

No. 87  
STATE OF MICHIGAN  
**Journal of the Senate**  
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REGULAR SESSION OF 2008

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Senate Chamber, Lansing, Thursday, November 13, 2008.

10:00 a.m.

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

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

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

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

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

Reverend Neil Cowling of Kirk of Our Savior Presbyterian Church of Westland offered the following invocation:

As we gather for another day, we thank You, O Holy God, for Your lovingkindness and patience. As we awoke this morning, we found that You were not angry with us, even though we are often lazy and full of sin. You have not destroyed us for the wrongs we have done. Rather, You have shown unchanging love for us. When we were bowed low in dark despair, You raised us up to sing our praises of Your glorious creation.

And now, O God, give light to the eye of our minds that we might see those across the aisle more clearly. Open our ears to listen attentively to our fellow Senators, especially those with whom we disagree. Open our mouths to speak kindness and mercy and wisdom, especially with those of whom we might disagree.

In these difficult times, holy God, do not abandon us when choices are confusing; when life seems unclear; when we cast about for something familiar, remain with us. When the state of our state seems hopeless, bear us up, be our strength, look upon us with tenderness, rescue us from that which threatens us, embrace us as Your own, and make us understanding of the poor and the poor in spirit. Make us companions of those who are alone and lonely and others who live in dark despair.

On behalf of those we serve in the common good, lend us Your light and Your truth. Bind us together, O God, until we are reunited with You. Amen.

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

### Motions and Communications

Senator Anderson moved that Senator Barcia be temporarily excused from today's session.  
The motion prevailed.

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

Senator Garcia entered the Senate Chamber.

The Secretary announced that the following House bills were received in the Senate and filed on Wednesday, November 12:  
**House Bill Nos. 4054 4674 4948 5437 5677 5678 5679 5680 5778 6148 6401 6468 6476 6492  
6493**

The Secretary announced that the following official bills were printed on Wednesday, November 12, and are available at the legislative website:

**Senate Bill Nos. 1635 1636 1637 1638 1639 1640 1641 1642**

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

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

**Senate Bill No. 1366  
Senate Bill No. 1313  
Senate Bill No. 1488  
Senate Bill No. 1244  
Senate Bill No. 1497  
Senate Bill No. 1286  
Senate Bill No. 1345  
Senate Bill No. 1346  
Senate Bill No. 1347  
Senate Bill No. 1299  
Senate Bill No. 1526  
Senate Bill No. 1539  
Senate Bill No. 897  
Senate Bill No. 898**

Senate Bill No. 1015  
 Senate Bill No. 1540  
 Senate Bill No. 1541  
 Senate Bill No. 1403  
 Senate Bill No. 1443  
 Senate Bill No. 1534  
 Senate Bill No. 677  
 Senate Bill No. 1281  
 Senate Bill No. 1433  
 The motion prevailed.

The following bill was read a third time:

**Senate Bill No. 1366, entitled**

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 7333 (MCL 333.7333), as amended by 2006 PA 451.

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. 625**

**Yeas—35**

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

**Nays—0**

**Excused—3**

Barcia	Gleason	Thomas
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**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. 1313, entitled**

A bill to create a lien against real property for unpaid commercial real estate broker’s commissions and services; and to provide remedies.

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. 626****Yeas—26**

Allen	Clarke	Jansen	Pappageorge
Anderson	Cropsey	Jelinek	Richardville
Basham	Garcia	Kahn	Sanborn
Birkholz	George	Kuipers	Schauer
Bishop	Gilbert	McManus	Stamas
Brown	Hardiman	Olshove	Van Woerkom
Cassis	Hunter		

**Nays—9**

Brater	Jacobs	Prusi	Switalski
Cherry	Patterson	Scott	Whitmer
Clark-Coleman			

**Excused—3**

Barcia	Gleason	Thomas
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**Not Voting—0**

In The Chair: President

The Senate agreed to the title of the bill.

**Protest**

Senator Jacobs, under her constitutional right of protest (Art. 4, Sec. 18), protested against the passage of Senate Bill No. 1313 and moved that the statement she made during the discussion of the bill be printed as her reasons for voting “no.”

The motion prevailed.

Senator Jacobs’ statement is as follows:

I rise today to oppose this bill before us which provides liens against commercial property for unpaid real estate brokers’ commissions and services. While I understand the intent of this bill, I think it is important to look at the arguments that were raised by the Real Property Law Section of the Michigan State Bar. Among them, this legislation interferes with basic property rights, makes brokers a special preferred class of persons, and provides an extraordinary remedy of a lien against real property. The bill could increase litigation and add substantial costs, delays, and disruptions to closing transactions.

This bill only addresses the needs of the brokers, but there are many other parties who may be entitled to payment at closing, such as appraisers, title companies, and property managers who would then be justified in coming to the Legislature and asking us if they could be given the same consideration as well. There also could be an effort to extend these rights to residential real estate.

Proponents have noted that others do have the protection of liens, notably through the Construction Lien Act, but the justification for protecting workers who create physical improvements to property does not apply to brokers. Brokers deal directly with owners, purchasers, landlords, and tenants and already have adequate legal remedies for the collection of their commission.

I urge my colleagues to oppose this bill.

The following bill was read a third time:

**Senate Bill No. 1488, entitled**

A bill to amend 1976 PA 388, entitled "Michigan campaign finance act," by amending section 34 (MCL 169.234), as amended by 1999 PA 238.

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. 627**

**Yeas—35**

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

**Nays—0**

**Excused—3**

Barcia	Gleason	Thomas
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**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. 1244, entitled**

A bill to amend 2000 PA 322, entitled "Julian-Stille value-added act," by amending the title and sections 2, 2a, and 3 (MCL 285.302, 285.302a, and 285.303), the title and section 2 as amended by 2006 PA 423 and section 2a as added by 2006 PA 424; and to repeal acts and parts of acts.

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. 628**

**Yeas—35**

Allen	Clark-Coleman	Jansen	Richardville
Anderson	Clarke	Jelinek	Sanborn
Basham	Cropsey	Kahn	Schauer
Birkholz	Garcia	Kuipers	Scott
Bishop	George	McManus	Stamas
Brater	Gilbert	Olshove	Switalski

Brown  
Cassis  
Cherry

Hardiman  
Hunter  
Jacobs

Pappageorge  
Patterson  
Prusi

Van Woerkom  
Whitmer

**Nays—0**

**Excused—3**

Barcia

Gleason

Thomas

**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. 1497, entitled**

A bill to create certain agriculture innovation loan programs; to create certain boards and authorities and define their powers and duties; to authorize the making of loan guarantees by certain private entities; to enhance value-added agricultural processing, commercialization of agriculture technologies, processes, or products, and farming operations within this state; to provide for certain powers and duties for certain private entities, state agencies, commissions, and departments; to authorize loan guarantees and expenditures from the funds; to finance the development of value-added agricultural processing, commercialization of agriculture technologies, processes, or products, and farming operations within this state; to provide for the issuance and purchase of notes and bonds; to provide for the establishment of funds; and to prescribe penalties and remedies.

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. 629**

**Yeas—35**

Allen  
Anderson  
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  
Prusi

Richardville  
Sanborn  
Schauer  
Scott  
Stamas  
Switalski  
Van Woerkom  
Whitmer

**Nays—0**

**Excused—3**

Barcia

Gleason

Thomas

**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. 1286, entitled**

A bill to amend 1951 PA 33, entitled “An act to provide police and fire protection for townships and for certain areas in townships, certain incorporated villages, and certain cities; to authorize contracting for fire and police protection; to authorize the purchase of fire and police equipment, and the maintenance and operation of the equipment; to provide for defraying the cost of the equipment; to authorize the creation of special assessment districts and the levying and collecting of special assessments; to authorize the issuance of special assessment bonds in anticipation of the collection of special assessments and the advancement of the amount necessary to pay such bonds, and to provide for reimbursement for such advances by reassessment if necessary; to authorize the collection of fees for certain emergency services in townships and other municipalities; to authorize the creation of administrative boards and to prescribe their powers and duties; to provide for the appointment of traffic officers and to prescribe their powers and duties; and to repeal acts and parts of acts,” by amending section 1 (MCL 41.801), as amended by 2002 PA 501.

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. 630****Yeas—35**

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

**Nays—0****Excused—3**

Barcia	Gleason	Thomas
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**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. 1345, entitled**

A bill to amend 1909 PA 278, entitled “The home rule village act,” by amending section 12 (MCL 78.12).

The question being on the passage of the bill,

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

The motion prevailed.

The following bill was read a third time:

**Senate Bill No. 1346, entitled**

A bill to amend 1968 PA 191, entitled “An act to create a state boundary commission; to prescribe its powers and duties; to provide for municipal incorporation, consolidation, and annexation; to prescribe penalties and provide remedies; and to repeal acts and parts of acts,” by amending section 17 (MCL 123.1017).

The question being on the passage of the bill,

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

The motion prevailed.

The following bill was read a third time:

**Senate Bill No. 1347, entitled**

A bill to amend 1909 PA 279, entitled “The home rule city act,” by amending section 16 (MCL 117.16).

The question being on the passage of the bill,

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

The motion prevailed.

Senator Barcia entered the Senate Chamber.

The following bill was read a third time:

**Senate Bill No. 1299, 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.

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. 631**

**Yeas—36**

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

**Nays—0**

**Excused—2**

Gleason

Thomas

**Not Voting—0**

In The Chair: President

The Senate agreed to the title of the bill.





**Roll Call No. 633****Yeas—21**

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

**Nays—15**

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

**Excused—2**

Gleason	Thomas
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**Not Voting—0**

In The Chair: President

The following bill was read a third time:

**Senate Bill No. 897, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 11514 (MCL 324.11514), as amended by 2007 PA 212, and by adding part 173.

The question being on the passage of the bill,

Senator Garcia offered the following amendments:

1. Amend page 9, line 19, after “(6)” by inserting “UNTIL OCTOBER 1, 2015,”.
2. Amend page 10, following line 4, by inserting:

**“(9) NOT LATER THAN OCTOBER 1, 2011 AND EVERY 2 YEARS AFTER THAT DATE, THE DEPARTMENT SHALL SUBMIT A REPORT TO THE SECRETARY OF THE SENATE AND TO THE CLERK OF THE HOUSE OF REPRESENTATIVES THAT ASSESSES THE ADEQUACY OF THE FEES UNDER THIS SECTION AND ANY DEPARTMENTAL RECOMMENDATION TO MODIFY THOSE FEES.”.**

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. 634****Yeas—32**

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

**Nays—4**

Cassis

Gilbert

Kuipers

Sanborn

**Excused—2**

Gleason

Thomas

**Not Voting—0**

In The Chair: President

The Senate agreed to the title of the bill.

**Protest**

Senator Cassis, under her constitutional right of protest (Art. 4, Sec. 18), protested against the passage of Senate Bill No. 897 and moved that the statement she made during the discussion of the bill be printed as her reasons for voting “no.”

The motion prevailed.

Senator Cassis’ statement is as follows:

I stand before you to take a little bit of a different approach on this matter. Certainly, recycling is extremely important, and we realize the hazardous nature of some of the components that today we are trying to deal with. But I do have some questions. Why are we creating a new fund and a new bureaucracy within the Department of Environmental Quality? Especially, since we have no idea how much this program is actually going to cost.

I also have to add that, as you know, if it looks like a rose and smells like a rose, it’s a rose. In this case, if it looks like a fee and smells like a fee, it’s really a tax. As you know, these things are passed on to the consumer. I think there are much better ways of handling the issue. As a matter of fact, the private sector already has programs that exist to do exactly what you are trying to put in place in the Department of Environmental Quality. Dell, Hewlett Packard, Apple, Samsung, Cannon, Panasonic, Sony, and Garmon—the free market, my friends, is working here. Now we are going to tinker with it?

Why is the state getting involved when many of the leading consumer electronic manufacturers, as I have just mentioned, have already implemented recycling programs. I really have to scratch my head. It is extremely perplexing and tends to defy common sense why a company like Dell, without offering any explanation, would advocate in favor of setting up a government bureaucracy. Are we missing something?

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

The motion prevailed.

Senator Brater’s statement is as follows:

I want to express my appreciation to both the good Senators from the 22nd District and the 24th District for working with us on this bill. It is a good bill to try to divert electronics from our waste stream. Electronics do contain a number of toxins that we do want to keep out of our groundwater and out of the earth in the state of Michigan. It is an extremely good bill in terms of the idea of recycling electronics.

I do have some reservations about this bill. I know that there is funding in the bill for this specific program. The problem is, just to remind my colleagues, that the Department of Environmental Quality is severely underfunded, and the fee that supports the solid waste division is expiring this year. It needs to be not only renewed, but increased in order to cover the costs of running the solid waste program.

Although there is a fee in this bill to cover the cost of this new program, there is not ongoing guarantee of support for the division in which this program rests. In other words, it’s like saying we have the money here to renovate our kitchen, but we don’t have the house to put the kitchen in. That is what we are basically doing with this bill today.

I am going to support this bill today. I do thank all the members for the work that has gone into trying to arrange a compromise on it in terms of the funding. But I do ask my colleagues to keep in mind that in order to be consistent with voting for this bill today, we are going to have to find support for renewable and, indeed, increase the fees to support the division that is going to run this program.

The following bill was read a third time:

**Senate Bill No. 898, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” (MCL 324.101 to 324.90106) by adding sections 17317, 17319, 17323, 17327, and 17329.

The question being on the passage of the bill,

Senator Birkholz offered the following amendments:

1. Amend page 2, line 10, after “(4)” by inserting “UNTIL OCTOBER 1, 2015,”.
2. Amend page 2, following line 13, by inserting:

**“(6) NOT LATER THAN OCTOBER 1, 2011 AND EVERY 2 YEARS AFTER THAT DATE, THE DEPARTMENT SHALL SUBMIT A REPORT TO THE SECRETARY OF THE SENATE AND TO THE CLERK OF THE HOUSE OF REPRESENTATIVES THAT ASSESSES THE ADEQUACY OF THE FEES UNDER THIS SECTION AND ANY DEPARTMENTAL RECOMMENDATION TO MODIFY THOSE FEES.”.**

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. 635**

**Yeas—32**

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

**Nays—4**

Cassis	Gilbert	Kuipers	Sanborn
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**Excused—2**

Gleason	Thomas
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**Not Voting—0**

In The Chair: President

The Senate agreed to the title of the bill.

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

The motion prevailed.

Senator Birkholz’s statement is as follows:

My bill in this two-bill package, Senate Bill No. 898, is a bill that will help establish a manufacturer-driven—I want to emphasize that—manufacturer-driven program to provide for the recycling of certain consumer computer electronic products. This is a take-back program, and it was actually brought to us by these leading manufacturers. It was brought to us, the Michigan Senate, and asked would we do this, by people like Hewlett Packard, Dell, Apple, and other leading manufacturers of consumer electronic equipment. They asked for a partnership, a public-private partnership, with government because they do not want what we all know can be very contaminated items to go into landfills or to be thrown by the wayside of roads or other places throughout the state of Michigan.

This is a public-private partnership, and it was driven by the manufacturing community. Members have letters from some of those large manufacturers on their desks. The bill that I have that is before you now requires the registration of recyclers of the covered electronic devices. It will require the department to enforce these rules, and it sets up a violation procedure so that it can be monitored. Any of you who saw “60 Minutes” Sunday night, we can make sure that none of this stuff will end up in foreign countries with little children taking out contaminated items from computers.

I would urge the adoption of this bill. The amendment before us sunsets the fees paid by the recyclers in 2015, so that the Legislature can go back and review the success of the program. It does implement a two-year incremental review of the adequacy of the fees.

Again, I would encourage the adoption of the amendment and the adoption of the bill to establish a public-private partnership to keep contaminated items out of the hands of especially children, but anyone so they are not exposed to those.

The following bill was read a third time:

**Senate Bill No. 1015, 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,” by amending section 28 (MCL 205.28), as amended by 2003 PA 114.

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. 636**

**Yeas—21**

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

**Nays—15**

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

**Excused—2**

Gleason	Thomas
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**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. 1540, entitled**

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending section 513 (MCL 208.1513).

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. 637**

**Yeas—32**

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

**Nays—4**

Basham	Brater	Clark-Coleman	Scott
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**Excused—2**

Gleason	Thomas
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**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. 1541, entitled**

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

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. 638**

**Yeas—36**

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

**Nays—0**

**Excused—2**

Gleason

Thomas

**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. 1403, entitled**

A bill to authorize the department of management and budget to convey certain state owned property in Wayne county; to prescribe conditions for the conveyance; to provide for certain powers and duties of the department of management and budget in implementing the conveyance; to provide for disposition of revenue derived from the conveyance; and to repeal acts and parts of acts.

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. 639**

**Yeas—36**

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

Prusi  
Richardville  
Sanborn  
Schauer  
Scott  
Stamas  
Switalski  
Van Woerkom  
Whitmer

**Nays—0**

**Excused—2**

Gleason

Thomas

**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. 1443, entitled**

A bill to authorize the state administrative board to convey certain parcels of state owned property in various counties; to prescribe conditions for the conveyances; to provide for certain powers and duties of certain state departments in regard to the property; and to provide for disposition of revenue derived from the conveyances.

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. 640**

**Yeas—36**

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

**Nays—0**

**Excused—2**

Gleason	Thomas
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**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. 1534, entitled**

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” by amending section 2080 (MCL 500.2080), as amended by 1986 PA 318.

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. 641**

**Yeas—36**

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



**Nays—0**

**Excused—2**

Gleason

Thomas

**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. 677, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 21556 and 21559 (MCL 324.21556 and 324.21559), section 21556 as added by 2006 PA 321 and section 21559 as added by 2006 PA 322.

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. 642**

**Yeas—36**

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

Prusi  
Richardville  
Sanborn  
Schauer  
Scott  
Stamas  
Switalski  
Van Woerkom  
Whitmer

**Nays—0**

**Excused—2**

Gleason

Thomas

**Not Voting—0**

In The Chair: President

The Senate agreed to the title of the bill.

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

The motion prevailed.

Senator Garcia's statement is as follows:

I just wanted to thank the department for their help with this bill, which I sincerely mean. There was an issue in the industry. They came to us with this problem, and we were able to work with the department. They were very helpful, and I just wanted to pass along my appreciation.

The following bill was read a third time:

**Senate Bill No. 1281, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 9f (MCL 211.9f), as amended by 2008 PA 285.

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. 643**

**Yeas—27**

Allen	Cropsey	Jelinek	Prusi
Barcia	Garcia	Kahn	Richardville
Basham	George	Kuipers	Sanborn
Birkholz	Gilbert	McManus	Schauer
Bishop	Hardiman	Olshove	Stamas
Brown	Jacobs	Pappageorge	Van Woerkom
Cassis	Jansen	Patterson	

**Nays—9**

Anderson	Clark-Coleman	Hunter	Switalski
Brater	Clarke	Scott	Whitmer
Cherry			

**Excused—2**

Gleason	Thomas
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**Not Voting—0**

In The Chair: President

The Senate agreed to the title of the bill.

**Protest**

Senator Whitmer, under her constitutional right of protest (Art. 4, Sec. 18), protested against the passage of Senate Bill No. 1281.

Senator Whitmer's statement is as follows:

We are moving along so quickly today that I didn't get an opportunity at the discussion, but I wanted people to understand why I voted "no" on that bill. I can appreciate the plight of the sponsor's district. People who represent areas



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 Jacobs 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. 1485, 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 11 (MCL 247.911), as amended by 2007 PA 168.

**Senate Bill No. 1276, entitled**

A bill to amend 1954 PA 116, entitled "Michigan election law," (MCL 168.1 to 168.992) by adding section 38.

**Senate Bill No. 1523, entitled**

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending section 433 (MCL 208.1433), as amended by 2007 PA 215.

**Senate Bill No. 1596, entitled**

A bill to amend 1969 PA 317, entitled "Worker's disability compensation act of 1969," by amending section 845 (MCL 418.845).

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:

**House Bill No. 4847, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 819 (MCL 257.819), as amended by 1990 PA 168.

Substitute (S-3).

The following is the amendment to the substitute recommended by the Committee of the Whole:

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

**"(4) EXCEPT AS PROVIDED UNDER SUBSECTION (2), FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2009, OF THE REVENUE FROM THE INCREASES IN FEES PROVIDED BY 1987 PA 232, \$6,000,000.00 SHALL BE DEPOSITED IN THE STATE TREASURY AND CREDITED TO THE GENERAL FUND."**

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

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

**Senate Bill No. 1467, entitled**

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

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. 1489, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 82103, 82105, and 82106 (MCL 324.82103, 324.82105, and 324.82106), section 82103 as added by 1995 PA 58, section 82105 as amended by 2008 PA 145, and section 82106 as amended by 2004 PA 587.

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. 1490, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 82118 (MCL 324.82118), as amended by 2004 PA 587, and by adding section 82110a.

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. 1572, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 539l.

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. 1620, entitled**

A bill to amend 1993 PA 327, entitled "Tobacco products tax act," by amending section 9 (MCL 205.429), as amended by 2004 PA 474.

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. 1621, 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.

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 Cropsy 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. 4847**

**Senate Bill No. 1485**

**Senate Bill No. 1276**

**Senate Bill No. 1523**

**Senate Bill No. 1467**

**Senate Bill No. 1489**

**Senate Bill No. 1490**

**Senate Bill No. 1572**

**Senate Bill No. 1596**

**Senate Bill No. 1620**

**Senate Bill No. 1621**

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. 1345**

**Senate Bill No. 1346**

**Senate Bill No. 1347**

**House Bill No. 4847**

**Senate Bill No. 1485**

**Senate Bill No. 1276**

**Senate Bill No. 1523**

**Senate Bill No. 1467**

**Senate Bill No. 1489**

**Senate Bill No. 1490**

**Senate Bill No. 1572**

**Senate Bill No. 1596**

**Senate Bill No. 1620**

**Senate Bill No. 1621**

The motion prevailed.

The following bill was announced:

**Senate Bill No. 1345, entitled**

A bill to amend 1909 PA 278, entitled “The home rule village act,” by amending section 12 (MCL 78.12).

(This bill was read a third time earlier today and consideration postponed. See p. 2199.)

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. 645**

**Yeas—36**

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

**Nays—0**

**Excused—2**

Gleason

Thomas

**Not Voting—0**

In The Chair: Richardville

The Senate agreed to the title of the bill.

The following bill was announced:

**Senate Bill No. 1346, entitled**

A bill to amend 1968 PA 191, entitled "An act to create a state boundary commission; to prescribe its powers and duties; to provide for municipal incorporation, consolidation, and annexation; to prescribe penalties and provide remedies; and to repeal acts and parts of acts;" by amending section 17 (MCL 123.1017).

(This bill was read a third time earlier today and consideration postponed. See p. 2200.)

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. 646**

**Yeas—36**

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

**Nays—0**

**Excused—2**

Gleason	Thomas
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**Not Voting—0**

In The Chair: Richardville

The Senate agreed to the title of the bill.

The following bill was announced:

**Senate Bill No. 1347, entitled**

A bill to amend 1909 PA 279, entitled "The home rule city act," by amending section 16 (MCL 117.16).

(This bill was read a third time earlier today and consideration postponed. See p. 2200.)

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. 647**

**Yeas—36**

Allen	Cherry	Jacobs	Prusi
Anderson	Clark-Coleman	Jansen	Richardville
Barcia	Clarke	Jelinek	Sanborn
Basham	Cropsey	Kahn	Schauer
Birkholz	Garcia	Kuipers	Scott
Bishop	George	McManus	Stamas
Brater	Gilbert	Olshove	Switalski

Brown  
CassisHardiman  
HunterPappageorge  
PattersonVan Woerkom  
Whitmer**Nays—0****Excused—2**

Gleason

Thomas

**Not Voting—0**

In The Chair: Richardville

The Senate agreed to the title of the bill.

The following bill was read a third time:

**House Bill No. 4847, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 819 (MCL 257.819), as amended by 2008 PA 7.

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. 648****Yeas—22**Allen  
Barcia  
Basham  
Birkholz  
Bishop  
BraterBrown  
Clarke  
Cropsey  
Garcia  
George  
HardimanJacobs  
Jelinek  
McManus  
Olshove  
PappageorgePrusi  
Scott  
Stamas  
Switalski  
Van Woerkom**Nays—14**Anderson  
Cassis  
Cherry  
Clark-ColemanGilbert  
Hunter  
Jansen  
KahnKuipers  
Patterson  
RichardvilleSanborn  
Schauer  
Whitmer**Excused—2**

Gleason

Thomas

**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 provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or generally accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways; to create certain funds; to provide penalties and sanctions for a violation of this act; to provide for civil liability of owners and operators of vehicles and service of process on residents and nonresidents; to provide for the levy of certain assessments; to provide for the enforcement of this act; to provide for the creation of and to prescribe the powers and duties of certain state and local agencies; to impose liability upon the state or local agencies; to provide appropriations for certain purposes; to repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date;”.

The Senate agreed to the full title.

The following bill was read a third time:

**Senate Bill No. 1485, 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 11 (MCL 247.911), as amended by 2007 PA 168.

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. 649**

**Yeas—33**

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

**Nays—3**

Gilbert	Sanborn	Schauer
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**Excused—2**

Gleason	Thomas
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**Not Voting—0**

In The Chair: Richardville

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 1276, entitled**

A bill to amend 1954 PA 116, entitled "Michigan election law," (MCL 168.1 to 168.992) by adding section 38.

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. 650**

**Yeas—20**

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

**Nays—16**

Anderson	Clark-Coleman	Kuipers	Schauer
Basham	Clarke	Olshove	Scott
Brater	Hunter	Patterson	Switalski
Cherry	Jacobs	Prusi	Whitmer

**Excused—2**

Gleason	Thomas
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**Not Voting—0**

In The Chair: Richardville

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 1523, entitled**

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending section 433 (MCL 208.1433), as amended by 2007 PA 215.

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. 651**

**Yeas—36**

Allen	Cherry	Jacobs	Prusi
Anderson	Clark-Coleman	Jansen	Richardville
Barcia	Clarke	Jelinek	Sanborn
Basham	Cropsey	Kahn	Schauer
Birkholz	Garcia	Kuipers	Scott
Bishop	George	McManus	Stamas
Brater	Gilbert	Olshove	Switalski

Brown  
CassisHardiman  
HunterPappageorge  
PattersonVan Woerkom  
Whitmer**Nays—0****Excused—2**

Gleason

Thomas

**Not Voting—0**

In The Chair: Richardville

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 1467, entitled**

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

The 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. 652****Yeas—36**Allen  
Anderson  
Barcia  
Basham  
Birkholz  
Bishop  
Brater  
Brown  
CassisCherry  
Clark-Coleman  
Clarke  
Cropsey  
Garcia  
George  
Gilbert  
Hardiman  
HunterJacobs  
Jansen  
Jelinek  
Kahn  
Kuipers  
McManus  
Olshove  
Pappageorge  
PattersonPrusi  
Richardville  
Sanborn  
Schauer  
Scott  
Stamas  
Switalski  
Van Woerkom  
Whitmer**Nays—0****Excused—2**

Gleason

Thomas

**Not Voting—0**

In The Chair: Richardville

The Senate agreed to the title of the bill.



Basham	Garcia	Kuipers	Scott
Birkholz	George	McManus	Stamas
Bishop	Gilbert	Olshove	Switalski
Brater	Hardiman	Pappageorge	Van Woerkom
Brown	Hunter	Patterson	Whitmer
Cherry	Jacobs	Prusi	

**Nays—1**

Cassis

**Excused—2**

Gleason

Thomas

**Not Voting—0**

In The Chair: Richardville

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 1572, entitled**

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” (MCL 750.1 to 750.568) by adding section 539I.

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. 655****Yeas—36**

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

**Nays—0****Excused—2**

Gleason

Thomas

**Not Voting—0**

In The Chair: Richardville

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 1596, entitled**

A bill to amend 1969 PA 317, entitled “Worker’s disability compensation act of 1969,” by amending section 845 (MCL 418.845).

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. 656****Yeas—36**

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

**Nays—0****Excused—2**

Gleason	Thomas
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**Not Voting—0**

In The Chair: Richardville

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 1620, entitled**

A bill to amend 1993 PA 327, entitled “Tobacco products tax act,” by amending section 9 (MCL 205.429), as amended by 2004 PA 474.

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. 657****Yeas—36**

Allen	Cherry	Jacobs	Prusi
Anderson	Clark-Coleman	Jansen	Richardville

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

**Nays—0**

**Excused—2**

Gleason	Thomas
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**Not Voting—0**

In The Chair: Richardville

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 1621, 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.

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. 658**

**Yeas—36**

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

**Nays—0**

**Excused—2**

Gleason	Thomas
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**Not Voting—0**

In The Chair: Richardville

The Senate agreed to the title of the bill.

By unanimous consent the Senate returned to the order of  
**Motions and Communications**

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:

**House Bill No. 6414**

**Senate Bill No. 1557**

**Senate Bill No. 1578**

**Senate Bill No. 1579**

**Senate Bill No. 1580**

**Senate Bill No. 1581**

**Senate Bill No. 1582**

**Senate Bill No. 1584**

**Senate Bill No. 1597**

**Senate Bill No. 1571**

**Senate Bill No. 1388**

**Senate Bill No. 1389**

**Senate Bill No. 1413**

**Senate Bill No. 1549**

**Senate Bill No. 1576**

**Senate Bill No. 1577**

**Senate Bill No. 1616**

**Senate Bill No. 1617**

**Senate Bill No. 1618**

**Senate Bill No. 1264**

**Senate Bill No. 1402**

**Senate Bill No. 1063**

**Senate Bill No. 1489**

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

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

**Senate Resolution No. 212**

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

Senator Cropsey moved that, pursuant to rule 1.114, upon receipt of Senate bills returned from the House of Representatives, the Secretary of the Senate be directed to proceed with the enrollment printing and presentation of the bills to the Governor.

The motion prevailed.

The following communication was received and read:

Office of the Senate Majority Leader

November 13, 2008

Pursuant to Public Act 247 of 2008, Section 705(2)(b), I am appointing the following individuals to the workgroup on the leaking underground storage tank program:

Mr. Mark Griffin, 40 Loch Circle, Grand Ledge, Michigan 48837, county of Eaton, representing an independent petroleum wholesale distributor-marketer trade association.

Mr. John Griffin, 1221 Hampton, Jackson, Michigan 49203, county of Jackson, representing a petroleum refiner-supplier trade association.



Mr. Edward Weglarz, 34665 Grove Drive, Livonia, Michigan 48154, county of Wayne, representing a service station dealer's trade association.

Please contact Bill Sullivan in my office if you have any questions.

Sincerely,  
Michael D. Bishop  
Senate Majority Leader

The communication was referred to the Secretary for record.

By unanimous consent the Senate returned to the order of

**General Orders**

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

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

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

**Senate Bill No. 1557, entitled**

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

**Senate Bill No. 1578, entitled**

A bill to amend 1979 PA 218, entitled "Adult foster care facility licensing act," by amending section 34b (MCL 400.734b), as amended by 2008 PA 135.

**Senate Bill No. 1579, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 20173a (MCL 333.20173a), as amended by 2008 PA 123.

**Senate Bill No. 1580, entitled**

A bill to amend 1974 PA 258, entitled "Mental health code," by amending section 134a (MCL 330.1134a), as added by 2006 PA 27.

**Senate Bill No. 1581, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 82147 (MCL 324.82147), as amended by 2001 PA 148.

**Senate Bill No. 1582, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 1f of chapter IX (MCL 769.1f), as amended by 2002 PA 120.

**Senate Bill No. 1264, entitled**

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending section 409 (MCL 208.1409), as amended by 2007 PA 145.

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. 1063, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 3112a (MCL 324.3112a), as amended by 2004 PA 72.

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. 1498, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 81133 (MCL 324.81133), as amended by 1998 PA 86.

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 amendment, the following bill:

**House Bill No. 6414, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 642 (MCL 257.642) and by adding sections 20b and 20c.

The following is the amendment recommended by the Committee of the Whole:

1. Amend page 3, line 8, by striking out all of subdivision (A) and inserting:

"(A) **AUTHORIZED EMERGENCY VEHICLES.**".

The Senate agreed to the amendment recommended by the Committee of the Whole, and the bill as amended 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. 1402, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 277.

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 at the head of the Third Reading of Bills calendar:

**Senate Bill No. 1063**

**Senate Bill No. 1498**

**Senate Bill No. 1557**

**Senate Bill No. 1578**

**Senate Bill No. 1579**

**Senate Bill No. 1580**

**House Bill No. 6414**

**Senate Bill No. 1581**

**Senate Bill No. 1582**

**Senate Bill No. 1264**

**Senate Bill No. 1402**

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

The following bill was read a third time:

**Senate Bill No. 1063, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 3112a (MCL 324.3112a), as amended by 2004 PA 72.

The question being on the passage of the bill,

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

**Roll Call No. 659**

**Yeas—34**

Allen  
Anderson

Clark-Coleman  
Clarke

Jansen  
Jelinek

Prusi  
Richardville

Basham	Cropsey	Kahn	Sanborn
Birkholz	Garcia	Kuipers	Schauer
Bishop	George	McManus	Stamas
Brater	Gilbert	Olshove	Switalski
Brown	Hardiman	Pappageorge	Van Woerkom
Cassis	Hunter	Patterson	Whitmer
Cherry	Jacobs		

**Nays—0**

**Excused—2**

Gleason	Thomas
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**Not Voting—2**

Barcia	Scott
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In The Chair: Richardville

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 1498, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 81133 (MCL 324.81133), as amended by 2008 PA 240.

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. 660**

**Yeas—35**

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

**Nays—0**

**Excused—2**

Gleason	Thomas
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**Not Voting—1**

Barcia

In The Chair: Richardville

The Senate agreed to the title of the bill.

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

The following bill was read a third time:

**House Bill No. 6414, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 642 (MCL 257.642) and by adding sections 20b and 20c.

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. 661****Yeas—34**

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

**Nays—1**

Patterson

**Excused—3**

Barcia

Gleason

Thomas

**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 provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or generally accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways; to create certain funds; to provide penalties and sanctions for a violation of this act; to provide for civil liability of owners and operators of vehicles and service of process on residents and nonresidents; to provide for the levy of certain assessments; to provide for the enforcement of this act; to provide for the creation of and to prescribe the powers and duties of certain state and local agencies; to impose liability upon the state or local agencies; to provide appropriations for certain purposes; to repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date;”.

The Senate agreed to the full title.

The following bill was read a third time:

**Senate Bill No. 1557, entitled**

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

The 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. 662**

**Yeas—27**

Allen	Clarke	Jacobs	Pappageorge
Anderson	Cropsey	Jansen	Patterson
Birkholz	Garcia	Jelinek	Richardville
Bishop	George	Kahn	Sanborn
Brown	Gilbert	Kuipers	Stamas
Cassis	Hardiman	McManus	Van Woerkom
Cherry	Hunter	Olshove	

**Nays—8**

Basham	Clark-Coleman	Schauer	Switalski
Brater	Prusi	Scott	Whitmer

**Excused—3**

Barcia	Gleason	Thomas
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**Not Voting—0**

In The Chair: Richardville

The Senate agreed to the title of the bill.

Senator Barcia entered the Senate chamber.

The following bill was read a third time:

**Senate Bill No. 1578, entitled**

A bill to amend 1979 PA 218, entitled "Adult foster care facility licensing act," by amending section 34b (MCL 400.734b), as amended by 2008 PA 135.

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. 663**

**Yeas—36**

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

**Nays—0**

**Excused—2**

Gleason	Thomas
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**Not Voting—0**

In The Chair: Richardville

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 1579, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 20173a (MCL 333.20173a), as amended by 2008 PA 123.

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. 664**

**Yeas—36**

Allen	Cherry	Jacobs	Prusi
Anderson	Clark-Coleman	Jansen	Richardville
Barcia	Clarke	Jelinek	Sanborn
Basham	Cropsey	Kahn	Schauer
Birkholz	Garcia	Kuipers	Scott
Bishop	George	McManus	Stamas
Brater	Gilbert	Olshove	Switalski

Brown  
CassisHardiman  
HunterPappageorge  
PattersonVan Woerkom  
Whitmer**Nays—0****Excused—2**

Gleason

Thomas

**Not Voting—0**

In The Chair: Richardville

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 1580, entitled**

A bill to amend 1974 PA 258, entitled "Mental health code," by amending section 134a (MCL 330.1134a), as added by 2006 PA 27.

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. 665****Yeas—36**Allen  
Anderson  
Barcia  
Basham  
Birkholz  
Bishop  
Brater  
Brown  
CassisCherry  
Clark-Coleman  
Clarke  
Cropsey  
Garcia  
George  
Gilbert  
Hardiman  
HunterJacobs  
Jansen  
Jelinek  
Kahn  
Kuipers  
McManus  
Olshove  
Pappageorge  
PattersonPrusi  
Richardville  
Sanborn  
Schauer  
Scott  
Stamas  
Switalski  
Van Woerkom  
Whitmer**Nays—0****Excused—2**

Gleason

Thomas

**Not Voting—0**

In The Chair: Richardville

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 1581, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 82147 (MCL 324.82147), as amended by 2001 PA 148.

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. 666**

**Yeas—36**

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

**Nays—0**

**Excused—2**

Gleason	Thomas
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**Not Voting—0**

In The Chair: Richardville

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 1582, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 1f of chapter IX (MCL 769.1f), as amended by 2002 PA 120.

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. 667**

**Yeas—36**

Allen	Cherry	Jacobs	Prusi
Anderson	Clark-Coleman	Jansen	Richardville
Barcia	Clarke	Jelinek	Sanborn
Basham	Cropsey	Kahn	Schauer
Birkholz	Garcia	Kuipers	Scott
Bishop	George	McManus	Stamas



Brater  
Brown  
Cassis

Gilbert  
Hardiman  
Hunter

Olshove  
Pappageorge  
Patterson

Switalski  
Van Woerkom  
Whitmer

**Nays—0**

**Excused—2**

Gleason

Thomas

**Not Voting—0**

In The Chair: Richardville

The Senate agreed to the title of the bill.

The Assistant President pro tempore, Senator Sanborn, assumed the Chair.

The following bill was read a third time:

**Senate Bill No. 1264, entitled**

A bill to amend 2007 PA 36, entitled “Michigan business tax act,” by amending section 409 (MCL 208.1409), as amended by 2007 PA 145.

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. 668**

**Yeas—26**

Allen  
Anderson  
Barcia  
Basham  
Birkholz  
Bishop  
Brown

Clarke  
Cropsey  
Garcia  
George  
Gilbert  
Hardiman  
Jacobs

Jansen  
Jelinek  
Kahn  
Kuipers  
McManus  
Olshove

Pappageorge  
Richardville  
Sanborn  
Schauer  
Stamas  
Van Woerkom

**Nays—10**

Brater  
Cassis  
Cherry

Clark-Coleman  
Hunter  
Patterson

Prusi  
Scott

Switalski  
Whitmer

**Excused—2**

Gleason

Thomas

**Not Voting—0**

In The Chair: Sanborn

The Senate agreed to the title of the bill.

**Protest**

Senator Cassis, under her constitutional right of protest (Art. 4, Sec. 18), protested against the passage of Senate Bill No. 1264 and moved that the statement she made during the discussion of the bill be printed as her reasons for voting “no”.

The motion prevailed.

Senator Cassis’ statement is as follows:

As you may know, Senate Bill No. 1264 extends tax breaks already enacted in law for one entity. Specifically, Senate Bill No. 1264 provides for a refundable credit for Michigan International Speedway. The Senate Fiscal Agency estimates that the total over the next 12 years alone, and it doesn’t expire in 12 years, but over the next 12 years alone is approximately \$100 million. To be exact, the estimate is \$96.8 million. That comes to about \$11.5 million over current law.

The real issue is refundability. Refundability means that MIS, with all likelihood, will have all their tax liability in this state wiped out; but then go beyond that and receive a subsidized check from all other taxpayers. During yesterday’s hearing, Treasury testified that MIS is a very profitable corporation and further testified that they would be expanding even without this tax break. My questions at that hearing reveal that they are not in any financial trouble, not like GM, not like Chrysler, not like so many companies in our state. They are not in financial trouble, nor in any danger of having to close down and certainly not contemplating bankruptcy.

So, I ask, why the bailout? Why the bailout of a successful, profitable business giving them this refundable credit from our already substantially depleted General Fund? To be exact, the Senate Fiscal Agency now is indicating that the budget shortfall in 2008-09 could be anywhere from \$300 million to \$900 million.

My friends, the bucket is leaking. It’s leaking and there is a little doorway out where even more money is flowing out to certain entities. How long will we be able to continue this raid of the General Fund? We need, in my humble opinion as Senate Finance chair, a plan on issuing refundable credits so that we can be fair and equitable to all taxpayers.

I believe that Michigan would be more attractive, more competitive if we were to go back to tried-and-true, tested tax policy of broad-based tax relief in this state benefiting all, rather than just a selected few.

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

The following bill was read a third time:

**Senate Bill No. 1402, entitled**

A bill to amend 1967 PA 281, entitled “Income tax act of 1967,” (MCL 206.1 to 206.532) by adding section 277.

The question being on the passage of the bill,

Senator Prusi offered the following amendment:

1. Amend page 1, line 3, after “**TO**” by inserting “**4.35 PER CENTUM OF**”.

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

The question being on the passage of the bill,

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

**Roll Call No. 669****Yeas—36**

Allen  
Anderson  
Barcia  
Basham

Cherry  
Clark-Coleman  
Clarke  
Cropsey

Jacobs  
Jansen  
Jelinek  
Kahn

Prusi  
Richardville  
Sanborn  
Schauer



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

**Senate Bill No. 1597, entitled**

A bill to amend 2005 PA 210, entitled "Commercial rehabilitation act," by amending sections 2 and 10 (MCL 207.842 and 207.850), section 2 as amended by 2008 PA 231.

**Senate Bill No. 1388, entitled**

A bill to amend 1990 PA 250, entitled "DNA identification profiling system act," by amending sections 2 and 6 (MCL 28.172 and 28.176), section 2 as amended by 2001 PA 88 and section 6 as amended by 2003 PA 76.

**Senate Bill No. 1389, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," (MCL 760.1 to 777.69) by adding section 23 to chapter XVI.

**Senate Bill No. 1413, entitled**

A bill to allow the state of Michigan to enter into a compact for organizing an electronic information sharing system among the federal government and the states that will exchange criminal history records for certain purposes.

**Senate Bill No. 1549, entitled**

A bill to amend 1990 PA 250, entitled "DNA identification profiling system act," (MCL 28.171 to 28.176) by adding section 5.

**Senate Bill No. 1576, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 3341 (MCL 500.3341), as amended by 2002 PA 656.

**Senate Bill No. 1577, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending sections 12g and 16p of chapter XVII (MCL 777.12g and 777.16p), section 12g as added by 2002 PA 34 and section 16p as amended by 2005 PA 168. 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. 1584, 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, 7, and 9 (MCL 207.552, 207.557, and 207.559), sections 2 and 9 as amended by 2008 PA 170 and section 7 as amended by 2006 PA 483.

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. 1571, 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 65.

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. 1616, entitled**

A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending section 18m of chapter XIIA (MCL 712A.18m), as amended by 2004 PA 102.

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. 1617, entitled**

A bill to create the children's advocacy center act; to create the children's advocacy center fund; to provide for distributions from the fund; to prescribe the powers and duties of the fund administrator; and to prescribe the powers and duties of certain state officials.

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. 1618, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 181 (MCL 600.181), as added by 2003 PA 97.

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 at the head of the Third Reading of Bills calendar:

**Senate Bill No. 1584**

**Senate Bill No. 1597**

**Senate Bill No. 1571**

**Senate Bill No. 1388**

**Senate Bill No. 1389**

**Senate Bill No. 1413**

**Senate Bill No. 1549**

**Senate Bill No. 1576**

**Senate Bill No. 1577**

**Senate Bill No. 1616**

**Senate Bill No. 1617**

**Senate Bill No. 1618**

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

Senator Scott stated that had she been present on November 12 when the votes were taken on the passage of the following bills, she would have voted "yea":

**Senate Bill No. 1475**

**Senate Bill No. 1476**

**Senate Bill No. 1477**  
**Senate Bill No. 1478**  
**Senate Bill No. 1327**  
**House Bill No. 6403**

Senator Scott stated that had she been present on November 12 when the vote was taken on the passage of the following bill, she would have voted “nay”:

**Senate Bill No. 1459**

The following bill was read a third time:

**Senate Bill No. 1584, 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, 7, and 9 (MCL 207.552, 207.557, and 207.559), sections 2 and 9 as amended by 2008 PA 170 and section 7 as amended by 2006 PA 483.

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. 670**

**Yeas—36**

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

**Nays—0**

**Excused—2**

Gleason

Thomas

**Not Voting—0**

In The Chair: Richardville

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 1597, entitled**

A bill to amend 2005 PA 210, entitled “Commercial rehabilitation act,” by amending sections 2 and 10 (MCL 207.842 and 207.850), section 2 as amended by 2008 PA 231.

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. 671**

**Yeas—36**

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

**Nays—0**

**Excused—2**

Gleason	Thomas
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**Not Voting—0**

In The Chair: Richardville

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 1571, 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 65.

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. 672**

**Yeas—36**

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

**Nays—0**

**Excused—2**

Gleason	Thomas
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**Not Voting—0**

In The Chair: Richardville

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 1388, entitled**

A bill to amend 1990 PA 250, entitled “DNA identification profiling system act,” by amending sections 2 and 6 (MCL 28.172 and 28.176), section 2 as amended by 2001 PA 88 and section 6 as amended by 2003 PA 76.

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. 673****Yeas—36**

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

**Nays—0****Excused—2**

Gleason	Thomas
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**Not Voting—0**

In The Chair: Richardville

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 1389, entitled**

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” (MCL 760.1 to 777.69) by adding section 23 to chapter XVI.

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. 674****Yeas—36**

Allen	Cherry	Jacobs	Prusi
Anderson	Clark-Coleman	Jansen	Richardville



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

**Nays—0**

**Excused—2**

Gleason	Thomas
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**Not Voting—0**

In The Chair: Richardville

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 1413, entitled**

A bill to allow the state of Michigan to enter into a compact for organizing an electronic information sharing system among the federal government and the states that will exchange criminal history records for certain purposes.

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. 675**

**Yeas—36**

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

**Nays—0**

**Excused—2**

Gleason	Thomas
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The following bill was read a third time:

**Senate Bill No. 1576, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 3341 (MCL 500.3341), as amended by 2002 PA 656.

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. 677**

**Yeas—36**

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

**Nays—0**

**Excused—2**

Gleason	Thomas
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**Not Voting—0**

In The Chair: Richardville

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 1577, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending sections 12g and 16p of chapter XVII (MCL 777.12g and 777.16p), section 12g as added by 2002 PA 34 and section 16p as amended by 2005 PA 168.

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. 678**

**Yeas—36**

Allen	Cherry	Jacobs	Prusi
Anderson	Clark-Coleman	Jansen	Richardville
Barcia	Clarke	Jelinek	Sanborn
Basham	Cropsey	Kahn	Schauer
Birkholz	Garcia	Kuipers	Scott
Bishop	George	McManus	Stamas
Brater	Gilbert	Olshove	Switalski

Brown  
CassisHardiman  
HunterPappageorge  
PattersonVan Woerkom  
Whitmer**Nays—0****Excused—2**

Gleason

Thomas

**Not Voting—0**

In The Chair: Richardville

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 1616, entitled**

A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending section 18m of chapter XIIA (MCL 712A.18m), as amended by 2004 PA 102.

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. 679****Yeas—36**Allen  
Anderson  
Barcia  
Basham  
Birkholz  
Bishop  
Brater  
Brown  
CassisCherry  
Clark-Coleman  
Clarke  
Cropsey  
Garcia  
George  
Gilbert  
Hardiman  
HunterJacobs  
Jansen  
Jelinek  
Kahn  
Kuipers  
McManus  
Olshove  
Pappageorge  
PattersonPrusi  
Richardville  
Sanborn  
Schauer  
Scott  
Stamas  
Switalski  
Van Woerkom  
Whitmer**Nays—0****Excused—2**

Gleason

Thomas

**Not Voting—0**

In The Chair: Richardville

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 1617, entitled**

A bill to create the children's advocacy center act; to create the children's advocacy center fund; to provide for distributions from the fund; to prescribe the powers and duties of the fund administrator; and to prescribe the powers and duties of certain state officials.

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. 680**

**Yeas—36**

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

**Nays—0**

**Excused—2**

Gleason	Thomas
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**Not Voting—0**

In The Chair: Richardville

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 1618, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 181 (MCL 600.181), as added by 2003 PA 97.

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. 681**

**Yeas—36**

Allen	Cherry	Jacobs	Prusi
Anderson	Clark-Coleman	Jansen	Richardville
Barcia	Clarke	Jelinek	Sanborn
Basham	Cropsey	Kahn	Schauer
Birkholz	Garcia	Kuipers	Scott
Bishop	George	McManus	Stamas
Brater	Gilbert	Olshove	Switalski

Brown  
Cassis

Hardiman  
Hunter

Pappageorge  
Patterson

Van Woerkom  
Whitmer

**Nays—0**

**Excused—2**

Gleason

Thomas

**Not Voting—0**

In The Chair: Richardville

The Senate agreed to the title of the bill.

By unanimous consent the Senate returned to the order of

**General Orders**

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

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

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

**Senate Bill No. 1425, entitled**

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

**Senate Bill No. 1502, entitled**

A bill to amend 1996 IL 1, entitled "Michigan gaming control and revenue act," by amending section 3 (MCL 432.203), as amended by 1997 PA 69, and by adding section 9e.

**House Bill No. 5143, entitled**

A bill to amend 1967 PA 150, entitled "Michigan military act," by amending section 251 (MCL 32.651), as amended by 1988 PA 246.

**House Bill No. 6222, 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 16a (MCL 207.566a), as added by 1996 PA 94.

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. 1552, entitled**

A bill to amend 1981 PA 125, entitled "The secondary mortgage loan act," by amending the title and sections 1, 2, 6, 6a, 6b, 11, 13, 20, 22, and 27 (MCL 493.51, 493.52, 493.56, 493.56a, 493.56b, 493.61, 493.63, 493.70, 493.72, and 493.77), the title and sections 6, 11, 13, 20, 22, and 27 as amended and section 6a as added by 1997 PA 91, sections 1

and 6b as amended by 2002 PA 392, and section 2 as amended by 2007 PA 46, and by adding sections 2a, 2b, 2c, 2d, and 26a.

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. 1553, entitled**

A bill to amend 1987 PA 173, entitled "Mortgage brokers, lenders, and servicers licensing act," by amending section 8 (MCL 445.1658), as amended by 2008 PA 72.

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. 1554, entitled**

A bill to amend 1987 PA 173, entitled "Mortgage brokers, lenders, and servicers licensing act," by amending section 2a (MCL 445.1652a), as added by 2008 PA 60.

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. 1555, entitled**

A bill to amend 1987 PA 173, entitled "Mortgage brokers, lenders, and servicers licensing act," by amending section 2 (MCL 445.1652), as amended by 2008 PA 59.

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. 1423, entitled**

A bill to amend 1982 PA 294, entitled "Friend of the court act," by amending sections 2, 2a, 3, 4, 4c, 5, 9a, 11a, 13, 15, 17, 17b, 19, 27, and 28 (MCL 552.502, 552.502a, 552.503, 552.504, 552.504c, 552.505, 552.509a, 552.511a, 552.513, 552.515, 552.517, 552.517b, 552.519, 552.527, and 552.528), sections 2, 2a, 3, and 4 as amended by 2004 PA 210, section 4c as added by 1998 PA 551, sections 5, 13, and 15 as amended by 2002 PA 571, section 9a as added by 1999 PA 150, section 11a as added by 2002 PA 569, sections 17, 17b, and 19 as amended by 2004 PA 207, and section 28 as added by 1996 PA 365, and by adding section 17f.

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. 1424, entitled**

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

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. 1426, entitled**

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

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. 1427, entitled**

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

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. 1428, entitled**

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

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. 1429, entitled**

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

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. 1430, entitled**

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

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. 1431, entitled**

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

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. 1501, entitled**

A bill to amend 1982 PA 295, entitled "Support and parenting time enforcement act," (MCL 552.601 to 552.650) by adding section 25j.

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 Brown 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 at the head of the Third Reading of Bills calendar:

**Senate Bill No. 1552**

**Senate Bill No. 1553**

**Senate Bill No. 1554**

**Senate Bill No. 1555**

**Senate Bill No. 1423**

**Senate Bill No. 1424**

**Senate Bill No. 1425**

**Senate Bill No. 1426**

**Senate Bill No. 1427**

**Senate Bill No. 1428**

**Senate Bill No. 1430**

**Senate Bill No. 1431**

**Senate Bill No. 1501**

**Senate Bill No. 1502**

**Senate Bill No. 1429**

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

Senator Brown moved that Senator Cropsey be excused from the balance of today's session.

The motion prevailed.

The following bill was read a third time:

**Senate Bill No. 1552, entitled**

A bill to amend 1981 PA 125, entitled "The secondary mortgage loan act," by amending the title and sections 1, 2, 6, 6a, 6b, 11, 13, 20, 22, and 27 (MCL 493.51, 493.52, 493.56, 493.56a, 493.56b, 493.61, 493.63, 493.70, 493.72, and 493.77), the title and sections 6, 11, 13, 20, 22, and 27 as amended and section 6a as added by 1997 PA 91, sections 1 and 6b as amended by 2002 PA 392, and section 2 as amended by 2007 PA 46, and by adding sections 2a, 2b, 2c, 2d, and 26a.

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. 682**

**Yeas—35**

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

**Nays—0**

**Excused—3**

Cropsey

Gleason

Thomas

**Not Voting—0**

In The Chair: Richardville

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 1553, entitled**

A bill to amend 1987 PA 173, entitled “Mortgage brokers, lenders, and servicers licensing act,” by amending section 8 (MCL 445.1658), as amended by 2008 PA 72.

The question being on the passage of the bill,

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

**Roll Call No. 683**

**Yeas—35**

Allen  
Anderson  
Barcia  
Basham  
Birkholz  
Bishop  
Brater  
Brown  
Cassis

Cherry  
Clark-Coleman  
Clarke  
Garcia  
George  
Gilbert  
Hardiman  
Hunter  
Jacobs

Jansen  
Jelinek  
Kahn  
Kuipers  
McManus  
Olshove  
Pappageorge  
Patterson  
Prusi

Richardville  
Sanborn  
Schauer  
Scott  
Stamas  
Switalski  
Van Woerkom  
Whitmer

**Nays—0**

**Excused—3**

Cropsey

Gleason

Thomas

**Not Voting—0**

In The Chair: Richardville

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 1554, entitled**

A bill to amend 1987 PA 173, entitled "Mortgage brokers, lenders, and servicers licensing act," by amending section 2a (MCL 445.1652a), as added by 2008 PA 60.

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. 684**

**Yeas—35**

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

**Nays—0**

**Excused—3**

Cropsey	Gleason	Thomas
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**Not Voting—0**

In The Chair: Richardville

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 1555, entitled**

A bill to amend 1987 PA 173, entitled "Mortgage brokers, lenders, and servicers licensing act," by amending section 2 (MCL 445.1652), as amended by 2008 PA 59.

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. 685**

**Yeas—35**

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

**Nays—0**

**Excused—3**

Cropsey

Gleason

Thomas

**Not Voting—0**

In The Chair: Richardville

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 1423, entitled**

A bill to amend 1982 PA 294, entitled “Friend of the court act,” by amending sections 2, 2a, 3, 5, 5a, 9a, 11a, 13, 15, 17, 17b, 19, 27, and 28 (MCL 552.502, 552.502a, 552.503, 552.505, 552.505a, 552.509a, 552.511a, 552.513, 552.515, 552.517, 552.517b, 552.519, 552.527, and 552.528), sections 2, 2a, and 3 as amended by 2004 PA 210, sections 5, 13, and 15 as amended and section 5a as added by 2002 PA 571, section 9a as added by 1999 PA 150, section 11a as added by 2002 PA 569, sections 17, 17b, and 19 as amended by 2004 PA 207, and section 28 as added by 1996 PA 365.

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. 686**

**Yeas—35**

Allen

Cherry

Jansen

Richardville

Anderson

Clark-Coleman

Jelinek

Sanborn

Barcia

Clarke

Kahn

Schauer

Basham

Garcia

Kuipers

Scott

Birkholz

George

McManus

Stamas

Bishop

Gilbert

Olshove

Switalski

Brater

Hardiman

Pappageorge

Van Woerkom

Brown

Hunter

Patterson

Whitmer

Cassis

Jacobs

Prusi

**Nays—0**

**Excused—3**

Cropsey

Gleason

Thomas

**Not Voting—0**

In The Chair: Richardville

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 1424, entitled**

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

The 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. 687**

**Yeas—35**

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

**Nays—0**

**Excused—3**

Cropsey	Gleason	Thomas
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**Not Voting—0**

In The Chair: Richardville

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 1425, entitled**

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

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. 688**

**Yeas—35**

Allen	Cherry	Jansen	Richardville
Anderson	Clark-Coleman	Jelinek	Sanborn

Barcia	Clarke	Kahn	Schauer
Basham	Garcia	Kuipers	Scott
Birkholz	George	McManus	Stamas
Bishop	Gilbert	Olshove	Switalski
Brater	Hardiman	Pappageorge	Van Woerkom
Brown	Hunter	Patterson	Whitmer
Cassis	Jacobs	Prusi	

**Nays—0**

**Excused—3**

Cropsey	Gleason	Thomas
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**Not Voting—0**

In The Chair: Richardville

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 1426, entitled**

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

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. 689**

**Yeas—35**

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

**Nays—0**

**Excused—3**

Cropsey	Gleason	Thomas
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**Not Voting—0**

In The Chair: Richardville

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 1427, entitled**

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

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. 690****Yeas—35**

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

**Nays—0****Excused—3**

Cropsey	Gleason	Thomas
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**Not Voting—0**

In The Chair: Richardville

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 1428, entitled**

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

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. 691****Yeas—35**

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

**Nays—0****Excused—3**

Cropsey	Gleason	Thomas
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**Not Voting—0**

In The Chair: Richardville

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 1430, entitled**

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

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. 692****Yeas—35**

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

**Nays—0**



**Excused—3**

Cropsey

Gleason

Thomas

**Not Voting—0**

In The Chair: Richardville

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 1431, entitled**

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

The 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. 693****Yeas—35**

Allen  
Anderson  
Barcia  
Basham  
Birkholz  
Bishop  
Brater  
Brown  
Cassis

Cherry  
Clark-Coleman  
Clarke  
Garcia  
George  
Gilbert  
Hardiman  
Hunter  
Jacobs

Jansen  
Jelinek  
Kahn  
Kuipers  
McManus  
Olshove  
Pappageorge  
Patterson  
Prusi

Richardville  
Sanborn  
Schauer  
Scott  
Stamas  
Switalski  
Van Woerkom  
Whitmer

**Nays—0****Excused—3**

Cropsey

Gleason

Thomas

**Not Voting—0**

In The Chair: Richardville

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 1501, entitled**

A bill to amend 1982 PA 295, entitled “Support and parenting time enforcement act,” (MCL 552.601 to 552.650) by adding section 25j.

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. 694****Yeas—35**

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

**Nays—0****Excused—3**

Cropsey	Gleason	Thomas
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**Not Voting—0**

In The Chair: Richardville

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 1502, entitled**

A bill to amend 1996 IL 1, entitled "Michigan gaming control and revenue act," by amending section 3 (MCL 432.203), as amended by 1997 PA 69, and by adding section 9e.

The question being on the passage of the bill,

The bill was passed, 3/4 of the members serving voting therefor, as follows:

**Roll Call No. 695****Yeas—35**

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

**Nays—0****Excused—3**

Cropsey	Gleason	Thomas
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**Not Voting—0**

In The Chair: Richardville

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 1429, entitled**

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

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. 696****Yeas—35**

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

**Nays—0****Excused—3**

Cropsey	Gleason	Thomas
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**Not Voting—0**

In The Chair: Richardville

The Senate agreed to the title of the bill.

By unanimous consent the Senate returned to the order of

**Messages from the House**

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

**House Bill No. 4120**

**House Bill No. 4507**

**Senate Bill No. 868**

**Senate Bill No. 239**

The motion prevailed.

**Senate Bill No. 834, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1278a (MCL 380.1278a), as added by 2006 PA 124.

Substitute (H-1).

The question being on concurring in the substitute made to the bill by the House, Senator Switalski offered the following amendment to the substitute:

1. Amend page 2, line 7, after "**1165**" by striking out the balance of the line through "**PURPOSE**" on line 10.

The amendment to the substitute was adopted.

The question being on concurring in the House substitute, as amended,

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

**Roll Call No. 697****Yeas—35**

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

**Nays—0****Excused—3**

Cropsey	Gleason	Thomas
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**Not Voting—0**

In The Chair: Richardville

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

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

The Senate agreed to the full title.

**Senate Bill No. 1398, entitled**

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 25 (MCL 205.75), as amended by 2007 PA 69.

Substitute (H-1).

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

Senator Switalski offered the following amendment to the substitute:

1. Amend page 2, line 27, after "**ONLY,**" by striking out the balance of the subdivision and inserting "**THE AMOUNT DEPOSITED TO THE COMPREHENSIVE TRANSPORTATION FUND UNDER THIS SUBDIVISION SHALL BE REDUCED BY \$5,000,000.00 AND SHALL BE DEPOSITED IN THE STATE TREASURY TO THE CREDIT OF THE GENERAL FUND.**"

The amendment to the substitute was adopted.

The question being on concurring in the House substitute, as amended,

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

**Roll Call No. 698****Yeas—26**

Allen	Cassis	Hunter	Pappageorge
Barcia	Cherry	Jacobs	Sanborn
Basham	Clark-Coleman	Jansen	Scott
Birkholz	Garcia	Jelinek	Stamas
Bishop	George	McManus	Switalski
Brater	Gilbert	Olshove	Van Woerkom
Brown	Hardiman		

**Nays—9**

Anderson	Kuipers	Prusi	Schauer
Clarke	Patterson	Richardville	Whitmer
Kahn			

**Excused—3**

Cropsey	Gleason	Thomas
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**Not Voting—0**

In The Chair: Richardville

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

**Senate Bill No. 1461, entitled**

A bill to amend 1951 PA 51, entitled "An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, local bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties

of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts," by amending section 1 (MCL 247.651).

Substitute (H-1).

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

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

**Roll Call No. 699**

**Yeas—34**

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

**Nays—1**

Patterson

**Excused—3**

Cropsey

Gleason

Thomas

**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 bill was referred to the Secretary for enrollment printing and presentation to the Governor.

By unanimous consent the Senate proceeded to the order of

**Resolutions**

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

**Senate Concurrent Resolution No. 22**

**Senate Resolution No. 181**

The motion prevailed.

**Senate Resolution No. 212.**

A resolution to memorialize the Congress and the President of the United States to enact the River Raisin National Battlefield Act.

The question being on the adoption of the resolution,

The resolution was adopted.

Senators Olshove, Cherry, Thomas, Schauer, Clark-Coleman, Anderson and Barcia offered the following resolution:  
**Senate Resolution No. 228.**

A resolution to recognize the Michigan Office of Services to the Aging on the occasion of its 35th Anniversary.

Whereas, On August 19, 1973, Governor Milliken signed 1973 PA 106 to “create an agency on services to the aging” for Michigan; and

Whereas, For the past 35 years, the Michigan Office of Services to the Aging has served as the state unit on aging for Michigan in accordance with the requirements of the Older Americans Act of 1965, as amended; and

Whereas, Michigan has 1.6 million residents age 60 and better; and

Whereas, Michigan’s older population is expected to increase in the next decade; and

Whereas, The Michigan Office of Services to the Aging distributes federal and state funding for services that assist older adults to maintain their independence, participate in their communities, and improve their health and nutrition; and

Whereas, The Michigan Office of Services to the Aging works to protect older adults from abuse and exploitation, has fostered innovation in long-term care service delivery, and created model programs adopted by other states and advocates on behalf of all Michigan’s older population; and

Whereas, The Michigan Office of Services to the Aging will celebrate 35 years of excellent service to Michigan’s older population on November 21, 2008; now, therefore, be it

Resolved by the Senate, That we honor the Michigan Office of Services to the Aging for its dedication and service to Michigan older residents for the past 35 years; and be it further

Resolved, That copies of this resolution be transmitted to the Michigan Office of Services to the Aging with our congratulations and gratitude.

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

Senator Brown moved that the rule be suspended.

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

The resolution was adopted.

Senators Allen, Basham, Birkholz, Brater, Brown, Clarke, Garcia, Hardiman, Jacobs, Jansen, Jelinek, Kuipers, Pappageorge, Patterson, Prusi, Richardville, Scott, Stamas, Switalski, Van Woerkom and Whitmer were named co-sponsors of the resolution.

Senators Brater, Schauer, Clark-Coleman, Richardville, Jansen, Patterson, Anderson, Basham, Jacobs, Scott, Cherry, Prusi, Hunter, Clarke, Bishop, Cropsey, Whitmer, Switalski and Olshove offered the following resolution:

**Senate Resolution No. 229.**

A resolution to memorialize the United States House of Representatives to retain the Honorable John Dingell as the chair of the Energy and Commerce Committee.

Whereas, Over the course of his remarkable career as a member of the United States House of Representatives, John Dingell has exerted an impact that has strengthened our nation and safeguarded our people in many ways. His unprecedented tenure of leadership has had a profound impact in such fundamental policy areas as environmental protection, energy, health care, and commerce. The “Dean of the House,” Representative Dingell has amassed a record unparalleled in scope and depth; and

Whereas, John Dingell’s effectiveness in marshaling support among his colleagues for vitally important legislation is well established. He has been essential, as an author and co-author, in the crafting of many of the nation’s most important environmental and conservation laws. These included not only landmark legislation dealing with brownfield revitalization, safe drinking water, and hazardous and solid waste handling, but also lead exposure reduction, weatherization grants, and energy conservation; and

Whereas, Several pressing problems facing our nation at this critical time are policy areas that have long been the focus of Representative Dingell’s diligence. Health care, including treatment standards, patient rights, and access for children have long been championed by this tenacious public servant. Moreover, at a juncture where the very survival of America’s large manufacturing industry is in peril, John Dingell brings a breadth of knowledge to these challenges that is unsurpassed. Clearly, his grasp of key issues and his ability to get results are needed more than ever as the chair of the Energy and Commerce Committee; now, therefore, be it

Resolved by the Senate, That we memorialize the United States House of Representatives to retain the Honorable John Dingell as the chair of the Energy and Commerce Committee; and be it further

Resolved, That copies of this resolution be transmitted to the Speaker of the United States House of Representatives and the members of the Michigan congressional delegation.

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

Senator Brown moved that the rule be suspended.

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

The resolution was adopted.

Senators Allen, Barcia, Birkholz, Brown, Garcia, George, Gilbert, Hardiman, Jelinek, Kahn, Kuipers, McManus, Pappageorge, Stamas and Van Woerkom were named co-sponsors of the resolution.

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

The motion prevailed.

Senator Brater's statement is as follows:

I want to thank the Majority Leader and Majority Floor Leader for allowing the hearing of this resolution this afternoon. It is an urgent, timely matter because there is a struggle going on for leadership of the House Energy and Commerce Committee in Washington. I am very happy to have so much bipartisan support of this resolution in recognition that the leadership in the United States House of Representatives should reflect the diverse needs of all of the states and regions, and especially at this critical juncture for the auto industry—important not only to the state of Michigan, but all the industrial states.

We are expressing our voices today that we support the dean of the House of Representatives, Congressman John Dingell—who is also the dean of our Michigan delegation, of course—that he would remain as chair of the important Energy and Commerce Committee. This committee has in its jurisdiction not only energy issues, which Congressman Dingell is engaged in putting together a broad coalition of people to put together viable energy legislation federally, but he also works on health care issues, environmental issues, patient's rights, and many important issues are under the jurisdiction of that important committee.

We do express our fervent wish today that he will remain as chair of that committee. We ask that you support this resolution.

#### **House Concurrent Resolution No. 100.**

A concurrent resolution prescribing the legislative schedule.

Resolved by the House of Representatives (the Senate concurring), That when the Senate adjourns on Thursday, November 13, 2008, it stand adjourned until Tuesday, December 2, 2008 at 10:00 a.m.

The House of Representatives has adopted the concurrent resolution.

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

Senator Brown moved that the rule be suspended.

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

The concurrent resolution was adopted.

#### **House Concurrent Resolution No. 101.**

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease among the State of Michigan, the State Building Authority, and the Regents of the University of Michigan relative to the University of Michigan-Flint French Hall Renovations.

Whereas, Section 5 of 1964 PA 183, as amended, being MCL § 830.415, requires the approval of the Regents of the University of Michigan (the "Educational Institution"), the State Administrative Board, and the Michigan Legislature by concurrent resolution concurred in by a majority of the members elected to and serving in each house, with the votes and names of the members voting thereon entered in the journal, before land owned by the Educational Institution may be conveyed to the State Building Authority (the "Authority"); and

Whereas, The site for the University of Michigan-Flint French Hall Renovations (the "Facility") is currently owned by the Educational Institution; and

Whereas, Section 7 of 1964 PA 183, as amended, being MCL § 830.417, requires the approval of the State Administrative Board and the Michigan Legislature by concurrent resolution concurred in by a majority of the members elected to and serving in each house, with the votes and names of the members voting thereon entered in the journal, before the State of Michigan (the "State") may enter into a lease with the Authority upon a showing of a public purpose; and

Whereas, Providing additional space to be used by the Educational Institution pursuant to the lease for the Facility is a recognized public purpose; and

Whereas, A lease among the Authority, the State, and the Educational Institution has been prepared providing for the leasing of the Facility by the Authority to the State and the Educational Institution (the "Lease"); and

Whereas, The Executive Director of the Authority has furnished the Joint Capital Outlay Subcommittee of the Legislature with information and documents relative to the Lease; now, therefore, be it



Resolved by the House of Representatives (the Senate concurring), That the Total Facility Cost for the University of Michigan-Flint French Hall Renovations shall not exceed \$9,350,000 (the Authority share is \$6,999,800, the State General Fund/General Purpose share is \$200, and the Educational Institution share is \$2,350,000), plus interest charges on monies advanced by the State to meet the construction cash flow requirements of the Facility, if any, of which not more than \$6,999,800, plus interest charges on monies advanced by the State to meet the construction cash flow requirements of the Facility, if any, shall be financed from bonds issued by the Authority, exclusive of amounts necessary for reserves, interest, or other nonconstruction costs; and be it further

Resolved, That the Legislature hereby approves the necessary conveyances of property to the Authority as more particularly described in the Lease and attachments thereto; and be it further

Resolved, That the Legislature hereby approves the Authority acquiring the Facility and leasing it to the State and the Educational Institution and hereby determines that the leasing of the Facility from the Authority is for a public purpose as authorized by 1964 PA 183, as amended; and be it further

Resolved, That the annual amounts of "True Rental" for the Facility shall be within or below the range of \$480,000 and \$628,000, as shall reflect variations that may occur in the components upon which the appraisal of True Rental was based, which amounts shall be certified by the appraiser and thereafter approved by the State Administrative Board and the Authority as authorized by 1964 PA 183, as amended; and be it further

Resolved, That the Lease is hereby approved by this concurrent resolution, and the Governor and the Secretary of State are authorized and directed to execute the Lease for and on behalf of the State; and be it further

Resolved, That, by hereby approving the Lease among the State, the Educational Institution, and the Authority, the Legislature agrees to appropriate annually sufficient amounts to pay the rent as obligated pursuant to the Lease; and be it further

Resolved, That copies of this concurrent resolution be transmitted to the Governor, the Secretary of State, the Authority, the Regents of the University of Michigan, and the State Budget Director.

The House of Representatives has adopted the concurrent resolution.

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

Senator Brown 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 concurrent resolution,

Senator Brown moved that the concurrent resolution be referred to the Committee on Appropriations.

The motion prevailed.

### **House Concurrent Resolution No. 102.**

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease between the State of Michigan and the State Building Authority relative to the Department of History, Arts and Libraries Warehouse Facility Acquisition.

Whereas, Section 5 of 1964 PA 183, as amended, being MCL § 830.415, requires the approval of the State Administrative Board, the Attorney General, and the Michigan Legislature by concurrent resolution concurred in by a majority of the members elected to and serving in each house, with the votes and names of the members voting thereon entered in the journal, before land owned by the State of Michigan (the "State") may be conveyed to the State Building Authority (the "Authority"); and

Whereas, The site for the Department of History, Arts and Libraries Warehouse Facility Acquisition located in Ingham County (the "Facility") is currently owned by the State; and

Whereas, Section 7 of 1964 PA 183, as amended, being MCL § 830.417, requires the approval of the State Administrative Board and the Michigan Legislature by concurrent resolution concurred in by a majority of the members elected to and serving in each house, with the votes and names of the members voting thereon entered in the journal, before the State may enter into a lease with the Authority upon a showing of a public purpose; and

Whereas, Providing additional space to be used by the State pursuant to the lease for the Facility is a recognized public purpose; and

Whereas, A lease between the Authority and the State has been prepared providing for the leasing of the Facility by the Authority to the State (the "Lease"); and

Whereas, The Executive Director of the Authority has furnished the Joint Capital Outlay Subcommittee of the Legislature with information and documents relative to the Lease; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Total Facility Cost for the Department of History, Arts and Libraries Warehouse Facility Acquisition shall not exceed \$9,890,000 (the Authority share is \$9,889,900 and the State General Fund/General Purpose share is \$100), plus interest charges on monies advanced by the State to meet the construction cash flow requirements of the Facility, if any, of which not more than \$9,889,900, plus interest

charges on monies advanced by the State to meet the construction cash flow requirements of the Facility, if any, shall be financed from bonds issued by the Authority, exclusive of amounts necessary for reserves, interest, or other nonconstruction costs; and be it further

Resolved, That the Legislature hereby approves the necessary conveyances of property to the Authority as more particularly described in the Lease and attachments thereto; and be it further

Resolved, That the Legislature hereby approves the Authority acquiring the Facility and leasing it to the State and hereby determines that the leasing of the Facility from the Authority is for a public purpose as authorized by 1964 PA 183, as amended; and be it further

Resolved, That the annual amounts of "True Rental" for the Facility shall be within or below the range of \$678,000 and \$887,000, as shall reflect variations that may occur in the components upon which the appraisal of True Rental was based, which amounts shall be certified by the appraiser and thereafter approved by the State Administrative Board and the Authority as authorized by 1964 PA 183, as amended; and be it further

Resolved, That the Lease is hereby approved by this concurrent resolution, and the Governor and the Secretary of State are authorized and directed to execute the Lease for and on behalf of the State; and be it further

Resolved, That, by hereby approving the Lease between the State and the Authority, the Legislature agrees to appropriate annually sufficient amounts to pay the rent as obligated pursuant to the Lease; and be it further

Resolved, That a copy of this concurrent resolution be transmitted to the Governor, the Secretary of State, the Authority, and the State Budget Director.

The House of Representatives has adopted the concurrent resolution.

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

Senator Brown moved that the rule be suspended.

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

The Secretary of the Senate made the following statement:

Mr. President and members of the Senate, the lease and exhibits are attached to the resolution and are available for review by the membership now at the rostrum or after session in the offices of the Session Staff in the Boji Tower.

The question being on the adoption of the concurrent resolution,

The concurrent resolution was adopted, a majority of the members serving voting therefor, as follows:

**Roll Call No. 700**

**Yeas—34**

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

**Nays—0**

**Excused—3**

Cropsey	Gleason	Thomas
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**Not Voting—1**

Schauer

In The Chair: Richardville

**House Concurrent Resolution No. 98.**

A concurrent resolution to authorize construction and establish the total project cost of the Student Services One-Stop Center project at Muskegon Community College.

Whereas, The Muskegon Community College Student Services One-Stop Center project was approved by the Joint Capital Outlay Subcommittee as a self-financed project on September 6, 2007; and

Whereas, Muskegon Community College commenced construction on a portion of the Student Services One-Stop Center project in April 2008; and

Whereas, The Muskegon Community College Student Services One-Stop Center project was authorized for planning as a state project in 2008 PA 278; and

Whereas, Pursuant to section 246 of 1984 PA 431, as amended, the authorized cost of projects shall only be established or revised by specific reference in a budget act, by concurrent resolution adopted by both houses of the legislature, or inferred by the total amount of any appropriations made to complete plans and construction; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Michigan Legislature recognizes the need to authorize construction and establish the total authorized cost to construct the Muskegon Community College Student Services One-Stop Center project at amount not to exceed \$5,000,000 (State Building Authority share \$2,499,900; State General Fund/General Purpose share \$100; Muskegon Community College share \$2,500,000); that the respective financing shares may be adjusted based upon the State Building Authority's ability to finance the state share up to an amount not to exceed \$2,499,900; and that the Legislature intends to continue to appropriate funds for construction subject to the limitations herein stated, in amounts not to exceed the authorized cost, subject to the ordinary vicissitudes of the legislative process; and be it further

Resolved, That a copy of this resolution be transmitted to the State Budget Director, the Director of the Department of Management and Budget, the State Building Authority, and Muskegon Community College.

The House of Representatives has adopted the concurrent resolution.

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

Senator Brown moved that the rule be suspended.

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

The concurrent resolution was adopted.

Senators Clarke, Jacobs, Switalski and Van Woerkom were named co-sponsors of the concurrent resolution.

**Introduction and Referral of Bills**

Senator Kuipers introduced

**Senate Bill No. 1643, entitled**

A bill to amend 1969 PA 317, entitled "Worker's disability compensation act of 1969," by amending sections 360, 385, and 865 (MCL 418.360, 418.385, and 418.865), section 385 as amended by 1985 PA 103.

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

Senator Clarke introduced

**Senate Bill No. 1644, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 3208 and 5714 (MCL 600.3208 and 600.5714), section 5714 as amended by 2004 PA 105, and by adding section 3108.

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

Senator Clarke introduced

**Senate Bill No. 1645, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 3130, 3208, and 3236 (MCL 600.3130, 600.3208, and 600.3236) and by adding section 3108.

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

Senators Clarke and Thomas introduced

**Senate Bill No. 1646, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 3212 (MCL 600.3212), as amended by 2004 PA 186.

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

Senators Clarke and Thomas introduced

**Senate Bill No. 1647, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 266 (MCL 206.266), as amended by 2007 PA 94.

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

Senators Brown and Jelinek introduced

**Senate Bill No. 1648, entitled**

A bill to reimburse certain reverse vending machine manufacturers for their costs in connection with retrofitting certain reverse vending machines; to create the reverse vending machine retrofitting program; to create the reverse vending machine retrofitting fund; and to provide for the powers and duties of certain state governmental officers and entities.

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

Senator Jansen introduced

**Senate Bill No. 1649, entitled**

A bill to amend 1939 PA 280, entitled "The social welfare act," (MCL 400.1 to 400.119b) by adding section 74a.

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

**House Bill No. 4054, entitled**

A bill to amend 1980 PA 299, entitled "Occupational code," by amending section 2635 (MCL 339.2635), as amended by 2006 PA 414.

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 Banking and Financial Institutions.

**House Bill No. 4674, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 2111b.

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

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

**House Bill No. 4948, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 154 (MCL 211.154), as amended by 2003 PA 247.

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 Finance.

**House Bill No. 5437, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," (MCL 211.1 to 211.155) by adding section 7nn.

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 Finance.

**House Bill No. 5677, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 36101 (MCL 324.36101), as amended by 2000 PA 262.

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 Agriculture.

**House Bill No. 5678, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 9 (MCL 211.9), as amended by 2006 PA 550.

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 Agriculture.

**House Bill No. 5679, entitled**

A bill to amend 2000 PA 92, entitled "Food law of 2000," by amending sections 1105 and 1107 (MCL 289.1105 and 289.1107), as amended by 2007 PA 113.

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 Agriculture.

**House Bill No. 5680, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 34c (MCL 211.34c), as amended by 2006 PA 646.

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 Agriculture.

**House Bill No. 5778, 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 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 Agriculture.

**House Bill No. 6148, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 14p of chapter XVII (MCL 777.14p), as amended by 2006 PA 251.

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 Banking and Financial Institutions.

**House Bill No. 6401, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 9 (MCL 211.9), as amended by 2006 PA 550.

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 Agriculture.

**House Bill No. 6468, entitled**

A bill to amend 1976 PA 388, entitled "Michigan campaign finance act," by amending sections 12 and 52 (MCL 169.212 and 169.252), as amended by 2001 PA 250.

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 Campaign and Election Oversight.

**House Bill No. 6476, entitled**

A bill to amend 1953 PA 232, entitled "Corrections code of 1953," by amending section 34a (MCL 791.234a), as amended by 2008 PA 158.

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

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

**House Bill No. 6492, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1211 (MCL 380.1211), as amended by 2007 PA 37.

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 Finance.

**House Bill No. 6493, entitled**

A bill to amend 1966 PA 346, entitled "State housing development authority act of 1966," (MCL 125.1401 to 125.1499c) by adding chapter 3B.

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 Finance.

### Statements

Senators Scott and Kahn 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:

This weekend, I was proud to present three young people with scholarships as part of the M.G. Scott Foundation annual Sojourner Truth Essay Contest. Don't forget, we will be out, but November 26 is a holiday; we honor Sojourner Truth.

Students were asked to write an essay about what this quote of Sojourner Truth—that great advocate for civil rights and justice—means in modern times: “If women want any rights more than they's got, why don't they just take them and not be talking about it.”

Our winner, Master Selmir Mahmutovic of Hamtramck High School, concluded his essay with these words: “Don't just hope for better things in life, don't complain about your problems, and don't say you can't do anything to see improvement because the past has shown us that endeavor brings change.”

Wise words from a young man, and they are words that I know to be true, which is why instead of just hoping for insurance reform in Michigan, or complaining that things aren't the way they should be, with fair and affordable auto and home insurance for all Michigan residents, I continue to stand here day after day and implore you to move my bills.

Together, our endeavor can bring about the changes that Michigan citizens are pleading for, the changes they deserve, through meaningful insurance reform in Michigan.

Senator Kahn's statement is as follows:

I rise at this time to speak again regarding Senate Bill No. 1557, which we passed today, doing this body proud. That bill is one that will allow us to develop a specialty license plate for the Boy Scouts. These specialty license plates serve a dual function. One, they recognize and honor a particular group, such as the Boy Scouts. Two, they serve as a source to fund special projects by that recipient body.

A Boy Scout-friendly license plate would recognize the over 140,000 youths in Michigan who are Boy Scouts. It would create a funding source for Boy Scout projects, whether they be equipment, trips, scholarships, or campouts. The notion of specialty license plates here in Michigan is not new. We have over ten; I believe the number is actually in the neighborhood of 17. Those license plates that we currently use honor all of our state universities. They honor agricultural heritage, the Children's Trust Fund, and even lighthouse preservation.

Michigan is not unique in having specialty license plates. In Florida, there are 119 specialty license plates honoring such things as the Indian River Lagoon to largemouth bass. Our neighbors in Ohio have 89 specialty license plates.

This bill, having passed here today, will now go to the House where it needs to be taken up. In the past, these bills—despite their honoring organizations that we value, in fact, cherish—have had difficulty reaching the Governor's desk for signature. That is part of the reason to speak here today, to note that, in fact, this is not a unique request here in Michigan, or even across the United States.

The Boy Scouts have already raised the support funding necessary for this bill, if enacted and signed, to have the start-up funds necessary to go forward. The 2,000 license plates that need to be sold the first year of distribution are spoken for. The money, \$15,000 as mentioned, has been raised. When we testified about this bill in Transportation, we had the honor of having an Eagle Scout come and give part of the testimony, Garret Backer from Gratiot County.

At the end of the day, I think we should remember that the leaders of our country—before, now, and in the future—are in the young men who receive this type of training and the young women and sister organizations like the Girl Scouts.

I thank this chamber for passing this bill and urge its prompt taking up by the House, its passage, and signature by the Governor.

### Committee Reports

The Committee on Commerce and Tourism reported

#### **Senate Bill No. 702, entitled**

A bill to amend 1976 PA 449, entitled “An act to regulate the pricing of consumer items and the advertising of consumer items, services, goods, merchandise, commodities, and real property; to prescribe the powers and duties of certain state and local officials in relation thereto; to provide remedies and penalties; and to repeal certain acts and parts of acts,” by amending sections 1 and 3 (MCL 445.351 and 445.353) and by adding sections 3a and 3b.

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 and Hunter

Nays: Senator Clarke

The bill was referred to the Committee of the Whole.

The Committee on Commerce and Tourism reported

**Senate Bill No. 1391, entitled**

A bill to amend 1976 IL 1, entitled "A petition to initiate legislation to provide for the use of returnable containers for soft drinks, soda water, carbonated natural or mineral water, other nonalcoholic carbonated drink, and for beer, ale, or other malt drink of whatever alcoholic content, and for certain other beverage containers; to provide for the use of unredeemed bottle deposits; to prescribe the powers and duties of certain state agencies and officials; and to prescribe penalties and provide remedies," by amending section 4a (MCL 445.574a), as added by 1998 PA 473.

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. 1392, 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 65.

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. 1393, entitled**

A bill to amend 1976 IL 1, entitled "A petition to initiate legislation to provide for the use of returnable containers for soft drinks, soda water, carbonated natural or mineral water, other nonalcoholic carbonated drink, and for beer, ale, or other malt drink of whatever alcoholic content, and for certain other beverage containers; to provide for the use of unredeemed bottle deposits; to prescribe the powers and duties of certain state agencies and officials; and to prescribe penalties and provide remedies," by amending section 4b (MCL 445.574b), as added by 1998 PA 473.

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

**Senate Bill No. 1394, entitled**

A bill to amend 1976 IL 1, entitled "A petition to initiate legislation to provide for the use of returnable containers for soft drinks, soda water, carbonated natural or mineral water, other nonalcoholic carbonated drink, and for beer, ale, or other malt drink of whatever alcoholic content, and for certain other beverage containers; to provide for the use of

unredeemed bottle deposits; to prescribe the powers and duties of certain state agencies and officials; and to prescribe penalties and provide remedies,” by amending section 2 (MCL 445.572), as amended by 1998 PA 473.

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

**Senate Bill No. 1596, entitled**

A bill to amend 1969 PA 317, entitled “Worker’s disability compensation act of 1969,” by amending section 845 (MCL 418.845).

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

**Senate Bill No. 1620, entitled**

A bill to amend 1993 PA 327, entitled “Tobacco products tax act,” by amending section 9 (MCL 205.429), as amended by 2004 PA 474.

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. 1621, 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, November 12, 2008, at 8:00 a.m., Room 100, Farnum Building

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



The Committee on Natural Resources and Environmental Affairs reported  
**Senate Resolution No. 212.**

A resolution to memorialize the Congress and the President of the United States to enact the River Raisin National Battlefield Act.

(For text of resolution, see Senate Journal No. 69, p. 1784.)

With the recommendation that the resolution be adopted.

Patricia L. Birkholz  
 Chairperson

To Report Out:

Yeas: Senators Birkholz, Van Woerkom, Patterson and Basham

Nays: None

The resolution was placed on the order of Resolutions.

The Committee on Natural Resources and Environmental Affairs reported  
**Senate Bill No. 1063, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 3112a (MCL 324.3112a), as amended by 2004 PA 72.

With the recommendation that the substitute (S-3) be adopted and that the bill then pass.

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

Patricia L. Birkholz  
 Chairperson

To Report Out:

Yeas: Senators Birkholz, Van Woerkom, Basham and Prusi

Nays: Senator Patterson

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

The Committee on Natural Resources and Environmental Affairs reported  
**Senate Bill No. 1498, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 81133 (MCL 324.81133), as amended by 1998 PA 86.

With the recommendation that the bill pass.

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

Patricia L. Birkholz  
 Chairperson

To Report Out:

Yeas: Senators Birkholz, Van Woerkom and Basham

Nays: None

The bill was referred to the Committee of the Whole.

#### COMMITTEE ATTENDANCE REPORT

The Committee on Natural Resources and Environmental Affairs submitted the following:

Meeting held on Wednesday, November 12, 2008, at 1:20 p.m., Room 110, Farnum Building

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

The Committee on Transportation reported

**Senate Bill No. 1557, entitled**

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

With the recommendation that the bill pass.

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

Judson S. Gilbert II  
 Chairperson

To Report Out:

Yeas: Senators Gilbert, Kahn and Van Woerkom

Nays: Senator Basham

The bill was referred to the Committee of the Whole.

The Committee on Transportation reported

**Senate Bill No. 1578, entitled**

A bill to amend 1979 PA 218, entitled "Adult foster care facility licensing act," by amending section 34b (MCL 400.734b), as amended by 2008 PA 135.

With the recommendation that the bill pass.

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

Judson S. Gilbert II  
Chairperson

To Report Out:

Yeas: Senators Gilbert, Kahn and Van Woerkom

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Transportation reported

**Senate Bill No. 1579, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 20173a (MCL 333.20173a), as amended by 2008 PA 123.

With the recommendation that the bill pass.

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

Judson S. Gilbert II  
Chairperson

To Report Out:

Yeas: Senators Gilbert, Kahn, Van Woerkom and Basham

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Transportation reported

**Senate Bill No. 1580, entitled**

A bill to amend 1974 PA 258, entitled "Mental health code," by amending section 134a (MCL 330.1134a), as added by 2006 PA 27.

With the recommendation that the bill pass.

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

Judson S. Gilbert II  
Chairperson

To Report Out:

Yeas: Senators Gilbert, Kahn, Van Woerkom and Basham

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Transportation reported

**Senate Bill No. 1581, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 82147 (MCL 324.82147), as amended by 2001 PA 148.

With the recommendation that the bill pass.

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

Judson S. Gilbert II  
Chairperson

To Report Out:

Yeas: Senators Gilbert, Kahn, Van Woerkom and Basham

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Transportation reported

**Senate Bill No. 1582, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 1f of chapter IX (MCL 769.1f), as amended by 2002 PA 120.

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

Judson S. Gilbert II  
Chairperson

To Report Out:

Yeas: Senators Gilbert, Kahn, Van Woerkom and Basham  
Nays: None  
The bill was referred to the Committee of the Whole.

The Committee on Transportation reported

**House Bill No. 6414, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 642 (MCL 257.642) and by adding sections 20b and 20c.

With the recommendation that the following amendment be adopted and that the bill then pass:

1. Amend page 3, line 8, by striking out all of subdivision (A) and inserting:

"(A) **AUTHORIZED EMERGENCY VEHICLES.**".

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

Judson S. Gilbert II  
Chairperson

To Report Out:

Yeas: Senators Gilbert, Kahn, Van Woerkom and Basham  
Nays: None  
The bill and the amendment recommended by the committee were referred to the Committee of the Whole.

#### COMMITTEE ATTENDANCE REPORT

The Committee on Transportation submitted the following:

Meeting held on Wednesday, November 12, 2008, at 3:00 p.m., Room 110, Farnum Building

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

Absent: Senator Gleason

The Committee on Finance reported

**Senate Bill No. 1264, entitled**

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending section 409 (MCL 208.1409), as amended by 2007 PA 145.

With the recommendation that the bill pass.

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

Nancy Cassis  
Chairperson

To Report Out:

Yeas: Senators Gilbert, McManus, Jansen, Prusi and Jacobs  
Nays: Senators Cassis and Whitmer  
The bill was referred to the Committee of the Whole.

The Committee on Finance reported

**Senate Bill No. 1402, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 277.

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.

Nancy Cassis  
Chairperson

To Report Out:

Yeas: Senators Cassis, Gilbert, McManus, Jansen, Prusi and Jacobs  
Nays: Senator Whitmer  
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 Wednesday, November 12, 2008, at 4:07 p.m., Room 100, Farnum Building  
Present: Senators Cassis (C), Gilbert, McManus, Jansen, Prusi, Jacobs and Whitmer

The Committee on Economic Development and Regulatory Reform reported

**Senate Bill No. 1571, 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 65.

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, Allen, Gilbert, Thomas and Jacobs

Nays: None

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

The Committee on Economic Development and Regulatory Reform reported

**Senate Bill No. 1597, entitled**

A bill to amend 2005 PA 210, entitled "Commercial rehabilitation act," by amending sections 2 and 10 (MCL 207.842 and 207.850), section 2 as amended by 2008 PA 231.

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, Allen, Gilbert, Thomas 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. 1584, 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 7 (MCL 207.552 and 207.557), section 2 as amended by 2008 PA 170 and section 7 as amended by 2006 PA 483.

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, Allen, Gilbert, Thomas and Jacobs

Nays: None

The bill was 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, November 12, 2008, at 1:00 p.m., Rooms 402 and 403, Capitol Building  
Present: Senators Sanborn (C), Allen, Gilbert, Thomas and Jacobs

Excused: Senators Richardville and Hunter

The Committee on Families and Human Services reported

**Senate Bill No. 1423, entitled**

A bill to amend 1982 PA 294, entitled "Friend of the court act," by amending sections 2, 2a, 3, 4, 4c, 5, 9a, 11a, 13, 15, 17, 17b, 19, 27, and 28 (MCL 552.502, 552.502a, 552.503, 552.504, 552.504c, 552.505, 552.509a, 552.511a, 552.513, 552.515, 552.517, 552.517b, 552.519, 552.527, and 552.528), sections 2, 2a, 3, and 4 as amended by 2004 PA 210, section 4c as added by 1998 PA 551, sections 5, 13, and 15 as amended by 2002 PA 571, section 9a as added by 1999 PA 150, section 11a as added by 2002 PA 569, sections 17, 17b, and 19 as amended by 2004 PA 207, and section 28 as added by 1996 PA 365, and by adding section 17f.

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.

Mark C. Jansen  
Chairperson

To Report Out:

Yeas: Senators Jansen, Hardiman and Jacobs

Nays: None

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

The Committee on Families and Human Services reported

**Senate Bill No. 1424, entitled**

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

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.

Mark C. Jansen  
Chairperson

To Report Out:

Yeas: Senators Jansen, Hardiman and Jacobs

Nays: None

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

The Committee on Families and Human Services reported

**Senate Bill No. 1425, entitled**

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

With the recommendation that the bill pass.

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

Mark C. Jansen  
Chairperson

To Report Out:

Yeas: Senators Jansen, Hardiman and Jacobs

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Families and Human Services reported

**Senate Bill No. 1426, entitled**

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

With the recommendation that the substitute (S-2) 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, Hardiman and Jacobs

Nays: None

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

The Committee on Families and Human Services reported

**Senate Bill No. 1427, entitled**

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

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, Hardiman and Jacobs

Nays: None

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

The Committee on Families and Human Services reported

**Senate Bill No. 1428, entitled**

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

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, Hardiman and Jacobs

Nays: None

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

The Committee on Families and Human Services reported

**Senate Bill No. 1429, entitled**

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

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, Hardiman and Jacobs

Nays: None

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

The Committee on Families and Human Services reported

**Senate Bill No. 1430, entitled**

A bill to amend 1956 PA 205, entitled "The paternity act," by amending sections 4 and 19a (MCL 722.714 and 722.729a), section 4 as amended by 1998 PA 113 and section 19a as added by 1999 PA 157; 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.

Mark C. Jansen  
Chairperson

## To Report Out:

Yeas: Senators Jansen, Hardiman and Jacobs

Nays: None

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

The Committee on Families and Human Services reported

**Senate Bill No. 1431, entitled**

A bill to amend 1966 PA 138, entitled "The family support act," by amending sections 2, 4, and 8a (MCL 552.452, 552.454, and 552.458a), sections 2 and 8a as amended by 2002 PA 574 and section 4 as amended by 1999 PA 158; 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.

Mark C. Jansen  
Chairperson

## To Report Out:

Yeas: Senators Jansen, Hardiman and Jacobs

Nays: None

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

The Committee on Families and Human Services reported

**Senate Bill No. 1501, entitled**

A bill to amend 1982 PA 295, entitled "Support and parenting time enforcement act," (MCL 552.601 to 552.650) by adding section 25j.

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, Hardiman and Jacobs

Nays: None

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

The Committee on Families and Human Services reported

**Senate Bill No. 1502, entitled**

A bill to amend 1996 IL 1, entitled "Michigan gaming control and revenue act," by amending section 3 (MCL 432.203), as amended by 1997 PA 69, and by adding section 9e.

With the recommendation that the bill pass.

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

Mark C. Jansen  
Chairperson

## To Report Out:

Yeas: Senators Jansen, Hardiman and Jacobs

Nays: None

The bill was referred to the Committee of the Whole.

## COMMITTEE ATTENDANCE REPORT

The Committee on Families and Human Services submitted the following:

Meeting held on Thursday, November 13, 2008, at 8:30 a.m., Room 210, Farnum Building

Present: Senators Jansen (C), Hardiman and Jacobs

The Committee on Judiciary reported

**Senate Bill No. 1388, entitled**

A bill to amend 1990 PA 250, entitled "DNA identification profiling system act," by amending sections 2 and 6 (MCL 28.172 and 28.176), section 2 as amended by 2001 PA 88 and section 6 as amended by 2003 PA 76.

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

Wayne Kuipers  
Chairperson

To Report Out:

Yeas: Senators Kuipers, Cropsey, Stamas, Clarke and Prusi  
Nays: None  
The bill was referred to the Committee of the Whole.

The Committee on Judiciary reported

**Senate Bill No. 1389, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," (MCL 760.1 to 777.69) by adding section 23 to chapter XVI.

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

Wayne Kuipers  
Chairperson

To Report Out:

Yeas: Senators Kuipers, Cropsey, Stamas, Clarke and Prusi  
Nays: None  
The bill was referred to the Committee of the Whole.

The Committee on Judiciary reported

**Senate Bill No. 1413, entitled**

A bill to allow the state of Michigan to enter into a compact for organizing an electronic information sharing system among the federal government and the states that will exchange criminal history records for certain purposes.

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

Wayne Kuipers  
Chairperson

To Report Out:

Yeas: Senators Kuipers, Cropsey, Stamas, Clarke and Prusi  
Nays: None  
The bill was referred to the Committee of the Whole.

The Committee on Judiciary reported

**Senate Bill No. 1549, entitled**

A bill to amend 1990 PA 250, entitled "DNA identification profiling system act," (MCL 28.171 to 28.176) by adding section 5.

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

Wayne Kuipers  
Chairperson

To Report Out:

Yeas: Senators Kuipers, Cropsey, Stamas, Clarke and Prusi  
Nays: None  
The bill was referred to the Committee of the Whole.

The Committee on Judiciary reported

**Senate Bill No. 1576, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 3341 (MCL 500.3341), as amended by 2002 PA 656.

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

Wayne Kuipers  
Chairperson



## To Report Out:

Yeas: Senators Kuipers, Cropsey, Stamas, Clarke and Prusi

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Judiciary reported

**Senate Bill No. 1577, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending sections 12g and 16p of chapter XVII (MCL 777.12g and 777.16p), section 12g as added by 2002 PA 34 and section 16p as amended by 2005 PA 168.

With the recommendation that the bill pass.

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

Wayne Kuipers  
Chairperson

## To Report Out:

Yeas: Senators Kuipers, Cropsey, Stamas, Clarke and Prusi

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Judiciary reported

**Senate Bill No. 1616, entitled**

A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending section 18m of chapter XIIA (MCL 712A.18m), as amended by 2004 PA 102.

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.

Wayne Kuipers  
Chairperson

## To Report Out:

Yeas: Senators Kuipers, Cropsey, Stamas, Clarke and Prusi

Nays: None

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

The Committee on Judiciary reported

**Senate Bill No. 1617, entitled**

A bill to create the children's advocacy center act; to create the children's advocacy center fund; to provide for distributions from the fund; to prescribe the powers and duties of the fund administrator; and to prescribe the powers and duties of certain state officials.

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.

Wayne Kuipers  
Chairperson

## To Report Out:

Yeas: Senators Kuipers, Cropsey, Stamas, Clarke and Prusi

Nays: None

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

The Committee on Judiciary reported

**Senate Bill No. 1618, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 181 (MCL 600.181), as added by 2003 PA 97.

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.

Wayne Kuipers  
Chairperson

## To Report Out:

Yeas: Senators Kuipers, Cropsey, Stamas, Clarke and Prusi

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 Judiciary submitted the following:

Meeting held on Wednesday, November 12, 2008, at 1:00 p.m., Room 210, Farnum Building

Present: Senators Kuipers (C), Cropsey, Stamas, Clarke and Prusi

Excused: Senators Sanborn and Patterson

The Committee on Banking and Financial Institutions reported

**Senate Bill No. 1552, entitled**

A bill to amend 1981 PA 125, entitled "The secondary mortgage loan act," by amending the title and sections 1, 2, 6, 6a, 6b, 11, 13, 20, 22, and 27 (MCL 493.51, 493.52, 493.56, 493.56a, 493.56b, 493.61, 493.63, 493.70, 493.72, and 493.77), the title and sections 6, 11, 13, 20, 22, and 27 as amended and section 6a as added by 1997 PA 91, sections 1 and 6b as amended by 2002 PA 392, and section 2 as amended by 2007 PA 46, and by adding sections 2a, 2b, 2c, 2d, and 26a.

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.

Randy Richardville  
Chairperson

To Report Out:

Yeas: Senators Richardville, Sanborn, Cassis, Stamas, Hunter, Clarke and Olshove

Nays: None

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

The Committee on Banking and Financial Institutions reported

**Senate Bill No. 1553, entitled**

A bill to amend 1987 PA 173, entitled "Mortgage brokers, lenders, and servicers licensing act," by amending section 8 (MCL 445.1658), as amended by 2008 PA 72.

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.

Randy Richardville  
Chairperson

To Report Out:

Yeas: Senators Richardville, Sanborn, Cassis, Stamas, Hunter, Clarke and Olshove

Nays: None

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

The Committee on Banking and Financial Institutions reported

**Senate Bill No. 1554, entitled**

A bill to amend 1987 PA 173, entitled "Mortgage brokers, lenders, and servicers licensing act," by amending section 2a (MCL 445.1652a), as added by 2008 PA 60.

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.

Randy Richardville  
Chairperson

To Report Out:

Yeas: Senators Richardville, Sanborn, Cassis, Stamas, Hunter, Clarke and Olshove

Nays: None

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

The Committee on Banking and Financial Institutions reported

**Senate Bill No. 1555, entitled**

A bill to amend 1987 PA 173, entitled "Mortgage brokers, lenders, and servicers licensing act," by amending section 2 (MCL 445.1652), as amended by 2008 PA 59.

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.

Randy Richardville  
Chairperson

**To Report Out:**

Yeas: Senators Richardville, Sanborn, Cassis, Stamas, Hunter, Clarke 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 Banking and Financial Institutions submitted the following:

Meeting held on Thursday, November 13, 2008, at 8:30 a.m., Senate Hearing Room, Ground Floor, Boji Tower

Present: Senators Richardville (C), Sanborn, Cassis, Stamas, Hunter, Clarke and Olshove

**Scheduled Meetings**

**Legislative Commission on Government Efficiency** - Monday, December 8, 10:00 a.m., Room 426, Capitol Building (373-0212)

**Legislative Commission on Statutory Mandates** - Tuesday, November 18, 12:00 noon, Oakland County Executive Office Building, Executive Conference Room, 5th Floor, Building 41-West, 2100 Pontiac Lake Road, Waterford (373-0212)

**State Drug Treatment Court Advisory Committee** - Tuesday, November 25, 9:30 a.m., Legislative Council Conference Room, 3rd Floor, Boji Tower (373-0212)

Senator Brown moved that the Senate adjourn.  
The motion prevailed, the time being 3:07 p.m.

Pursuant to House Concurrent Resolution No. 100, the President pro tempore, Senator Richardville, declared the Senate adjourned until Tuesday, December 2, 2008, at 10:00 a.m.

CAROL MOREY VIVENTI  
Secretary of the Senate

