC.

The Executive Directive No. 2009-2 issued on Tuesday, February 3, is, I believe, an end run around the intent of the law passed by the Legislature. This directive states that before the DEQ can issue an air permit for the construction of a new coal-fired power plant, the department shall determine whether a reasonable electric generation need exists in this state that would be served by a proposed coal-fired electric generation plant. If a reasonable electric need exists, then the department shall estimate the extent of the reasonable electric generation need.

The legislation which we passed gave this authority to the Public Service Commission. This was done after lengthy discussions with all interested parties: the utilities, the renewable community, the conservation and environmental community, and the administration. It is crucial that we find the right balance between our energy needs, our clean air needs, and the costs. Investing in our future is crucial.

I have said since day one I would be working and watching as these new laws were implemented to make sure that our citizens have clean, reliable power and at a reasonable cost. We need to give these new laws a chance.

Senators Thomas' first statement is as follows:

In the spirit of bipartisanship, we thought we'd do our statement together. Far too many of our neighbors are being forced to make difficult choices when it comes to keeping up with their bills.

Senator Pappageorge's first statement is as follows:

WWJ Newsradio 950 and The Heat and Warmth Fund (THAW) are partnering for the Sixth Annual Winter Survival Radiothon for THAW this Friday and Saturday, February 6 and 7.

Senators Thomas' second statement is as follows:

For those who don't know, The Heat and Warmth Fund is an independent, nonprofit agency providing low-income people and families with emergency energy assistance, and they advocate for long-term solutions to energy issues.

Senator Pappageorge's second statement is as follows:

Since 1986, THAW has provided nearly \$70 million in assistance to more than 124,000 Michigan households, including elderly, unemployed, underemployed, and disabled individuals who found themselves in temporary crisis.

Senators Thomas' third statement is as follows:

During the 2007-2008 heating season, THAW distributed more than \$10 million in energy assistance to more than 9,000 Michigan households.

So here's the pitch: Senator Pappageorge and I are going to be making contributions to the THAW Radiothon in an effort to encourage additional support of this. We are asking our Senate colleagues to join us in this challenge, in this endeavor, and consider making a contribution to help those less fortunate secure the energy assistance and shut-off protections that they so deservedly need, particularly in this cold, cold winter season that we're having.

Senator Pappageorge's third statement is as follows:

THAW and WWJ have a goal to raise \$750,000 this year. All donations are matched dollar for dollar by THAW's energy partners, in particular, DTE Energy Corporation.

Senator Scott's statement is as follows:

Today, I once again offer the wise words of Dr. Martin Luther King, Jr. And this one is a bit tricky, so please pay close attention to Dr. King's words. Dr. King said, "I can never be what I ought to be until you are what you ought to be. And you can never be what you ought to be until I am what I ought to be." One more time: "I can never be what I ought to be until you are what you ought to be. And you can never be what you ought to be until I am what I ought to be." Got that?

This is all about expectations and compromise. I will never achieve my goal in insurance reform unless you are what you ought to be and do the right thing for Michigan residents. And you can never be what you ought to be unless I take the high road on integrity and do the right thing for them as well. My hope is that someday we will come together and agree on what the right thing is and treat Michigan drivers and homeowners with fairness and respect.

You know the first step. It's to move my bills.

Tomorrow is Go Red for Women Day, a nationwide day of women's heart health awareness. I see that many of you joined me today in wearing red a day early, and I thank you for that.

Senator Patterson's statement is as follows:

I would call on all members to consider the Executive Directive 2009-2 and compare what is set forth in that executive directive with the exact language of the Michigan Constitution, to which we've all sworn an oath. In pertinent part, the executive directive references sections 51 and 52 of Article IV of the Michigan Constitution. Ironically, that particular article has to do with the powers of the legislative branch. What's interesting is that it specifically leaves out the portion cited which references that the Legislature shall pass suitable laws.

Interesting, in light of the fact that last year we did pass suitable laws with regard to energy policy. I would call on all members to refresh their recollection that going back to February 1, 2006, the Michigan electric capacity needs forum made recommendations as to what the future needs of this state in electricity were going to be and what the sources of generation should be. Then, as a result of that capacity needs forum report, none other than L. Peter Lark, who had been the chair of the Public Service Commission, actually made what was called the 21st Century Energy Plan, to which I took some umbrage because it was merely a proposal until both chambers of the Michigan Legislature and then the Governor signed the proposal into law, at which point, it would become a plan. So it was at least three years in the making, and it was much-ballyhooed as something that was past due and needed.

Now, a mere 12 months later, it is all out the window. What we labored so hard in a bipartisan, bicameral way to do, to set forth a 30-year plan, somehow is no longer appropriate; that we should just chuck it all aside and that we should do so as the result of a need for alternative energy and alternative means for creating electricity or generating electricity.

Well, some of you may know that there is going to be a hearing this afternoon, and you might, in fact, be interested in attending because I have some further pithy remarks to make, one of which will reference what circumstances have changed, Governor? You make reference to circumstances having changed in your executive directive. I would like to have somebody explain what those circumstances are that have so changed.

Senator Kahn's statement is as follows:

The last couple of days on a subject less dynamic and interesting, i.e. appropriations and the budget, I spoke about some of the opportunities that are before us in these tough times and savings that we can use to help our people. There are a couple of other points I'd like to make supplemental to those talks. We just had unveiled a proposal to incentivize senior teachers to retire. That proposal could save us as much as \$400 million in the first year, \$1.7 billion over ten years, provide jobs for young people graduating from college who now are one of our major exports, provide security in times of inflation for those who retire, and provide energy within the classroom that only young people can bring. This legislation needs to be fast-tracked, worked on, and maybe reconfigured. I noticed that the Governor had comments on it today.

The other things that, in particular, I think we ought to be talking about are the electronic record. This is coming across our entire country bit by bit. It's time that we in Michigan did this. It reduces errors, saves lives, saves money, and moves us into the 21st century where we should be.

Nursing home reimbursements ought to be acuity-based. That is, the sicker you are, the more expensive you are to take care of, regardless of whether you are in your home, a nursing home, or a hospital. Payments ought to recognize that.

Additionally, we ought to look at the notion of managed care within that environment; whether that type of continuity would help us; whether it's home care, hospital care, or nursing home care again. As we are moving through the appropriations process, I would hope that that would at least be piloted.

A drug list is different, whether we are talking about the Corrections Department or the Department of Community Health. Caremark is by far the biggest PBM, the one we use in DCH, but it's, of course, not the only one. There are others besides those in Corrections. The University of Michigan has one that is self-managing. It ought to be looked at as well.

These ideas will be delivered in some form, I hope, when the budget is talked about next week. I look forward, as I know you do, with finding the appropriations mix which will allow us to get through these difficult times in the next two years.

Senator Sanborn's statement is as follows:

Day after day on Statements we hear the good and thoughtful lady from the 2nd District speak compassionately about issues of insurance affordability, and you have to admire her because of her passion. Her heart is in the right place, although her approach of how we are going to resolve the problem might be slightly wrong-minded. You must love her passion.

Given additional creditability to her approach at reducing the costs of insurance for her constituents, the Governor stepped forward in her State of the State address and acknowledged her effort and clearly thinks that this might be a right-minded approach to resolving the costs of insurance. As I pointed out to you yesterday, she has the ability to cut the costs of insurance, simply by having her insurance commissioner in a file-and-use state indicate that these rates are not, in fact, actuarially sound. But interestingly enough, he has not done that because he knows that the rates are appropriate for the different geographic areas. Otherwise, he could step forward and say these rates are not actuarially sound, and if those insurance companies don't want to do business in Michigan, they can just get the heck out then.

Interestingly enough, the Governor cited in her State of the State address last year universal health care and cited Sweden—a socialist country with universal health care—and how we need to be more like their approach.

Again, I think this is the wrong-minded approach. She cited that we needed to cut the cost of government. That's a right-minded approach; I like that. She said we need to downsize government. That's a good approach. Ironically, though, she, in fact, has increased the size of government by creating a new job—a job for her friend and neighbor Butch Hollowell.

Unfortunately, he was unemployed at the time, but she created the insurance ombudsman job. Apparently, the insurance commissioner wasn't giving her what she wanted by declaring rates actuarially unsound. She has given him a new mission. Go out and write a report, and the report is in. It's a 335-page report. Now you know this job of the insurance ombudsman has no regulatory or statutory authority. It is just a position that she created by executive order for her friend, who didn't work in the insurance industry, but he is now the insurance ombudsman. It is very frustrating, as he appears to be doing an end run around the insurance commissioner, who has the statutory and regulatory authority to come before my committee and testify if rates are unsound.

We are going through this 335-page report by the insurance ombudsman now, and I will look forward to discussing it with the insurance commissioner, who actually has the regulatory and statutory authority to work with my committee, to work towards insurance affordability.

It appears that the Governor created this new position of insurance ombudsman, and he has written a very economic-sounding report. Of course, Ronald Reagan spoke to what an economist is. An economist is someone who puts into theory what has already failed in reality. We have seen this approach before. We have seen it in socialist countries the redistribution wealth, taking from those who have the resources and giving to those who simply do not. It is a slippery slope that we are seeing in Washington now when we hear people talking about the redistribution of wealth, taking from those who have and giving to those who do not. It is a slippery slope that I am concerned about that will be applied with the Governor's citing this effort to cap insurance rates and redistribute the cost to the—subsidized from outstate constituents to those who live in the more popular, and perhaps more riskier, areas. I am a bit concerned that we are yet again going down that slippery slope in Washington and here in Michigan.

I say to this socialist approach, comrades, I say, “Nyet, nyet,” stand up for American values.

Senator Bishop's statement is as follows:

I guess I will continue on with some of the Kum ba yah comments that were just made with regard to bringing us all together and working together in a bipartisanship. I raise the chamber's attention to the fact that we are now at the one-month anniversary of the vacancy of the 19th District Senate seat. That seat remains open, and I know from inside the chamber, it is easy to forget the fact that that chair is no longer being used, but I assure you that the rest of the people in that district are concerned about it.

In fact, I was provided with a resolution from the Battle Creek commission. Deidre Laser, who is the clerk of that commission, sent me this resolution and sent the Senate the resolution asking that the seat be filled. As the previous speaker was talking about, during these very tough economic times, it really is unacceptable for people to be without that representation, especially in Calhoun and Jackson Counties. It will be months before they have a representative here in the Senate. People are hurting and need assistance. The unemployed need assistance, and they need an advocate in Lansing who can be here for them during these difficult times and help them through these difficult times.

It is our constitutional duty to represent each and every one of them not in just crafting legislation, but assisting them as elected members of government do. I will tell you as the representative from the 12th District in Oakland County, I receive thousands of e-mails, phone calls, snail mail, and all different sorts of correspondences every day from constituents who are in desperate need of help and the assistance of government. I am proud to say that our office is very effective in communicating with those needy constituents. I and my staff and my colleagues from different districts have helped in different circumstances. Our staffs have helped. We respond to everything that comes into our office. I have a wide variety of needs that come into our office having to do with, for example, young graduates who are looking for help in getting a license or finding some sort of connection with regard to state government.

But I have other issues in my district, like yours, especially in these difficult times. It is time that we start putting a face with some of these stories, and we can do that in each one of our districts. We talk about some of the parents who have called who are, frankly, embarrassed by their situation, but they have to provide for their family. They are out of work. They need jobs and they need assistance, and that is what government is all about—finding ways for them, to help with the assistance that is due to them. I also have parents who call the office regarding child care issues and child support. It is a common call, and we need to be there for them when they call.

An uptick and another call are those who are calling desperately asking for assistance with regard to skyrocketing property taxes and the inability to stay in their homes. They see their skyrocketing property taxes while their home values plummet. We need to be there for them, each and every one of us.

There is also a discussion about a federal stimulus package coming forward and the need for us to be prepared for that shovel-ready project. Who is watching over the 19th District? Will Calhoun and Jackson have an advocate with the Governor when the time comes to spread the wealth that she has been talking about? Who is compiling that list? Who is taking the calls, and who is prioritizing their needs? I think that is the question that we have to ask. You know, in that area, one of our largest employers, Kellogg's, is without a representative in the Senate. There are hundreds of thousands of businesses, small business to medium-size, that are not represented right now in the Senate.

It is unacceptable, and I think it is about time that we set that date to get that seat filled. If the concern about setting the date has to do with the costs, then let's set it in May when we have every school district in that district having elections already. We can piggyback on that. Let's get it done as soon as possible and fill that vacancy. I call upon the Governor to use her constitutional powers to set the date as soon as possible.

Senator Jacobs' statement is as follows:

I truly hope and pray that we will not be using statements from yesterday and forward to sit here and bad-mouth the President, the Congress, the Governor, and her appointees. We have a lot of work to do, folks. We have young people here who are watching government at work who have to see these kinds of weird behaviors and speeches on the floor.

We need to stop for a minute, and as I said the other day, we need a moratorium—you know, a truce. Let us work together, folks. We have people in our districts who are hurting—people who are going to be positively impacted with a stimulus program. Now is it perfect? Nothing that we ever do is perfect. We know that as legislators.

I already know that everybody in this chamber has some project, whether it's a school project, whether it's a road, or whether it's a bridge. It's the thousands of people who are out of work in each of our districts who need us to move forward. I am coming up with positive things. They don't want to hear this kind of stuff.

So please let us work together. This whole thing just saddens me that we have to result to theoretic. We can do better. Yes, we can.

By unanimous consent the Senate returned to the order of

Introduction and Referral of Bills

Senators Olshove, Cherry, Scott and Gleason introduced

Senate Bill No. 193, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 21525.

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

Senators Richardville and Brown introduced

Senate Bill No. 194, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 14h of chapter XVII (MCL 777.14h), as amended by 2008 PA 430.

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

Senators Stamas and Richardville introduced

Senate Bill No. 195, entitled

A bill to amend 1943 PA 20, entitled "An act relative to the investment of funds of public corporations of the state; and to validate certain investments," by amending section 1 (MCL 129.91), as amended by 2008 PA 308.

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

Senators Stamas and Richardville introduced

Senate Bill No. 196, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 622 and 1223 (MCL 380.622 and 380.1223), as amended by 2008 PA 307.

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

Senators McManus, Pappageorge, Garcia and Basham introduced

Senate Bill No. 197, entitled

A bill to amend 1956 PA 205, entitled "The paternity act," by amending sections 1, 4, and 6 (MCL 722.711, 722.714, and 722.716), sections 1 and 6 as amended by 2000 PA 31 and section 4 as amended by 1998 PA 113.

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

Senators McManus and Van Woerkom introduced

Senate Bill No. 198, entitled

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

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

Senators Kahn, Pappageorge, Garcia, Brown, Hardiman, McManus, Gilbert, Cropsey, Kuipers and Barcia introduced

Senate Bill No. 199, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 811e (MCL 257.811e), as amended by 2006 PA 562, and by adding section 811r.

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

Senators Patterson, Jacobs, Kahn, Cherry, Hardiman, Switalski and Kuipers introduced

Senate Bill No. 200, entitled

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

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

Senators Sanborn, Richardville, Kahn, Kuipers, Gilbert, Van Woerkom, Cropsey, Brown, Barcia, Pappageorge, Gleason, Anderson, McManus, Hardiman and Garcia introduced

Senate Bill No. 201, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 1 (MCL 205.51), as amended by 2008 PA 438.

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

Senators Sanborn, Richardville, Kahn, Van Woerkom, Kuipers, Barcia and Pappageorge introduced

Senate Bill No. 202, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 603 (MCL 436.1603), as amended by 2008 PA 218.

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

Committee Reports

The Committee on Families and Human Services reported

Senate Bill No. 102, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 321c (MCL 257.321c), as added by 1996 PA 240.

With the recommendation that the bill pass.

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

Mark C. Jansen
Chairperson

To Report Out:

Yeas: Senators Jansen, Hardiman and Jacobs

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Families and Human Services submitted the following:

Meeting held on Tuesday, February 3, 2009, at 2:30 p.m., Room 210, Farnum Building

Present: Senators Jansen (C), Hardiman and Jacobs

COMMITTEE ATTENDANCE REPORT

The Committee on Health Policy submitted the following:

Meeting held on Wednesday, February 4, 2009, at 3:05 p.m., Senate Hearing Room, Ground Floor, Boji Tower

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

Excused: Senator Patterson

Scheduled Meetings

Appropriations, Senate/House - Thursday, February 12, 11:00 a.m., House Appropriations Room, 3rd Floor, Capitol Building (373-6960)

Subcommittees -

Economic Development - Wednesday, February 11, 8:30 a.m., Room 110, Farnum Building (373-2768)

Human Services Department - Tuesday, February 10, 1:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower (373-2768)

State Police and Military Affairs - Tuesday, February 10, 3:00 p.m., and Wednesday, February 11, 1:30 p.m., Room 405, Capitol Building (373-2768)

Legislative Commission on Statutory Mandates - Friday, February 27, 12:00 noon, Oakland County Executive Office Building, Oakland County Conference Center, Waterford Room, Building 41-West, 2100 Pontiac Lake Road, Waterford (373-0212)

Senator Cropsey moved that the Senate adjourn.
The motion prevailed, the time being 11:30 a.m.

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

CAROL MOREY VIVENTI
Secretary of the Senate

