

No. 24
STATE OF MICHIGAN
Journal of the Senate
96th Legislature
REGULAR SESSION OF 2011

Senate Chamber, Lansing, Tuesday, March 15, 2011.

10:00 a.m.

The Senate was called to order by the President, Lieutenant Governor Brian N. Calley.

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

Anderson—present
Bieda—present
Booher—present
Brandenburg—present
Casperson—present
Caswell—present
Colbeck—present
Emmons—present
Gleason—present
Green—present
Gregory—present
Hansen—present
Hildenbrand—present

Hood—present
Hopgood—present
Hune—present
Hunter—present
Jansen—present
Johnson—excused
Jones—present
Kahn—present
Kowall—present
Marleau—present
Meekhof—present
Moolenaar—present
Nofs—present

Pappageorge—present
Pavlov—present
Proos—present
Richardville—present
Robertson—present
Rocca—present
Schuitmaker—present
Smith—present
Walker—present
Warren—present
Whitmer—present
Young—present

Father Michael Verschaeve of St. Joseph Catholic Church of Lake Orion offered the following invocation:

O God of love and mercy, we come to You this day and beg that You would bless us and keep us in Your way; the way of humble service of the people of our state—the poor, the weak, the lowly—for whom we legislate. God, bless these chosen Senators with wisdom from above, and guide their cherished loved ones with all-embracing love. And as their work commences, please grant them sight and vision to serve the people’s common good without discord and division. Amen.

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

Motions and Communications

The following communication was received and read:

Office of the Senate Majority Leader

March 10, 2011

Pursuant to Senate Rule 3.203, I am hereby re-referring Senate Bills 254 and 255 from the Senate Committee on Economic Development to the Senate Committee on Regulatory Reform.

Should you have any questions regarding this matter, please do not hesitate to contact me.

Sincerely,
Randy Richardville
Senate Majority Leader

The communication was referred to the Secretary for record.

The following communications were received and read:

Office of the Auditor General

March 9, 2011

Enclosed is a copy of the following management letter:

Management letter related to our audit of the financial statements of the Michigan Public School Employees’ Retirement System (MPSERS) as of and for the fiscal years ended September 30, 2010 and September 30, 2009.

March 9, 2011

Enclosed is a copy of the following management letter:

Management letter related to our audit of the financial statements of the Michigan State Employees’ Retirement System (MSERS) as of and for the fiscal years ended September 30, 2010 and September 30, 2009.

March 9, 2011

Enclosed is a copy of the following management letter:

Management letter related to our audit of the financial statements of the Michigan State Police Retirement System (MSPRS) as of and for the fiscal years ended September 30, 2010 and September 30, 2009.

March 11, 2011

Enclosed is a copy of the following audit report:

Performance audit of Pharmaceutical Costs, Department of Corrections.

Auditor General

The management letters and audit report were referred to the Committee on Government Operations.

The following communication was received:

Department of State

March 9, 2011

Pursuant to the provisions of the Campaign Finance Act, 1976 PA 388, as amended, MCL 169.201 et seq, (the “Act”), the various dollar figures specified in section 46 have been reviewed in light of the changes in the Consumer Price Index compiled by the United States Department of Labor and the number of registered voters in the state. By this letter I am transmitting the results of that review in accordance with the provisions of section 46. These figures are not recommendations for legislative changes.

The Consumer Price Index for August 2010 was 205.4, which represents a decrease in prices of -1.96% since August of 2008. Since October of 2008 there has been a -0.026% decrease in the number of registered voters in the state from 7,470,764 to 7,276,237.

The first column of figures (Current) is the dollar amounts included in current law. The second column (CPI) reflects the current amounts as adjusted by the Consumer Price Index. The third column (CPI and Voters) is adjusted to show the change in the number of registered voters as well as the change in the CPI.

Sincerely,
Ruth Johnson
Secretary of State

The communication was referred to the Secretary for record.

The following communications were received:
Department of State

Administrative Rules
Notices of Filing

March 10, 2011

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Agriculture and the State Office of Administrative Hearings and Rules filed Administrative Rule #2010-024-AC (Secretary of State Filing #11-03-01) on this date at 12:11 p.m. for the Department of Agriculture, entitled "Regulation No. 628. Seed Potato."

These rules become effective immediately upon filing with the Secretary of State unless adopted under section 33, 44, or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

March 10, 2011

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Community Health and the State Office of Administrative Hearings and Rules filed Administrative Rule #2008-050-CH (Secretary of State Filing #11-03-02) on this date at 12:13 p.m. for the Department of Community Health, entitled "Board of Acupuncture."

These rules become effective immediately upon filing with the Secretary of State unless adopted under section 33, 44, or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

Sincerely,
Ruth Johnson
Secretary of State
Robin L. Houston, Departmental Supervisor
Office of the Great Seal

The communications were referred to the Secretary for record.

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

The motion prevailed.

Senator Kahn's statement is as follows:

Here in the Senate, we have folks who move on, and that is a bittersweet day. It is bitter in that these are wonderful people who have come into our lives and come into the lives of our constituents and the other folks here in the Senate. When we lose these people who are friends and virtual family and so important to the functioning of our offices and to our people, that is the bitter part of it. But it is sweet also, and it is sweet in the sense that we have folks who sharpen their abilities and find jobs that don't have the certain end date of an election cycle.

Today, from my office, Rebecca Buehrer, who has been my scheduler for my first term in the Senate, is one of those folks. She is moving on to the Secretary of State's office, and I will miss her. You can come back, you know. We have prepared a tribute for her and it says:

Let it be known, that it is with sincere appreciation for your hard work, effort, dedication, and professionalism that we recognize her with this tribute. Becky has been a tremendously positive and joyful individual. In our offices, folks don't call up real happy most of the time. They call up scared or with questions or angry. Having somebody as the first

contact with our office who can diffuse those fears or anger is a tremendous asset. Becky is that person for us and makes our office run smoothly and efficiently. Her attention to detail is impeccable, and she has been the glue in our office for these past four years.

Scheduling as a principal responsibility is a job that is one of those that you are told when you are recruiting staff to make sure to get the best person you can possibly find for that position and, indeed, she is. One of her most important roles has been keeping me on time and on task. I know that I have been a whole herd of ducks for her to herd. That has been greatly appreciated by me and my wife and kids as well. She cared not only for the people in our office, but for the people in the 32nd Senate District. She has come to have many friends back home in Saginaw and Gratiot Counties, and they will miss her too.

In special tribute, therefore, this document is signed and presented to Rebecca Buehrer on behalf of myself, the Senate, and the people of the 32nd District for her superb job. It carries with it our best wishes for her future.

Senator Hopgood moved that Senator Young be temporarily excused from today's session.
The motion prevailed.

Senator Hopgood moved that Senator Johnson be excused from today's session.
The motion prevailed.

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

Senate Bill No. 5

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

The Secretary announced that the following House bill was received in the Senate and filed on Thursday, March 10:
House Bill No. 4152

The Secretary announced the enrollment printing and presentation to the Governor on Friday, March 11, for his approval the following bills:

Enrolled Senate Bill No. 20 at 4:30 p.m.

Enrolled Senate Bill No. 22 at 4:32 p.m.

Enrolled Senate Bill No. 23 at 4:34 p.m.

Enrolled Senate Bill No. 149 at 4:36 p.m.

The Secretary announced that the following official bills were printed on Thursday, March 10, and are available at the legislative website:

Senate Bill Nos. 246 247 249 250 251 252 253

House Bill Nos. 4398 4399 4400 4401 4402 4403 4404 4405 4406 4407 4408

The Secretary announced that the following official bills were printed on Friday, March 11, and are available at the legislative website:

Senate Bill Nos. 254 255 256 257 258 259 260 261 262 263

House Bill Nos. 4409 4410 4411 4412 4413 4414

Messages from the Governor

The following messages from the Governor were received and read:

March 9, 2011

I respectfully submit to the Senate the following appointments to office:

State Carnival-Amusement Safety Board

Steven D. Arwood of 5665 S. Forest Hill Road, St. Johns, Michigan 48879, county of Clinton, representing the licensing and regulation office, for a term expiring at the pleasure of the Governor.

Robert J. Elhenicky of 1253 Bryant Road, East Lansing, Michigan 48823, county of Ingham, representing the retail merchants association, for a term expiring July 10, 2014.

March 9, 2011

I respectfully submit to the Senate the following appointment to office:

Elevator Safety Board

David Kuras of 11100 Gerald Road, Warren, Michigan 48093, county of Macomb, representing the Elevator Constructors Union, succeeding Richard Egerer, for a term expiring July 22, 2014.

March 9, 2011

I respectfully submit to the Senate the following appointments to office:

State Board of Ethics

Mary Ann Middaugh of 35361 51st Avenue, Paw Paw, Michigan 49079, county of Van Buren, succeeding Mark R. Fox, for a term expiring February 7, 2015.

Peter H. Webster of 32906 Balmoral Road, Beverly Hills, Michigan 48025, county of Oakland, succeeding Lynn Jondahl, for a term expiring February 7, 2015.

Sincerely,
Rick Snyder
Governor

The appointments were referred to the Committee on Government Operations.

By unanimous consent the Senate proceeded to the order of

General Orders

Senator Meekhof 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 Calley, designated Senator Jansen as Chairperson.

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

Senate Bill No. 118, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 6 (MCL 205.56), as amended by 2004 PA 173.

The bill 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. 5, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," (MCL 436.1101 to 436.2303) by adding section 547.

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.

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

Resolutions

Senators Schuitmaker, Casperson, Nofs, Jones, Meekhof and Walker offered the following resolution:

Senate Resolution No. 24.

A resolution to memorialize Congress and the United States Drug Enforcement Agency to make it illegal to possess, use, or sell the drugs MDPV and mephedrone.

Whereas, MDPV (methylenedioxypropylvalerone) and mephedrone are the main ingredients of underground drug products being marketed as bath salts or plant food, which are being sold online, at convenience stores, and in smoke shops under names like Tranquility, Zoom, Ivory Wave, Red Dove, and Vanilla Sky. According to numerous reports, the chemicals found in these bath salts and plant foods cause effects similar to those caused by cocaine and methamphetamines, including hallucinations, paranoia, and suicidal thoughts. In one case, a user was reported to have resorted to self-mutilation after abusing the substance. In several cases, users have died after overdosing or because of violent behavior; and

Whereas, Law enforcement personnel need the authority to get MDPV and mephedrone off the streets and prosecute people who are trying to profit from selling these dangerous drugs. State and local law enforcement officials in dozens of states have encountered MDPV or mephedrone in the last two years. Absent restrictions on their possession, use, or sale, law enforcement can only watch as MDPV and mephedrone abuse becomes more widespread; and

Whereas, MDPV and mephedrone should be placed in Schedule 1 of the federal controlled substances list. Schedule 1 is reserved for the most dangerous drugs, such as heroin and LSD, which have no recognized medical use and a high potential for abuse. MDPV and mephedrone meet the statutory requirements for placement into Schedule 1 and belong in this group; now, therefore, be it

Resolved by the Senate, That we memorialize Congress and the United States Drug Enforcement Agency to make it illegal to possess, use, or sell the drugs MDPV and mephedrone; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, the members of the Michigan congressional delegation, and the administrator of the United States Drug Enforcement Agency.

Pending the order that, under rule 3.204, the resolution be referred to the Committee on Government Operations, Senator Meekhof moved that the rule be suspended.

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

The question being on the adoption of the resolution,

Senator Meekhof moved that the resolution be referred to the Committee on Judiciary.

The motion prevailed.

Senators Booher, Brandenburg, Green, Hansen, Kowall, Marleau and Proos were named co-sponsors of the resolution.

Introduction and Referral of Bills

Senator Hildenbrand introduced

Senate Bill No. 264, entitled

A bill to amend 1937 PA 94, entitled "Use tax act," by amending section 6 (MCL 205.96), as amended by 2004 PA 172. The bill was read a first and second time by title and referred to the Committee on Finance.

Senators Casperson, Pavlov, Nofs and Kowall introduced

Senate Bill No. 265, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 722 (MCL 257.722), as amended by 2009 PA 146.

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

House Bill No. 4152, entitled

A bill to amend 1947 PA 336, entitled "An act to prohibit strikes by certain public employees; to provide review from disciplinary action with respect thereto; to provide for the mediation of grievances and the holding of elections; to declare and protect the rights and privileges of public employees; and to prescribe means of enforcement and penalties for the violation of the provisions of this act," (MCL 423.201 to 423.217) by adding section 15b.

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

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

Recess

Senator Meekhof moved that the Senate recess subject to the call of the Chair.

The motion prevailed, the time being 10:22 a.m.

11:41 a.m.

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

By unanimous consent the Senate returned to the order of

Third Reading of Bills

Senator Meekhof moved that the following bill be placed at the head of the Third Reading of Bills calendar:

House Bill No. 4158

The motion prevailed.

The following bill was read a third time:

House Bill No. 4158, entitled

A bill to regulate certain pricing of consumer items and the advertising of consumer items, goods, merchandise, and commodities; to prescribe the powers and duties of certain state and local officials; to provide remedies and penalties; to make appropriations; and to repeal acts and parts of acts.

The question being on the passage of the bill,

Senator Smith offered the following amendments:

1. Amend page 2, line 25, by striking out all of section 3.
2. Amend page 7, line 5, by striking out all of sections 7 and 8 and inserting:

“Sec. 7. (1) All of the following apply to the director:

- (a) He or she is responsible for the implementation and administration of sections 7a and 8.
- (b) He or she shall investigate complaints concerning violations of sections 7a and 8.
- (c) He or she shall conduct any other investigations he or she considers advisable.
- (d) As the state director of weights and measures, he or she shall promulgate rules under the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328, to implement and administer sections 7a and 8.

(2) As used in this section and sections 7a and 8:

(a) “Class of item” means a group of regulated consumer items which may vary by brand, style, pattern, color, or size other than weight or volume. Items within a class must otherwise be identical and offered at the same total price.

(b) “Director” means the director of the department of agriculture and rural development or his or her authorized representative.

(c) “Regulated consumer item” means a consumer item that is food.

Sec. 7a. (1) Except as provided in subsection (2), a person shall clearly and conspicuously indicate the total price of a regulated consumer item displayed or offered for sale at retail in Arabic numerals. The total price must be readable and understandable by visual inspection and stamped on, marked on, or affixed to the regulated consumer item. If the regulated consumer item is in a package or container, the total price shall be stamped on or affixed to the outside surface of the package or container and need not be placed directly on the regulated consumer item.

(2) Subsection (1) does not apply to a regulated consumer item that meets any of the following:

- (a) Is sold by weight or volume and is not in a package or container.
- (b) Is sold in a coin-operated vending machine.
- (c) Is prepared food intended for immediate consumption, as defined in section 4g of the general sales tax act, 1933 PA 167, MCL 205.54g.
- (d) Is purchased by mail or through catalog order, or is not otherwise visible for inspection by the consumer at the time of the sale, and is ordered or requested by the consumer, if the price of the item is on the consumer’s written order or request or on a bill, invoice, or other notice that describes or names the item and is enclosed with the item.
- (e) Has a total weight of not more than 3 ounces, a total volume of not more than 3 cubic inches, and a total price of not more than 30 cents.

(f) Merchandise ordered as a gift by a consumer and sent by mail or other delivery service to a person other than the consumer by the retailer at the request of the consumer.

(3) In addition to the exceptions described in subsection (2), a retailer may choose to not individually price mark not more than 25 classes of items or individual items, if those classes or items are listed and posted in a conspicuous place in the retail store, and may choose to not individually price mark not more than 25 additional classes of items or individual items that are advertised or featured at a reduced price.

(4) The price and the name or description of a class of items or individual items not marked under subsection (3) shall be indicated by a clear, readable, and conspicuous sign in immediate conjunction with the area in which the unmarked item or class of items is displayed.

(5) As used in subsections (3) and (4), “item”, except as otherwise provided in this subsection, means 1 or more identical regulated consumer items that are sold in identical quantities or measures. An item may include more than 1 product, brand, kind, size, or type of packaging, if they are packaged together and sold as a set and the sets are identical in all respects, including quantity or measure.

Sec. 8. (1) A person shall not knowingly charge or attempt to charge for a regulated consumer item a retail sale price that exceeds the price required to be indicated under section 7a.

(2) It is not a violation of this act to charge for a regulated consumer item a total price less than the price required to be indicated under section 7a.

(3) It is prima facie evidence of a violation of this section if a price charged or attempted to be charged for a regulated consumer item as a result of electronic identification or calculation by an automatic checkout system exceeds the price required to be indicated under section 7a.”

The amendments were not adopted, a majority of the members serving not voting therefor.

Senator Hunter requested the yeas and nays.

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

The amendments were not adopted, a majority of the members serving not voting therefor, as follows:

Roll Call No. 60**Yeas—11**

Anderson
Bieda
Gleason

Gregory
Hood
Hopgood

Hunter
Smith
Warren

Whitmer
Young

Nays—26

Booher
Brandenburg
Casperson
Caswell
Colbeck
Emmons
Green

Hansen
Hildenbrand
Hune
Jansen
Jones
Kahn
Kowall

Marleau
Meekhof
Moolenaar
Nofs
Pappageorge
Pavlov

Proos
Richardville
Robertson
Rocca
Schuitmaker
Walker

Excused—1

Johnson

Not Voting—0

In The Chair: President

Senator Gleason offered the following amendments:

1. Amend page 7, line 5, after “(2)” by inserting “and subject to subsection (3)”.
2. Amend page 8, following line 8, by inserting:

“(3) If a consumer item offered for sale at retail is a regulated consumer item, the retailer shall clearly and conspicuously display the total price of the regulated consumer item, in Arabic numerals and in a manner that is readable and understandable by visual inspection, on that regulated consumer item, by stamping, affixing, or otherwise marking the total price on the regulated consumer item or on the outside surface of the package or container that contains the regulated consumer item. As used in this subsection:

(a) “Nonprescription medicine” means an over-the-counter drug product, other than vitamins or a nutritional or dietary supplement, that is subject to the labeling requirements of 21 CFR 201.66.

(b) “Regulated consumer item” means a consumer item that is a nonprescription medicine.”.

The amendments were not adopted, a majority of the members serving not voting therefor.

Senator Hunter requested the yeas and nays.

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

The amendments were not adopted, a majority of the members serving not voting therefor, as follows:

Roll Call No. 61**Yeas—11**

Anderson
Bieda
Gleason

Gregory
Hood
Hopgood

Hunter
Smith
Warren

Whitmer
Young

Nays—26

Booher
Brandenburg

Hansen
Hildenbrand

Marleau
Meekhof

Proos
Richardville

Casperson	Hune	Moolenaar	Robertson
Caswell	Jansen	Nofs	Rocca
Colbeck	Jones	Pappageorge	Schuitmaker
Emmons	Kahn	Pavlov	Walker
Green	Kowall		

Excused—1

Johnson

Not Voting—0

In The Chair: President

Senator Anderson offered the following amendments:

1. Amend page 9, line 13, after the second “than” by striking out “\$5.00” and inserting “\$10.00”.
2. Amend page 9, line 19, after the second “than” by striking out “\$5.00” and inserting “\$10.00”.
3. Amend page 12, line 22, after the second “or” by striking out “\$250.00” and inserting “\$500.00”.
4. Amend page 12, line 24, after “exceed” by striking out “\$300.00” and inserting “\$600.00”.

The amendments were not adopted, a majority of the members serving not voting therefor.

Senator Hunter requested the yeas and nays.

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

The amendments were not adopted, a majority of the members serving not voting therefor, as follows:

Roll Call No. 62**Yeas—16**

Anderson	Gleason	Hood	Smith
Bieda	Green	Hopgood	Warren
Caswell	Gregory	Hunter	Whitmer
Colbeck	Hildenbrand	Rocca	Young

Nays—21

Booher	Jansen	Meekhof	Proos
Brandenburg	Jones	Moolenaar	Richardville
Casperson	Kahn	Nofs	Robertson
Emmons	Kowall	Pappageorge	Schuitmaker
Hansen	Marleau	Pavlov	Walker
Hune			

Excused—1

Johnson

Not Voting—0

In The Chair: President

Senator Hunter offered the following amendments:

1. Amend page 3, line 1, after “sections” by striking out “7 and 8” and inserting “7, 7a, and 8”.
2. Amend page 3, line 3, after “sections” by striking out “7 and 8” and inserting “7, 7a, and 8”.
3. Amend page 3, line 8, after “sections” by striking out “7 and 8” and inserting “7, 7a, and 8”.
4. Amend page 7, line 5, by striking out all of sections 7 and 8 and inserting:

“Sec. 7. (1) Except as otherwise provided in section 7a, a person shall clearly and conspicuously indicate the total price of a consumer item displayed or offered for sale at retail in Arabic numerals. The total price must be readable and understandable by visual inspection and stamped on or affixed to the consumer item. If the consumer item is in a package or container, the total price must be stamped on or affixed to the outside surface of the package or container and need not be placed directly on the consumer item.

(2) Subsection (1) does not apply to any of the following:

- (a) A consumer item that is sold by weight or volume and is not in a package or container.
- (b) A consumer item sold in a coin-operated vending machine.
- (c) Prepared food intended for immediate consumption, as defined in section 4g of the general sales tax act, 1933 PA 167, MCL 205.54g.

(d) A consumer item purchased by mail or through catalog order, or that is not otherwise visible for inspection by the consumer at the time of the sale, and that is ordered or requested by the consumer, if the price of the consumer item is on the consumer’s written order or request or on a bill, invoice, or other notice that describes or names the consumer item and is enclosed with the consumer item.

(e) An unpackaged food item.

(f) A consumer item that has a total weight of not more than 3 ounces, a total volume of not more than 3 cubic inches, and a total price of not more than 30 cents.

(g) Live plants.

(h) Live animals.

(i) Motor vehicles.

(j) Motor vehicle parts.

(k) Packages of 20 or fewer cigarettes.

(l) Greeting cards that are sold individually and have a readable coded price on the back of the card.

(m) Merchandise that is ordered as a gift by a consumer and is sent by mail or other delivery service to a person other than the consumer by the retailer at the request of the consumer.

(n) A consumer item sold in compliance with section 7a.

(3) In addition to the exceptions under subsection (2), a retailer may choose to not individually price mark not more than 25 classes of items or individual items, which classes or items shall be listed and posted in a conspicuous place in the retail store, and may choose to not individually price mark not more than 25 additional classes of items or individual items that are advertised or featured at a reduced price.

(4) If the price and the name or description of a class of items or individual items are not price-marked under subsection (3), the retailer shall indicate the price and the name or description of the class of items or individual items by posting a clear, readable, and conspicuous sign in immediate conjunction with the area in which the unmarked item or class of items is displayed.

(5) As used in subsections (3) and (4), “item”, except as otherwise provided in this subsection, means 1 or more identical articles sold in identical quantities or measures. An item may include more than 1 product, brand, kind, size, or type of packaging, if they are packaged together and sold as a set and the sets are identical in all respects, including quantity or measure.

(6) As used in this section and sections 7a and 8:

(a) “Class of item” means a group of regulated consumer items that may vary by brand, style, pattern, color, or size other than weight or volume. Items within a class must otherwise be identical and offered at the same total price.

(b) “Director” means the director of the department of agriculture and rural development or his or her authorized representative.

Sec. 7a. (1) Section 7(1) does not apply to a consumer item that is displayed or offered for sale at retail and meets all of the following requirements:

(a) At the point of display of the consumer item, there is a label or sign posted immediately above, below, or adjacent to the consumer item that clearly and conspicuously displays to the consumer the total price of the consumer item in Arabic numerals and in at least 18-point font and a description of the consumer item, including, but not limited to, the product name or description, brand, and size of the item.

(b) The retailer utilizes an automatic checkout system at the retail store that is audited every calendar quarter by a certified public accountant or accounting firm, and the accountant or firm certifies, and issues a certificate of compliance stating, that the automatic checkout system meets 1 of the following:

(i) Demonstrates an accuracy rate of not less than 98%.

(ii) Has an error rate not greater than 2% for sales of consumer items during the preceding calendar quarter.

(c) The retailer provides a reasonable number of price verification terminals at each retail store location to prevent excessive wait time for access to a terminal. A price verification terminal provided under this subdivision must meet all of the following requirements:

(i) It is readily accessible to consumers.

(ii) It is capable of scanning the bar code on a consumer's sales receipt and printing out a list of the items shown on the sales receipt and the regular price and sale price, if applicable, of each item in Arabic numerals from an independent database source within the retailer's pricing database. As used in this subdivision, "pricing database" means the retailer's database of regular retail prices for items that the retailer uses to prepare signs and labels for purposes of subdivision (a).

(2) In determining an accuracy rate or error rate under subsection (1)(b), the certified public accountant or accounting firm shall include overcharges to a consumer but not undercharges. The accountant or firm may use recognized sampling techniques in the quarterly audit. A retailer shall maintain audit reports and certificates of compliance for 5 years and make them available to the director on request. The retailer shall post the most recent certificate of compliance in a conspicuous location in the retail store.

(3) If the retailer fails to meet the accuracy and certification requirements of subsection (1) for a retail store, the retailer has 21 days in which to correct any system deficiencies and to obtain a recertification from the certified public accountant or accounting firm. If the retailer does not obtain a recertification within the 21-day period, this section does not apply to the consumer items at that retail store, and the retailer shall comply with section 7 with respect to the consumer items described in this section and may not utilize the exception to section 7(1) contained in this section at that retail store for a period of at least 180 days.

(4) The director is responsible for the implementation and the administration of this section. The department may promulgate rules pursuant to the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328, regarding audit and certification standards for automatic checkout systems and price verification terminals.

Sec. 8. (1) A person shall not knowingly charge or attempt to charge for a consumer item a retail price that exceeds the price displayed on a sign or printed at a price verification terminal under section 7a.

(2) It is not a violation of this act to charge for a consumer item a total price less than the price displayed on a sign or printed at a price verification terminal under section 7a.

(3) It is prima facie evidence of a violation of this section if a price charged or attempted to be charged as a result of electronic identification or calculation by an automatic checkout system exceeds the price displayed on a sign or printed at a price verification terminal under section 7a."

The amendments were not adopted, a majority of the members serving not voting therefor.

Senator Hunter requested the yeas and nays.

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

The amendments were not adopted, a majority of the members serving not voting therefor, as follows:

Roll Call No. 63

Yeas—11

Anderson	Gregory	Hunter	Whitmer
Bieda	Hood	Smith	Young
Gleason	Hopgood	Warren	

Nays—26

Booher	Hansen	Marleau	Proos
Brandenburg	Hildenbrand	Meekhof	Richardville
Casperson	Hune	Moolenaar	Robertson
Caswell	Jansen	Nofs	Rocca
Colbeck	Jones	Pappageorge	Schuitmaker
Emmons	Kahn	Pavlov	Walker
Green	Kowall		

Excused—1

Johnson

Not Voting—0

In The Chair: President

Senator Smith offered the following amendments:

1. Amend page 11, line 22, after “11.” by striking out the balance of the line through “(2)” on line 1 of page 12.
2. Amend page 12, line 6, by striking out all of subsection (3).

The amendments were not adopted, a majority of the members serving not voting therefor.

Senator Hunter requested the yeas and nays.

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

The amendments were not adopted, a majority of the members serving not voting therefor, as follows:

Roll Call No. 64**Yeas—11**

Anderson	Gregory	Hunter	Whitmer
Bieda	Hood	Smith	Young
Gleason	Hopgood	Warren	

Nays—26

Booher	Hansen	Marleau	Proos
Brandenburg	Hildenbrand	Meekhof	Richardville
Casperson	Hune	Moolenaar	Robertson
Caswell	Jansen	Nofs	Rocca
Colbeck	Jones	Pappageorge	Schuitmaker
Emmons	Kahn	Pavlov	Walker
Green	Kowall		

Excused—1

Johnson

Not Voting—0

In The Chair: President

Senator Young offered the following amendment:

1. Amend page 8, following line 8, by inserting:

“Sec. 7a. A person shall not increase the total price of any consumer item offered for sale at retail more than 1 time in any 24-hour period.”.

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

Senator Hunter requested the yeas and nays.

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

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

Roll Call No. 65**Yeas—11**

Anderson	Gregory	Hunter	Whitmer
Bieda	Hood	Smith	Young
Gleason	Hopgood	Warren	

Nays—26

Booher	Hansen	Marleau	Proos
Brandenburg	Hildenbrand	Meekhof	Richardville
Casperson	Hune	Moolenaar	Robertson
Caswell	Jansen	Nofs	Rocca
Colbeck	Jones	Pappageorge	Schuitmaker
Emmons	Kahn	Pavlov	Walker
Green	Kowall		

Excused—1

Johnson

Not Voting—0

In The Chair: President

Senator Smith offered the following amendment:

1. Amend page 12, following line 9, by inserting:

“Sec. 11a. Within 6 months after the effective date of this act, the Michigan economic development corporation shall prepare an analysis of the effects of the implementation of this act on employment in this state over the 6-month period after the effective date of this act and submit a report to the legislature on the results of that analysis.”.

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

Senator Hunter requested the yeas and nays.

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

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

Roll Call No. 66**Yeas—11**

Anderson	Gregory	Hunter	Whitmer
Bieda	Hood	Smith	Young
Gleason	Hopgood	Warren	

Nays—26

Booher	Hansen	Marleau	Proos
Brandenburg	Hildenbrand	Meekhof	Richardville
Casperson	Hune	Moolenaar	Robertson
Caswell	Jansen	Nofs	Rocca
Colbeck	Jones	Pappageorge	Schuitmaker
Emmons	Kahn	Pavlov	Walker
Green	Kowall		

Excused—1

Johnson

Not Voting—0

In The Chair: President

Senator Hood offered the following amendments:

1. Amend page 3, line 1, after “sections” by striking out “7 and 8” and inserting “7, 7a, and 8”.
2. Amend page 3, line 3, after “sections” by striking out “7 and 8” and inserting “7, 7a, and 8”.
3. Amend page 3, line 8, after “sections” by striking out “7 and 8” and inserting “7, 7a, and 8”.
4. Amend page 7, line 5, by striking out all of section 7 and inserting:

“Sec. 7. (1) Except as otherwise provided in section 7a, a person shall clearly and conspicuously indicate the total price of a consumer item displayed or offered for sale at retail in Arabic numerals. The total price must be readable and understandable by visual inspection and stamped on or affixed to the consumer item. If the consumer item is in a package or container, the total price must be stamped on or affixed to the outside surface of the package or container and need not be placed directly on the consumer item.

(2) Subsection (1) does not apply to any of the following:

- (a) A consumer item that is sold by weight or volume and is not in a package or container.
- (b) A consumer item sold in a coin-operated vending machine.
- (c) Prepared food intended for immediate consumption, as defined in section 4g of the general sales tax act, 1933 PA 167, MCL 205.54g.
- (d) A consumer item purchased by mail or through catalog order, or that is not otherwise visible for inspection by the consumer at the time of the sale, and that is ordered or requested by the consumer, if the price of the consumer item is on the consumer’s written order or request or on a bill, invoice, or other notice that describes or names the consumer item and is enclosed with the consumer item.
- (e) An unpackaged food item.
- (f) A consumer item that has a total weight of not more than 3 ounces, a total volume of not more than 3 cubic inches, and a total price of not more than 30 cents.
- (g) Live plants.
- (h) Live animals.
- (i) Motor vehicles.
- (j) Motor vehicle parts.
- (k) Packages of 20 or fewer cigarettes.
- (l) Greeting cards that are sold individually and have a readable coded price on the back of the card.
- (m) Merchandise that is ordered as a gift by a consumer and is sent by mail or other delivery service to a person other than the consumer by the retailer at the request of the consumer.
- (n) A consumer item sold in compliance with section 7a.

(3) In addition to the exceptions under subsection (2), a retailer may choose to not individually price mark not more than 25 classes of items or individual items, which classes or items shall be listed and posted in a conspicuous place in the retail store, and may choose to not individually price mark not more than 25 additional classes of items or individual items that are advertised or featured at a reduced price.

(4) If the price and the name or description of a class of items or individual items are not price-marked under subsection (3), the retailer shall indicate the price and the name or description of the class of items or individual items by posting a clear, readable, and conspicuous sign in immediate conjunction with the area in which the unmarked item or class of items is displayed.

(5) As used in subsections (3) and (4), “item”, except as otherwise provided in this subsection, means 1 or more identical articles sold in identical quantities or measures. An item may include more than 1 product, brand, kind, size, or type of packaging, if they are packaged together and sold as a set and the sets are identical in all respects, including quantity or measure.

(6) As used in this section, “class of item” means a group of regulated consumer items that may vary by brand, style, pattern, color, or size other than weight or volume. Items within a class must otherwise be identical and offered at the same total price.

(7) As used in this section and section 7a, “director” means the director of the department of agriculture and rural development or his or her authorized representative.

Sec. 7a. (1) Section 7(1) does not apply to a consumer item that is displayed or offered for sale at retail by a person that permanently reduces the total price of all of the consumer items it offers for sale by 4.5% and does not increase those prices.

(2) A person exempt from section 7(1) under subsection (1) must file a written certification with the department that it has permanently reduced the total price of all of the consumer items it offers for sale by 4.5%, and each year after

the initial filing, file a written certification that it has not increased the price of any of the consumer goods it offered for sale in the preceding 12-month period. If the person fails or neglects to file a certification described in this subsection, section 7(1) applies to the consumer items displayed or offered for sale at retail by that person.

(3) A certification described in subsection (2) must be executed by the person if the person is an individual, by the president if the person is a corporation, by a general partner if the person is a general or limited partnership, or by the individual with primary executive authority if the person is any other legal entity. The execution of a certification constitutes an affirmation under penalty of perjury that the facts stated in the certification are true.

(4) The director is responsible for the implementation and the administration of this section. The department may promulgate rules pursuant to the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328, regarding the certification process described in this section.”.

The amendments were not adopted, a majority of the members serving not voting therefor.

Senator Hunter requested the yeas and nays.

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

The amendments were not adopted, a majority of the members serving not voting therefor, as follows:

Roll Call No. 67**Yeas—11**

Anderson	Gregory	Hunter	Whitmer
Bieda	Hood	Smith	Young
Gleason	Hopgood	Warren	

Nays—26

Booher	Hansen	Marleau	Proos
Brandenburg	Hildenbrand	Meekhof	Richardville
Casperson	Hune	Moolenaar	Robertson
Caswell	Jansen	Nofs	Rocca
Colbeck	Jones	Pappageorge	Schuitmaker
Emmons	Kahn	Pavlov	Walker
Green	Kowall		

Excused—1

Johnson

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. 68**Yeas—24**

Booher	Green	Kahn	Pavlov
Brandenburg	Hansen	Kowall	Proos
Casperson	Hildenbrand	Meekhof	Richardville
Caswell	Hune	Moolenaar	Robertson
Colbeck	Jansen	Nofs	Schuitmaker
Emmons	Jones	Pappageorge	Walker

Nays—13

Anderson	Hood	Marleau	Warren
Bieda	Hopgood	Rocca	Whitmer
Gleason	Hunter	Smith	Young
Gregory			

Excused—1

Johnson

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 not concurred in, 2/3 of the members serving not voting therefor. Senator Hunter requested the yeas and nays. The yeas and nays were ordered, 1/5 of the members present voting therefor. The recommendation was not concurred in, 2/3 of the members serving not voting therefor, as follows:

Roll Call No. 69**Yeas—25**

Booher	Hansen	Kowall	Pavlov
Brandenburg	Hildenbrand	Marleau	Proos
Casperson	Hune	Meekhof	Richardville
Caswell	Jansen	Moolenaar	Robertson
Colbeck	Jones	Nofs	Schuitmaker
Emmons	Kahn	Pappageorge	Walker
Green			

Nays—12

Anderson	Gregory	Hunter	Warren
Bieda	Hood	Rocca	Whitmer
Gleason	Hopgood	Smith	Young

Excused—1

Johnson

Not Voting—0

In The Chair: President

Senator Meekhof moved that the bill be given immediate effect.
The question being on the motion to give the bill immediate effect,
Senator Meekhof moved the further consideration of the bill be postponed for today.
The motion prevailed.

By unanimous consent the Senate proceeded to the order of
Statements

Senators Whitmer, Young, Caswell, Colbeck, Kahn, Pappageorge and Meekhof asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator Whitmer's statement is as follows:

I rise today to voice my disappointment in a video that was released yesterday by members of the Governor's inner circle. This video posted on the website www.valueformichigan.com has several children speaking to the camera asking viewers to support the Governor's misguided and ill-conceived budget plan. How distasteful and how despicable it is to use kids as props in an attempt to sell what we believe is the Governor's flawed plan, since it is clear that the creators didn't also tell those kids that his budget would have devastating impacts on their ability to obtain a quality education in the state of Michigan.

The Governor's budget would strip over \$714 per pupil from our school districts and instead give that money to big business. It's appalling to me that anyone would expect us to believe that is a plan any child would think is fair. I guess I am not surprised by who the creators are and what things they will stoop to. As a mother of a second- and third-grader and a product of the public schools myself, I have spent a lot of time in Michigan's public schools. If we want to close the global gap in education, we have to invest in infrastructure, technology, and a curriculum that promotes critical thinking instead of cutting our schools into bankruptcy.

To the creators of this video who chose to use these children in this manner, I think it is shameful. To the Governor, I ask that you have your supporters remove it from the website and instead engage in an honest dialogue about the real impacts your budget would have on working families, seniors, and children.

Senator Young's statement is as follows:

Before I begin, I would like to start with a quote from Charlie Gonzalez: "After a lifetime of working, raising families, and contributing to the success of this nation in countless other ways, senior citizens deserve to retire with dignity." I rise today simply to make sure that my colleagues take notice that we are being joined today on the steps of our Capitol by retirees from all across our great state. They are here because they are frustrated. They are here because they are angry. They are here because they are furious. They are here because they are worried. They are here because they feel their voices are not being heard.

These are the men and women who devoted themselves to making Michigan great throughout their careers. They worked here. They raised families here. They shed blood, sweat, and tears to get what they wanted. They were promised an opportunity that if they worked hard and they played by all the rules, they would be able to retire with honor and dignity. They were promised the American Dream, and now they simply want to enjoy the American Dream in retirement here in Michigan.

They earned every cent of the pension checks they now rely on to pay their bills, make ends meet, and now have to endure the possibility of Governor Snyder's plan to tax these pension checks in order to pay for his huge giveaways for large corporations. It is not only fundamentally wrong, but, in my opinion, it is generational theft. The plan isn't right, it isn't fair, and everyone in here has the right to voice this frustration against this disgusting proposal.

This chamber had more than enough time to discuss the Governor's proposal. My colleagues from the Democratic Caucus have made our views clear. We do not support this, and we will not let this stand—not without a fight. We have asked the Republican members on multiple occasions to take this off the table, and give people the reassurance that we will not be considering it as part of our budget discussions. The request has thus far gone unanswered. I ask my Republican colleagues once again: How long will you leave these people wondering what their future is here in Michigan? How many more people have to leave this state? How many more people have to be on the unemployment rolls before we realize that we cannot attack our most vulnerable?

I believe that just because people are living in poverty does not mean they lose their violability, and just because people are seniors and struggling does not mean we should take advantage of them. Our moral character is determined not by those who we add to the abundance of those who already have much, but that we add and give abundance to those who have the least.

It is time they get these answers. I thank you, Mr. President. I want to say this before I conclude. In the words of Nancy Reagan, "Just say no." Don't test Grandma.

Senator Caswell's statement is as follows:

Last Thursday, March 10, I missed session due to family medical problems. I would like to record my vote intentions on the following missed record roll call votes. On Roll Call No. 56, Senate Bill No. 149, I would have voted "yes"; Roll Call No. 57, Senate Bill No. 188, "yes"; Roll Call No. 58, "yes"; and Roll Call No. 59, Senate Bill No. 206, I would have voted "yes."

Senator Colbeck's statement is as follows:

I just wanted to come and talk because I am relatively new to the Senate, this being my first term in politics. I would like to give a little insight as to why I ran in the context of some of the discussions taking place today. The Governor put out a bold proposal that I thought was tackling some issues that we've kind of kicked down the road for quite a few years. In particular, he took some tough steps in regard to items like school aid and funding our universities that, I think, are being mischaracterized in the discussion about the kids and the broadcasting what the impact of these proposals are for them.

I would like to highlight that traditionally what's been happening in politics, and one of the reasons that I as a concerned citizen got into this in the first place, is that kids are the first victims whenever we start talking about budget cuts. We don't look at the other solutions that are out there. I will tell you, I have been at various forums recently where when we start talking about these budget cuts, immediately the first people who are targeted are our kids in regard to who will feel the impact of this.

In particular, the first reaction I heard was that we are going to eliminate programs, athletics programs, music, and art. That is the first approach that has been taken on this. And then sometimes they will go further and talk about solutions that involve raising taxes. I tell you, if you look a little further forward with that approach, when you raise taxes, you are chasing out the very jobs that we are hoping these kids are going to graduate and take on when they get out of school. So it is a sickening approach for me to actually go off and use kids in that manner.

Meanwhile, while we are sitting there threatening the kids with these types of approaches to addressing these budget cuts, we are paying MEA reps full-time in these school districts to go off and handle grievances. These are not paid out of dues, mind you. These are paid directly out of district funds that have been allocated. In addition, the Governor did provide proposals that would actually help them adjust with the cuts, including benefits adjustments. None of those items seem to be on the table for discussion. Immediately we go for the kids.

I, for one, am sick and tired of this approach of how we go off and attempt to address real fiscal responsibility and realities in this state, and I urge my colleagues to stop taking it out on the kids. Stop taking it out on police and fire, and let's be responsible in how we actually address these budget cuts.

Senator Kahn's statement is as follows:

Over the last two or three weeks in statements, pretty much every day, I've noticed that the minority has spoken up about their view of the shortcomings—the comings that we have proposed. When they speak about that, they are missing the picture of reinventing Michigan and the clarity of the plan that we have offered. The Governor has offered to encourage business and create jobs, and in fact, to create hope for our kids and for us too. They are missing the point of a budget that is structurally balanced and that can proceed year after year with an opportunity to, in fact, provide new services, if needed, for our people. They are missing the idea of the ability to control the destructive nature of rules and regulations.

Instead they are speaking to the fact of the maintenance of the status quo, which has got us where we are today, i.e., \$1.5 billion structural budget deficit, which is exactly what the Governor's plan will, in fact, correct. And, in so speaking for the status quo, in speaking for the destructive nature of the government that we have created over the last 20 years, they rob our people of hope.

So, yes, I think that that minority has every right to speak to how we might better help our people, but in so doing, I would hope that they would offer constructive, at least an understandable alternative.

Senator Pappageorge's statement is as follows:

Ladies and gentlemen, governments have no money, not a penny, except what they extract from their citizens. There are two principal ways that money is extracted from us. One is more honest in that it takes it directly from us, and the second way is to get business to do it for us. Businesses do not pay taxes. They collect taxes for the government. The idea that this is between businesses and individuals is absolutely false. To perpetuate that kind of dichotomy doesn't help us one bit.

The next time you go to the store and you buy an item, you aren't paying 6 percent sales tax. What you don't know is how much of the item you are holding in your hands is going to the federal government, the state government, and local government, but you better believe it is at least 25 percent and probably 40 percent. Let's stop this business about businesses versus individuals when it comes to taxes. The only people who foot the government bill are individuals. I would hope that for the next three and a half years or so, we would quit using phony arguments like it is businesses versus individuals.

Senator Meekhof's statement is as follows:

In the context and to the previous speaker from southeast Michigan who commented on the emotions of folks who may or may not be gathered on the Capitol steps today, I would suggest that they are probably more emotional about the lack of economic opportunity for their own kids and their own grandkids. That is where this state is now, ladies and gentlemen. We have an opportunity with a bold, fresh idea to set a context where those kids and those grandkids—my kids and my grandkids—have those opportunities in abundance.

We have those opportunities in front of us. Obviously, what we have been doing through past administrations—I will say it plural—has not worked. We have no more road to kick the can down. We have creative solutions. The Governor has put forward some very bold solutions, and I am asking my colleagues from either side to give us real solutions. We haven't heard any real solutions, except don't cut me or just not me. Folks, those aren't solutions.

Committee Reports

The Committee on Reforms, Restructuring and Reinventing reported
Senate Bill No. 165, entitled

A bill to provide for fair and open competition in governmental construction contracts, grants, tax abatements, and tax credits; to prohibit requirements for certain terms in government contracts and contracts supported through government grants and tax subsidies and abatements; to prohibit expenditure of public funds under certain conditions; to prohibit certain terms in procurement documents for certain expenditures involving public facilities; and to provide for powers and duties of certain public officers, employees, and contractors.

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.

Mark C. Jansen
Chairperson

To Report Out:

Yeas: Senators Jansen, Colbeck, Casperson and Robertson

Nays: Senators Young and Warren

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

COMMITTEE ATTENDANCE REPORT

The Committee on Reforms, Restructuring and Reinventing submitted the following:

Meeting held on Wednesday, March 9, 2011, at 8:30 a.m., Rooms 402 and 403, Capitol Building

Present: Senators Jansen (C), Colbeck, Casperson, Kowall, Robertson, Young and Warren

The Committee on Outdoor Recreation and Tourism reported

House Concurrent Resolution No. 2.

A concurrent resolution to express opposition to the imposition of a ban of firearm hunting and snowmobiling in certain areas of the Huron-Manistee National Forest.

(For text of resolution, see Senate Journal No. 12, p. 149.)

With the recommendation that the concurrent resolution be adopted.

Goeffrey M. Hansen
Chairperson

To Report Out:

Yeas: Senators Hansen, Hildenbrand, Gleason and Young

Nays: None

The concurrent resolution was placed on the order of Resolutions.

The Committee on Outdoor Recreation and Tourism reported

Senate Bill No. 207, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 43517, 43520, 43525a, and 43531 (MCL 324.43517, 324.43520, 324.43525a, and 324.43531), sections 43517 and 43520 as amended by 2006 PA 282, section 43525a as amended by 2006 PA 280, and section 43531 as amended by 2009 PA 70.

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.

Goeffrey M. Hansen
Chairperson

To Report Out:

Yeas: Senators Hildenbrand, Brandenburg, Casperson, Moolenaar, Gleason and Young

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 Outdoor Recreation and Tourism submitted the following:

Meeting held on Thursday, March 10, 2011, at 12:30 p.m., Room 210, Farnum Building

Present: Senators Hansen (C), Hildenbrand, Brandenburg, Casperson, Moolenaar, Gleason and Young

The Committee on Regulatory Reform reported

Senate Bill No. 5, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," (MCL 436.1101 to 436.2303) by adding section 547.

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.

Tory Rocca
Chairperson

To Report Out:

Yeas: Senators Rocca, Jones, Meekhof, Pavlov, Johnson and Warren

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 Regulatory Reform submitted the following:

Meeting held on Thursday, March 10, 2011, at 12:30 p.m., Room 110, Farnum Building

Present: Senators Rocca (C), Jones, Meekhof, Pavlov, Johnson and Warren

Excused: Senator Hune

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Department of Environmental Quality submitted the following:

Meeting held on Thursday, March 10, 2011, at 12:30 p.m., Room 100, Farnum Building

Present: Senators Green (C), Walker and Booher

Excused: Senator Hopgood

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Department of Energy, Labor, and Economic Growth submitted the following:

Joint meeting held on Thursday, March 10, 2011, at 1:30 p.m., Room 426, Capitol Building

Present: Senator Jansen (C)

Excused: Senators Proos and Johnson

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Retirement submitted the following:

Meeting held on Tuesday, March 15, 2011, at 8:00 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building

Present: Senators Jansen (C), Caswell, Colbeck and Hood

Scheduled Meetings

Administrative Rules - Thursday, March 17, 9:00 a.m., Room 426, Capitol Building (373-5773)

Appropriations - Wednesday, March 16, 2:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-1760)

Subcommittees -

Community Health Department - Wednesdays, March 16 and March 23, 1:00 p.m., Rooms 402 and 403, Capitol Building; and April 13, 1:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower (373-2768)

Energy, Labor, and Economic Growth Department and House Energy, Labor, and Economic Growth Appropriations Subcommittee - Thursday, March 17, 1:30 p.m., Room 519, South Tower, House Office Building; and Thursday, March 24, 1:30 p.m., Room 426, Capitol Building (373-2768)

Environmental Quality Department - Thursday, March 17, 12:30 p.m., Room 100, Farnum Building (373-2768)

General Government - Tuesdays, March 22 and April 12, 2:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

Higher Education - Wednesdays, March 16, March 23 and March 30, 12:30 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

Human Services Department - Thursdays, March 17, March 24 and April 14, 2:30 p.m., Room 210, Farnum Building; Tuesday, March 29, and Thursday, March 31, 10:00 a.m., Senate Hearing Room, Ground Floor, Boji Tower (373-2768)

K-12, School Aid, Education - Thursday, March 17, 9:00 a.m., Room 405, Capitol Building (373-2768)

Natural Resources Department - Tuesday, March 22, 2:00 p.m., Room 405, Capitol Building (373-2768) (CANCELED)

State Police and Military Affairs - Thursday, March 17, 1:00 p.m., Rooms 402 and 403, Capitol Building (373-2768) (CANCELED)

Transportation - Wednesdays, March 16, March 23 and April 13, 3:00 p.m. or later immediately following the Appropriations Committee meeting, Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

Economic Development - Wednesday, March 16, 1:30 p.m., Room 110, Farnum Building (373-5312)

Education - Wednesday, March 16, 12:30 p.m., Senate Hearing Room, Ground Floor, Boji Tower (373-5314)

Natural Resources, Environment and Great Lakes and House Natural Resources, Tourism, and Outdoor Recreation - Thursday, March 17, 8:30 a.m., Senate Hearing Room, Ground Floor, Boji Tower (373-5323)

Reforms, Restructuring and Reinventing - Wednesday, March 16, 8:30 a.m., Rooms 402 and 403, Capitol Building (373-5324)

Regulatory Reform - Thursday, March 17, 12:30 p.m., Room 110, Farnum Building (373-5307)

Senate Fiscal Agency Board of Governors - Thursday, March 24, 9:00 a.m., Room S-324, Capitol Building (373-2768)

Senator Meekhof moved that the Senate adjourn.
The motion prevailed, the time being 12:24 p.m.

The President, Lieutenant Governor Calley, declared the Senate adjourned until Wednesday, March 16, 2011, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate

