

No. 37  
STATE OF MICHIGAN  
**Journal of the Senate**  
95th Legislature  
REGULAR SESSION OF 2009

---

---

Senate Chamber, Lansing, Thursday, May 7, 2009.

10:00 a.m.

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

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

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

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

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

Senator Valde Garcia of the 22nd District offered the following invocation:

Our heavenly Father, we thank You for this day that You have given to us. We want to thank You for the ability to live in a great country and to live in a great state as well.

Thank You for my colleagues and the elected leadership. I just ask that You provide us with wisdom today as we deliberate. I ask for wisdom for our Governor, our President, and also that You would watch over our soldiers, sailors, airmen, Marines, and Coast Guard men and women as they serve our country.

We ask all of this in Your Son's name. Amen.

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

### Motions and Communications

Senators Allen, McManus, Kuipers, Stamas and Hunter entered the Senate Chamber.

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

#### Senate Resolution No. 15.

A resolution to amend the Standing Rules of the Senate.

On which motion Senator Cherry moved that the previous question be ordered.

The motion did not prevail.

The question being on the motion to discharge,

The motion did not prevail, a majority of the members serving not voting therefor.

Senator Thomas requested the yeas and nays.

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

The motion did not prevail, a majority of the members serving not voting therefor, as follows:

#### Roll Call No. 147

#### Yeas—16

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

#### Nays—21

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

#### Excused—0

#### Not Voting—0

Senator Cropsey moved to reconsider the vote by which the motion to discharge the committee did not prevail. The question being on the motion to reconsider, Senator Cropsey moved that further consideration of the motion be postponed until Thursday, December 31. The motion prevailed.

### Protest

Senator Cropsey, under his constitutional right of protest (Art. 4, Sec. 18), protested against the motion to discharge the Committee on Government Operations and Reform from further consideration of Senate Resolution No. 15 and moved that the statement he made during the discussion of the motion be printed as his reasons for voting “no.”

The motion prevailed.

Senator Cropsey’s statement is as follows:

I would hope that we would not do a discharge on this very, very partisan resolution today. Today, in front of the Senate we are going to do the Hire Michigan First legislation. It just seems that every time we get legislation that is going to come up to help the people of this state that the current administration said they would do by executive order and did issue one several years ago but have failed, evidently, to implement it, we get a member from the other side of the aisle putting up some sort of resolution that says she wants openness in government.

Well, I would suggest that maybe she walk across the rotunda and tell the Speaker of the House to equalize everyone’s budget over there. I would suggest that maybe she go to Washington, D.C., where the Democrats have total dictatorial powers and suggest to them that maybe they ought to start playing fair and not do partisanship.

I don’t think there is the urgency to take this up today because, certainly, the person who just spoke to this resolution could go to Washington, D.C., to tell the Democrats to get their own house in order and stop playing partisan political games. I would think that she would set the example, have her party set the example, and then she might have a little more credence in this body when she comes up with these sorts of resolutions or offers to try and make sure that things are done properly here in the Senate.

As I have stated before, things are done properly here in the Senate. When you have Senators as committee chairmen, they have extra staff in order to take care of the work of the people of this state. I think the other side of the aisle knows perfectly well that that is what is going on, and they are just trying to make political hay on a very important day when we have so many other items to take up to try and get Michigan back on track as far as our jobs situation is concerned. I am just amazed at the delaying tactics that the other side of the aisle is using in trying to prohibit us from voting on the Hire Michigan First legislation.

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

The motion prevailed.

Senator Thomas’ statement is as follows:

I rise in support of the motion to discharge. While I know that there are a number of members in this chamber who are running for the United States Congress, none of us are actually elected to serve there so we are faced with the question: “What can we do in our capacity as members of the Michigan Senate?” Well, responsible members of the Michigan Senate can end the disparity that exists and save state troopers and save the state \$3.5 million by ending the disparate funding that exists between majority Senators who represent the same number of constituents that I do in the minority. I see no reason why the Senator from Kentwood should have more money to represent this need than the Senator from the city of Detroit. That just doesn’t make sense. Are my constituents any different? I don’t think so.

Further, it was suggested that the House should act on itself. Well, the House already has acted, and the disparity that exists there is about \$200,000 for 110 members, and out of our 37 members, \$3.5 million. That, to me, sounds outrageous. It sounds like crocodile tears being cried on the other side.

So, if we are really responsible, if we really want to do more than lip service, if we want to stand up and support public safety in Michigan and say that all citizens in Michigan are equal, then we should support this motion to discharge and equalize the budget between all members of the Michigan Senate.

Senator Whitmer’s statement is as follows:

I rise to speak in favor of the discharge motion and its urgency. I originally drafted Senate Resolution No.15 to equalize Senate budgets blind to party and to be listed online in the spirit of equity, fairness, thrift, and transparency—laudable goals by any public servant’s standards, especially so in tough economic times.

I am once again calling for action on that resolution because we have to do everything in our power to tighten our belts. Certainly, you Republicans can serve and operate your office budgets on the same amount in which we Democrats serve

our constituents. We would save \$100,000 that you give yourselves just for being in the majority. In doing so, we—just the Senate, mind you—could single-handedly save the State Police troopers who were cut in the executive order less than 48 hours ago. Single-handedly—no need to wait on the House. No need to wait on the executive branch. We can take action today and save the troopers and finally put some equity, transparency, and thrift into our own Senate budget.

The importance of public safety should always trump cushy office budgets. The GOP can play partisan politics all it wants and claim to the victors go the spoils. But partisanship when public safety is on the line? For some rural communities, this is their public safety. These are challenging times, and the Senate should show some leadership and step up on behalf of public safety in the state of Michigan.

I have the substitute right here, right now. So let's discharge this resolution, amend it with this substitute, and save the troopers today. We can do this today, and it is urgent that we take action today. I ask you to do the right thing and vote in favor of this discharge motion.

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

**Senate Bill No. 290**

**Senate Bill No. 293**

**Senate Bill No. 295**

**Senate Bill No. 502**

**House Bill No. 4083**

**House Bill No. 4089**

**House Bill No. 4092**

**House Bill No. 4093**

**House Bill No. 4094**

**Senate Bill No. 296**

**House Bill No. 4715**

**House Bill No. 4309**

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

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

May 5, 2009

Enclosed is a copy of the following audit report:

Performance audit of Developmental Education at Michigan Public Community Colleges.

Sincerely,

Thomas H. McTavish, C.P.A.

Auditor General

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

The following communication was received:  
Office of the State Budget

April 29, 2009

Transmitted under this cover is a schedule entitled "Statement of Revenue Subject to Constitutional Limitation - Legal Basis." The statement is submitted pursuant to Sections 18.1350(a) through 18.1350(e) of the Michigan Compiled Laws for the purpose of demonstrating compliance with Article 9, Section 26 of the Michigan Constitution for the fiscal year 2008.

The statement has been reviewed by the Office of the Auditor General and a copy of the independent accountant's review is enclosed.

If you have any questions regarding this report, please contact Mr. Michael J. Moody, Director, Office of Financial Management, at 373-1010.

Sincerely,

Robert L. Emerson

State Budget Director

The communication was referred to the Secretary for record.

The Secretary announced that the following House bills were received in the Senate and filed on Wednesday, May 6:  
**House Bill Nos. 4751 4785 4786**

The Secretary announced that the following official bills were printed on Wednesday, May 6, and are available at the legislative website:

<b>Senate Bill Nos.</b>	<b>529</b>	<b>530</b>	<b>531</b>	<b>532</b>	<b>533</b>	<b>534</b>	<b>535</b>	<b>536</b>	<b>537</b>	<b>538</b>	<b>540</b>			
<b>House Bill Nos.</b>	<b>4871</b>	<b>4872</b>	<b>4873</b>	<b>4874</b>	<b>4875</b>	<b>4876</b>	<b>4877</b>	<b>4878</b>	<b>4879</b>	<b>4880</b>	<b>4881</b>	<b>4882</b>	<b>4883</b>	<b>4884</b>
	<b>4885</b>	<b>4886</b>	<b>4887</b>	<b>4888</b>	<b>4889</b>									

By unanimous consent the Senate proceeded to the order of

**General Orders**

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

The motion prevailed, and the President, Lieutenant Governor Cherry, designated Senator Jansen 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. 290, entitled**

A bill to amend 1996 PA 381, entitled "Brownfield redevelopment financing act," by amending section 15 (MCL 125.2665), as amended by 2007 PA 201.

Substitute (S-1).

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

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

**Senate Bill No. 293, entitled**

A bill to amend 1996 PA 376, entitled "Michigan renaissance zone act," by amending sections 15 and 16 (MCL 125.2695 and 125.2696), and by adding sections 8g and 8h.

Substitute (S-2).

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

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

**Senate Bill No. 295, entitled**

A bill to amend 2000 PA 146, entitled "Obsolete property rehabilitation act," by amending section 8 (MCL 125.2788), as amended by 2008 PA 504.

Substitute (S-1).

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

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

**Senate Bill No. 502, entitled**

A bill to amend 1984 PA 431, entitled "The management and budget act," by amending section 261 (MCL 18.1261), as amended by 2008 PA 133.

Substitute (S-1).

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

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

**House Bill No. 4083, entitled**

A bill to amend 1984 PA 270, entitled "Michigan strategic fund act," by amending section 11 (MCL 125.2011), as amended by 1987 PA 278.

Substitute (S-2).

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

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:  
**House Bill No. 4089, entitled**

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

Substitute (S-2).

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

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:  
**House Bill No. 4092, entitled**

A bill to amend 1963 PA 62, entitled "Industrial development revenue bond act of 1963," (MCL 125.1251 to 125.1267) by adding section 5a.

Substitute (S-1).

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

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:  
**House Bill No. 4093, entitled**

A bill to amend 1974 PA 198, entitled "An act to provide for the establishment of plant rehabilitation districts and industrial development 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 impose and provide for the disposition of an administrative fee; 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 penalties," by amending section 4 (MCL 207.554), as amended by 2004 PA 437.

Substitute (S-1).

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

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:  
**House Bill No. 4094, entitled**

A bill to amend 1987 PA 231, entitled "An act to create a transportation economic development fund in the state treasury; to prescribe the uses of and distributions from this fund; to create the office of economic development and to prescribe its powers and duties; to prescribe the powers and duties of the state transportation department, state transportation commission, and certain other bodies; and to permit the issuance of certain bonds," by amending section 13 (MCL 247.913) and by adding section 9a.

Substitute (S-1).

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

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:  
**Senate Bill No. 296, entitled**

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

Substitute (S-2).

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

By unanimous consent the Senate returned to the order of

**Third Reading of Bills**

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

**Senate Bill No. 290**

**Senate Bill No. 293**

**Senate Bill No. 295**  
**Senate Bill No. 502**  
**House Bill No. 4083**  
**House Bill No. 4089**  
**House Bill No. 4092**  
**House Bill No. 4093**  
**House Bill No. 4094**  
**Senate Bill No. 296**

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

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

**Senate Bill No. 296**  
**Senate Bill No. 293**  
**Senate Bill No. 502**  
**House Bill No. 4093**  
**House Bill No. 4089**  
**House Bill No. 4083**  
**Senate Bill No. 295**  
**Senate Bill No. 290**  
**House Bill No. 4092**  
**House Bill No. 4094**

The motion prevailed.

By unanimous consent the Senate returned to the order of  
**Messages from the Governor**

The following message from the Governor was received and read:

May 6, 2009

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

**Commission of Natural Resources**

Mr. Timothy L. Nichols, a Democrat, of 1260 Trotters Lane, Williamston, Michigan 48895, county of Ingham, succeeding Darnell Earley, whose term has expired, is appointed for a term commencing May 6, 2009 and expiring December 31, 2012.

Mr. Frank C. Wheatlake, an Independent, of 9264 East 7 Mile Road, Big Rapids, Michigan 49307, county of Newaygo, is reappointed for a term expiring December 31, 2012.

Sincerely,  
Jennifer M. Granholm  
Governor

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

**Messages from the House**

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

**Senate Bill No. 363**

The motion prevailed.

**Senate Bill No. 145, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 1a of chapter IX (MCL 769.1a), as amended by 1998 PA 231.

(For text of amendment, see Senate Journal No. 36, p. 658.)

The question being on concurring in the amendment made to the bill by the House,

The amendment was concurred in, a majority of the members serving voting therefor, as follows:

**Roll Call No. 148****Yeas—37**

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

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

In The Chair: President

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

**Senate Bill No. 146, entitled**

A bill to amend 1985 PA 87, entitled "William Van Regenmorter crime victim's rights act," by amending sections 2, 16, 31, 44, 61, and 76 (MCL 780.752, 780.766, 780.781, 780.794, 780.811, and 780.826), sections 2, 16, 44, and 76 as amended by 2005 PA 184 and sections 31 and 61 as amended by 2006 PA 461.

(For text of amendment, see Senate Journal No. 36, p. 658.)

The question being on concurring in the amendment made to the bill by the House,

The amendment was concurred in, a majority of the members serving voting therefor, as follows:

**Roll Call No. 149****Yeas—37**

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

**Nays—0**



**Excused—0**

**Not Voting—0**

In The Chair: President

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

By unanimous consent the Senate proceeded to the order of

**Introduction and Referral of Bills**

Senators Richardville and Sanborn introduced

**Senate Bill No. 541, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 279. The bill was read a first and second time by title and referred to the Committee on Finance.

Senators Richardville and Sanborn introduced

**Senate Bill No. 542, entitled**

A bill to amend 2007 PA 36, entitled "Michigan business tax act," (MCL 208.1101 to 208.1601) by adding section 465. The bill was read a first and second time by title and referred to the Committee on Finance.

Senators Sanborn and Richardville introduced

**Senate Bill No. 543, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 476a (MCL 500.476a), as amended by 2007 PA 187.

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

Senators Richardville and Sanborn introduced

**Senate Bill No. 544, entitled**

A bill to amend 1941 PA 122, entitled "An act to establish the revenue collection duties of the department of treasury; to prescribe its powers and duties as the revenue collection agency of this state; to prescribe certain powers and duties of the state treasurer; to establish the collection duties of certain other state departments for money or accounts owed to this state; to regulate the importation, stamping, and disposition of certain tobacco products; to provide for the transfer of powers and duties now vested in certain other state boards, commissions, departments, and offices; to prescribe certain duties of and require certain reports from the department of treasury; to provide procedures for the payment, administration, audit, assessment, levy of interests or penalties on, and appeals of taxes and tax liability; to prescribe its powers and duties if an agreement to act as agent for a city to administer, collect, and enforce the city income tax act on behalf of a city is entered into with any city; to provide an appropriation; to abolish the state board of tax administration; to prescribe penalties and provide remedies; and to declare the effect of this act," (MCL 205.1 to 205.31) by adding section 18a.

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

Senator Garcia introduced

**Senate Bill No. 545, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 5714 (MCL 600.5714), as amended by 2004 PA 105.

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

Senator Garcia introduced

**Senate Bill No. 546, entitled**

A bill to amend 1846 RS 66, entitled "Of estates in dower, by the curtesy, and general provisions concerning real estate," by amending section 34 (MCL 554.134), as amended by 2004 PA 106.

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

Senators Garcia, Basham, Jansen and Gleason introduced

**Senate Bill No. 547, entitled**

A bill to amend 1980 PA 497, entitled "Construction lien act," by amending section 106 (MCL 570.1106), as amended by 2006 PA 497.

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

Senators Basham, Garcia, Gleason and Jansen introduced

**Senate Bill No. 548, entitled**

A bill to amend 1980 PA 497, entitled "Construction lien act," by amending section 203 (MCL 570.1203), as amended by 2006 PA 572.

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

Senators Basham, Gleason and Switalski introduced

**Senate Bill No. 549, entitled**

A bill to amend 1978 PA 59, entitled "Condominium act," by amending sections 54 and 90a (MCL 559.154 and 559.190a), as amended by 2002 PA 283.

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

Senator Brown introduced

**Senate Bill No. 550, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 51 (MCL 211.51), as amended by 2005 PA 114.

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

Senator Brown introduced

**Senate Bill No. 551, entitled**

A bill to amend 1933 PA 167, entitled "General sales tax act," (MCL 205.51 to 205.78) by adding section 4ff.

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

Senator Brown introduced

**Senate Bill No. 552, entitled**

A bill to amend 1943 PA 240, entitled "State employees' retirement act," by amending section 19 (MCL 38.19), as amended by 2002 PA 93.

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

Senator Pappageorge introduced

**Senate Bill No. 553, entitled**

A bill to amend 1984 PA 34, entitled "Michigan low income heating assistance and shut-off protection act," by amending section 7 (MCL 400.1207).

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

Senator Kahn introduced

**Senate Bill No. 554, entitled**

A bill to amend 1939 PA 3, entitled "An act to provide for the regulation and control of public and certain private utilities and other services affected with a public interest within this state; to provide for alternative energy suppliers; to

provide for licensing; to include municipally owned utilities and other providers of energy under certain provisions of this act; to create a public service commission and to prescribe and define its powers and duties; to abolish the Michigan public utilities commission and to confer the powers and duties vested by law on the public service commission; to provide for the continuance, transfer, and completion of certain matters and proceedings; to abolish automatic adjustment clauses; to prohibit certain rate increases without notice and hearing; to qualify residential energy conservation programs permitted under state law for certain federal exemption; to create a fund; to provide for a restructuring of the manner in which energy is provided in this state; to encourage the utilization of resource recovery facilities; to prohibit certain acts and practices of providers of energy; to allow for the securitization of stranded costs; to reduce rates; to provide for appeals; to provide appropriations; to declare the effect and purpose of this act; to prescribe remedies and penalties; and to repeal acts and parts of acts," (MCL 460.1 to 460.11) by adding section 9n.

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

Senator Richardville introduced

**Senate Bill No. 555, entitled**

A bill to amend 1984 PA 34, entitled "Michigan low income heating assistance and shut-off protection act," (MCL 400.1201 to 400.1217) by adding section 7a.

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

Senator Allen introduced

**Senate Bill No. 556, entitled**

A bill to amend 1939 PA 3, entitled "An act to provide for the regulation and control of public and certain private utilities and other services affected with a public interest within this state; to provide for alternative energy suppliers; to provide for licensing; to include municipally owned utilities and other providers of energy under certain provisions of this act; to create a public service commission and to prescribe and define its powers and duties; to abolish the Michigan public utilities commission and to confer the powers and duties vested by law on the public service commission; to provide for the continuance, transfer, and completion of certain matters and proceedings; to abolish automatic adjustment clauses; to prohibit certain rate increases without notice and hearing; to qualify residential energy conservation programs permitted under state law for certain federal exemption; to create a fund; to provide for a restructuring of the manner in which energy is provided in this state; to encourage the utilization of resource recovery facilities; to prohibit certain acts and practices of providers of energy; to allow for the securitization of stranded costs; to reduce rates; to provide for appeals; to provide appropriations; to declare the effect and purpose of this act; to prescribe remedies and penalties; and to repeal acts and parts of acts," (MCL 460.1 to 460.11) by adding section 9k.

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

Senator Patterson introduced

**Senate Bill No. 557, entitled**

A bill to amend 1939 PA 3, entitled "An act to provide for the regulation and control of public and certain private utilities and other services affected with a public interest within this state; to provide for alternative energy suppliers; to provide for licensing; to include municipally owned utilities and other providers of energy under certain provisions of this act; to create a public service commission and to prescribe and define its powers and duties; to abolish the Michigan public utilities commission and to confer the powers and duties vested by law on the public service commission; to provide for the continuance, transfer, and completion of certain matters and proceedings; to abolish automatic adjustment clauses; to prohibit certain rate increases without notice and hearing; to qualify residential energy conservation programs permitted under state law for certain federal exemption; to create a fund; to provide for a restructuring of the manner in which energy is provided in this state; to encourage the utilization of resource recovery facilities; to prohibit certain acts and practices of providers of energy; to allow for the securitization of stranded costs; to reduce rates; to provide for appeals; to provide appropriations; to declare the effect and purpose of this act; to prescribe remedies and penalties; and to repeal acts and parts of acts," (MCL 460.1 to 460.11) by adding section 9p.

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

Senator Allen introduced

**Senate Bill No. 558, entitled**

A bill to amend 1993 PA 23, entitled "Michigan limited liability company act," by amending sections 207a and 803 (MCL 450.4207a and 450.4803), section 207a as added by 2002 PA 686 and section 803 as amended by 2008 PA 567.

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

**House Bill No. 4523, entitled**

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending section 430 (MCL 208.1430), as added by 2008 PA 270.

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

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

**House Bill No. 4674, entitled**

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending section 431a (MCL 208.1431a), as added by 2008 PA 92.

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

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

**House Bill No. 4751, entitled**

A bill to provide for family military leave from employment for certain relatives of an individual called to active military service; to prohibit retaliation; and to prescribe remedies.

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 Senior Citizens and Veterans Affairs.

**House Bill No. 4785, entitled**

A bill to amend 1936 (Ex Sess) PA 1, entitled "Michigan employment security act," by amending section 27 (MCL 421.27), as amended by 2002 PA 192.

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

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

**House Bill No. 4786, entitled**

A bill to amend 1936 (Ex Sess) PA 1, entitled "Michigan employment security act," by amending section 28 (MCL 421.28), as amended by 1994 PA 422.

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

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

By unanimous consent the Senate returned to the order of

**Third Reading of Bills**

The following bill was read a third time:

**Senate Bill No. 296, entitled**

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

The question being on the passage of the bill,

Senator Clarke offered the following substitute:

Substitute (S-3).

The substitute was not adopted, a majority of the members serving not voting therefor.

Senator Clarke offered the following amendments:

1. Amend page 3, line 1, after the first "TO" by striking out "SUBSECTION (29)" and inserting "SUBSECTIONS (29) AND (30)".

2. Amend page 21, line 15, after "STATE" by inserting "WITHIN 90 DAYS AFTER COMMENCEMENT OF THE REHABILITATION WORK".

3. Amend page 21, line 18, after the second "STATE" by inserting "WITHIN 90 DAYS AFTER COMMENCEMENT OF THE REHABILITATION WORK".

4. Amend page 22, line 5, after "STATE" by inserting "WITHIN 90 DAYS AFTER COMMENCEMENT OF THE REHABILITATION WORK".

5. Amend page 22, line 8, after "STATE" by inserting "WITHIN 90 DAYS AFTER COMMENCEMENT OF THE REHABILITATION WORK".

The amendments were adopted, a majority of the members serving voting therefor.  
 The question being on the passage of the bill,  
 The bill was passed, a majority of the members serving voting therefor, as follows:

**Roll Call No. 150****Yeas—37**

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

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

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 293, entitled**

A bill to amend 1996 PA 376, entitled "Michigan renaissance zone act," by amending section 15 (MCL 125.2695) and by adding sections 8g and 8h.

The question being on the passage of the bill,  
 Senator Olshove offered the following substitute:  
 Substitute (S-3).

The substitute was not adopted, a majority of the members serving not voting therefor.

The question being on the passage of the bill,

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

**Roll Call No. 151****Yeas—37**

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

**Nays—0**

**Excused—0**

**Not Voting—0**

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 502, entitled**

A bill to amend 1984 PA 431, entitled “The management and budget act,” by amending section 261 (MCL 18.1261), as amended by 2008 PA 133.

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. 152**

**Yeas—37**

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

**Nays—0**

**Excused—0**

**Not Voting—0**

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

**House Bill No. 4093, entitled**

A bill to amend 1974 PA 198, entitled “An act to provide for the establishment of plant rehabilitation districts and industrial development 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 impose and provide for the disposition of an administrative fee; 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 penalties," by amending section 4 (MCL 207.554), as amended by 2004 PA 437.

The question being on the passage of the bill,  
Senator Gleason offered the following substitute:  
Substitute (S-2).

The substitute was not adopted, a majority of the members serving not voting therefor.  
Senator Thomas requested the yeas and nays.

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

The substitute was not adopted, a majority of the members serving not voting therefor, as follows:

**Roll Call No. 153****Yeas—16**

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

**Nays—21**

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

**Excused—0****Not Voting—0**

In The Chair: President

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. 154****Yeas—37**

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

**Nays—0**

**Excused—0**

**Not Voting—0**

In The Chair: President

The question being on concurring in the committee recommendation to give the bill immediate effect, The recommendation was concurred in, 2/3 of the members serving voting therefor. The Senate agreed to the title of the bill.

The following bill was read a third time:

**House Bill No. 4089, entitled**

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

The question being on the passage of the bill,

Senator Whitmer offered the following substitute:

Substitute (S-3).

The substitute was not adopted, a majority of the members serving not voting therefor.

Senator Thomas requested the yeas and nays.

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

The substitute was not adopted, a majority of the members serving not voting therefor, as follows:

**Roll Call No. 155**

**Yeas—16**

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

**Nays—21**

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

**Excused—0**

**Not Voting—0**

In The Chair: President

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. 156****Yeas—37**

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

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

In The Chair: President

The question being on concurring in the committee recommendation to give the bill immediate effect,  
The recommendation was concurred in, 2/3 of the members serving voting therefor.

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

“An act to 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.”.

The Senate agreed to the full title.

The following bill was read a third time:

**House Bill No. 4083, entitled**

A bill to amend 1984 PA 270, entitled “Michigan strategic fund act,” by amending section 11 (MCL 125.2011), as amended by 1987 PA 278.

The question being on the passage of the bill,  
Senator Anderson offered the following substitute:  
Substitute (S-3).

The substitute was not adopted, a majority of the members serving not voting therefor.

Senator Thomas requested the yeas and nays.

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

The substitute was not adopted, a majority of the members serving not voting therefor, as follows:

**Roll Call No. 157****Yeas—17**

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

**Nays—20**

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

**Excused—0****Not Voting—0**

In The Chair: President

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. 158****Yeas—37**

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

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

In The Chair: President

The question being on concurring in the committee recommendation to give the bill immediate effect,  
The recommendation was concurred in, 2/3 of the members serving voting therefor.

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

“An act 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:

**Senate Bill No. 295, entitled**

A bill to amend 2000 PA 146, entitled “Obsolete property rehabilitation act,” by amending section 8 (MCL 125.2788), as amended by 2008 PA 504.

The question being on the passage of the bill,  
 Senator Switalski offered the following substitute:  
 Substitute (S-2).

The substitute was not adopted, a majority of the members serving not voting therefor.

The question being on the passage of the bill,

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

**Roll Call No. 159**

**Yeas—37**

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

**Nays—0**

**Excused—0**

**Not Voting—0**

In The Chair: President

The Senate agreed to the title of the bill.

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

The motion prevailed.

Senator Switalski’s statement is as follows:

It feels like Groundhog Day up here. My amendment is similar to those offered by Senators Gleason, Olshove, Whitmer, Anderson, and others. I must admit that I am intrigued by the (S-1) border county provision. Its intent is the annexation of Indiana and Ohio. It would fit into the broad parameters of my ultimate goal—world domination. In particular, I have always lusted after the Toledo strip. Unfortunately, the substitute does not formally incorporate Indiana and Ohio into Michigan’s borders. Therefore, it is inferior to my amendment which promotes Michigan workers.

As to those who plan to become residents, I have planned to be good many times, but the record shows that my good intentions have paved the road to Hell, Michigan. It is a very nice town, and you should visit some time.

I ask members to adopt my amendment and protect Michigan workers when it is their own tax dollars that are paying for the business incentives.

The following bill was read a third time:

**Senate Bill No. 290, entitled**

A bill to amend 1996 PA 381, entitled "Brownfield redevelopment financing act," by amending section 15 (MCL 125.2665), as amended by 2007 PA 201.

The question being on the passage of the bill,

Senator Clarke offered the following amendments:

1. Amend page 14, line 11, after "STATE" by inserting "WITHIN 90 DAYS AFTER COMMENCEMENT OF THE ELIGIBLE ACTIVITIES ON ELIGIBLE PROPERTIES".

2. Amend page 14, line 15, after "STATE" by inserting "WITHIN 90 DAYS AFTER COMMENCEMENT OF THE ELIGIBLE ACTIVITIES ON ELIGIBLE PROPERTIES".

3. Amend page 15, line 1, after "STATE" by inserting "WITHIN 90 DAYS AFTER COMMENCEMENT OF THE ELIGIBLE ACTIVITIES ON ELIGIBLE PROPERTIES".

4. Amend page 15, line 4, after the second "STATE" by inserting "WITHIN 90 DAYS AFTER COMMENCEMENT OF THE ELIGIBLE ACTIVITIES ON ELIGIBLE PROPERTIES".

The amendments were adopted, a majority of the members serving voting therefor.

Senator Jacobs offered the following substitute:

Substitute (S-2).

The substitute was not adopted, a majority of the members serving not voting therefor.

Senator Jacobs offered the following amendments:

1. Amend page 15, line 23, after "(27)" by striking out the balance of the line through "TO," on line 25 and inserting "NOT LATER THAN OCTOBER 1 EACH YEAR, A BUSINESS ENTITY FOR WHICH TAX INCREMENT REVENUES WERE USED TO PAY OR REIMBURSE THE BUSINESS ENTITY FOR ELIGIBLE ACTIVITIES ON ELIGIBLE PROPERTIES SHALL REPORT TO THE AUTHORITY REGARDING".

2. Amend page 16, following line 8, by inserting:

"(28) NOT LATER THAN DECEMBER 1 EACH YEAR, EACH AUTHORITY SHALL COMPILE ALL INFORMATION SUBMITTED BY A BUSINESS ENTITY UNDER SUBSECTION (27) AND SUBMIT IT TO THE BOARD OF THE MICHIGAN STRATEGIC FUND." and renumbering the remaining subsection.

The amendments were adopted, a majority of the members serving voting therefor.

The question being on the passage of the bill,

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

**Roll Call No. 160**

**Yeas—37**

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

**Nays—0**

**Excused—0**

**Not Voting—0**

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

**House Bill No. 4092, entitled**

A bill to amend 1963 PA 62, entitled “Industrial development revenue bond act of 1963,” (MCL 125.1251 to 125.1267) by adding section 5a.

The question being on the passage of the bill,  
 Senator Brater offered the following substitute:  
 Substitute (S-2).

The substitute was not adopted, a majority of the members serving not voting therefor.  
 Senator Thomas requested the yeas and nays.

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

The substitute was not adopted, a majority of the members serving not voting therefor, as follows:

**Roll Call No. 161**

**Yeas—17**

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

**Nays—20**

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

**Excused—0**

**Not Voting—0**

In The Chair: President

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. 162**

**Yeas—35**

Allen	Cherry	Hunter	Patterson
Anderson	Clark-Coleman	Jacobs	Richardville

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

**Nays—2**

Prusi	Thomas
-------	--------

**Excused—0****Not Voting—0**

In The Chair: President

The question being on concurring in the committee recommendation to give the bill immediate effect, The recommendation was concurred in, 2/3 of the members serving voting therefor.

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

“An act relating to industrial development; to authorize municipalities to acquire and dispose of industrial buildings and sites and industrial machinery and equipment, including water and air pollution control equipment, solid waste disposal facilities, and tourist and resort facilities and to lease the same to persons, firms, or corporations; to authorize municipalities to acquire and dispose of water and air pollution control equipment and solid waste disposal facilities and to lease or sell the same to persons, firms, corporations, or public utilities; to provide for the financing of such buildings, sites, machinery, and equipment or water and air pollution control equipment and solid waste disposal facilities by the issuance of revenue bonds and refunding bonds; to provide the terms and conditions of such bonds; to prescribe the powers and duties of the municipal finance commission; and to prescribe penalties and provide remedies.”.

The Senate agreed to the full title.

The following bill was read a third time:

**House Bill No. 4094, entitled**

A bill to amend 1987 PA 231, entitled “An act to create a transportation economic development fund in the state treasury; to prescribe the uses of and distributions from this fund; to create the office of economic development and to prescribe its powers and duties; to prescribe the powers and duties of the state transportation department, state transportation commission, and certain other bodies; and to permit the issuance of certain bonds,” by amending section 13 (MCL 247.913) and by adding section 9a.

The question being on the passage of the bill, Senator Clarke offered the following substitute:  
Substitute (S-2).

The substitute was not adopted, a majority of the members serving not voting therefor.

Senator Thomas requested the yeas and nays.

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

The substitute was not adopted, a majority of the members serving not voting therefor, as follows:

**Roll Call No. 163****Yeas—17**

Anderson	Clark-Coleman	Jacobs	Scott
Barcia	Clarke	Olshove	Switalski

Basham  
Brater  
Cherry

Gleason  
Hunter

Prusi  
Richardville

Thomas  
Whitmer

**Nays—20**

Allen  
Birkholz  
Bishop  
Brown  
Cassis

Cropsey  
Garcia  
George  
Gilbert  
Hardiman

Jansen  
Jelinek  
Kahn  
Kuipers  
McManus

Pappageorge  
Patterson  
Sanborn  
Stamas  
Van Woerkom

**Excused—0**

**Not Voting—0**

In The Chair: President

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. 164**

**Yeas—34**

Allen  
Anderson  
Barcia  
Basham  
Birkholz  
Bishop  
Brater  
Brown  
Cassis

Cherry  
Clark-Coleman  
Clarke  
Cropsey  
Garcia  
George  
Gilbert  
Hardiman  
Hunter

Jacobs  
Jansen  
Jelinek  
Kahn  
Kuipers  
McManus  
Olshove  
Pappageorge

Patterson  
Richardville  
Sanborn  
Scott  
Stamas  
Switalski  
Van Woerkom  
Whitmer

**Nays—3**

Gleason

Prusi

Thomas

**Excused—0**

**Not Voting—0**

In The Chair: President

The question being on concurring in the committee recommendation to give the bill immediate effect,  
The recommendation was concurred in, 2/3 of the members serving voting therefor.  
The Senate agreed to the title of the bill.

### Protests

Senator Prusi, under his constitutional right of protest (Art. 4, Sec. 18), protested against the passage of House Bill Nos. 4092 and 4094.

Senator Prusi's statement is as follows:

There is an old and much-beloved hymn call "Amazing Grace," and one of the lines is quite applicable to my friends on the other side of the aisle, where it goes on to say, "I once was blind but now I see." I think it is very applicable in this case because the Senate Democrats, as you have pointed out, have been agitating and urging this body to deal with the Hire Michigan First package for a long time. I am pleased that the Senate majority has finally seen fit to take up one of the major priorities of this caucus and one of the priorities of working families here in Michigan.

I am not quite as pleased at the weakening of the provisions in House Bill Nos. 4092 and 4094. You have weakened the provisions that protect the wages and the jobs here in Michigan. We have had a long tradition here in Michigan of fairness as it applies to jobs and the wages that are paid on these jobs when they are jobs under state contracts. These wage provisions were left out of these two bills, and because that is an important facet of this program, at least it is important to myself, I reluctantly cast "no" votes on both of these bills. But I do applaud the Senate majority for having the scales lifted from their eyes, the blindness cured, and the vision to see that Hire Michigan First was indeed a good package of bills, as we have said for quite some time here.

Senator Gleason, under his constitutional right of protest (Art. 4, Sec. 18), protested against the passage of House Bill No. 4094 and moved that the statement he made during the discussion of the bill be printed as his reason for voting "no."

The motion prevailed.

Senator Gleason's statement is as follows:

I would like to clarify the remarks of the Senator from the 25th District. This has been a longstanding concern that prevailing wage is incorporated in our projects, whether transportation or others in the state of Michigan. It's because what is actually happening and why we need the Hire Michigan First is so that we can control those who are working on the jobs and those who are hiring the workers.

We should incorporate prevailing wage on this and components of the legislation for this reason: We know that many who get both public and private jobs do not necessarily pay prevailing wage. That is because they cheat on the classification of their workers. We cannot contain the cheaters if we don't allow Michigan contractors to do this work. If those who are cheating on the 1099 forms, those who do the classification of the workers, pack up and go back to the other states, we can't control the enforcement to the level that we should. Yes, prevailing wage is supposed to be used on these projects, but it doesn't necessarily always happen that way.

So I think we have to put in more stringent language, and I think that we tried to do that with the House version. But let no one in this chamber think that every job across this state involving transportation funding utilizes the prevailing wage because they don't. It's not too hard to look back and see recent contracts where that did not occur.

So I think we should be more consistent in the enforcement of the prevailing wage because of the aforementioned reasons. We do not enforce it to the level it should be today.

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

The motion prevailed.

Senator Cropsey's statement is as follows:

I wish to speak to this bill, and frankly, the whole package of bills, in order to thank the chairman of the committee for the hard work that he did. I wish to thank the other side of the aisle for the hard work that they did. I wish to thank the other side of the rotunda for the hard work for that they did on this.

I have a basic question: Is this going to be enforced? I ask for this reason: March 22, 2004, Executive Directive 2004-3 was signed by this Governor, a Democratic Governor of this great state of Michigan. I am going to read some of the pertinent parts: "1. Preferences for Michigan-based job providers and the procurement of goods and services; 2. Making procurement decisions in the best interest of the state of Michigan, Michigan workers, and Michigan job providers." The Governor basically said that we are going to make sure that Michigan money goes to Michigan vendors and job providers if at all possible. This was an official executive directive from this Governor.

A little bit later, the next year and a half later, we have Executive Directive 2005-6, with a release date of September 1, 2005, and guess what? This executive directive signed by the same Governor a year and a half later says that procurement of goods and services and protection of Michigan jobs and jobs in the United States. It goes on to say almost the same thing, again, preferences for Michigan-based job providers and the procurement of goods and services. It says that making state procurement decisions in the best interest of the state of Michigan, Michigan workers, and Michigan job providers.



I guess I have to commend the other side of the aisle and the Democrats in the State House of Representatives for bringing to everyone's attention the absolute abject failure of this current administration to make sure that Michigan job providers were going to be given preference in state dollars because it still isn't being done.

I want to read to you a letter that I received from a constituent saying this. I won't read the whole thing; it is very lengthy, but it says, "I am a small business owner, an independent distributor, living, working, and raising my family in Michigan. In January 2009 I was informed by an employee"—and I am going to leave out the name of the correctional facility—"where I have an account that I would no longer be needed to provide my product to them. A number of other Michigan businesses were given the proverbial boot as well. The products that our Michigan business provided were now being contracted through a company called Keefe Foods which is based in St. Louis, Missouri. This was very detrimental to not only my business, but many other Michigan businesses as well and as a business owner, I felt the need to investigate why or how this had happened. The following is what information I have been able to gather:

I was contacted by a representative of the company that wishes to remain anonymous. He said his company was not given the chance to bid on any contract until they contacted the state Corrections Department contact. This opportunity came only after asking the bureaucrat in the state Corrections Department several times. There was no bid or contract information on the state's website for them or any other company.

After Keefe"—remember, this was the out-of-state company that took away jobs from some of my constituents—"was awarded the contract, this company was not able to get, once again, the state bureaucrat to provide them with the results of the bids, even though they have requested the information on numerous occasions. I have been told that he is the state official who made the final decision to give Keefe the contract.

How can a state system replace Michigan companies without giving us the same opportunity that was afforded to other companies? What happened to the statement made in Lansing that business needs to be kept in the state?

I have been told by a legislator's office that Keefe has established a business tax license in our state so that they could be considered a Michigan company. However, products that the state of Michigan receives from Keefe are shipped from a warehouse in Ohio. How many Michigan employees do they have? How many of the Michigan dollars that they make are being spent in our state versus Ohio and Missouri? How many real Michigan companies lost out?"

I can think of another example where we had a farmer providing fresh apples to our Corrections Department but now is no longer providing those apples because that account has gone to an out-of-state firm. I am just so pleased that the Democrats in this body have brought to our attention the failure of the Granholm Administration. Now I wish that they would go to Washington, D.C., and bring to everyone's attention that Michigan is the automotive capital of the world, but yet, our economy is so tied into the automobile industry that we rise and fall with that.

Here we have a President of the United States who appoints a task force of 18 people, of which only 2 drive American cars. Now, if this Democratic administration in Washington, D.C., would start to encourage American people, perhaps even its own appointees, to drive American cars, we might be able to turn around Michigan's economy.

Once again, thank you very much for what you have done here today, and just encourage members on the other side of the aisle to once again go to Washington, D.C., and encourage them to buy American products such as a General Motors, Chrysler, or Ford product.

By unanimous consent the Senate returned to the order of

#### **General Orders**

Senator Cropsy 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 Jansen as Chairperson.

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

#### **Senate Bill No. 419, entitled**

A bill to amend 1971 PA 22, entitled "An act prescribing the age at which persons may donate their blood," by amending section 1 (MCL 722.41), as amended by 1981 PA 228.

#### **Senate Bill No. 25, entitled**

A bill to amend 1978 PA 90, entitled "Youth employment standards act," by amending section 11 (MCL 409.111), as amended by 2000 PA 418.

#### **House Bill No. 4715, entitled**

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

The bills were placed on the order of Third Reading of Bills.

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:  
**Senate Bill No. 349, entitled**

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

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.

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:  
**Senate Bill No. 216, entitled**

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending sections 525 and 537 (MCL 436.1525 and 436.1537), as amended by 2008 PA 218, and by adding section 545.

Substitute (S-1).

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

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:  
**House Bill No. 4309, entitled**

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

Substitute (S-1).

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

By unanimous consent the Senate returned to the order of

### **Third Reading of Bills**

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

**House Bill No. 4715**

**House Bill No. 4309**

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

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

**Senate Bill No. 194**

**House Bill No. 4715**

**House Bill No. 4309**

The motion prevailed.

The following bill was read a third time:

**Senate Bill No. 194, entitled**

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

The 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. 165**

### **Yeas—35**

Allen  
Anderson  
Basham  
Birkholz

Clark-Coleman  
Clarke  
Cropsey  
Garcia

Jacobs  
Jansen  
Jelinek  
Kahn

Prusi  
Richardville  
Sanborn  
Stamas

Bishop  
Brater  
Brown  
Cassis  
Cherry

George  
Gilbert  
Gleason  
Hardiman  
Hunter

Kuipers  
McManus  
Olshove  
Pappageorge  
Patterson

Switalski  
Thomas  
Van Woerkom  
Whitmer

**Nays—0**

**Excused—0**

**Not Voting—2**

Barcia

Scott

In The Chair: Richardville

The Senate agreed to the title of the bill.

Senator Thomas moved that Senator Barcia be excused from the balance of today's session.  
The motion prevailed.

The following bill was read a third time:

**House Bill No. 4715, entitled**

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

The 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. 166**

**Yeas—36**

Allen  
Anderson  
Basham  
Birkholz  
Bishop  
Brater  
Brown  
Cassis  
Cherry

Clark-Coleman  
Clarke  
Cropsey  
Garcia  
George  
Gilbert  
Gleason  
Hardiman  
Hunter

Jacobs  
Jansen  
Jelinek  
Kahn  
Kuipers  
McManus  
Olshove  
Pappageorge  
Patterson

Prusi  
Richardville  
Sanborn  
Scott  
Stamas  
Switalski  
Thomas  
Van Woerkom  
Whitmer

**Nays—0**

**Excused—1**

Barcia

**Not Voting—0**

In The Chair: Richardville

The question being on concurring in the committee recommendation to give the bill immediate effect,  
The recommendation was concurred in, 2/3 of the members serving voting therefor.

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

“An act to 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. 4309, entitled**

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

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. 167****Yeas—36**

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

**Nays—0****Excused—1**

Barcia

**Not Voting—0**

In The Chair: Richardville

The question being on concurring in the committee recommendation to give the bill immediate effect,  
The recommendation was concurred in, 2/3 of the members serving voting therefor.

The Senate agreed to the title of the bill.

By unanimous consent the Senate proceeded to the order of  
**Resolutions**

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

**Senate Resolution No. 50**

The resolution consent calendar was adopted.

Senator Bishop offered the following resolution:

**Senate Resolution No. 50.**

A resolution celebrating the 50th Anniversary of Little Caesars Pizza.

Whereas, Michael and Marian Ilitch, first-generation Americans, founded Little Caesars Pizza on May 8, 1959; and

Whereas, Little Caesars Pizza, now the fastest-growing pizza chain, grew from one single pizza shop in Garden City, Michigan, to currently having restaurants in more than 20 countries worldwide; and

Whereas, Of the top 150 family businesses established more than 50 years ago in America, Little Caesars remains one of the few with actively-involved founders in Michael and Marian Ilitch. Only three other businesses can tout this same great achievement; and

Whereas, Throughout its long history, Little Caesars Pizza has been a business which has consistently offered families and customers outstanding value; provided jobs for young adults seeking experience in the workforce and a valuable place to start their careers; and provided countless families with the opportunity to start their American Dream by opening their own franchise; and

Whereas, Due to the belief in perseverance, dreaming big, taking risks, and applying innovation while maintaining a sense of humility, the founders have seen the evolution of their company from a small pizza shop in Michigan to a world-wide corporation; and

Whereas, From the Ilitches' recipe of success have come many other grand endeavors, including their purchase of the Detroit Tigers, the Stanley Cup Champion Detroit Red Wings, and many other prosperous companies; and

Whereas, Since the very beginning of their venture, the Ilitches have included in their mission the need to give back to their community and provide service to help others in need. They have sponsored youth hockey teams; founded the Little Caesars Amateur Hockey League, the country's most-respected youth hockey program; founded the Little Caesars Love Kitchen, a pizza kitchen on wheels that has provided free, hot pizza to two million citizens, as well as disaster survivors and rescue workers for over two and a half decades; established the Little Caesars Veterans Program, a program which has helped more than 50 U.S. veterans to apply for more than \$1.5 million in credits and benefits to become Little Caesars franchisees; and supported countless church, school, and sports teams throughout their communities; now, therefore, be it

Resolved by the Senate, That we join together with thousands of members of the Little Caesars community to celebrate the 50th Anniversary of Little Caesars Pizza and the many milestones and accomplishments Michael and Marian Ilitch have achieved through this successful company; and be it further

Resolved, That a copy of this resolution be transmitted to Michael and Marian Ilitch with our highest esteem.

**Statements**

Senator Scott stated that had she been present on earlier today when the vote was taken on the passage of the following bill, she would have voted "yea":

**Senate Bill No. 194**

Senators Scott, Allen 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 Scott's statement is as follows:

"Injustice anywhere is a threat to justice everywhere," wrote the late Martin Luther King, Jr., back in 1963. The wildly different auto insurance rates that Michigan citizens pay are certainly an injustice. People who have perfectly decent driving records are paying extremely high rates simply because of where they live. This is an injustice. If we allow an injustice to stand on this issue, then we make it easier to allow an injustice to stand on other issues.

We need to get off of this slippery slope and vow to our constituents that we will not let this or any other injustice continue. It's time to reform auto insurance in Michigan so that all of our constituents pay a just and fair rate for the insurance we require them to buy.

I would now like to make some memorial comments about former Secretary Jack Kemp. As I was reading some commentaries that were made by Ed Rawlins, I thought about Secretary Kemp and the relationship that I had with him.

In 1988, I became the mayor of Highland Park and was wondering how I was going to get some economic development things started. I read that Secretary Kemp was coming to Michigan, so I asked my Congress people if they would bring him by so that I could meet him. Well, I was unable to do that. But one of my staff members was a member of Reverend Keith Butler's church and he was bringing Secretary Kemp to the neighborhood for a town hall meeting. She asked if I could come and he said, "Yes, tell her to come and bring as many of her staff as she would like."

Well, I went to that meeting and made sure that I was sitting right in front of where I knew Secretary Kemp was going to be making his remarks to that community. After about three people spoke, I said now it's my time. I can go and tell him my needs and some of my wants. So I introduced myself to him and told him I was from Highland Park which was also the home of Reggie McKenzie, a great football player from Highland Park, and they were friends. I proceeded to tell him what our needs were in Highland Park and how the people there had wanted a shopping center for some time. There were \$20 million left in the country for small cities, and after I told Secretary Kemp all of the things that we needed, he gave me \$4.85 million so we could start the renewal of economic development—the shopping center you see on the west side of Manchester and Woodward Avenues.

During the process of that, he took a vacation and he told his staff that no one, unless Mayor Scott was on the line, would give them any information at all. So I just thank him for all that he has done, and I thank God for the kind of individual he was. When I read this commentary, then I truly realized all that he did. He wanted to do what he could for African Americans in urban communities. So I thank God for his life today and for who he was and what he was to the great city of Highland Park and other communities.

A moment of silence was observed in memory of former U.S. Housing and Urban Development Secretary Jack Kemp.

Senator Allen's statement is as follows:

I rise in regard to the Hire Michigan First package. Today we took an important step in ensuring that Michigan workers benefit from state incentive programs. We added Buy Michigan components to the grant preferences to Michigan businesses and products in state contracting.

As we struggle with double-digit unemployment, it is important that the state lead by example by using its resources to help Michigan companies and to put Michigan citizens to work. The bipartisan, bicameral Buy Michigan package we have moved today puts a laser-like focus on using Michigan tax dollars to create jobs for Michigan residents.

Every year, the state provides millions of dollars of incentives to support economic development and spends millions of dollars purchasing goods and services directly. We need to make sure that every one of these, in tough times, is spent in Michigan so that Michigan workers reap the benefits.

While I appreciate my colleagues from the other side in working to introduce this legislation, I want to note that the discharge motion for the Hire Michigan First bills from the Commerce and Tourism Committee, I received no notifications other than that from my Democratic colleagues. This makes me question if the purpose of these bills was to put focus on ensuring that the tax dollars be used to benefit Michigan workers, or it is simply used for political fodder.

Despite that, I am following the motion to discharge, we reviewed the bills and worked to find an acceptable compromise to the legislation that both Republicans and Democrats can support. I think we moved very quickly with the discharge motion from April 1 and having it in the Senate only 56 days.

When it comes to putting people to work, we all have a common goal. Therefore, we added language that makes exceptions for talent attraction and border communities. We did not include language tying Hire Michigan First requirements to prevailing wage law because the state already has a law in place and penalties for violating the law. In addition, we added Buy Michigan components that gives Michigan firms a 10 percent preference in state contracting and makes it easier for small firms to bid for the products that they do manufacture.

I appreciate the support of my colleagues on the Commerce and Tourism Committee in moving these bills forward with everything passing unanimously. I recognize the importance of these bills in helping to put Michigan to work, and I recognize that we need to move quickly.

I have tried to work in a bipartisan manner in a variety of issues, so it is frustrating when a package that both Republicans and Democrats can agree on comes over with only Democratic sponsors and Democratic co-sponsors. Additionally, it is frustrating when the only communication on the issue was a motion to discharge the bills from committee after only two weeks without a single request letter or other contact asking me to work on the legislation. I have worked very hard to try and keep bipartisanship in my committee, and it was disappointing that the first item was a discharge motion.

Today we took an important step in moving forward to hire Michigan and buy Michigan. We moved the legislation as a compromise that hopefully both Republicans and Democrats can agree on. It is my hope that we can continue to work together on a bipartisan basis to put Michigan citizens first and move Michigan forward.

Senator Brown's statement is as follows:

I rise to remind members that for many today, the first Thursday in May, is a day of national prayer. After September 11, 2001, our first impulse was to pray, so it should be today. Of all times, now is the time of incredible need for guidance and light to illuminate our way.

I would urge members to call upon the author of our liberty to help us in this critical time in our nation's history. May this be our benediction this afternoon is my prayer.

### Committee Reports

The Committee on Commerce and Tourism reported

**Senate Bill No. 290, entitled**

A bill to amend 1996 PA 381, entitled "Brownfield redevelopment financing act," by amending section 15 (MCL 125.2665), as amended by 2007 PA 201.

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

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

Jason E. Allen  
Chairperson

To Report Out:

Yeas: Senators Allen, Gilbert, Stamas and Clarke

Nays: None

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

The Committee on Commerce and Tourism reported

**Senate Bill No. 293, entitled**

A bill to amend 1996 PA 376, entitled "Michigan renaissance zone act," by amending sections 15 and 16 (MCL 125.2695 and 125.2696), and by adding sections 8g and 8h.

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

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

Jason E. Allen  
Chairperson

To Report Out:

Yeas: Senators Allen, Gilbert, Stamas, Clarke and Hunter

Nays: None

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

The Committee on Commerce and Tourism reported

**Senate Bill No. 295, entitled**

A bill to amend 2000 PA 146, entitled "Obsolete property rehabilitation act," by amending section 8 (MCL 125.2788), as amended by 2006 PA 667.

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

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

Jason E. Allen  
Chairperson

To Report Out:

Yeas: Senators Allen, Gilbert, Stamas, Clarke and Hunter

Nays: None

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

The Committee on Commerce and Tourism reported

**Senate Bill No. 502, entitled**

A bill to amend 1984 PA 431, entitled "The management and budget act," by amending section 261 (MCL 18.1261), as amended by 2008 PA 133.

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

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

Jason E. Allen  
Chairperson

## To Report Out:

Yeas: Senators Allen, Gilbert, Stamas, Clarke and Hunter

Nays: None

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

The Committee on Commerce and Tourism reported

**Senate Bill No. 539, entitled**

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending section 457 (MCL 208.1457), as added by 2008 PA 86.

With the recommendation that the bill pass.

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

Jason E. Allen  
Chairperson

## To Report Out:

Yeas: Senators Allen, Gilbert, Stamas, Clarke and Hunter

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Commerce and Tourism reported

**House Bill No. 4083, entitled**

A bill to amend 1984 PA 270, entitled "Michigan strategic fund act," by amending section 11 (MCL 125.2011), as amended by 1987 PA 278.

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

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

Jason E. Allen  
Chairperson

## To Report Out:

Yeas: Senators Allen, Gilbert, Stamas, Clarke and Hunter

Nays: None

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

The Committee on Commerce and Tourism reported

**House Bill No. 4089, entitled**

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

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

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

Jason E. Allen  
Chairperson

## To Report Out:

Yeas: Senators Allen, Gilbert, Stamas, Clarke and Hunter

Nays: None

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

The Committee on Commerce and Tourism reported

**House Bill No. 4092, entitled**

A bill to amend 1963 PA 62, entitled "Industrial development revenue bond act of 1963," (MCL 125.1251 to 125.1267) by adding section 5a.

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

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

Jason E. Allen  
Chairperson

## To Report Out:

Yeas: Senators Allen, Gilbert, Stamas, Clarke and Hunter

Nays: None

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



The Committee on Commerce and Tourism reported

**House Bill No. 4093, entitled**

A bill to amend 1974 PA 198, entitled "An act to provide for the establishment of plant rehabilitation districts and industrial development 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 impose and provide for the disposition of an administrative fee; 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 penalties," by amending section 4 (MCL 207.554), as amended by 2004 PA 437.

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

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

Jason E. Allen  
Chairperson

To Report Out:

Yeas: Senators Allen, Gilbert, Stamas, Clarke and Hunter

Nays: None

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

The Committee on Commerce and Tourism reported

**House Bill No. 4094, entitled**

A bill to amend 1987 PA 231, entitled "An act to create a transportation economic development fund in the state treasury; to prescribe the uses of and distributions from this fund; to create the office of economic development and to prescribe its powers and duties; to prescribe the powers and duties of the state transportation department, state transportation commission, and certain other bodies; and to permit the issuance of certain bonds," by amending section 13 (MCL 247.913) and by adding section 9a.

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

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

Jason E. Allen  
Chairperson

To Report Out:

Yeas: Senators Allen, Gilbert, Stamas, Clarke and Hunter

Nays: None

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

#### COMMITTEE ATTENDANCE REPORT

The Committee on Commerce and Tourism submitted the following:

Meeting held on Tuesday, May 5, 2009, at 2:30 p.m., Room 100, Farnum Building

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

The Committee on Finance reported

**Senate Bill No. 296, entitled**

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

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

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

Nancy Cassis  
Chairperson

To Report Out:

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

Nays: None

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

#### COMMITTEE ATTENDANCE REPORT

The Committee on Finance submitted the following:

Meeting held on Tuesday, May 5, 2009, at 3:08 p.m., Room 110, Farnum Building

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

The Committee on Campaign and Election Oversight reported

**Senate Bill No. 113, entitled**

A bill to amend 1976 PA 388, entitled "Michigan campaign finance act," by amending section 15 (MCL 169.215), as amended by 2001 PA 250.

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

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

Michelle McManus  
Chairperson

To Report Out:

Yeas: Senators McManus, Brown, Jansen, Jacobs and Olshove

Nays: None

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

#### COMMITTEE ATTENDANCE REPORT

The Committee on Campaign and Election Oversight submitted the following:

Meeting held on Wednesday, May 6, 2009, at 12:00 noon, Room 405, Capitol Building

Present: Senators McManus (C), Brown, Jansen, Jacobs and Olshove

The Committee on Commerce and Tourism reported

**Senate Bill No. 264, entitled**

A bill to prohibit the sale of certain uncertified cigarettes; to provide standards for testing and fire safety certification of cigarettes; to provide remedies and civil sanctions; to provide for the powers and duties of certain state governmental officers and entities; and to repeal acts and parts of acts.

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

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

Jason E. Allen  
Chairperson

To Report Out:

Yeas: Senators Allen, Gilbert, Stamas, Clarke and Hunter

Nays: None

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

#### COMMITTEE ATTENDANCE REPORT

The Committee on Commerce and Tourism submitted the following:

Meeting held on Wednesday, May 6, 2009, at 9:30 a.m., Room 100, Farnum Building

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

The Committee on Economic Development and Regulatory Reform reported

**Senate Bill No. 358, entitled**

A bill to amend 1986 PA 281, entitled "The local development financing act," by amending section 12a (MCL 125.2162a), as amended by 2008 PA 105.

With the recommendation that the bill pass.

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

Alan Sanborn  
Chairperson

To Report Out:

Yeas: Senators Sanborn, Richardville, Allen, Gilbert, Hunter and Jacobs

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Economic Development and Regulatory Reform reported

**Senate Bill No. 426, entitled**

A bill to amend 1974 PA 198, entitled "An act to provide for the establishment of plant rehabilitation districts and industrial development 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 impose and provide for the disposition of an administrative fee; 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 penalties,” by amending sections 2 and 14 (MCL 207.552 and 207.564), section 2 as amended by 2008 PA 581 and section 14 as amended by 2008 PA 457.

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

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

Alan Sanborn  
Chairperson

To Report Out:

Yeas: Senators Sanborn, Richardville, Allen and Gilbert

Nays: Senator Hunter

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

#### COMMITTEE ATTENDANCE REPORT

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

Meeting held on Wednesday, May 6, 2009, at 1:00 p.m., Rooms 402 and 403, Capitol Building

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

Excused: Senator Thomas

The Committee on Appropriations reported

#### **House Bill No. 4309, entitled**

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

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

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

Ron Jelinek  
Chairperson

To Report Out:

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

Nays: None

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

The Committee on Appropriations reported

#### **House Bill No. 4715, entitled**

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

With the recommendation that the bill pass.

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

Ron Jelinek  
Chairperson

To Report Out:

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

Nays: None

The bill was referred to the Committee of the Whole.

#### COMMITTEE ATTENDANCE REPORT

The Committee on Appropriations submitted the following:

Meeting held on Wednesday, May 6, 2009, at 2:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building

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

### COMMITTEE ATTENDANCE REPORT

The Committee on Appropriations submitted the following:

Joint meeting held on Tuesday, May 5, 2009, at 11:00 a.m., House Appropriations Room, 3rd Floor, Capitol Building.  
Present: Senators Jelinek (C), Pappageorge, Hardiman, Kahn, Cropsey, Garcia, George, Jansen, Brown, McManus, Stamas, Switalski, Anderson, Barcia, Brater, Cherry, Clark-Coleman and Scott

### COMMITTEE ATTENDANCE REPORT

The Subcommittee on Department of Environmental Quality submitted the following:

Meeting held on Wednesday, May 6, 2009, at 3:00 p.m., Rooms 402 and 403, Capitol Building  
Present: Senators Garcia (C), Cropsey and Brater

### COMMITTEE ATTENDANCE REPORT

The Joint Subcommittee on Capital Outlay submitted the following:

Meeting held on Thursday, May 7, 2009, 9:00 a.m., Senate Hearing Room, Ground Floor, Boji Tower  
Present: Senators McManus (C), Jelinek, Brown, Cropsey, Hardiman, Pappageorge, Switalski, Cherry and Scott  
Excused: Senator Clark-Coleman

### Scheduled Meetings

**Administrative Rules** - Thursday, May 14, 9:00 a.m., Room 405, Capitol Building (373-6476)

#### Appropriations -

##### Subcommittees -

**Community Colleges** - Monday, May 11, 10:00 a.m., Alpena Community College, Roger C. Bauer Board Room, Charles R. Donnelly Natural Resources Center, Room 400, 665 Johnson Street, Alpena; and Wednesday, May 20, 9:00 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

**Community Health Department** - Thursday, May 21, 1:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower (373-2768)

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

**Higher Education** - Friday, May 15, 10:00 a.m., University of Michigan-Ann Arbor, Michigan League, Vandenberg Room, 911 North University Street, Ann Arbor; Thursday, May 14, 9:00 a.m., and Wednesday, May 20, 9:30 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

**Judiciary and Corrections** - Tuesdays, May 12 and May 19, 3:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower (373-2768)

**K-12, School Aid, Education** - Tuesdays, May 12 and May 19, 2:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

**Natural Resources Department** - Tuesday, May 19, 12:00 noon or later immediately following session, Room 405, Capitol Building (373-2768) (CANCELED)

**Health Policy** - Wednesday, May 13, 3:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower (373-0793)

**Legislative Retirement Board of Trustees** - Thursdays, June 4, September 10 and December 3, 2:00 p.m., Room H-252, Capitol Building (373-0575)

##### Subcommittee -

**Investment** - Tuesday, May 12, 3:15 p.m., Room 927, South Tower, House Office Building (373-0575)

**Natural Resources and Environmental Affairs** - Wednesday, May 13, 1:00 p.m., Room 110, Farnum Building (373-3447)

**State Drug Treatment Court Advisory Committee** - Friday, May 8, 8:30 a.m., Michigan Hall of Justice Conference Center, Conference Room 1S69, 925 West Ottawa Street, Lansing (373-0212)

Senator Cropsey moved that the Senate adjourn.  
The motion prevailed, the time being 12:43 p.m.

The President pro tempore, Senator Richardville, declared the Senate adjourned until Tuesday, May 12, 2009, at 10:00 a.m.

CAROL MOREY VIVENTI  
Secretary of the Senate

