

No. 73  
STATE OF MICHIGAN  
**Journal of the Senate**  
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REGULAR SESSION OF 2008

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Senate Chamber, Lansing, Wednesday, September 10, 2008.

10:00 a.m.

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

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

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

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

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

Reverend Paul R. Tomlinson of First Presbyterian Church of Cadillac offered the following invocation:

Great and glorious God, we gather here for the beginning of this session and invoke Your name and seek Your blessing. We are ever so grateful for this beautiful state in which we live. The lakes and trees, the farmlands and the cities, all reveal the many dimensions of life which You have created.

As this Senate of this great state returns into session, help them to be mindful of all of the people of this state. There are many issues which must be faced: the economy, health care, justice issues, and the protection of our natural resources, to name but a few. Help us, as these issues are faced, to remember the people behind these issues. There are businesses struggling to stay afloat; people being laid off and becoming unemployed; families who are without health care; people who live in poverty. We think of the men and women of our state who are serving our nation in our armed services. As we gather as the Senate of this state, we pray for all of these people—for they are our state.

As the Senate begins deliberations on many issues, O God, there will be differing viewpoints. Even as they disagree and argue, may Your Spirit bring a spirit of unity and peace to these chambers. Help these Senators to always remember that even though they may disagree, they are all here to serve this state—to serve its people.

We pause also on this day before September 11 to remember those who lost their lives in the tragic terrorist attack on our nation seven years ago. May our lives and our actions honor those who died in the attack and all who come to our service as fire fighters, policemen, and other emergency personnel.

Gracious God, the Holy Scriptures of the Christian faith state that all law is fulfilled in the law to love our neighbors. May those gathered this day in these chambers form all laws in that spirit of love. Guide and direct them.

We pray this with the desire that through our words and our deeds, all glory might go unto You, our Creator and sustainer. Amen.

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

### Motions and Communications

#### Recess

Senator Cropsey moved that the Senate recess subject to the call of the Chair.  
The motion prevailed, the time being 10:06 a.m.

12:20 p.m.

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

During the recess, Senators Schauer, Pappageorge, Kahn, Thomas, Barcia, Gleason, Kuipers, Clarke and Garcia entered the Senate Chamber.

Senator Cropsey moved that the Committee on Finance be discharged from further consideration of the following bill:

**House Bill No. 5898, entitled**

A bill to amend 2007 PA 36, entitled “Michigan business tax act,” (MCL 208.1101 to 208.1601) by adding section 430.

The motion prevailed, a majority of the members serving voting therefor, and the bill was placed on the order of General Orders.

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

**House Bill No. 5898**

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

The Secretary announced that the following House bills were received in the Senate and filed on Tuesday, September 9:

**House Bill Nos. 5966 5995**

The Secretary announced that the following official bills were printed on Tuesday, September 9, and are available at the legislative website:

**Senate Bill Nos. 1461 1462**

By unanimous consent the Senate proceeded to the order of

### Statements

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

The motion prevailed.

Senator George's statement is as follows:

I have a resolution to offer to Kerry Chartkoff on the eve of her retirement as director of the Capitol Tour and Information Service. As I begin, I would also like to introduce her family who are in the east Gallery. We are joined by Lisa Levine, Kerry's sister from California; her sister from Colorado, Laurie Mundy; her son Eli Chartkoff; and her husband Joe Chartkoff. Please join me in welcoming them to the Senate—if they could rise.

Of course, Kerry is a familiar face to all of us, and I just want to tell you a little bit about what she did before she began her 20-year service here at the Capitol. She was born in San Diego, California. She grew up in a military family and moved frequently, attending several schools before graduating from Santa Ana Valley High School. She attended Santa Ana Community College and then transferred to the University of California, Los Angeles. She earned a bachelor's degree there and then completed three years of post-graduate work, continuing her studies in anthropology and archaeology, and it was there that she met her husband Joe, now of 43 years.

For several years, she worked at the UCLA Museum of Cultural History, and in 1971, she moved to Michigan as her husband Joe took a position with Michigan State University. She became actively involved in area affairs as a member of the Bailey Neighborhood Association and the East Lansing Historical Association and raised her sons Zachary and Eli.

In 1988, she began working at the Capitol and became an invaluable member of the restoration team, along with Jerry Lawler. As you know, she is overseeing the portrait collection and also the historic battle flags collection. She has been the chair of the Save the Flags program, which is the effort to restore and preserve our historic battle flags from the Civil War, the Spanish-American War, and World War I, which has been a very successful grassroots conservation program, and for that she received the annual Governor John B. Swainson Award for contributions to Michigan history.

She was named Michigan State Capitol Historian in 1992 and has since then spent time researching, interpreting, and maintaining our National Historic Landmark. She also directed the Capitol Tour and Information Service, managing a staff of fifteen and providing tours to 125,000 visitors annually. We are one of the most-visited capitols in the country.

She has authored several scholarly articles, including pieces in the *Michigan History* magazine and the history in the *Michigan Manual*. She curated a year-long exhibit for the Michigan Historical Museum on Michigan's Civil War battle flags, and she also co-curated the exhibit on "Tommaso Juglaris, the Capitol Artist." She has taught classes at MSU on the history and restoration of the Capitol.

So please join me in thanking Kerry for her work for 20 years to make our Capitol more than just a building, but a living symbol of the state government—an emblem of the democratic process by which the people of Michigan exert self-government. Thank you, Kerry.

Senator Brater's statement is as follows:

I want to echo the remarks of the good Senator from the 20th District, and it is certainly a bipartisan matter to thank our great Capitol Historian and a leader for so many years. The devotion and passion that Kerry Chartkoff has brought to her job is hard to measure, and it is hard to describe. But I have always been impressed with how she knows every detail of every corner of this building, every portrait that we have hanging here, and the way that she wants to share her enthusiasm and her passion for not only the history and architecture of this building, but the way it embodies the traditions of the entire state of Michigan—embodies, in fact, the democratic ideals in the physical beauty of this building.

So I really want to add my words of admiration and thanks to Kerry. We are very sad that she is leaving, but we want to wish her all the best in her future years and her devotion to her family that she is showing in these next steps.

Senator Brown's statement is as follows:

I, too, rise to just make a very brief comment on the retirement of Kerry Chartkoff, if I could please. I had an employer who once said that no employee should ever consider themselves as irreplaceable in that maxim of humility and perspective. I suspect it applies to most of us. As we consider Kerry's departure today, I think it has to be said that it doesn't apply to her. We are losing a very key person. We are losing a friend, someone who has a passion for all that we do here, for our history, for our heritage. It is hard to hear myself talk, Mr. President, but I will wrap up soon. I will wrap up by simply saying that I appreciate her dedication and her commitment. She will be sorely missed.

By unanimous consent the Senate returned to the order of  
**General Orders**

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

The motion prevailed, and the President, Lieutenant Governor Cherry, designated Senator Brown 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 with a substitute therefor, the following bill:

**Senate Bill No. 921, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 16345, 18301, 18303, 18305, 18307, and 18309 (MCL 333.16345, 333.18301, 333.18303, 333.18305, 333.18307, and 333.18309), section 16345 as added by 1993 PA 79, sections 18301, 18303, 18307, and 18309 as added by 1988 PA 473, and section 18305 as amended by 2006 PA 394, and by adding sections 18313 and 18315.

Substitute (S-2).

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

1. Amend page 3, line 25, after the first "AND" by inserting "LOW TEMPERATURE".
2. Amend page 3, line 26, after "DEVICES." by inserting "FOR THE PURPOSES OF THIS SUB-SUBPARAGRAPH, THE DESIGN AND FABRICATION OF LOW TEMPERATURE ORTHOTIC DEVICES DOES NOT INCLUDE PERMANENT ORTHOTICS."

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

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

**House Bill No. 5898, entitled**

A bill to amend 2007 PA 36, entitled "Michigan business tax act," (MCL 208.1101 to 208.1601) by adding section 430.

Substitute (S-3).

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

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

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

**House Bill No. 5898**

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

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

**House Bill No. 5996**

**House Bill No. 5997**

**House Bill No. 5998**

**House Bill No. 5999**

**House Bill No. 5898**

The motion prevailed.

The following bill was read a third time:

**House Bill No. 5996, entitled**

A bill to amend 1855 PA 105, entitled "An act to regulate the disposition of the surplus funds in the state treasury; to provide for the deposit of surplus funds in certain financial institutions; to lend surplus funds pursuant to loan agreements secured by certain commercial, agricultural, or industrial real and personal property; to authorize the loan of surplus funds to certain municipalities; to authorize the participation in certain loan programs; to authorize an appropriation; and to prescribe the duties of certain state agencies," (MCL 21.141 to 21.147) by adding section 5.

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. 531****Yeas—38**

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

**Nays—0****Excused—0****Not Voting—0**

In The Chair: President

Senator Cropsey moved that the bill be given immediate effect.  
The motion prevailed, 2/3 of the members serving voting therefor.  
The Senate agreed to the title of the bill.

The following bill was read a third time:

**House Bill No. 5997, entitled**

A bill to amend 1984 PA 270, entitled “Michigan strategic fund act,” (MCL 125.2001 to 125.2094) by adding section 7a.

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. 532****Yeas—38**

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

**Nays—0****Excused—0**

**Not Voting—0**

In The Chair: President

Senator Cropsey moved that the bill be given immediate effect.

The motion prevailed, 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 relating to the economic development of this state; to create the Michigan strategic fund and to prescribe its powers and duties; to transfer and provide for the acquisition and succession to the rights, properties, obligations, and duties of the job development authority and the Michigan economic development authority to the Michigan strategic fund; to provide for the expenditure of proceeds in certain funds to which the Michigan strategic fund succeeds in ownership; to provide for the issuance of, and terms and conditions for, certain notes and bonds of the Michigan strategic fund; to create certain boards and funds; to create certain permanent funds; to exempt the property, income, and operation of the fund and its bonds and notes, and the interest thereon, from certain taxes; to provide for the creation of certain centers within and for the purposes of the Michigan strategic fund; to provide for the creation and funding of certain accounts for certain purposes; to impose certain powers and duties upon certain officials, departments, and authorities of this state; to make certain loans, grants, and investments; to provide penalties; to make an appropriation; and to repeal acts and parts of acts.”

The Senate agreed to the full title.

The following bill was read a third time:

**House Bill No. 5998, entitled**

A bill to amend 1965 PA 314, entitled “Public employee retirement system investment act,” by amending section 13 (MCL 38.1133), as amended by 2000 PA 307.

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. 533****Yeas—38**

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

**Nays—0****Excused—0****Not Voting—0**

In The Chair: President

Senator Cropsey moved that the bill be given immediate effect.

The motion prevailed, 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 authorize the investment of assets of public employee retirement systems or plans created and established by the state or any political subdivision; to provide for the payment of certain costs and investment expenses; to authorize investment in variable rate interest loans; to define and limit the investments which may be made by an investment

fiduciary with the assets of a public employee retirement system; and to prescribe the powers and duties of investment fiduciaries and certain state departments and officers.”.

The Senate agreed to the full title.

The following bill was read a third time:

**House Bill No. 5999, entitled**

A bill to amend 1972 PA 239, entitled “McCauley-Traxler-Law-Bowman-McNeely lottery act,” by amending section 41 (MCL 432.41), as amended by 1997 PA 72.

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. 534**

**Yeas—38**

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

**Nays—0**

**Excused—0**

**Not Voting—0**

In The Chair: President

Senator Cropsey moved that the bill be given immediate effect.

The motion prevailed, 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 establish and operate a state lottery and to allow state participation in certain lottery-related joint enterprises with other sovereignties; to create a bureau of state lottery and to prescribe its powers and duties; to prescribe certain powers and duties of other state departments and agencies; to license and regulate certain sales agents; to create the state lottery fund; to provide for the distribution of lottery revenues and earnings for certain purposes; to provide for an appropriation; and to provide for remedies and penalties.”.

The Senate agreed to the full title.

The following bill was read a third time:

**House Bill No. 5898, entitled**

A bill to amend 2007 PA 36, entitled “Michigan business tax act,” (MCL 208.1101 to 208.1601) by adding section 430.

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. 535**

**Yeas—31**

Allen	Cherry	Jelinek	Schauer
Anderson	Clark-Coleman	Kahn	Scott
Barcia	Clarke	Kuipers	Stamas
Basham	Garcia	McManus	Switalski
Birkholz	Gleason	Olshove	Thomas
Bishop	Hardiman	Pappageorge	Van Woerkom

Brater  
Brown

Hunter  
Jacobs

Prusi  
Richardville

Whitmer

**Nays—7**

Cassis  
Cropsey

George  
Gilbert

Jansen  
Patterson

Sanborn

**Excused—0**

**Not Voting—0**

In The Chair: President

Senator Cropsey moved that the bill be given immediate effect.

The motion prevailed, 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 meet deficiencies in state funds by providing for the imposition, levy, computation, collection, assessment, reporting, payment, and enforcement of taxes on certain commercial, business, and financial activities; to prescribe the powers and duties of public officers and state departments; to provide for the inspection of certain taxpayer records; to provide for interest and penalties; to provide exemptions, credits, and refunds; to provide for the disposition of funds; to provide for the interrelation of this act with other acts; and to make appropriations.”

The Senate agreed to the full title.

### **Protest**

Senators Cassis and George, under their constitutional right of protest (Art. 4, Sec. 18), protested against the passage of House Bill No. 5898.

Senator Cassis’ statement, in which Senator George concurred, is as follows:

I rise for purposes of a “no” vote explanation on House Bill No. 5898. My record clearly shows that I have consistently welcomed, advocated for, and sponsored legislation in support of job creation, economic development, and expansion. My support is absolutely unwavering and will continue.

However, it’s going above and beyond tax incentives, removing all tax liability to the chosen few and then providing General Fund checks to a select group at the expense of our high-tax-paying, overburdened small businesses in this state without any relief to them—our local mom and pop stores, our restaurants, our real estate offices, on and on—is both unfair and unbalanced.

We must bring relief—broad-based relief, across-the-board relief—keeping our loyal long-term hometown businesses here, attracting new businesses, and promoting true economic diversity, rather than targeting the few and lavishing generous financial giveaways on these few.

Our economic policies must change and be reformed in Michigan. The time is now to give Michigan the real competitive upper hand.

By unanimous consent the Senate returned to the order of

### **Messages from the Governor**

The following messages from the Governor were received:

Date: July 15, 2008  
Time: 4:16 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

#### **Enrolled Senate Bill No. 846 (Public Act No. 234), being**

An act to prohibit the investment of certain state money or other assets in companies with certain types of business operations in countries designated as state sponsors of terror; to require divestment of any current investments in those companies; and to provide for the powers and duties of certain state and local governmental officers and entities.

(Filed with the Secretary of State on July 17, 2008, at 9:55 a.m.)



Date: July 15, 2008  
Time: 4:18 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 848 (Public Act No. 235), being**

An act to amend 1946 (1st Ex Sess) PA 9, entitled “An act to create the Michigan veterans’ trust fund, and to define who shall be eligible to receive assistance therefrom; to provide for the disbursement of the income thereof and surplus therein; to create a board of trustees, and to prescribe its powers and duties; to provide for county and district committees, and their powers, duties, and expenses; to prescribe penalties; and to make appropriations to carry out the provisions of this act,” by amending section 5 (MCL 35.605), as amended by 2002 PA 53.

(Filed with the Secretary of State on July 17, 2008, at 9:57 a.m.)

Date: July 15, 2008  
Time: 4:20 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 849 (Public Act No. 236), being**

An act to amend 1994 PA 451, entitled “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,” (MCL 324.101 to 324.90106) by adding section 503b.

(Filed with the Secretary of State on July 17, 2008, at 9:59 a.m.)

Date: July 15, 2008  
Time: 4:22 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 850 (Public Act No. 237), being**

An act to amend 1966 PA 331, entitled “An act to revise and consolidate the laws relating to community colleges; to provide for the creation of community college districts; to provide a charter for such districts; to provide for the government, control and administration of such districts; to provide for the election of a board of trustees; to define the powers and duties of the board of trustees; to provide for the assessment, levy, collection and return of taxes therefor; to prescribe penalties and provide remedies; and to repeal acts and parts of acts,” by amending sections 124 and 142 (MCL 389.124 and 389.142), section 124 as amended by 2007 PA 109 and section 142 as amended by 1997 PA 23.

(Filed with the Secretary of State on July 17, 2008, at 10:01 a.m.)

Date: July 15, 2008  
Time: 4:24 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 853 (Public Act No. 238), being**

An act to amend 1982 PA 249, entitled “An act to establish the state children’s trust fund in the department of treasury; and to provide certain powers and duties of the department of treasury with respect to the trust fund,” by amending section 1 (MCL 21.171), as amended by 2005 PA 119.

(Filed with the Secretary of State on July 17, 2008, at 10:03 a.m.)

Date: July 15, 2008  
Time: 4:26 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 856 (Public Act No. 239), being**

An act to amend 1986 PA 316, entitled “An act to create the Michigan education trust; to prescribe the powers and duties of the trust and of its board of directors; to provide for advance tuition payment contracts; to establish an advance

tuition payment fund and to provide for its administration; to provide for remedies; and to repeal certain acts and parts of acts on specific dates,” by amending sections 9 and 11 (MCL 390.1429 and 390.1431).

(Filed with the Secretary of State on July 17, 2008, at 10:05 a.m.)

Date: July 15, 2008

Time: 4:30 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 294 (Public Act No. 231), being**

An act to amend 2005 PA 210, entitled “An act to provide for the establishment of commercial rehabilitation districts in certain local governmental units; to provide for the exemption from certain taxes; to levy and collect a specific tax upon the owners of certain qualified facilities; to provide for the disposition of the tax; to provide for the obtaining and transferring of an exemption certificate and to prescribe the contents of those certificates; to prescribe the powers and duties of certain local governmental officials; and to provide penalties,” by amending sections 2 and 8 (MCL 207.842 and 207.848), section 2 as amended by 2008 PA 118.

(Filed with the Secretary of State on July 17, 2008, at 9:49 a.m.)

Date: July 15, 2008

Time: 4:34 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 970 (Public Act No. 225), being**

An act to amend 1975 PA 197, entitled “An act to provide for the establishment of a downtown development authority; to prescribe its powers and duties; to correct and prevent deterioration in business districts; to encourage historic preservation; to authorize the acquisition and disposal of interests in real and personal property; to authorize the creation and implementation of development plans in the districts; to promote the economic growth of the districts; to create a board; to prescribe its powers and duties; to authorize the levy and collection of taxes; to authorize the issuance of bonds and other evidences of indebtedness; to authorize the use of tax increment financing; to reimburse downtown development authorities for certain losses of tax increment revenues; and to prescribe the powers and duties of certain state officials,” by amending section 1 (MCL 125.1651), as amended by 2008 PA 35.

(Filed with the Secretary of State on July 17, 2008, at 9:37 a.m.)

Date: July 15, 2008

Time: 4:36 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 972 (Public Act No. 226), being**

An act to amend 1975 PA 197, entitled “An act to provide for the establishment of a downtown development authority; to prescribe its powers and duties; to correct and prevent deterioration in business districts; to encourage historic preservation; to authorize the acquisition and disposal of interests in real and personal property; to authorize the creation and implementation of development plans in the districts; to promote the economic growth of the districts; to create a board; to prescribe its powers and duties; to authorize the levy and collection of taxes; to authorize the issuance of bonds and other evidences of indebtedness; to authorize the use of tax increment financing; to reimburse downtown development authorities for certain losses of tax increment revenues; and to prescribe the powers and duties of certain state officials,” by amending section 7 (MCL 125.1657), as amended by 2005 PA 115.

(Filed with the Secretary of State on July 17, 2008, at 9:39 a.m.)

Date: July 15, 2008

Time: 4:38 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 974 (Public Act No. 227), being**

An act to amend 1978 PA 255, entitled “An act to provide for the establishment of commercial redevelopment districts in local governmental units; to provide for the exemption from certain taxes; to levy and collect a specific tax upon the owners of certain facilities; to provide for the disposition of the tax; to provide for the obtaining and transferring of an exemption certificate and to prescribe the contents of those certificates; to prescribe the powers and duties of the state

tax commission and certain officers of local governmental units; and to provide remedies and penalties,” by amending sections 3, 4, 12, and 18 (MCL 207.653, 207.654, 207.662, and 207.668), section 3 as amended by 1980 PA 407, section 12 as amended by 1998 PA 243, and section 18 as amended by 1984 PA 342, and by adding section 12a.

(Filed with the Secretary of State on July 17, 2008, at 9:41 a.m.)

Date: July 15, 2008

Time: 4:40 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 976 (Public Act No. 228), being**

An act to amend 1992 PA 147, entitled “An act to provide for the development and rehabilitation of residential housing; to provide for the creation of neighborhood enterprise zones; to provide for obtaining neighborhood enterprise zone certificates for a period of time and to prescribe the contents of the certificates; to provide for the exemption of certain taxes; to provide for the levy and collection of a specific tax on the owner of certain facilities; and to prescribe the powers and duties of certain officers of the state and local governmental units,” by amending section 2 (MCL 207.772), as amended by 2006 PA 661.

(Filed with the Secretary of State on July 17, 2008, at 9:43 a.m.)

Date: July 15, 2008

Time: 4:42 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 978 (Public Act No. 229), being**

An act to amend 1994 PA 451, entitled “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,” by amending section 1907 (MCL 324.1907), as added by 1995 PA 60.

(Filed with the Secretary of State on July 17, 2008, at 9:45 a.m.)

Date: July 15, 2008

Time: 4:44 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 980 (Public Act No. 230), being**

An act to amend 1893 PA 206, entitled “An act to provide for the assessment of rights and interests, including leasehold interests, in property and the levy and collection of taxes on property, and for the collection of taxes levied; making those taxes a lien on the property taxed, establishing and continuing the lien, providing for the sale or forfeiture and conveyance of property delinquent for taxes, and for the inspection and disposition of lands bid off to the state and not redeemed or purchased; to provide for the establishment of a delinquent tax revolving fund and the borrowing of money by counties and the issuance of notes; to define and limit the jurisdiction of the courts in proceedings in connection with property delinquent for taxes; to limit the time within which actions may be brought; to prescribe certain limitations with respect to rates of taxation; to prescribe certain powers and duties of certain officers, departments, agencies, and political subdivisions of this state; to provide for certain reimbursements of certain expenses incurred by units of local government; to provide penalties for the violation of this act; and to repeal acts and parts of acts,” by amending section 9f (MCL 211.9f), as amended by 2007 PA 116.

(Filed with the Secretary of State on July 17, 2008, at 9:47 a.m.)

Date: July 17, 2008

Time: 10:03 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 1206 (Public Act No. 242), being**

An act to amend 1996 PA 376, entitled “An act to create and expand certain renaissance zones; to foster economic opportunities in this state; to facilitate economic development; to stimulate industrial, commercial, and residential

improvements; to prevent physical and infrastructure deterioration of geographic areas in this state; to authorize expenditures; to provide exemptions and credits from certain taxes; to create certain obligations of this state and local governmental units; to require disclosure of certain transactions and gifts; to provide for appropriations; and to prescribe the powers and duties of certain state and local departments, agencies, and officials,” by amending sections 6 and 10 (MCL 125.2686 and 125.2690), section 6 as amended by 2006 PA 304 and section 10 as amended by 2008 PA 117.

(Filed with the Secretary of State on July 17, 2008, at 10:29 a.m.)

Date: July 17, 2008

Time: 10:05 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 886 (Public Act No. 243), being**

An act to amend 1893 PA 206, entitled “An act to provide for the assessment of rights and interests, including leasehold interests, in property and the levy and collection of taxes on property, and for the collection of taxes levied; making those taxes a lien on the property taxed, establishing and continuing the lien, providing for the sale or forfeiture and conveyance of property delinquent for taxes, and for the inspection and disposition of lands bid off to the state and not redeemed or purchased; to provide for the establishment of a delinquent tax revolving fund and the borrowing of money by counties and the issuance of notes; to define and limit the jurisdiction of the courts in proceedings in connection with property delinquent for taxes; to limit the time within which actions may be brought; to prescribe certain limitations with respect to rates of taxation; to prescribe certain powers and duties of certain officers, departments, agencies, and political subdivisions of this state; to provide for certain reimbursements of certain expenses incurred by units of local government; to provide penalties for the violation of this act; and to repeal acts and parts of acts,” by amending section 7dd (MCL 211.7dd), as amended by 2006 PA 114.

(Filed with the Secretary of State on July 17, 2008, at 10:31 a.m.)

Date: July 17, 2008

Time: 10:07 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 1243 (Public Act No. 244), being**

An act to amend 1966 PA 346, entitled “An act to create a state housing development authority; to define the powers and duties of the authority; to establish a housing development revolving fund; to establish a land acquisition and development fund; to establish a rehabilitation fund; to establish a conversion condominium fund; to create certain other funds and provide for the expenditure of certain funds; to authorize the making and purchase of loans, deferred payment loans, and grants to qualified developers, sponsors, individuals, mortgage lenders, and municipalities; to establish and provide acceleration and foreclosure procedures; to provide tax exemption; to authorize payments instead of taxes by nonprofit housing corporations, consumer housing cooperatives, limited dividend housing corporations, mobile home park corporations, and mobile home park associations; and to prescribe criminal penalties for violations of this act,” by amending section 58b (MCL 125.1458b), as added by 2004 PA 480, and by adding sections 58e and 58f; and to repeal acts and parts of acts.

(Filed with the Secretary of State on July 17, 2008, at 10:33 a.m.)

Date: July 17, 2008

Time: 4:22 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 1093 (Public Act No. 255), being**

An act to make appropriations for community colleges and certain state purposes related to education for the fiscal year ending September 30, 2009; to provide for the expenditure of those appropriations; to establish or continue certain funds, programs, and categories; and to prescribe the powers and duties of certain state departments, institutions, agencies, employees, and officers.

(Filed with the Secretary of State on July 18, 2008, at 3:17 p.m.)

Date: July 17, 2008  
Time: 5:00 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 1094 (Public Act No. 246), being**

An act to make appropriations for the department of community health and certain state purposes related to mental health, public health, and medical services for the fiscal year ending September 30, 2009; to provide for the expenditure of those appropriations; to create funds; to require and provide for reports; to prescribe the powers and duties of certain local and state agencies and departments; and to provide for disposition of fees and other income received by the various state agencies.

(Filed with the Secretary of State on July 18, 2008, at 2:59 p.m.)

Date: August 4, 2008  
Time: 1:45 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 852 (Public Act No. 256), being**

An act to amend 2000 PA 489, entitled “An act to create certain funds; to provide for the allocation of certain revenues among certain funds and for the operation, investment, and expenditure of certain funds; and to impose certain duties and requirements on certain state officials,” by amending section 7 (MCL 12.257), as amended by 2008 PA 99.

(Filed with the Secretary of State on August 4, 2008, at 2:23 p.m.)

Date: August 4, 2008  
Time: 1:47 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 1367 (Public Act No. 257), being**

An act to amend 1995 PA 24, entitled “An act to promote economic growth and job creation within this state; to create and regulate the Michigan economic growth authority; to prescribe the powers and duties of the authority and of state and local officials; to assess and collect a fee; to approve certain plans and the use of certain funds; and to provide qualifications for and determine eligibility for tax credits and other incentives for authorized businesses and for qualified taxpayers,” by amending sections 3 and 8 (MCL 207.803 and 207.808), section 3 as amended by 2008 PA 108 and section 8 as amended by 2008 PA 110.

(Filed with the Secretary of State on August 4, 2008, at 2:25 p.m.)

Date: August 4, 2008  
Time: 1:49 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 1351 (Public Act No. 258), being**

An act to amend 1998 PA 58, entitled “An act to create a commission for the control of the alcoholic beverage traffic within this state, and to prescribe its powers, duties, and limitations; to provide for powers and duties for certain state departments and agencies; to impose certain taxes for certain purposes; to provide for the control of the alcoholic liquor traffic within this state and to provide for the power to establish state liquor stores; to prohibit the use of certain devices for the dispensing of alcoholic vapor; to provide for the care and treatment of alcoholics; to provide for the incorporation of farmer cooperative wineries and the granting of certain rights and privileges to those cooperatives; to provide for the licensing and taxation of activities regulated under this act and the disposition of the money received under this act; to prescribe liability for retail licensees under certain circumstances and to require security for that liability; to provide procedures, defenses, and remedies regarding violations of this act; to provide for the enforcement and to prescribe penalties for violations of this act; to provide for allocation of certain funds for certain purposes; to provide for the confiscation and disposition of property seized under this act; to provide referenda under certain circumstances; and to repeal acts and parts of acts,” (MCL 436.1101 to 436.2303) by adding section 526.

(Filed with the Secretary of State on August 4, 2008, at 2:27 p.m.)

Date: August 4, 2008  
Time: 1:51 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 1352 (Public Act No. 259), being**

An act to amend 1998 PA 58, entitled “An act to create a commission for the control of the alcoholic beverage traffic within this state, and to prescribe its powers, duties, and limitations; to provide for powers and duties for certain state departments and agencies; to impose certain taxes for certain purposes; to provide for the control of the alcoholic liquor traffic within this state and to provide for the power to establish state liquor stores; to prohibit the use of certain devices for the dispensing of alcoholic vapor; to provide for the care and treatment of alcoholics; to provide for the incorporation of farmer cooperative wineries and the granting of certain rights and privileges to those cooperatives; to provide for the licensing and taxation of activities regulated under this act and the disposition of the money received under this act; to prescribe liability for retail licensees under certain circumstances and to require security for that liability; to provide procedures, defenses, and remedies regarding violations of this act; to provide for the enforcement and to prescribe penalties for violations of this act; to provide for allocation of certain funds for certain purposes; to provide for the confiscation and disposition of property seized under this act; to provide referenda under certain circumstances; and to repeal acts and parts of acts,” (MCL 436.1101 to 436.2303) by adding section 413.

(Filed with the Secretary of State on August 4, 2008, at 2:29 p.m.)

Date: August 4, 2008  
Time: 1:53 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 170 (Public Act No. 260), being**

An act to provide for subsidy payments to certain guardians of minors; and to provide for duties and responsibilities of certain state departments and agencies.

(Filed with the Secretary of State on August 4, 2008, at 2:31 p.m.)

Date: August 6, 2008  
Time: 7:54 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 1270 (Public Act No. 262), being**

An act to amend 1995 PA 24, entitled “An act to promote economic growth and job creation within this state; to create and regulate the Michigan economic growth authority; to prescribe the powers and duties of the authority and of state and local officials; to assess and collect a fee; to approve certain plans and the use of certain funds; and to provide qualifications for and determine eligibility for tax credits and other incentives for authorized businesses and for qualified taxpayers,” by amending section 6 (MCL 207.806), as amended by 2007 PA 150.

(Filed with the Secretary of State on August 6, 2008, at 1:45 p.m.)

Date: August 6, 2008  
Time: 10:04 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 1268 (Public Act No. 266), being**

An act to amend 2007 PA 36, entitled “An act to meet deficiencies in state funds by providing for the imposition, levy, computation, collection, assessment, reporting, payment, and enforcement of taxes on certain commercial, business, and financial activities; to prescribe the powers and duties of public officers and state departments; to provide for the inspection of certain taxpayer records; to provide for interest and penalties; to provide exemptions, credits, and refunds; to provide for the disposition of funds; to provide for the interrelation of this act with other acts; and to make appropriations,” (MCL 208.1101 to 208.1601) by adding section 432c.

(Filed with the Secretary of State on August 6, 2008, at 1:53 p.m.)

Date: August 6, 2008  
Time: 10:10 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 1267 (Public Act No. 265), being**

An act to amend 2007 PA 36, entitled “An act to meet deficiencies in state funds by providing for the imposition, levy, computation, collection, assessment, reporting, payment, and enforcement of taxes on certain commercial, business, and financial activities; to prescribe the powers and duties of public officers and state departments; to provide for the inspection of certain taxpayer records; to provide for interest and penalties; to provide exemptions, credits, and refunds; to provide for the disposition of funds; to provide for the interrelation of this act with other acts; and to make appropriations,” (MCL 208.1101 to 208.1601) by adding section 432b.

(Filed with the Secretary of State on August 6, 2008, at 1:51 p.m.)

Date: August 6, 2008  
Time: 12:43 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 1107 (Public Act No. 268), being**

An act to amend 1979 PA 94, entitled “An act to make appropriations to aid in the support of the public schools and the intermediate school districts of the state; to make appropriations for certain other purposes relating to education; to provide for the disbursement of the appropriations; to supplement the school aid fund by the levy and collection of certain taxes; to authorize the issuance of certain bonds and provide for the security of those bonds; to prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to create certain funds and provide for their expenditure; to prescribe penalties; and to repeal acts and parts of acts,” by amending sections 3, 4, 6, 11, 11a, 11g, 11j, 11k, 11m, 15, 18, 18b, 19, 20, 20d, 20j, 22a, 22b, 22d, 24, 24a, 24c, 25b, 25c, 26a, 26b, 29, 31a, 31d, 31f, 32b, 32c, 32d, 32j, 32l, 37, 38, 39, 39a, 41, 51a, 51c, 51d, 53a, 54, 54a, 54c, 56, 57, 61a, 62, 64, 65, 74, 81, 94a, 98, 99, 99e, 99i, 99j, 99k, 99p, 104, 104b, 105, 105c, 107, 147, 151, 164c, and 166e (MCL 388.1603, 388.1604, 388.1606, 388.1611, 388.1611a, 388.1611g, 388.1611j, 388.1611k, 388.1611m, 388.1615, 388.1618, 388.1618b, 388.1619, 388.1620, 388.1620d, 388.1620j, 388.1622a, 388.1622b, 388.1622d, 388.1624, 388.1624a, 388.1624c, 388.1625b, 388.1625c, 388.1626a, 388.1626b, 388.1629, 388.1631a, 388.1631d, 388.1631f, 388.1632b, 388.1632c, 388.1632d, 388.1632j, 388.1632l, 388.1637, 388.1638, 388.1639, 388.1639a, 388.1641, 388.1651a, 388.1651c, 388.1651d, 388.1653a, 388.1654, 388.1654a, 388.1654c, 388.1656, 388.1657, 388.1661a, 388.1662, 388.1664, 388.1665, 388.1674, 388.1681, 388.1694a, 388.1698, 388.1699, 388.1699e, 388.1699i, 388.1699j, 388.1699k, 388.1699p, 388.1704, 388.1704b, 388.1705, 388.1705c, 388.1707, 388.1747, 388.1751, 388.1764c, and 388.1766e), sections 3, 6, 11a, 11g, 11k, 11m, 15, 18, 19, 20, 20j, 24, 24a, 24c, 26a, 26b, 29, 31a, 31d, 31f, 32b, 32c, 32d, 32j, 32l, 37, 39, 39a, 41, 51d, 53a, 54, 54a, 57, 61a, 64, 65, 74, 81, 94a, 98, 99, 99e, 107, and 151 as amended and sections 99i, 99j, and 99k as added by 2007 PA 137, sections 4 and 164c as amended by 2005 PA 155, sections 11, 11j, 22a, 22b, 22d, 51a, 51c, 56, 62, and 104 as amended and sections 54c and 99p as added by 2008 PA 112, section 18b as added by 2000 PA 297, section 20d as amended and section 166e as added by 1997 PA 93, section 25b as amended and section 25c as added by 2001 PA 121, section 38 as amended by 2003 PA 158, section 104b as added by 2004 PA 593, sections 105 and 105c as amended by 2006 PA 342, and section 147 as amended by 2007 PA 92, and by adding sections 11n, 22e, and 99a; and to repeal acts and parts of acts.

(Filed with the Secretary of State on August 6, 2008, at 1:57 p.m.)

Respectfully,  
Jennifer M. Granholm  
Governor

The following messages from the Governor were received:

July 17, 2008

Today I have signed Enrolled Senate Bill 1093, which appropriates money for community colleges for the fiscal year ending September 30, 2009. This funding will help Michigan’s 28 community colleges provide over 450,000 residents with affordable access to postsecondary education.

Total fiscal year 2009 appropriations for operations at community colleges are \$292.6 million, representing an overall increase of 2.0 percent. This funding is distributed in accordance with the recommendations of the 2006 Performance Indicators Task Force formula.

In addition to this operations funding, the bill includes \$3.3 million for the at-risk student success program to assist students who are academically at-risk and help ensure their college success. The bill also includes \$3.5 million to reimburse community colleges that lose property tax revenue as a result of renaissance zones.

I thank the Legislature for its work on community college funding, which is very important in strengthening Michigan’s workforce by training students for employment in current and emerging occupations.

July 17, 2008

Today I have signed Enrolled Senate Bill 1094, the fiscal year 2009 Department of Community Health appropriation. This bill appropriates over \$12.5 billion, an amount that represents a significant commitment to the health of Michigan's citizens. Highlights of the bill include:

- The appropriation of over \$8.8 billion to support the Medicaid program, including Children's Special Health Care Services, which provides health care for over 1.5 million low-income residents of Michigan. I commend you for protecting this essential program.
- The provision of over \$2.8 billion to support mental health and substance abuse services. The continuation of this significant level of funding will support quality care for those most in need.
- The appropriation of nearly \$720 million for other public health and aging programs.

I appreciate the Legislature's cooperation in the development of this budget and your efforts to preserve health care services for those in need.

August 6, 2008

Today I have signed Enrolled Senate Bill 1107, which amends the State School Aid Act of 1979 to make appropriations for the fiscal year ending September 30, 2009. Enrolled Senate Bill 1107 appropriates \$13.4 billion for Fiscal Year 2009 to support K-12 education in Michigan, an increase of \$481 million from current fiscal year levels.

I am extremely pleased that this legislation includes \$15 million for the 21st Century Schools Program. This program will provide matching funds to districts for the creation of small, innovative learning environments designed to increase the number of high school graduates. Grants will be available to districts with a graduation rate of less than 70 percent. Districts receiving the funds must ensure that by the third year of the program 80 percent of the students graduate and that 80 percent of those students enroll in postsecondary studies. This initiative aims to help all children acquire the skills they need to succeed in the 21st Century workplace.

This budget also continues investment in the state's preschool programs by increasing funding for the Great Start Readiness Program by \$5 million and providing a \$5 million increase for the Great Start Community Collaboratives.

In an effort to further close the funding gap between school districts, the foundation allowance formula that provides the lowest-funded districts with twice the increase of the highest-funded districts is continued under this legislation. The lowest-funded districts will receive \$112 per pupil and the highest-funded districts will receive \$56 per pupil. Those districts with foundation allowances between the lowest and highest funded districts will receive an adjusted amount.

However, I am concerned about a recent proliferation of funding for specific districts. Although I have not disapproved these items, in the future I urge the Legislature to focus funding on statewide programs that could benefit all districts.

I thank the Legislature for its work on behalf of Michigan's children.

Respectfully,  
Jennifer M. Granholm  
Governor

The following message from the Governor was received on July 17, 2008, and read:

**EXECUTIVE ORDER**  
No. 2008-18

**Department of Corrections**  
**Michigan Prisoner ReEntry Advisory Council**

WHEREAS, Section 1 of Article V of the Michigan Constitution of 1963 vests the executive power of the State of Michigan in the Governor;

WHEREAS, nearly 12,000 former prisoners are released into Michigan communities each year, affecting public safety, public health, economic and community well-being, and family networks;

WHEREAS, reliable research shows that the successful transition of offenders to communities saves taxpayer money, reduces crime, and enhances public safety;

WHEREAS, recognizing the importance of the successful transition of offenders to communities, this administration has encouraged the development of an effective strategy for offender rehabilitation to help families and communities build support systems for offenders upon release;

WHEREAS, the Michigan Prisoner ReEntry Initiative was implemented in 8 counties by the Department of Corrections in 2006, expanded to all 83 counties in 2007, and will be fully implemented by 2009;

WHEREAS, the mission of the Michigan Prisoner ReEntry Initiative is to reduce crime by implementing a seamless plan of services and supervision developed with each offender through state, local, public, and private collaboration;



WHEREAS, despite research showing that released offenders without stable housing are more likely to return to prison, the scarcity of affordable and available housing, legal barriers and regulations, and eligibility requirements for federally subsidized housing can complicate the process of securing stable housing;

WHEREAS, a majority of offenders have a history of substance abuse and, although prison-based substance abuse treatment has shown success in reducing drug use and crime, especially when coupled with aftercare treatment in the community, only a small fraction of offenders receive treatment during and after incarceration;

WHEREAS, educational and training programs that address fundamental abilities and teach skills directly applicable to employment readiness contribute to the successful transition of offenders into society and reduce recidivism;

WHEREAS, formal establishment of an advisory council among state departments and agencies dedicated to addressing successful offender transition is necessary and appropriate to facilitate the development and implementation of policies to improve reentry services;

NOW, THEREFORE, I, Jennifer M. Granholm, Governor of the State of Michigan, by virtue of the power and authority vested in the Governor by the Michigan Constitution of 1963 and Michigan law, order the following:

#### **I. DEFINITIONS**

As used in this Order:

A. "Department of Community Health" means the principal department of state government created as the Department of Mental Health under Section 400 of the Executive Organization Act of 1965, 1965 PA 380, MCL 16.500, and renamed the Department of Community Health under Executive Order 1996-1, MCL 330.3101.

B. "Department of Corrections" or "Department" means the principal department of state government created under Section 1 of the Corrections Code of 1953, 1953 PA 232, MCL 791.201, Section 275 of the Executive Organization Act of 1965, 1965 PA 380, MCL 16.375, and Executive Order 1991-12, MCL 791.302.

C. "Department of Education" means the principal department of state government required by Section 3 of Article VII of the Michigan Constitution of 1963 and created under Section 300 of the Executive Organization Act of 1965, 1965 PA 380, MCL 16.400.

D. "Department of Human Services" means the principal department of state government created as the Department of Social Services by Section 450 of the Executive Organization Act of 1965, 1965 PA 380, MCL 16.550, renamed the Family Independence Agency by 1995 PA 223, MCL 400.1, and renamed the Department of Human Services by Executive Order 2004-38.

E. "Department of Labor and Economic Growth" means the principal department of state government created as the Department of Commerce by Section 225 of the Executive Organization Act of 1965, 1965 PA 380, MCL 16.325, renamed the Department of Consumer and Industry Services by Executive Order 1996-2, MCL 445.2001, and renamed the Department of Labor and Economic Growth by Executive Order 2003-18, MCL 445.2011.

F. "Michigan State Housing Development Authority" or "Authority" means the public body corporate and politic created under Section 21 of the State Housing Development Authority Act of 1966, 1966 PA 346, MCL 125.1421.

G. "Governor's Office of Community and Faith-Based Initiatives" means that office established within the Department of Human Services by Executive Order 2005-6.

H. "Michigan Prisoner ReEntry Advisory Council" or "Council" means the Michigan Prisoner ReEntry Advisory Council created within the Department of Corrections under this Order.

#### **II. CREATION OF THE MICHIGAN PRISONER REENTRY ADVISORY COUNCIL**

A. The Michigan Prisoner ReEntry Advisory Council is created as an advisory body within the Department of Corrections.

B. The Council shall consist of the following 7 members:

1. The Director of the Department of Corrections.

2. The Director of the Department of Community Health or his or her designee from within the Department of Community Health.

3. The Director of the Department of Labor and Economic Growth or his or her designee from within the Department of Labor and Economic Growth.

4. The Director of the Department of Human Services or his or her designee from within the Department of Human Services.

5. The Executive Director of the Michigan State Housing Development Authority or his or her designee from within the Michigan State Housing Development Authority.

6. The Superintendent of Public Instruction or his or her designee from within the Department of Education.

7. The Director of the Governor's Office of Community and Faith-Based Initiatives.

C. The Director of the Department of Corrections shall serve as Chairperson of the Michigan Prisoner ReEntry Advisory Council.

#### **III. CHARGE TO THE COUNCIL**

A. The Council shall do all of the following:

1. Identify barriers in each Council member's department or agency that may hinder the successful transition of offenders returning to communities, and develop and implement policies, procedures, and programs to overcome such barriers.

2. Identify methods to improve collaboration and coordination of offender transition services, including cross-training, information-sharing systems, and policies, procedures, and programs that measure offender reentry management with well-defined, performance-based outcomes.

3. Consult with state and local agencies, organizations, and community leaders with expertise in the areas of prison facilities, parole decision-making, reentry, and community supervision to collaborate on offender transition issues and ways of improving operations.

4. Consult with representatives from professional associations, volunteer and faith-based organizations, and local treatment and rehabilitation agencies to collaborate on offender transition issues and ways of improving operations.

5. Provide recommendations to the Governor as to how the Governor and other state departments and agencies may assist the Council in overcoming the barriers it has identified to the successful transition and reintegration of offenders returning to communities.

6. Provide recommendations to the Governor on how state laws and sentencing guidelines may be improved in order to contribute to the successful transition and reintegration of offenders into society and reduce recidivism.

B. The Council shall issue a report to the Governor on December 1 of each year, which shall detail the accomplishments of the Council and the effectiveness of agency coordination and communications, identify any administrative or legal barriers that might be impeding the more effective operation of the Council, and make recommendations for executive or legislative measures to improve offender transition and reintegration services.

**IV. OPERATIONS OF THE COUNCIL**

A. The Council shall be staffed and assisted by personnel from the Department, subject to available funding. Any budgeting, procurement, or related management functions of the Council shall be performed under the direction and supervision of the Director of the Department.

B. The Council shall adopt procedures consistent with Michigan law and this Order governing its organization and operations.

C. A majority of the members of the Council serving constitutes a quorum for the transaction of the Council’s business. The Council shall act by a majority vote of its serving members.

D. The Council shall meet at the call of the Chairperson and as may be provided in procedures adopted by the Council.

E. The Council may, as appropriate, make inquiries, studies, investigations, hold hearings, and receive comments from the public. The Council may also consult with outside experts in order to perform its duties, including, but not limited to, experts in the private sector, organized labor, government agencies, and at institutions of higher education.

F. Members of the Council shall serve without compensation. Members of the Council may receive reimbursement for necessary travel and expenses consistent with relevant statutes and the rules and procedures of the Civil Service Commission and the Department of Management and Budget, subject to available funding.

G. The Council may hire or retain contractors, sub-contractors, advisors, consultants, and agents, and may make and enter into contracts necessary or incidental to the exercise of the powers of the Council and the performance of its duties as the Director of the Department deems advisable and necessary, in accordance with this Order, and the relevant statutes, rules, and procedures of the Civil Service Commission and the Department of Management and Budget.

H. The Council may accept donations of labor, services, or other things of value from any public or private agency or person.

I. All state departments and agencies shall cooperate with the Council in the performance of its duties and responsibilities under this Order. The Council may request, and state departments and agencies shall provide, information and assistance as the Council requires in the performance of its duties and responsibilities under this Order.

J. Members of the Council shall refer all legal, legislative, and media contacts to the Department.

**V. MISCELLANEOUS**

A. Any suit, action, or other proceeding lawfully commenced by, against, or before any entity affected by this Order shall not abate by reason of the taking effect of this Order.

B. The invalidity of any portion of this Order shall not affect the validity of the remainder of the Order.

This Order is effective upon filing.

[SEAL]

Given under my hand and the Great Seal of the State of Michigan this 17th day of July in the year of our Lord, two thousand and eight.

Jennifer M. Granholm  
Governor

By the Governor:  
Terri L. Land  
Secretary of State

The Executive Order was referred to the Secretary for record.

The following messages from the Governor were received and read:

July 17, 2008

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 209 of the Michigan Liquor Control Code of 1998, 1998 PA 58, MCL 436.1209:

**Michigan Liquor Control Commission**

Ms. Colleen A. Pobur, a Democrat, of 240 North Harvey Street, Plymouth, Michigan 48170, county of Wayne, succeeding Judith M. Allen, whose term has expired, appointed for a term commencing July 17, 2008 and expiring June 12, 2012.

July 18, 2008

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 office under Section 5 of 1966 PA 1, MCL 125.1355:

**Barrier Free Design Board**

Mr. Brett E. Holt of 598 Pilgrim Drive East, Saginaw, Michigan 48603, county of Saginaw, succeeding Robert I. Wittick, whose term has expired, representing hearing impaired persons, for a term commencing July 18, 2008 and expiring October 31, 2008.

Ms. Karla C. Hudson of 6009 Skyline Drive, East Lansing, Michigan 48823, county of Ingham, succeeding Jack L. Edington, whose term has expired, representing visually impaired persons, for a term commencing July 18, 2008 and expiring October 31, 2008.

Mr. Timothy J. McGladdery of 3837 Auburn Avenue N.E., Grand Rapids, Michigan 49525, county of Kent, succeeding James H. Bogie, whose term has expired, representing building inspectors of a local unit of government, for a term commencing July 18, 2008 and expiring October 31, 2010.

Mr. Marvin L. Petty of 3007 Field Street, Detroit, Michigan 48214, county of Wayne, succeeding Mary Penelope Gardner, who has resigned, representing a member of the general public who is also physically limited, for a term commencing July 18, 2008 and expiring October 31, 2009.

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

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

July 18, 2008

I respectfully submit to the Senate pursuant to Article V, Section 6 of the Michigan Constitution of 1963, the following appointment and reappointments to office under Sections 302 and 2603 of the Occupational Code, 1980 PA 299, MCL 339.302 and 339.2603:

**Board of Real Estate Appraisers**

Ms. Patricia A. Kelly of 9585 Halfmoon Lake Drive, Pinckney, Michigan 48169, county of Washtenaw, succeeding Robert Schellenberg, whose term has expired, representing the general public, for a term commencing July 18, 2008 and expiring June 30, 2010.

Mr. Donn M. Fresard of 1751 Lochmoor Boulevard, Grosse Pointe Woods, Michigan 48236, county of Wayne, reappointed to represent the general public, for a term expiring June 30, 2012.

Ms. Beth L. Graham of 5808 Annapolis Drive, Lansing, Michigan 48911, county of Ingham, reappointed to represent state licensed real estate appraisers, for a term expiring June 30, 2012.

July 29, 2008

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 3 of the Older Michiganians Act, 1981 PA 180, MCL 400.583:

**Commission on Services to the Aging**

Ms. Joan A. Budden, an Independent, of 3820 Woodlake Drive, Bloomfield Hills, Michigan 48304, county of Oakland, succeeding William H. Walters II, whose term has expired, appointed for a term commencing July 29, 2008 and expiring July 28, 2011.

Ms. Cheryl J. Bollinger, a Democrat, of 571 North Eifert Road, Mason, Michigan 48854, county of Ingham, reappointed for a term expiring July 28, 2011.

Ms. Mary P. Gardner, Ph.D., a Democrat, of 1035 Seymour Avenue, Lansing, Michigan 48906, county of Ingham, reappointed for a term expiring July 28, 2011.

Mr. Chun-Keung Leung, an Independent, of 1470 Highmoor Way, Bloomfield Hills, Michigan 48302, county of Oakland, reappointed for a term expiring July 28, 2011.

Mr. Thomas G. Rau, a Republican, of 6153 Winans Drive, Brighton, Michigan 48116, county of Livingston, reappointed for a term expiring July 28, 2011.

July 29, 2008

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 13 of the State Plumbing Act, 2002 PA 733, MCL 338.3523:

**State Plumbing Board**

Mr. Robert C. Whipple of 1839 North Wyndham Hill Drive, N.E., Apt. 304, Grand Rapids, Michigan 49505, county of Kent, succeeding Valerie J. Cotanche, whose term has expired, representing the general public, for a term commencing July 29, 2008 and expiring June 30, 2011.

July 29, 2008

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 22 and 22a of the Michigan Election Law, 1954 PA 116, MCL 168.22 and 168.22a:

**Board of State Canvassers**

Mr. Norman D. Shinkle, a nominee of the Michigan Republican State Committee, of 2683 Donna Drive, Williamston, Michigan 48895, county of Ingham, succeeding Stephen J. Linder, who has resigned, appointed for a term commencing July 29, 2008 and expiring January 31, 2011. Under the Michigan Election Law, the Governor is obligated to appoint as a member of the Board of State Canvassers one of three individuals nominated by the State Central Committee of the Michigan Republican Party.

July 30, 2008

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 7 of the Elevator Safety Board Act, 1967 PA 227, MCL 408.807:

**Elevator Safety Board**

Mr. George A. Svinicki of 542 South Woodlands Drive, Clark Lake, Michigan 49234, county of Jackson, reappointed to represent architects and consulting engineers, for a term expiring July 22, 2012.

July 31, 2008

I respectfully submit to the Senate pursuant to Article V, Section 6 of the Michigan Constitution of 1963, the following reappointments to office under Section 2 of the Electrical Administrative Act, 1956 PA 217, MCL 338.882 :

**Electrical Administrative Board**

Mr. David L. Bushouse of 992 North 7th Street, Kalamazoo, Michigan 49009, county of Kalamazoo, reappointed to represent an insurance inspection bureau operating in this state, for a term commencing August 11, 2008 and expiring August 10, 2012.

Ms. Thelma P. Dobson of 25348 Arden Park, Farmington Hills, Michigan 48336, county of Oakland, reappointed to represent an electrical energy supply agency operating in this state, for a term commencing August 11, 2008 and expiring August 10, 2012.

Mr. William F. Donovan of 7997 South Portage Road, Jackson, Michigan 49201, county of Jackson, reappointed to represent a chief electrical inspector of a municipality, for a term commencing August 11, 2008 and expiring August 10, 2012.

July 31, 2008

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 to Section 15 of the Michigan Occupational Safety and Health Act, 1974 PA 154, MCL 408.1015:

**General Industry Safety Standards Commission**

Ms. Jennifer Ewing of 1003 Webster Street, Traverse City, Michigan 49686, county of Grand Traverse, succeeding Dennis M. Emery, whose term has expired, representing management of principal industries in the state from a company with 200 or fewer employees, for a term commencing July 31, 2008 and expiring March 26, 2011.

July 31, 2008

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 17421 of the Public Health Code, 1978 PA 368, MCL 333.16121 and 333.17421:

**Michigan Board of Optometry**

Mr. Peter M. Agnone, O.D., of 1508 Kings Bridle Trail, Grand Blanc, Michigan 48439, county of Genesee, succeeding Danna D. Haba, whose term has expired, representing optometrists, for a term commencing August 5, 2008 and expiring June 30, 2012.

Mr. William D. Dansby of 2972 Briarcliff Drive, East Lansing, Michigan 48823, county of Ingham, succeeding Teresa A. Folino, whose term has expired, representing the general public, for a term commencing August 5, 2008 and expiring June 30, 2010.

Mr. Donald W. Lakin, O.D., of 44260 Boulder Drive, Clinton Township, Michigan 48058, county of Macomb, reappointed to represent optometrists, for a term expiring June 30, 2012.

Mr. David C. McClintic, O.D., of 6028 Bradford Street, Portage, Michigan 49024, county of Kalamazoo, reappointed to represent optometrists, for a term expiring June 30, 2012.

August 5, 2008

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 Trainers Board**

Ms. Laurie L. Ryan of 315 Commerce Avenue S.W., Apt. 606, Grand Rapids, Michigan 49503, county of Kent, reappointed to represent athletic trainers, for a term expiring December 31, 2011.

August 5, 2008

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 16621 of the Public Health Code, 1978 PA 368, MCL 333.16121 and 333.16621:

**Michigan Board of Dentistry**

Ms. Julia A. Bera of 8820 NE Street, Rockford, Michigan 49341, county of Kent, succeeding Julie K. Dumas, whose term has expired, representing dental assistants, for a term commencing August 5, 2008 and expiring June 30, 2010.

Ms. Lynn M. Desonia-Beatty of 3290 East Howe Road, DeWitt, Michigan 48820, county of Clinton, succeeding Barbara Purifoy-Seldon, whose term has expired, representing dental hygienists, for a term commencing August 5, 2008 and expiring June 30, 2012.

Ms. Deborah Manos, D.D.S., of 1009 Sunningdale Drive, Grosse Pointe Woods, Michigan 48236, county of Wayne, succeeding Ashraf Maher, whose term has expired, representing dentists, for a term commencing August 5, 2008 and expiring June 30, 2012.

Ms. Deborah E. Priestap of 4938 Labodie Road, Milford, Michigan 48380, county of Livingston, succeeding Gary E. Jeffers, who has resigned, representing dentists with health profession specialty certification and who is a dental school faculty, for a term commencing August 5, 2008 and June 30, 2010.

Ms. Rhonda J. Hennessy, D.D.S., of 39488 Village Run Drive, Northville, Michigan 48167, county of Wayne, reappointed to represent dentists, for a term expiring June 30, 2012.

Mr. Raymond A. Maturo, D.D.S., of 2023 Seneca Avenue, Ann Arbor, Michigan 48104, county of Washtenaw, reappointed to represent dentists with health specialty certification, for a term expiring June 30, 2012.

Ms. Rosetta Sanders of 190 Oneita Street, Battle Creek, Michigan 49017, county of Calhoun, reappointed to represent the general public, for a term expiring June 30, 2012.

Ms. Martha S. Swiger of 4228 Greenwood Road, Petoskey, Michigan 49770, county of Emmet, reappointed to represent dental hygienists, for a term expiring June 30, 2012.

August 5, 2008

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following appointment to state office under Sections 16121, 17025, and 17525 of the Public Health Code, 1978 PA 368, MCL 333.16121, 333.17025, and 333.17525:

**Joint Task Force for Health Professions in Medicine and Osteopathic Medicine and Surgery**

Mr. Thomas E. Siemaszko of 4615 Golf View Drive, Brighton, Michigan 48116, county of Livingston, succeeding Sallie A. Nyhan, whose term has expired, representing the general public, for a term commencing August 5, 2008 and expiring December 31, 2011.

August 5, 2008

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 301, 302 and 1802 of the Occupational Code, 1980 PA 299, MCL 339.301, 339.302 and 339.1802:

**Board of Examiners in Mortuary Science**

Father Russell E. Kohler of 1050 Porter Street, Detroit, Michigan 48226, county of Wayne, succeeding Richard Hutton, whose term has expired, representing the general public, for a term commencing August 5, 2008 and expiring June 30, 2009.

Mr. David W. Akins of 17500 Fenkell Street, Detroit, Michigan 48227, county of Wayne, reappointed to represent professionals, for a term expiring June 30, 2012.

Ms. Ida I. DeHaas of 3422 Las Vegas Drive N.E., Belmont, Michigan 49306, county of Kent, reappointed to represent the general public, for a term expiring June 30, 2012.

Reverend Donald J. Duford, SSC, of 6763 Berwick Drive, Clarkston, Michigan 48346, county of Oakland, reappointed to represent the general public, for a term expiring June 30, 2011.

Mr. Thomas P. Lynch of 328 East Liberty Street, Milford, Michigan 48381, county of Oakland, reappointed to represent professionals, for a term expiring June 30, 2011.

August 6, 2008

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 2601 of the Occupational Code, 1980 PA 299, MCL 339.2601:

**Michigan Board of Auctioneers**

Ms. Gwenyth E. Besner of 3651 Bunker Hill Road, #328, Acme, Michigan 49610, county of Grand Traverse, appointed to represent registered auctioneers, for a term commencing August 6, 2008 and expiring October 1, 2010.

Mr. Michael J. Ferency of 1515 East Maple Rapids Road, St. Johns, Michigan 48879, county of Clinton, appointed to represent the general public, for a term commencing August 6, 2008 and expiring October 1, 2010.

Mr. Don R. Hiltunen of 900 Hill Street, Hancock, Michigan 49930, county of Houghton, appointed to represent the general public, for a term commencing August 6, 2008 and expiring October 1, 2009.

Ms. Deatra L. Lechtanski of 6379 Marengo Drive, Brighton, Michigan 48116, county of Livingston, appointed to represent registered auctioneers, for a term commencing August 6, 2008 and expiring October 1, 2011.

Mr. Robert A. Rottier of 4922 Brookside Lane, Fremont, Michigan 49412, county of Newaygo, appointed to represent registered auctioneers, for a term commencing August 6, 2008 and expiring October 1, 2008.

Ms. Kirsten G. Simmons of 1601 West Hillsdale Street, Lansing, Michigan 48915, county of Ingham, appointed to represent the general public, for a term commencing August 6, 2008 and expiring October 1, 2011.

Mr. Lee R. Smittendorf of 16943 East Y Avenue, Fulton, Michigan 49052, county of Kalamazoo, appointed to represent registered auctioneers, for a term commencing August 6, 2008 and expiring October 1, 2011.

Mr. Bradley A. Stoeker of 872 Walker Road, Dansville, Michigan 48819, county of Ingham, appointed to represent registered auctioneers, for a term commencing August 6, 2008 and expiring October 1, 2009.

August 6, 2008

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following appointments to state office under Sections 16121 and 16421 of the Public Health Code, 1978 PA 368, MCL 333.16121 and MCL 333.16421:

**Michigan Board of Chiropractic**

Mr. Charles G. Fellows of 9770 North Rushton Road, South Lyon, Michigan 48178, county of Livingston, succeeding Edward R. Knox, whose term has expired, representing the general public, for a term commencing August 6, 2008 and expiring December 31, 2011.

Mr. Philip L. Knight, P.C., of 132 Eastman Court, Marshall, Michigan 49068, county of Calhoun, succeeding Gary R. McLeod, whose term has expired, representing chiropractors, for a term commencing August 6, 2008 and expiring December 31, 2011.

Ms. Lois A. Michelin of 216 West Truman Street, Newberry, Michigan 49868, county of Luce, succeeding Clifford T. Flood, whose term has expired, representing the general public, for a term commencing August 6, 2008 and expiring December 31, 2009.

Mr. Corey B. Rodnick, D.C., of 5606 Pondview Drive, Midland, Michigan 48640, county of Midland, succeeding Patricia L. Chelenyak, whose term has expired, representing chiropractors, for a term commencing August 6, 2008 and expiring December 31, 2011.

August 6, 2008

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 35 of the Michigan Employment Security Act, 1936 (Ex Sess) PA 1, MCL 421.35:

**Michigan Employment Security Board of Review**

Ms. Amy L. Rosenberg of 314 West Street, Lansing, Michigan 48915, county of Ingham, succeeding Stephen M. Geskey, who has resigned, representing the general public, for a term commencing August 18, 2008 and expiring December 31, 2008.

August 6, 2008

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 18021 of the Public Health Code, 1978 PA 368, MCL 333.16121 and 333.18021:

**Michigan Board of Podiatric Medicine and Surgery**

Ms. Christine L. Blackledge of 217 West 9th Street, Traverse City, Michigan 49684, county of Grand Traverse, succeeding Nancy A. Brozek, whose term has expired, representing the general public, for a term commencing August 6, 2008 and expiring June 30, 2011.

Ms. Lily Y. Gee of 6068 Columbia Street, Haslett, Michigan 48840, county of Ingham, succeeding Leon Herschfus, whose term expired, representing the general public, for a term commencing August 6, 2008 and expiring June 30, 2009.

Mr. Louis J. Geller of 26016 Allor Avenue, Huntington Woods, Michigan 48070, county of Oakland, succeeding Charles G. Kissel, whose term expired, representing podiatrists, for a term commencing August 6, 2008 and expiring June 30, 2010.

Mr. Scott E. Hughes, DPM, of 510 Avenue De Lafayette, Monroe, Michigan 48162, county of Monroe, succeeding Michael S. Schey, whose term has expired, representing podiatrists, for a term commencing August 6, 2008 and expiring June 30, 2010.

Mr. Charles M. Morris of 138 Goodell Street, Wyandotte, Michigan 48192, county of Wayne, succeeding Mary Ann Pater, whose term has expired, representing the general public, for a term commencing August 6, 2008 and expiring June 30, 2010.

Mr. Raymond G. Mills of 2250 Fox Den Lane, Bellaire, Michigan 49615, county of Antrim, reappointed to represent the general public, for a term expiring June 30, 2010.

Ms. Tara L. Scott, DPM, of 26464 Senator Boulevard, Southfield, Michigan 48034, county of Oakland, reappointed to represent podiatrists, for a term expiring June 30, 2011.

August 6, 2008

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following appointment under Sections 21 and 22 of the Tax Tribunal Act, 1973 PA 186, MCL 205.721 and 205.722:

**Michigan Tax Tribunal**

Mr. Kimbal R. Smith, III, of 2300 Montego Drive, Lansing, Michigan 48912, county of Ingham, succeeding John S. Gilbreath, whose term has expired, representing members at large, for a term commencing August 18, 2008 and expiring June 30, 2011.

August 12, 2008

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 26 of the Aeronautics Code of the State of Michigan, 1945 PA 327, MCL 259.26:

**Michigan Aeronautics Commission**

Mr. Sidney Adams, Jr., of 166 Rosewood Trail, Battle Creek, Michigan 49014, county of Calhoun, reappointed to represent the general public, for a term expiring May 27, 2012.

Mr. James M. Collins of 100 Shiras Pointe Drive, Marquette, Michigan 49855, county of Marquette, reappointed to represent the general public, for a term expiring May 27, 2012.

August 12, 2008

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 18 of the Michigan Occupational Safety and Health Act, 1974 PA 154, MCL 408.1018:

**Construction Safety Standards Commission**

Mr. Joseph L. Gillespie of 5224 East 64th Street, Newaygo, Michigan 49337, county of Newaygo, succeeding Peter J. Strazdas, whose term has expired, representing individuals actively engaged in construction operations on the management level, public employers of this state, for a term commencing August 12, 2008 and expiring March 18, 2011.

Mr. Don R. Hiltunen of 900 Hill Street, Hancock, Michigan 49930, county of Houghton, succeeding Ram Gunabalan, who has resigned, representing the general public, for a term commencing August 12, 2008 and expiring March 18, 2010.

August 12, 2008

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 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, succeeding Martin G. Bandemer, whose term has expired, representing peace officers, for a term commencing August 12, 2008 and expiring September 27, 2010.

August 12, 2008

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 50504 of the Natural Resources and Environmental Protection Act, 1994 PA 451, MCL 324.50504:

**Michigan Forest Finance Authority Board of Directors**

Ms. Karen L. Potter-Witter of 610 Barry Road, Haslett, Michigan 48840, county of Ingham, reappointed to represent individuals from a college or university in the state with knowledge and expertise in forest management, for a term expiring May 31, 2011.

Mr. Kelvin P. Smyth of 1018 6th Avenue South, Escanaba, Michigan 49829, county of Delta, reappointed to represent the forest products industry within the state, for a term expiring May 31, 2011.

August 12, 2008

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 25 of 1951 PA 51, MCL 247.675:

**Michigan Truck Safety Commission**

Mr. Thomas W. O'Brien of 6748 Lake Drive, Fremont, Michigan 49412, county of Newaygo, succeeding John E. Theroux, whose term has expired, representing Michigan community colleges, for a term commencing August 12, 2008 and expiring August 4, 2009.

August 14, 2008

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 3 of the Boiler Act of 1965, 1965 PA 290, MCL 408.753:

**Board of Boiler Rules**

Mr. Robert K. Black of 11353 Oak Grove Road, Grand Haven, Michigan 49417, county of Ottawa, succeeding Joseph P. Day, whose term has expired, representing fire tube boiler manufacturers, for a term commencing August 14, 2008 and expiring June 30, 2010.

Mr. Jason D. Jackard of 5328 Blueberry Lane, Haslett, Michigan 48840, county of Ingham, succeeding Robert S. Weber, whose term has expired, representing boiler repair contractors, for a term commencing August 14, 2008 and expiring June 30, 2010.

Mr. Daniel G. Sovinski of 291 Fremont Street, Newaygo, Michigan 49337, county of Newaygo, succeeding Curt A. Songer, whose term has expired, representing consulting engineers, for a term commencing August 14, 2008 and expiring June 30, 2009.

August 14, 2008

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 pursuant to Section 28 of Article 5 of the Michigan Constitution of 1963 and Section 3 of 1964 PA 286, MCL 247.803:

**State Transportation Commission**

Mr. Steven K. Girard, an Independent, of 2261 Rolling Hills Drive S.E., Grand Rapids, Michigan 49546, county of Kent, appointed to fill a vacancy on the Commission, for a term commencing August 14, 2008 for the remainder of a term expiring December 21, 2010.



August 21, 2008

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 18305 of the Public Health Code, 1978 PA 368, MCL 333.16121 and 333.18305:

**Michigan Board of Occupational Therapists**

Ms. Christie L. Clipper of 9296 William Street, Taylor, Michigan 48180, county of Wayne, succeeding Judith A. Kucway, whose term has expired, representing the general public, for a term commencing August 21, 2008 and expiring December 31, 2009.

Ms. Barbara J. Hemphill of 5453 Colony Woods Drive, Kalamazoo, Michigan 49009, county of Kalamazoo, succeeding Robert Ferguson, whose term has expired, representing occupational therapists, for a term commencing August 21, 2008 and expiring December 31, 2010.

Ms. Susan E. Robosan-Burt of 2134 Oakwood Drive, Troy, Michigan 48085, county of Oakland, succeeding Anita M. Berger, whose term has expired, representing occupational therapists, for a term commencing August 21, 2008 and expiring December 31, 2009.

Ms. Grace A. M. Smith of 200 East Division Street, Rockford, Michigan 49341, county of Kent, succeeding Catherine Edwards, whose term has expired, representing the general public, for a term commencing August 21, 2008 and expiring December 31, 2009.

Mr. John D. Miller of 174 Presidential Way, Apt. 202, Canton, Michigan 48187, county of Wayne, reappointed to represent the general public, for a term expiring December 31, 2011.

August 21, 2008

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 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. Gary K. August of 1808 Cragin Drive, Bloomfield Hills, Michigan 48302, county of Oakland, reappointed to represent the general public, for a term expiring March 31, 2012.

Ms. Jennifer Schoats Flack of 4489 Cranbrook Trail, Orchard Lake, Michigan 48323, county of Oakland, reappointed to represent the general public, for a term expiring March 31, 2012.

Mr. Kevin M. Lewand of 764 Lakeview, Birmingham, Michigan 48009, county of Oakland, reappointed to represent licensed residential builders, for a term expiring March 31, 2012.

August 21, 2008

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 2 of 1975 PA 164, MCL 18.302:

**Commission on Spanish-Speaking Affairs**

Mr. Lawrence T. Garcia of 26005 Berkley Avenue, Huntington Woods, Michigan 48070, county of Oakland, succeeding Maria del Carmen Soto, who has resigned, representing the general public, for a term commencing August 21, 2008 and expiring December 10, 2009.

August 22, 2008

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 3b of the Fire Prevention Code, 1941 PA 207, MCL 29.3b:

**State Fire Safety Board**

Mr. David J. Henry, Jr., of 2663 Shadow Pine Drive, Fruitport, Michigan 49415, county of Muskegon, succeeding Carl Simcox, whose term has expired, representing owners of adult foster care facilities, for a term commencing August 22, 2008 and expiring July 15, 2009.

Ms. Jacqueline S. Hoist of 1173 North Oak Road, Davison, Michigan 48423, county of Genesee, succeeding Beverly K. H. Jones, whose term has expired, representing registered architects, for a term commencing August 22, 2008 and expiring July 15, 2011.

Mr. Gerald B. Smith of 1345 Pine Point Drive, Lewiston, Michigan 49756, county of Montmorency, succeeding Judy Z. Keller, whose term has expired, representing persons who own a place of public assemblage, for a term commencing August 22, 2008 and expiring July 15, 2011.

Mr. Dean J. Mallos of 34 Tracie Lane, Marquette, Michigan 49855, county of Marquette, reappointed to represent organized fire departments in the Upper Peninsula, for a term expiring July 15, 2012.

Mr. Gilbert L. Rider of 3171 East Stewart Road, Midland, Michigan 48640, county of Midland, reappointed to represent the chemical manufacturing industry, for a term expiring July 15, 2012.

Ms. Annette M. Swathwood of 6679 Wahlfield Avenue N.W., Comstock Park, Michigan 49321, county of Kent, reappointed to represent organized fire departments in the Lower Peninsula, for a term expiring July 15, 2012.

Mr. Timothy R. Tinney of 3873 State Street, Bridgeport, Michigan 48722, county of Saginaw, reappointed to represent hospital administrators, for a term expiring July 15, 2012.

Mr. Robert R. Vandemark of 13437 Haddon Street, Fenton, Michigan 48430, county of Genesee, reappointed to represent the liquefied petroleum gas industry or the flammable compressed gases industry, for a term expiring July 15, 2012.

August 22, 2008

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following appointments and reappointment to state office under Sections 16121 and 16907 of the Public Health Code, 1978 PA 368, MCL 333.16121 and 333.16907:

**Board of Marriage and Family Therapy**

Mr. Brett W. Beckerson of 405 Evangeline Street, Dearborn Heights, Michigan 48127, county of Wayne, succeeding Gregory B. Varnum, whose term has expired, representing the general public, for a term commencing August 22, 2008 and expiring June 30, 2012.

Ms. Sama Harp of 5709 Heritage Court, Dearborn Heights, Michigan 48127, county of Wayne, succeeding Margaret A. Glatfelter, whose term has expired, representing the general public, for a term commencing August 22, 2008 and expiring June 30, 2009.

Ms. Shawntain C. Watson of 1938 Hoyt Street, Muskegon, Michigan 49442, county of Muskegon, succeeding Joette M. Lambert, whose term has expired, representing the general public, for a term commencing August 22, 2008 and expiring June 30, 2011.

Mr. James J. Moriarty of 1141 Trowbridge Road, Bloomfield Hills, Michigan 48304, county of Oakland, reappointed to represent licensed marriage and family therapists, for a term expiring June 30, 2012.

August 22, 2008

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

**Board of Real Estate Brokers and Salespersons**

Mr. Shawn E. Huston of 5656 West Vacationland Drive, Lewiston, Michigan 49756, county of Oscoda, succeeding Julia A. Tesanovich, whose term has expired, representing real estate brokers and salespersons, for a term commencing August 22, 2008 and expiring June 30, 2012.

Ms. Kitrina A. Spencer of 1412 West Kalamazoo Street, Lansing, Michigan 48915, county of Ingham, succeeding Bradley L. Smith, whose term has expired, representing the general public, for a term commencing August 22, 2008 and expiring June 30, 2012.

Mr. Mark J. Wehner of 804 Bon Air Road, Lansing, Michigan 48917, county of Ingham, succeeding Joseph S. Calvaruso, whose term has expired, representing the general public, for a term commencing August 22, 2008 and expiring June 30, 2009.

Mr. Brian T. Huggler of 1408 Cambridge Road, Lansing, Michigan 48911, county of Ingham, reappointed to represent real estate brokers and salespersons, for a term expiring June 30, 2011.

Mr. Kyrian N. Nwagwu of 26041 Lathrup Boulevard, Lathrup Village, Michigan 48076, county of Oakland, reappointed to represent the general public, for a term expiring June 30, 2011.

August 25, 2008

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following appointments and reappointment to state office under Sections 302 and 1202 of the Occupational Code, 1980 PA 299, MCL 339.302 and 339.1202:

**Michigan Board of Cosmetology**

Ms. Kathryn W. Spiller of 5665 Lessandro Street, Saginaw, Michigan 48603, county of Saginaw, succeeding Douglas J. Weaver, whose term has expired, representing licensed cosmetologists, for a term commencing August 25, 2008 and expiring December 31, 2010.

Ms. Denise M. Washington of P.O. Box 632, 102 Greenwood Avenue, Battle Creek, Michigan 49037, county of Calhoun, succeeding John H. Jordan, whose term has expired, representing the general public, for a term commencing August 25, 2008 and expiring December 31, 2011.

Ms. Cheryl M. Hadsall of 12300 Oak Street, Birch Run, Michigan 48415, county of Saginaw, reappointed to represent licensed cosmetologists, for a term expiring December 31, 2011.

August 25, 2008

I respectfully submit to the Senate, pursuant to Section 6 Article 5 of the Michigan Constitution of 1963, the following appointments to state office under Section 2 of 1970 PA 35, MCL 390.152:

**Oakland University Board of Control**

Mr. Richard A. Flynn of 43225 Chardonnay Drive, Sterling Heights, Michigan 48314, county of Macomb, succeeding Penny M. Crissman, whose term has expired, representing the general public, for a term commencing August 25, 2008 and expiring August 11, 2016.

Mr. Michael R. Kramer of 1600 Apple Lane, Bloomfield Hills, Michigan 48302, county of Oakland, succeeding David T. Fischer, Sr., whose term has expired, representing the general public, for a term commencing August 25, 2008 and expiring August 11, 2016.

Sincerely,  
Jennifer M. Granholm  
Governor

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

The following message from the Governor was received and read:

August 21, 2008

Due to an error on the August 6, 2008 letter sent to your office pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following appointments to state office under Section 2601 of the Occupational Code, 1980 PA 299, MCL 339.2601, please be advised of the following corrections appearing in **bold** print:

**Michigan Board of Auctioneers**

Ms. **Gwyneth** E. Besner of 3651 Bunker Hill Road, #328, Acme, Michigan 49610, county of Grand Traverse, appointed to represent registered auctioneers, for a term commencing August 6, 2008 and expiring October 1, 2010.

Mr. Bradley A. **Stoecker** of 872 Walker Road, Dansville, Michigan 48819, county of Ingham, appointed to represent registered auctioneers, for a term commencing August 6, 2008 and expiring October 1, 2009.

Sincerely,  
Jennifer M. Granholm  
Governor

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

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

**Senate Bill No. 436**

**Senate Bill No. 222**

**Senate Bill No. 229**

**Senate Bill No. 232**

**Senate Bill No. 238**

**Senate Bill No. 240**

**Senate Bill No. 776**

The motion prevailed.

The following message from the Governor was received and read:

APPROPRIATIONS; DEPARTMENT OF ENVIRONMENTAL QUALITY

July 17, 2008

Today I have signed Enrolled Senate Bill 1097, which provides \$364.0 million to support the operations of the Department of Environmental Quality during the fiscal year ending September 30, 2009. I have, however, disapproved two items pursuant to Section 19 of Article V of the Michigan Constitution of 1963. The specific item vetoes are contained in the attached copy of the bill, which has been filed with the Secretary of State.

I have disapproved Section 231, which earmarks \$250,000 contingent upon legislation creating an Environmental Ombudsman in the Legislative Council. I believe that it is inappropriate to fund a legislative position using funds appropriated to a principal department of the Executive Branch.

Additionally, I have disapproved Section 403, which appropriates \$2.0 million to reimburse retailers for the cost of retrofitting existing reverse vending machines to accept Michigan-only returnable beverage containers. At this time, I am not convinced that the anticipated return on investment merits diverting clean-up funds for the purchase of new equipment for retailers. However, I am willing to continue discussions on this issue.

This bill supports the essential operations of the Department of Environmental Quality and I thank the Legislature for its cooperation in finalizing this budget.

Respectfully,  
Jennifer M. Granholm  
Governor

This bill was signed by the Governor on July 17, 2008, at 5:07 p.m. (Filed with the Secretary of State on July 18, 2008, at 3:01 p.m.) and assigned Public Act No. 247.

The question being on the passage of the vetoed line items, the objections of the Governor to the contrary notwithstanding,

Senator Cropsey moved that further consideration of the bill be postponed for today.

The motion prevailed.

The following message from the Governor was received and read:

#### APPROPRIATIONS; DEPARTMENT OF NATURAL RESOURCES

July 17, 2008

Today I have signed Enrolled Senate Bill 1106, which provides \$290.0 million to support the operations of the Department of Natural Resources during the fiscal year ending September 30, 2009. I have, however, disapproved one item pursuant to Section 19 of Article V of the Michigan Constitution of 1963. The specific item veto is contained in the attached copy of the bill, which has been filed with the Secretary of State.

My action today completes the budget for the Department of Natural Resources for fiscal year 2009 and provides funding for a wide variety of recreational and conservation activities available to the public, including over \$60 million for parks and recreation and nearly \$42 million for management of forests.

I have disapproved one item with which I do not concur, Section 802, which was intended to appropriate restricted fund resources for support of the cooperative resources management initiative program in the Department of Agriculture. I disapproved the item because I believe that forest development funds are better spent on the timber program and cannot support the use of additional funding for this discretionary program.

This bill supports the essential operations of the Department of Natural Resources and I thank the Legislature for its cooperation in finalizing this budget.

Respectfully,  
Jennifer M. Granholm  
Governor

This bill was signed by the Governor on July 17, 2008, at 4:32 p.m. (Filed with the Secretary of State on July 18, 2008, at 3:11 p.m.) and assigned Public Act No. 252.

The question being on the passage of the vetoed line item, the objections of the Governor to the contrary notwithstanding,

Senator Cropsey moved that further consideration of the bill be postponed for today.

The motion prevailed.

The following message from the Governor was received and read:

#### APPROPRIATIONS; DEPARTMENT OF CORRECTIONS

July 18, 2008

Today I have signed Enrolled Senate Bill 1095, the general appropriations bill for the Department of Corrections for the fiscal year ending September 30, 2009. I have, however, disapproved one item pursuant to Section 19 of Article V of the Michigan Constitution of 1963. The specific item veto is contained in the attached copy of the bill, which has been filed with the Secretary of State.

I am pleased that this bill includes \$33.2 million for prisoner reintegration programs. The Michigan Prisoner Re-entry Initiative (MPRI) reduces crime and the rate of offender return to prison by providing offenders the tools they need to be successful when returning to the community. I am also encouraged that discussions that have commenced with the Legislature, the Executive Branch, and stakeholders through the Council of State Governments' Justice Reinvestment

Initiative will continue. This initiative is a sound strategy for reducing spending on corrections while keeping the public safe.

I have disapproved the proposed appropriation for an intensive probation pilot program and corresponding language included in Section 605. I cannot support the program as contemplated because it would give officials in the Judicial Branch supervisory authority over Executive Branch employees in contravention of the Separation of Powers Clause.

This bill supports the core operations of the Department of Corrections for fiscal year 2009. I commend the Legislature for its prompt action in finalizing this budget.

Respectfully,  
Jennifer M. Granholm  
Governor

This bill was signed by the Governor on July 18, 2008, at 1:40 p.m. (Filed with the Secretary of State on July 18, 2008, at 2:57 p.m.) and assigned Public Act No. 245.

The question being on the passage of the vetoed line item, the objections of the Governor to the contrary notwithstanding,

Senator Cropsey moved that further consideration of the bill be postponed for today.

The motion prevailed.

By unanimous consent the Senate proceeded to the order of

### **Introduction and Referral of Bills**

Senator Thomas introduced

#### **Senate Bill No. 1463, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," (MCL 257.1 to 257.923) by adding section 642a.

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

Senators Switalski and Jelinek introduced

#### **Senate Bill No. 1464, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 809 (MCL 257.809), as amended by 2007 PA 71.

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

Senators Switalski and Jelinek introduced

#### **Senate Bill No. 1465, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 806 (MCL 257.806), as amended by 2007 PA 70.

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

Senator Van Woerkom introduced

#### **Senate Bill No. 1466, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 41301 (MCL 324.41301), as amended by 2005 PA 77.

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

Senators Switalski and Van Woerkom introduced

#### **Senate Bill No. 1467, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 435 (MCL 206.435), as amended by 2008 PA 162.

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

Senator Switalski introduced

#### **Senate Bill No. 1468, entitled**

A bill to amend 1965 PA 213, entitled "An act to provide for setting aside the conviction in certain criminal cases; to provide for the effect of such action; to provide for the retention of certain nonpublic records and their use; to prescribe

the powers and duties of certain public agencies and officers; and to prescribe penalties,” by amending sections 1 and 4 (MCL 780.621 and 780.624), section 1 as amended by 2002 PA 472 and section 4 as added by 1982 PA 495.

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

Senator Switalski introduced  
**Senate Bill No. 1469, entitled**

A bill to amend 2000 PA 92, entitled “Food law of 2000,” by amending section 4115 (MCL 289.4115) and by adding section 4115a.

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

Senators Kahn and Barcia introduced  
**Senate Bill No. 1470, entitled**

A bill to amend 1911 PA 209, entitled “An act to adopt and prescribe the design of a state coat-of-arms and state flag, and their use, and to prohibit the use of the same for advertising purposes, and to provide a punishment for such forbidden use,” (MCL 2.21 to 2.27) by adding section 2a.

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

Senators Kahn and Barcia introduced  
**Senate Bill No. 1471, entitled**

A bill to amend 1953 PA 232, entitled “Corrections code of 1953,” by amending section 36 (MCL 791.236), as amended by 2008 PA 191.

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

Senators Basham, Thomas and Jacobs introduced  
**Senate Bill No. 1472, entitled**

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending section 234e (MCL 750.234e), as added by 1990 PA 321.

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

Senators Basham, Thomas and Jacobs introduced  
**Senate Bill No. 1473, entitled**

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” (MCL 750.1 to 750.568) by adding section 225.

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

Senators Basham, Thomas and Jacobs introduced  
**Senate Bill No. 1474, entitled**

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 16m of chapter XVII (MCL 777.16m), as amended by 2005 PA 106.

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

Senators Sanborn, Thomas, Barcia and Gilbert introduced  
**Senate Bill No. 1475, entitled**

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” by amending sections 1204b and 1204c (MCL 500.1204b and 500.1204c), section 1204b as amended by 1992 PA 84 and section 1204c as amended by 2006 PA 442.

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

Senators Barcia, Thomas, Sanborn and Gilbert introduced  
**Senate Bill No. 1476, entitled**

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” by amending section 1204a (MCL 500.1204a), as amended by 2006 PA 442.

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

Senators Gilbert, Sanborn and Barcia introduced

**Senate Bill No. 1477, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 1204 (MCL 500.1204), as amended by 2001 PA 228.

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

Senators Thomas, Sanborn, Gilbert and Barcia introduced

**Senate Bill No. 1478, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 1206c.

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

Senators Cassis, George, Garcia, McManus, Jansen, Gilbert, Van Woerkom, Jelinek, Pappageorge, Kuipers, Allen and Kahn introduced

**Senate Bill No. 1479, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 435 (MCL 206.435), as amended by 2008 PA 162.

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

Senators Cassis, George, Garcia, McManus, Jansen, Gilbert, Van Woerkom, Jelinek, Pappageorge, Kuipers, Allen and Kahn introduced

**Senate Bill No. 1480, entitled**

A bill to establish the Michigan higher education fund in the department of treasury; to provide for the distribution of the money from the fund; to prescribe the powers and duties of certain agencies and officials; and to provide for appropriations.

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

Senators Cassis, George, Garcia, McManus, Jansen, Gilbert, Van Woerkom, Jelinek, Pappageorge, Kuipers, Allen and Kahn introduced

**Senate Bill No. 1481, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 435 (MCL 206.435), as amended by 2008 PA 162.

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

Senators Cassis, George, Garcia, McManus, Jansen, Gilbert, Van Woerkom, Jelinek, Kuipers, Allen and Kahn introduced

**Senate Bill No. 1482, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 435 (MCL 206.435), as amended by 2008 PA 162.

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

Senator Allen introduced

**Senate Bill No. 1483, entitled**

A bill to amend 1996 PA 376, entitled "Michigan renaissance zone act," by amending sections 8a and 8e (MCL 125.2688a and 125.2688e), section 8a as amended by 2008 PA 116 and section 8e as amended by 2008 PA 117.

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

Senator Allen introduced

**Senate Bill No. 1484, entitled**

A bill to amend 1984 PA 270, entitled "Michigan strategic fund act," by amending sections 89a and 89d (MCL 125.2089a and 125.2089d), section 89a as added by 2008 PA 100 and section 89d as added by 2008 PA 98.

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

**House Bill No. 5966, entitled**

A bill to amend 1943 PA 240, entitled "State employees' retirement act," by amending section 45 (MCL 38.45), as amended by 2002 PA 743.

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 Appropriations.

**House Bill No. 5995, entitled**

A bill to amend 1943 PA 148, entitled "An act to provide for the regulation and licensing of proprietary schools in the state; to require surety; to provide for collection and disposition of fees; and to prescribe penalties for the violation of this act," by amending the title and sections 1, 1a, 2, 2a, 2b, and 3 (MCL 395.101, 395.101a, 395.102, 395.102a, 395.102b, and 395.103), the title and sections 1, 2, 2a, 2b, and 3 as amended and section 1a as added by 1983 PA 60, and by adding sections 2c and 2d.

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

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

By unanimous consent the Senate returned to the order of

**Statements**

Senators Schauer, Hardiman, Bishop 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 Schauer's statement is as follows:

Mr. President and colleagues, I rise today with sadness to ask you to join me in honoring Army Private First Class Bryan R. Thomas of Battle Creek, Michigan, a brave soldier who, just days ago, was killed while honorably serving our country in Iraq.

Private Thomas, only 22 years old, was a member of the 1st Battalion, 66th Army Regiment, 1st Brigade Combat Team, 1-4 Infantry Division in Fort Hood, Texas. He was one of two U.S. Army soldiers killed on September 4, 2008, when a roadside bomb went off near the vehicle he was driving in Baghdad.

Private Thomas graduated from Lakeview High School in Battle Creek in 2004 and had been a student at Western Michigan University and Kellogg Community College, studying photography and preparing for a career in teaching.

Private Thomas joined the Army in September 2007 and had been stationed in Iraq for the past three months. He had come home for a short leave just three weeks ago, before heading back for his second tour of duty.

Bryan's friends and family described him as an "old soul"; a thoughtful and introspective man who loved animals, sports, and Mountain Dew, and who died, as he lived, doing volunteer work and caring for many. He was a lover of animals and volunteered for the Michigan Humane Society. He had a strong love for photography and shot countless photos while in Baghdad, relishing in his role as the company photographer.

As a member of the Lakeview Spartan wrestling team and a linebacker of the football team, Bryan was a dedicated kid who didn't seek the limelight. He thrived in his role as a team player. His football jersey, No. 62, will be honored at Lakeview's football game this Friday night, a game that will be dedicated to him. His name also will be added to Spartan Memorial Stadium's memorial stone.

In remembrance of the great sacrifice made by Bryan R. Thomas and his family for our country, we wish to extend our appreciation and deep respect for his honorable service. The poet Emily Dickinson wrote "We never know how good we are, until we are called to rise."

Today, we honor Private Bryan Thomas for rising and falling for his country.

A moment of silence was observed in memory of Army Private First Class Bryan R. Thomas.

Senator Hardiman's statement is as follows:

I rise to thank this body for the passage of the House Bill No. 5898 substitute. This bill is critical to attracting a producer of solar energy to Michigan and, more specifically, to Kentwood. But it is good for this whole state. Without this credit, the company would most likely choose another state.

The fact is that we have been working diligently to help diversify this economy, and we want the kind of jobs that will serve us well now and into the future. This is one of those industries. It is an alternative energy to an emerging sector of our economy that we desire. The company would phase in jobs in shifts of 200 at regular intervals. Plans are for 1,000 jobs directly at this facility; perhaps as many as 4,000 jobs total, counting the indirect jobs.

So I thank the body for the passage of this bill. I just look forward to growing the Michigan economy.



Senator Bishop's statement is as follows:

I wanted to take this opportunity to speak on that same issue on House Bill No. 5898. I did support House Bill No. 5898. I did so because I believe we must do everything in our power, everything and anything we need to do to attract new businesses and create new jobs in this state. Because I believe the present tax policy environment here in Michigan leaves the Legislature with very few, if any, tools to do what we need to do to attract businesses and jobs, I want to reinforce those statements made in support this morning of the need to do that. I want to thank Senator Hardiman for bringing this issue forward. I want to thank him for his substitute that we voted for today that clarified and really pinpointed the need in this case, and he did great work in that area.

But I want to make something perfectly clear. I can't help but make this point because every time we do this, I am reminded of it. We would not be here crafting tax policy incentives for individual businesses if our tax policy in this state was in any way attractive to job providers. All this proposal does is underscore the undeniable truth: When you lower taxes, you attract businesses, and you are there to create jobs.

I know you agree with me because most of you supported the bill and that was the whole point—to create jobs. So I must ask all of you who supported that bill: Why do we hand-pick and why do we continue to hand-pick winners and losers in this state? Why do we continue to craft individual incentive packages for specific businesses? In doing so, why do we ignore the businesses who have already invested in this state and continue to build jobs and employ individuals? Wouldn't it make sense, rather, instead of supporting this proposal and others like it; instead of passing public policy designed to impact one business, wouldn't it be exponentially more productive if we make sweeping changes to Michigan's tax policy by lower rates across the board for all businesses, thereby creating an environment that naturally attracts new businesses and at the same time provides long-needed relief to existing job providers who continue to invest in our state and produce real jobs.

We have lost hundreds of thousands of jobs in the recent years in this state. Our present efforts to incentivize certain sectors and certain businesses has not produced. In fact, we continue to lose more jobs than we make. You know, I don't know, I just might be an old-fashioned lawyer, but, to me, it is painfully obvious. This peace-meal approach to public policy has failed and failed miserably.

If we hope to turn this ship around, and if we hope to revive this economy, Republicans and Democrats are going to have to come together and figure this out, and we need to make it happen together. I don't believe, in good conscience, we can continue to do the same thing over and over and over again and expect a different outcome.

So I hope today we will continue down a path of attempting to create jobs in this state and incentivize business, but instead of picking winners and losers in the future that we apply it across the board to all businesses. I am calling on all of you to stand with me to make that happen.

Senator Scott's statement is as follows:

With the Summer Olympics still fresh in our minds, I would like to turn again to Olympic track and field gold medalist Jesse Owens, who said many years after his victories, "The battles that count aren't the ones for gold medals. The struggles within yourself—the invisible inevitable battles inside us all—that's where it's at."

We all wage those internal battles, probably more within this chamber than other places. I can only hope that in the end, the victor in the invisible battles over insurance reform will be fairness, equality, and justice.

Michigan residents deserve to win. They are not seeking gold medals. They are simply seeking affordable rates for a product they are required by law to have.

So I will continue my efforts to convince you to end that invisible conflict and do the right thing. And, of course, the right thing would be to move my bills. As Mr. Owens would say, "That's where it's at."

### Committee Reports

The Committee on Transportation reported  
**Senate Concurrent Resolution No. 31.**

A concurrent resolution to memorialize Congress to reduce the price of traditional passports, by directly lowering the cost to consumers or by offering fully refundable federal income tax deductions to citizens who live in border states.

(For text of resolution, see Senate Journal No. 72, p. 1813.)

With the recommendation that the concurrent resolution be adopted.

Judson S. Gilbert II  
Chairperson

To Report Out:

Yeas: Senators Gilbert, Kahn, Van Woerkom and Basham

Nays: None

The concurrent resolution was placed on the order of Resolutions.

The Committee on Transportation reported

**Senate Bill No. 1414, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 5124. With the recommendation that the bill pass.

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

Judson S. Gilbert II  
Chairperson

To Report Out:

Yeas: Senators Gilbert, Kahn, Van Woerkom, Basham and Gleason

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Transportation reported

**Senate Bill No. 1415, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 309 (MCL 257.309), as amended by 2004 PA 362.

With the recommendation that the bill pass.

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

Judson S. Gilbert II  
Chairperson

To Report Out:

Yeas: Senators Gilbert, Kahn, Van Woerkom, Basham and Gleason

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Transportation reported

**Senate Bill No. 1451, entitled**

A bill to amend 1933 PA 254, entitled "The motor carrier act," by amending the title and section 1 of article I, sections 2, 6, and 7 of article IV, and sections 2, 8, 9, and 10 of article V (MCL 475.1, 478.2, 478.6, 478.7, 479.2, 479.8, 479.9, and 479.10), the title and section 10 of article V as amended by 1982 PA 399, section 1 of article I and section 2 of article V as amended by 2007 PA 33, section 2 of article IV as amended by 1993 PA 352, and section 7 of article IV as amended by 1989 PA 221.

With the recommendation that the bill pass.

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

Judson S. Gilbert II  
Chairperson

To Report Out:

Yeas: Senators Gilbert, Kahn, Van Woerkom, Basham and Gleason

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Transportation reported

**Senate Bill No. 1461, entitled**

A bill to amend 1951 PA 51, entitled "An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line

fund, local bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts," by amending section 1 (MCL 247.651).

With the recommendation that the bill pass.

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

Judson S. Gilbert II  
Chairperson

To Report Out:

Yeas: Senators Gilbert, Kahn, Van Woerkom, Basham and Gleason

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Transportation reported

**Senate Bill No. 1462, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," (MCL 257.1 to 257.923) by adding sections 20b, 20c, and 642a.

With the recommendation that the bill pass.

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

Judson S. Gilbert II  
Chairperson

To Report Out:

Yeas: Senators Gilbert, Kahn, Van Woerkom, Basham and Gleason

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Transportation reported

**House Bill No. 4468, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 601b (MCL 257.601b), as amended by 2003 PA 314.

With the recommendation that the bill pass.

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

Judson S. Gilbert II  
Chairperson

To Report Out:

Yeas: Senators Gilbert, Kahn, Van Woerkom, Basham and Gleason

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Transportation reported

**House Bill No. 4469, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 12e of chapter XVII (MCL 777.12e), as amended by 2004 PA 26.

With the recommendation that the bill pass.

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

Judson S. Gilbert II  
Chairperson

To Report Out:

Yeas: Senators Gilbert, Kahn, Van Woerkom, Basham and Gleason

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Transportation reported

**House Bill No. 5351, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," (MCL 257.1 to 257.923) by adding section 611a. With the recommendation that the bill pass.

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

Judson S. Gilbert II  
Chairperson

To Report Out:

Yeas: Senators Gilbert, Kahn, Van Woerkom, Basham and Gleason

Nays: None

The bill was referred to the Committee of the Whole.

#### COMMITTEE ATTENDANCE REPORT

The Committee on Transportation submitted the following:

Meeting held on Tuesday, September 9, 2008, at 1:00 p.m., Room 110, Farnum Building

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

#### COMMITTEE ATTENDANCE REPORT

The Committee on Commerce and Tourism submitted the following:

Meeting held on Tuesday, September 9, 2008, at 2:30 p.m., Room 100, Farnum Building

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

Excused: Senator Stamas

#### COMMITTEE ATTENDANCE REPORT

The Committee on Families and Human Services submitted the following:

Meeting held on Tuesday, September 9, 2008, at 2:30 p.m., Room 210, Farnum Building

Present: Senators Jansen (C), Hardiman and Jacobs

### Scheduled Meetings

**Administrative Rules** - Thursday, September 11, 8:30 a.m., Rooms 402 and 403, Capitol Building (373-6476)

**Agriculture** - Thursday, September 11, 9:00 a.m., Room 110, Farnum Building (373-1635)

#### Appropriations -

##### Subcommittees -

**Capital Outlay** - Thursday, September 11, 9:00 a.m., House Appropriations Room, 3rd Floor, Capitol Building (373-8080)

**Higher Education** - Thursday, September 25, 9:00 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

**Human Services Department and Families and Human Services** - Thursday, September 11, 1:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower (373-2768)

#### Conference Committees -

**Choice in Purchase of Electricity (HB 5524)** - Thursday, September 11, 9:00 a.m., Room 424, Capitol Building (373-8538)

**Portfolio Standard for Renewable Energy (SB 213)** - Thursday, September 11, 9:15 a.m., Room 424, Capitol Building (373-3447)

**Energy Policy and Public Utilities** - Thursday, September 11, 1:00 p.m., Room 210, Farnum Building (373-7350)

**Families and Human Services and Human Services Department Appropriations Subcommittee** - Thursday, September 11, 1:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower (373-0797)

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

**Legislative Commission on Government Efficiency** - Friday, September 26, 9:00 a.m., Legislative Council Conference Room, 3rd Floor, Boji Tower (373-0212)

**Legislative Commission on Statutory Mandates** - Tuesday, September 30, 12:00 noon, Oakland County Executive Office Building, Conference Center/West Oakland Room, Building 41-West, 2100 Pontiac Lake Road, Waterford (373-0212)

**Michigan Law Revision Commission** - Wednesday, September 24, 9:00 a.m., Legislative Council Conference Room, 3rd Floor, Boji Tower (373-0212)

**State Drug Treatment Court Advisory Committee** - Tuesday, September 23, 9:30 a.m., Legislative Council Conference Room, 3rd Floor, Boji Tower (373-0212)

Senator Cropsey moved that the Senate adjourn.  
The motion prevailed, the time being 1:20 p.m.

The President, Lieutenant Governor Cherry, declared the Senate adjourned until Thursday, September 11, 2008, at 10:00 a.m.

CAROL MOREY VIVENTI  
Secretary of the Senate

