

**No. 93**  
**STATE OF MICHIGAN**  
**Journal of the Senate**  
**94th Legislature**  
**REGULAR SESSION OF 2008**

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Senate Chamber, Lansing, Thursday, December 18, 2008.

10:00 a.m.

The Senate was called to order by the President pro tempore, Senator Randy Richardville.

The roll was called by the Secretary of the Senate, who announced that a quorum was not present.

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

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

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

Senator Patricia L. Birkholz of the 24th District offered the following invocation:

Good morning, Gracious God. Your blessings rain down on us like soft flakes of snow that have fallen on us on these blustery days, and yet, we are amazed. We thank You for the rich blessings of colleagues who care about our citizens enough to come together, discuss, and sometimes even argue for them each and every day. We thank You for the rich blessings of staff who benefit all those we serve. Thank You for the rich blessings of this democratic form of government that we can be a country of dreams.

As we meet today, please, Lord, keep us mindful of those who are suffering, those who are hurting, and those who need our actions and our prayers. Let us not lose sight of the blessings we have been given with Your guidance, and let us not forget with those blessings we do have building blocks to help our state.

We ask for Your direction and guidance as we strive to do what is best for the people of the state of Michigan—all of the people of the state of Michigan. Amen.

The President pro tempore, Senator Richardville, led the members of the Senate in recital of the *Pledge of Allegiance*.

### Recess

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

The motion prevailed, the time being 10:05 a.m.

11:54 a.m.

The Senate was called to order by the President pro tempore, Senator Richardville.

During the recess, Senators Gilbert, Thomas, Garcia Sanborn, Kuipers, Patterson, Allen, Kahn, Bishop, Van Woerkom, Pappageorge, Brown, Hardiman, George, Cassis, Jansen, Jelinek and McManus entered the Senate Chamber.

A quorum of the Senate was present.

### Motions and Communications

The Secretary announced that the following House bills were received in the Senate and filed on Thursday, December 11:

**House Bill Nos. 6749 6750**

The Secretary announced that the following House bills were received in the Senate and filed on Friday, December 12:

**House Bill Nos. 4017 4141 4577 5345 6007 6025 6026 6193 6194 6610 6643 6752**

The Secretary announced the enrollment printing and presentation to the Governor on Monday, December 15, for her approval the following bills:

**Enrolled Senate Bill No. 1552 at 1:40 p.m.**

**Enrolled Senate Bill No. 1554 at 1:42 p.m.**

**Enrolled Senate Bill No. 1553 at 1:44 p.m.**

**Enrolled Senate Bill No. 1555 at 1:46 p.m.**

**Enrolled Senate Bill No. 927 at 1:48 p.m.**

**Enrolled Senate Bill No. 1160 at 1:50 p.m.**

**Enrolled Senate Bill No. 1342 at 1:52 p.m.**

**Enrolled Senate Bill No. 1398 at 1:54 p.m.**

**Enrolled Senate Bill No. 1403 at 1:56 p.m.**

**Enrolled Senate Bill No. 1443 at 1:58 p.m.**

**Enrolled Senate Bill No. 1485 at 2:00 p.m.**

**Enrolled Senate Bill No. 1498 at 2:02 p.m.**

**Enrolled Senate Bill No. 1640 at 2:04 p.m.**

**Enrolled Senate Bill No. 1195 at 2:06 p.m.**

**Enrolled Senate Bill No. 1467 at 2:08 p.m.**

The Secretary announced that the following official bill was printed on Thursday, December 11, and is available at the legislative website:

**Senate Bill No. 1673**

By unanimous consent the Senate proceeded to the order of

**Introduction and Referral of Bills**

Senator Jacobs introduced

**Senate Bill No. 1674, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 7457 (MCL 333.7457), as amended by 2006 PA 458, and by adding section 7458.

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

**House Bill No. 4017, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," (MCL 257.1 to 257.923) by adding section 653b.

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.

Senator Cropsy moved that rule 3.203 be suspended and that the bill be referred to the Committee of the Whole and placed on the order of General Orders.

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

**House Bill No. 4141, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1212 (MCL 380.1212), as amended by 2003 PA 299.

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

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

**House Bill No. 4179, entitled**

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 541 (MCL 436.1541), as amended by 2006 PA 253.

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. 4577, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 801 (MCL 257.801), as amended by 2008 PA 7.

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 Transportation.

**House Bill No. 5192, entitled**

A bill to amend 1937 PA 94, entitled "Use tax act," (MCL 205.91 to 205.111) by adding section 3f; and to repeal acts and parts of acts.

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. 5345, entitled**

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

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

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

**House Bill No. 6007, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 50b (MCL 750.50b), as amended by 1996 PA 80.

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. 6025, entitled**

A bill to establish the united way fund in the department of treasury; to establish the children's hospital of Michigan fund in the department of community health; to provide for the distribution of the money from those funds; to prescribe the powers and duties of certain agencies and officials; and to provide for appropriations.

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. 6026, 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 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. 6193, entitled**

A bill to establish the children's miracle network and children's hospital of Michigan fund in the department of community health; to provide for the distribution of the money from the fund; to prescribe the powers and duties of certain agencies and officials; and to provide for appropriations.

The 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. 6194, 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 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. 6420, entitled**

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

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. 6463, entitled**

A bill to regulate the use of ropes, chains, wires, or similar devices in blocking access to land; and to provide for penalties.

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 Natural Resources and Environmental Affairs.

**House Bill No. 6610, entitled**

A bill to enter into the interstate compact to elect the president by national popular vote; and for related purposes.

The House of Representatives has passed the bill.

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

**House Bill No. 6643, entitled**

A bill to amend 1943 PA 240, entitled "State employees' retirement act," by amending section 68c (MCL 38.68c), as added by 2007 PA 95.

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. 6749, entitled**

A bill to amend 2000 PA 403, entitled "Motor fuel tax act," by amending sections 2, 4, 6, 8, 14, and 152 (MCL 207.1002, 207.1004, 207.1006, 207.1008, 207.1014, and 207.1152), section 2 as amended by 2002 PA 668, section 4 as amended by 2006 PA 277, and section 8 as amended by 2006 PA 268; and to repeal acts and parts of acts.

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 Transportation.

**House Bill No. 6750, entitled**

A bill to amend 1980 PA 119, entitled "Motor carrier fuel tax act," by amending section 2 (MCL 207.212), as amended by 2006 PA 346.

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 Transportation.

**House Bill No. 6752, 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 sections 10 and 10c (MCL 247.660 and 247.660c), section 10 as amended by 2007 PA 210 and section 10c as amended by 2005 PA 45.

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 Transportation.

By unanimous consent the Senate returned to the order of

**Motions and Communications**

Senator Cropsy moved that the Committee on Economic Development and Regulatory Reform be discharged from further consideration of the following bill:

**House Bill No. 6036, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 2926a (MCL 600.2926a).

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

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

**House Bill No. 5862, entitled**

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 4a (MCL 205.54a), as amended by 2004 PA 173.

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

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

**House Bill No. 6036**

**House Bill No. 5862**

**House Bill No. 4017**

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

By unanimous consent the Senate proceeded to the order of

**Messages from the Governor**

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

**Senate Bill No. 436**

**Senate Bill No. 222**

**Senate Bill No. 229**

**Senate Bill No. 232**

**Senate Bill No. 238**

**Senate Bill No. 240**

**Senate Bill No. 776**

**Senate Bill No. 1097**

**Senate Bill No. 1106**

**Senate Bill No. 1095**

The motion prevailed.

The following message from the Governor was received:

Date: December 8, 2008

Time: 5:00 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 1461 (Public Act No. 303), being**

An act 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).

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

Respectfully,  
Jennifer M. Granholm  
Governor

The following message from the Governor was received on December 10, 2008, and read:

EXECUTIVE ORDER  
No. 2008-21

**Implementation of Expenditure Reductions Under  
Section 20 of Article V of the Michigan Constitution of 1963**

WHEREAS, under Section 20 of Article V of the Michigan Constitution of 1963, the Governor, with the approval of the appropriating committees of the House of Representatives and the Senate, shall reduce expenditures authorized by appropriations whenever it appears that actual revenues for a fiscal period will fall below the revenue estimates on which appropriations for that period were based, and the reductions shall be made in accordance with procedures prescribed by law;

WHEREAS, it appears that actual revenues for the fiscal period beginning on October 1, 2008 and ending on September 30, 2009, will fall below the revenue estimates on which appropriations for that period were based, the estimates having been determined by the Legislature as required under Section 31 of Article IV of the Michigan Constitution of 1963;

WHEREAS, pursuant to Section 391 of The Management and Budget Act, 1984 PA 431, MCL 18.1391, on the basis of written information from the State Budget Director and the State Treasurer, it appears that actual revenue will fall below such revenue estimates;

WHEREAS, there is an unanticipated loss of funding that the departments and agencies of state government do not expect to obtain or make up during the current fiscal year;

WHEREAS, expenditure reductions totaling \$133,952,600.00 general fund-general purpose and \$11,800,000.00 special purpose funds are necessary;

NOW, THEREFORE, I, Jennifer M. Granholm, Governor of the State of Michigan, by virtue of the power and authority vested in the Governor under the Michigan Constitution of 1963 and Michigan law, and with the approval of a majority of members of each appropriations committee, order the following reductions in expenditures:

- A. Portions of general fund-general purpose expenditures authorized by appropriations amounting to \$133,952,600.00 contained in the following public acts are hereby reduced. Where the expenditure reductions of general fund-general purpose appropriations in this Order reduce the restricted portions of gross appropriations and sources of financing that will be earned, the amounts to be reduced shall be provided separately to the State Budget Director for approval and entry into the accounts.

<u>Public Act</u>	<u>Department</u>	<u>Reduction Amount</u>
2008 PA 253	Agriculture	\$487,400
2008 PA 261	Attorney General	482,300
2008 PA 261	Civil Rights	186,300
2008 PA 246	Community Health	37,857,100
2008 PA 245	Corrections	26,404,000
2008 PA 212	Education	113,300
2008 PA 247	Environmental Quality	667,000
2008 PA 254	History, Arts, and Libraries	322,800
2008 PA 248	Human Services	63,261,000
2008 PA 251	Labor and Economic Growth	856,500
2008 PA 261	Management and Budget	1,026,300
2008 PA 214	Military and Veterans Affairs	632,300
2008 PA 252	Natural Resources	159,400
2008 PA 261	State	398,000
2008 PA 261	Treasury	1,098,900
	TOTAL	<u>\$133,952,600</u>

- B. The reduction totals for the departments in Section A include the following appropriation items or are predicated upon the following actions:

**1. Department of Agriculture**

Appropriation Number	Item	Reduction Amount
01420	Rent and building occupancy charges	240,000
02205	Pesticide and plant pest management	100,000
03120	Environmental stewardship	100,000
03250	Technical assistance match	<u>47,400</u>
		487,400

**2. Department of Attorney General**

Appropriation Number	Item	Reduction Amount
01040	Attorney general operations	<u>482,300</u>
		482,300

**3. Department of Civil Rights**

Appropriation Number	Item	Reduction Amount
01000	Civil rights operations	156,300
02100	Information technology services and projects	<u>30,000</u>
		186,300

**4. Department of Community Health**

Appropriation Number	Item	Reduction Amount
01130	Mental health/substance abuse program administration	300,000
01191	Departmental administration and management	200,000
02965	Medicaid mental health services	299,200
04000	Center for forensic psychiatry	1,000,000
14230	Family, maternal, and children's health services administration	158,000
14355	Medical care and treatment	9,086,100
16230	Laboratory services	150,000
18330	Health systems administration	300,000
33500	Hospital services and therapy	3,123,500
33540	Pharmaceutical services	233,900
33550	Health plan services	3,258,900
33630	Single point of entry	1,000,000
33680	Long-term care services	18,340,900
34010	Medical services administration	<u>406,600</u>
		37,857,100

**5. Department of Corrections**

Appropriation Number	Item	Reduction Amount
02072	New custody staff training	3,611,000
05083	Information technology services and projects	61,800
17520	Southwestern region clinical complexes	2,379,000
29005	MPRI education program	716,900



29511	Prison food service	3,158,500
29512	Transportation	111,100
74002	Michigan reformatory – Ionia	10,555,500
77002	Lakeland correctional facility – Coldwater	<u>5,810,200</u>
		26,404,000

**6. Department of Education**

Appropriation Number	Item	Reduction Amount
01605	Central support	37,500
01610	Terminal leave payments	15,000
01623	Building occupancy charges – property management services	17,300
07501	School finance and school law operations	<u>43,500</u>
		113,300

**7. Department of Environmental Quality**

Appropriation Number	Item	Reduction Amount
01001	Executive direction	50,000
01093	Unclassified salaries	50,000
02808	Field permitting and project assistance	87,500
03326	Mineral wells management	1,500
04320	Pollution prevention and technical assistance	24,600
04541	Contaminated site investigation, cleanup, and revitalization	31,700
04620	Air quality programs	130,000
04706	Hazardous waste management program	18,000
04709	Radiological protection program	16,000
04715	Underground storage tank program	14,000
04718	Aboveground storage tank program	5,000
04726	Solid waste management program`	9,500
04918	Water withdrawal assessment program	166,000
06051	Water pollution control and drinking water revolving fund	<u>63,200</u>
		667,000

**8. Department of History, Arts, and Libraries**

Appropriation Number	Item	Reduction Amount
01100	Management services	29,100
03050	Library of Michigan operations	202,900
04100	Historical administration and services	68,600
04180	Thunder Bay national marine sanctuary and underwater preserve	2,500
07511	Mackinac Island park operation	17,400
07516	Historical facilities system	<u>2,300</u>
		322,800

**9. Department of Human Services**

Appropriation Number	Item	Reduction Amount
11040	Contractual services, supplies, and materials – Executive Operations	100,000
11400	Electronic benefit transfer EBT	100,000

12080	Payroll taxes and fringe benefits	7,494,100
15100	AFC, children's welfare and day care licensure	3,300,000
16100	Information technology services and projects	102,300
16500	Child support automation	170,000
32500	Family independence program	23,287,200
32550	Day care services	12,113,400
47610	Medium security juvenile services	1,000,000
62610	Field staff, salaries and wages	10,647,400
72750	Adoption subsidies	4,746,600
81450	Employment and training support services	<u>200,000</u>
		63,261,000

#### 10. Department of Labor and Economic Growth

Appropriation Number	Item	Reduction Amount
06000	Workforce programs administration	150,000
11601	Administration	600,000
11603	Board of magistrates and appellate commission	31,500
27010	Fire marshal program	15,000
27120	Fire fighters training council	30,000
27130	Fire safety program	<u>30,000</u>
		856,500

#### 11. Department of Management and Budget

Appropriation Number	Item	Reduction Amount
00005	Information technology services and projects (Department of Management and Budget)	207,200
12000	Administrative services	3,800
13000	Budget and financial management	132,200
14000	Office of the state employer	22,600
16000	Business support services	74,900
19150	Information technology services and projects (Civil Service Commission)	46,100
19300	Executive direction	262,500
19900	Human resources operations	<u>237,000</u>
		986,300

The Department of Management and Budget shall reduce building occupancy general fund expenditures by \$40,000.00. The State Budget Director is authorized to take any and all actions necessary to properly record expenditure reductions as part of the financial transactions for the fiscal year ending September 30, 2009.

#### 12. Department of Military and Veterans Affairs

Appropriation Number	Item	Reduction Amount
01011	Headquarters and armories	75,000
02011	Military training sites and support facilities	57,800
03011	Departmentwide accounts	52,500
03500	Grand Rapids veterans' home	319,100
03700	D. J. Jacobetti veterans' home	100,600
03800	Information technology services and projects	200
05525	Veterans' affairs directorate administration	<u>27,100</u>
		632,300

**13. Department of Natural Resources**

Appropriation Number	Item	Reduction Amount
01001	Executive direction	10,200
01005	Communications	6,600
01092	Commission	500
01093	Unclassified salaries	1,300
01105	Internal audit services	600
01106	Budget and support services	3,200
01107	Financial services	4,100
01108	Grants management	3,600
02020	Land and facilities	6,900
02129	Cooperative resource programs	14,000
02132	Wildfire protection	50,100
02207	Natural resources heritage	15,100
02302	Water withdrawal assessment program	28,100
03116	General law enforcement	<u>15,100</u>
		159,400

**14. Department of State**

Appropriation Number	Item	Reduction Amount
10000	Operations – Executive direction	3,800
14100	Operations – Department services	52,400
15100	Operations – Regulatory services	40,600
19100	Branch operations	183,700
19300	Central operations	113,800
45500	Information technology services and projects	<u>3,700</u>
		398,000

**15. Department of Treasury**

Appropriation Number	Item	Reduction Amount
01201	Treasury operations information technology services and projects	13,400
01308	Rent and building occupancy charges – property management services	250,000
03010	Economic development job training grants (Michigan Strategic Fund)	447,000
09517	Renaissance zone reimbursement	<u>388,500</u>
		1,098,900

C. Portions of appropriations financed with special purpose revenue amounting to \$11,800,000.00 contained in the following public acts are reduced as follows:

<u>Public Act</u>	<u>Department</u>	<u>Reduction Amount</u>
2008 PA 245	Corrections	\$1,800,000
2008 PA 213	Higher Education	10,000,000
	TOTAL	<u>11,800,000</u>

D. The reduction totals for the departments and agencies in Section C include the following appropriation items or are predicated upon the following actions:

**1. Department of Corrections – Trooper Recruit School Fund**

Appropriation Number	Item	Reduction Amount
29000	Trooper recruit school fund	<u>1,800,000</u>
		1,800,000

The amount in Section 926(4) of 2008 PA 245 is reduced to \$0.00.

**2. Higher Education – Michigan Merit Award Trust Fund**

Appropriation Number	Item	Reduction Amount
80100	Michigan promise grant program	<u>10,000,000</u>
		10,000,000

The State Budget Director is authorized to take any and all actions necessary to implement the provisions of this Order to reduce expenditures authorized by appropriations as specified above for the fiscal year beginning on October 1, 2008 and ending on September 30, 2009.

This Order is effective upon approval by the appropriations committees of the House of Representatives and the Senate, as provided under Section 20 of Article V of the Michigan Constitution of 1963 and Section 391 of The Management and Budget Act, 1984 PA 431, MCL 18.1391.

[SEAL]

Given under my hand and the Great Seal of the State of Michigan this 10th day of December, in the year of our Lord, two thousand and eight.

Jennifer M. Granholm  
Governor

By the Governor:  
Terri L. Land  
Secretary of State

The Executive Order was referred to the Secretary for the record.

The following messages from the Governor were received and read:

December 4, 2008

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following appointment to state office under Section 3b of the Fire Prevention Code, 1941 PA 207, MCL 29.3b:

**State Fire Safety Board**

Mr. Thomas G. Lippens of 4070 St. Nicholas Road, Rock, Michigan 49880, county of Delta, succeeding Patrick L. Klocke, whose term has expired, representing a licensed electrical contractor or master electrician, for a term commencing December 4, 2008 and expiring July 15, 2012.

December 4, 2008

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following reappointment to state office under Section 4 of the Michigan Gaming Control and Revenue Act, Initiated Law of 1996, MCL 432.204:

**Michigan Gaming Control Board**

Mr. Damian S. Kassab, a Republican, of 1040 West Snell Road, Rochester, Michigan 48306, county of Oakland, reappointed for a term commencing January 1, 2009 and expiring December 31, 2012.

December 4, 2008

I respectfully submit to the Senate, pursuant to Section 3 of Forbes Mechanical Contractors Act, 1984 P.A. 192, MCL 338.973, please be advised of the following appointment to office:

**Board of Mechanical Rules**

Mr. Raymond W. Coy of 2281 Botsford Road, Howell, Michigan 48855, county of Livingston, succeeding Joseph G. Connors, whose term has expired, representing unlimited service heating and refrigeration, for a term commencing December 4, 2008 and expiring October 1, 2012.

December 4, 2008

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following appointment and reappointment to state office under Sections 16121 and 17821 of the Public Health Code, 1978 PA 368, MCL 333.16121 and 333.17821:

**Michigan Board of Physical Therapy**

Ms. Ginger Smietana of 45554 50th Avenue, Paw Paw, Michigan 49079, county of Van Buren, succeeding Michael S. Salter, whose term has expired, representing the general public, for a term commencing December 4, 2008 and expiring December 31, 2009.

Mr. Vijay Kumar of 1771 Winter Street, West Branch, Michigan 48661, county of Ogemaw, reappointed to represent physical therapists, for a term commencing January 1, 2009 and expiring December 31, 2012.

December 4, 2008

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following reappointments to state office under Sections 16121 and 18821 of the Public Health Code, 1978 PA 368, MCL 333.16121 and MCL 333.18821:

**Michigan Board of Veterinary Medicine**

Ms. Sandra M. Pelton of 35745 Joy Road, Westland, Michigan 48185, county of Wayne, reappointed to represent veterinary technicians, for a term commencing January 1, 2009 and expiring December 31, 2012.

Ms. Nancy C. Postorino Reeves, D.V.M., of 1780 Foxcroft Road, East Lansing, Michigan 48823, county of Ingham, reappointed to represent veterinarians, for a term commencing January 1, 2009 and expiring December 31, 2012.

December 5, 2008

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

**Michigan Board of Chiropractic**

Mr. Solomon L. Cogan, D.C., of 3890 Lakeland Lane, Bloomfield Hills, Michigan 48302, county of Oakland, reappointed to represent chiropractors, for a term commencing January 1, 2009 and expiring December 31, 2012.

December 9, 2008

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following appointment and reappointments to state office under Section 29 of Article 5 of the Michigan Constitution of 1963:

**Civil Rights Commission**

Mr. Nabih H. Ayad, a Democrat, of 49700 Hudson Drive, Canton, Michigan 48188, county of Wayne, succeeding Mohammed A. Abdrabboh, whose term has expired, for a term commencing December 9, 2008 and expiring December 31, 2011.

Ms. Karen Henry Stokes, a Republican, of 16 Campau Circle, N.W., Grand Rapids, Michigan 49503, county of Kent, reappointed for a term commencing January 1, 2009 and expiring December 31, 2012.

Mr. Matthew J. Wesaw, an Independent, of 3939 Mayapple Lane, Lansing, Michigan 48911, county of Ingham, reappointed for a term commencing January 1, 2009 and expiring December 31, 2012.

December 10, 2008

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following reappointment to state office under Section 35 of the Michigan Employment Security Act, 1936 (Ex Sess) PA 1, MCL 421.35:

**Michigan Employment Security Board of Review**

Ms. Amy L. Rosenberg of 314 West Street, Lansing, Michigan 48915, county of Ingham, reappointed to represent the general public, for a term commencing January 1, 2009 and expiring December 31, 2012.

December 16, 2008

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following appointments and reappointments to state office under Sections 16121 and 17305 of the Public Health Code, 1978 PA 368, MCL 333.16121 and 333.17305:

**Michigan Board of Nursing Home Administrators**

Mr. Todd L. Cook of 525 Westmoreland Avenue, Lansing, Michigan 48915, county of Ingham, succeeding Kathleen Husk, whose term has expired, representing the general public, for a term commencing December 16, 2008 and expiring June 30, 2010.

Ms. Pam A. Ditri of 921 Walker Road, Dansville, Michigan 48819, county of Ingham, succeeding Kerri A. Knopp, whose term has expired, representing nursing home administrators, for a term commencing December 16, 2008 and expiring June 30, 2011.

Ms. Sara E.D. Fazio of 3204 Behler Drive S.E., Grand Rapids, Michigan 49546, county of Kent, succeeding Geraldine Pleasant, whose term has expired, representing the general public, for a term commencing December 16, 2008 and expiring June 30, 2010.

Ms. Gail J. Clarkson of 1387 Club Drive, Bloomfield Hills, Michigan 48302, county of Oakland, reappointed to represent nursing home administrators, for a term expiring June 30, 2012.

Ms. Valaria Conerly Moon of 5119 Dye Meadow Court, Flint, Michigan 48532, county of Genesee, reappointed to represent the general public, for a term expiring June 30, 2012.

Ms. Susan E. Pettis of 3007 Sequoia Parkway, Ann Arbor, Michigan 48103, county of Washtenaw, reappointed to represent nursing home administrators, for a term expiring June 30, 2012.

Sincerely,  
Jennifer M. Granholm  
Governor

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

The following messages from the Governor were received and read:

December 17, 2008

Due to an error on the February 26, 2008 letter filed with your office pursuant to Section 15 of the Michigan Occupational Safety and Health Act, 1974 PA 154, MCL 408.1015, please be advised of the following correction appearing in **bold** print:

**General Industry Safety Standards Commission**

Mr. Jeffrey Radjewski of 26449 Birchcrest Drive, Chesterfield, Michigan 48051, county of Macomb, reappointed to represent labor, for a term commencing March 27, 2008 and expiring **March 26, 2009**.

December 17, 2008

Due to an error on the April 12, 2007 letter filed with your office pursuant to Sections 16121 and 17305 of the Public Health Code, 1978 PA 368, MCL 333.16121 and 333.17305, please be advised of the following correction appearing in **bold** print:

**Michigan Board of Nursing Home Administrators**

Ms. Karen J. Messick of 4599 Lantern Court, N.W., Comstock Park, Michigan 49321, county of Kent, reappointed to represent nursing home administrators, for a term expiring **June 30, 2010**.

December 17, 2008

Due to an error on the December 6, 2005 letter filed with your office pursuant to Sections 16121 and 17305 of the Public Health Code, 1978 PA 368, MCL 333.16121 and 333.17305, please be advised of the following correction appearing in **bold** print:

**Michigan Board of Nursing Home Administrators**

Mr. Thomas D. Meyer of 200 Anderson Road, East Tawas, Michigan 48730, county of Iosco, reappointed to represent nursing home administrators, for a term commencing January 1, 2006 and expiring **June 30, 2009**.

December 17, 2008

Due to an error on the January 3, 2006 letter filed with your office pursuant to Sections 16121 and 17305 of the Public Health Code, 1978 PA 368, MCL 333.16121 and 333.17305, please be advised of the following correction appearing in **bold** print:

**Michigan Board of Nursing Home Administrators**

Mr. Samuel H. Shaheen, D.O., of 14 Davis Drive, Saginaw, Michigan 48602, county of Saginaw, succeeding Sara J. Schaden, whose term has expired, representing nursing home administrators, for a term commencing January 3, 2006 and expiring **June 30, 2009**.

December 17, 2008

Due to an error on the October 15, 2008 letter filed with your office pursuant to Section 23 of the Michigan Occupational Health Safety and Health Act, 1974 PA 154, MCL 408.1023, please be advised of the following corrections appearing in **bold** print:

**Occupational Health Standards Commission**

Mr. James B. Cianciolo of 22048 Crestwood Street, Woodhaven, Michigan 48183, county of Wayne, reappointed to represent labor, for a term expiring **August 5, 2009**.

Mr. Andrew J. Comai of 1570 Maywood Avenue, Ann Arbor, Michigan 48103, county of Washtenaw, reappointed to representing labor and general industry, for a term expiring **August 5, 2010**.

Sincerely,  
Jennifer M. Granholm  
Governor

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

### Messages from the House

Senator Cropsey moved that the following bills be placed at the head of the Messages from the House calendar:

**Senate Bill No. 897**

**Senate Bill No. 898**

**Senate Bill No. 973**

**Senate Bill No. 1489**

**Senate Bill No. 1490**

The motion prevailed.

#### **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.

Substitute (H-2).

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. 818**

#### **Yeas—34**

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

#### **Nays—3**

Cassis	Kuipers	Sanborn
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#### **Excused—0**

#### **Not Voting—1**

Hunter

In The Chair: Richardville

Senator Thomas moved that Senator Hunter be temporarily excused from today's session.  
The motion prevailed.

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

**Senate Bill No. 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.

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. 819**

**Yeas—34**

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

**Nays—3**

Cassis	Kuipers	Sanborn
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**Excused—1**

Hunter

**Not Voting—0**

In The Chair: Richardville

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

Senator Hunter entered the Senate Chamber.



**Senate Bill No. 973, entitled**

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending section 435 (MCL 208.1435), as amended by 2007 PA 216.

Substitute (H-2).

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. 820****Yeas—35**

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

**Nays—3**

Cassis	Gilbert	Sanborn
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**Excused—0****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.

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

**Senate Bill No. 1489, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 82105, 82106, and 82126 (MCL 324.82105, 324.82106, and 324.82126), section 82105 as amended by 2008 PA 145, section 82106 as amended by 2004 PA 587, and section 82126 as amended by 2008 PA 27.

Substitute (H-3).

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. 821****Yeas—37**

Allen	Clarke	Jansen	Richardville
Anderson	Cropsey	Jelinek	Sanborn
Barcia	Garcia	Kahn	Schauer
Basham	George	Kuipers	Scott

Birkholz	Gilbert	McManus	Stamas
Bishop	Gleason	Olshove	Switalski
Brater	Hardiman	Pappageorge	Thomas
Brown	Hunter	Patterson	Van Woerkom
Cherry	Jacobs	Prusi	Whitmer
Clark-Coleman			

**Nays—1**

Cassis

**Excused—0**

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

**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 (H-2).

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. 822**

**Yeas—37**

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

**Nays—1**

Cassis

**Excused—0**

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

**Senate Bill No. 1236, entitled**

A bill to amend 1962 PA 174, entitled "Uniform commercial code," by amending sections 9515, 9516, 9520, and 9521 (MCL 440.9515, 440.9516, 440.9520, and 440.9521), as added by 2000 PA 348; and to repeal acts and parts of acts.

The House of Representatives has amended the bill as follows:

1. Amend page 16, line 5, after "effect" by striking out "30" and inserting "90".
2. Amend page 16, line 8, after "unless" by striking out the balance of the enacting section and inserting "all of the following bills of the 94th Legislature are enacted into law:

(a) House Bill No. 5934.

(b) House Bill No. 5935."

The House of Representatives has passed the bill as amended, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The House of Representatives requested the return of

**Senate Bill No. 1236, entitled**

A bill to amend 1962 PA 174, entitled "Uniform commercial code," by amending sections 9515, 9516, 9520, and 9521 (MCL 440.9515, 440.9516, 440.9520, and 440.9521), as added by 2000 PA 348; and to repeal acts and parts of acts.

Senator Cropsey moved that the request of the House of Representatives be granted.

The motion prevailed.

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 pro tempore, Senator Richardville, designated Senator Clarke 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:

**House Bill No. 4594, entitled**

A bill to amend 1972 PA 382, entitled "Traxler-McCauley-Law-Bowman bingo act," by amending sections 2, 3, and 9 (MCL 432.102, 432.103, and 432.109), sections 2 and 9 as amended by 1999 PA 108 and section 3 as amended by 2006 PA 427.

**House Bill No. 6612, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 2505 (MCL 324.2505), as added by 1995 PA 60; and to repeal acts and parts of acts.

**House Bill No. 6613, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 11135 and 11153 (MCL 324.11135 and 324.11153), as amended by 2007 PA 75.

**House Bill No. 5771, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 40501 (MCL 324.40501), as added by 1995 PA 57.

**House Bill No. 4017, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," (MCL 257.1 to 257.923) by adding section 653b. 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. 4839, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 11, 208c, 252a, 252d, 252e, 252f, 252g, 252k, and 252l (MCL 257.11, 257.208c, 257.252a, 257.252d, 257.252e, 257.252f, 257.252g, 257.252k, and 257.252l), section 11 as amended by 2003 PA 37, section 208c as amended by 2004 PA 362, sections 252a, 252d, 252e, and 252f as amended by 2004 PA 495, and section 252g as amended and sections 252k and 252l as added by 2004 PA 493.

Substitute (S-4).

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

1. Amend page 40, following line 12, by inserting:

"Sec. 726. (1) Local authorities and county road commissions with respect to highways under their jurisdiction, except state trunk line highways, by ordinance or resolution, may do any of the following:

- (a) Prohibit the operation of trucks or other commercial vehicles on designated highways or streets.
- (b) Impose limitations as to the weight of trucks or other commercial vehicles on designated highways or streets.
- (c) Provide that only certain highways or streets may be used by trucks or other commercial vehicles.

(2) Any prohibitions, limitations, or truck route designations established under subsection (1) shall be designated by appropriate signs placed on the highways or streets. The design and placement of the signs shall be consistent with the requirements of section 608.

**(3) IF A TOWNSHIP HAS ESTABLISHED ANY PROHIBITION OR LIMITATION UNDER SUBSECTION (1) ON ANY COUNTY PRIMARY ROAD THAT AN ADJOINING TOWNSHIP DETERMINES DIVERTS TRAFFIC ONTO A BORDER HIGHWAY OR STREET SHARED BY THE TOWNSHIP AND THE ADJOINING TOWNSHIP, THE ADJOINING TOWNSHIP MAY SUBMIT A WRITTEN OBJECTION TO THE COUNTY ROAD COMMISSION HAVING JURISDICTION OVER THE COUNTY PRIMARY ROAD, ALONG WITH A COPY TO THE TOWNSHIP THAT ESTABLISHED THE PROHIBITION OR LIMITATION, ON OR BEFORE THE LATER OF MARCH 1, 2009, OR 60 DAYS AFTER THE TOWNSHIP APPROVES THE PROHIBITION OR LIMITATION. THE WRITTEN OBJECTION SHALL EXPLAIN HOW THE PROHIBITION OR LIMITATION DIVERTS TRAFFIC ONTO THE BORDER HIGHWAY OR STREET SHARED BY THE TOWNSHIP AND THE ADJOINING TOWNSHIP. THE COUNTY ROAD COMMISSION SHALL THEN INVESTIGATE THE OBJECTION. THE TOWNSHIP AND ADJOINING TOWNSHIP SHALL COOPERATE WITH THAT INVESTIGATION AND NEGOTIATE IN GOOD FAITH TO RESOLVE THE OBJECTION. IF THE OBJECTION IS NOT RESOLVED WITHIN 60 DAYS AFTER THE TOWNSHIP RECEIVES THE COPY OF THE WRITTEN OBJECTION, THE COUNTY ROAD COMMISSION HAS THE AUTHORITY TO, AND SHALL, EITHER APPROVE OR VOID THE PROHIBITION OR LIMITATION THAT IS THE SUBJECT OF THE OBJECTION WITHIN 60 DAYS THEREAFTER, WHICH DECISION SHALL BE FINAL. FOR PURPOSES OF THIS SUBSECTION, "COUNTY PRIMARY ROAD" MEANS A HIGHWAY OR STREET DESIGNATED AS A COUNTY PRIMARY ROAD PURSUANT TO 1951 PA 51, MCL 247.671 TO 247.675.**

(4) (3)-A person who violates a prohibition, limitation, or truck route designation established pursuant to subsection (1) is responsible for a civil infraction."

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 amendments, the following bill:

**House Bill No. 6515, entitled**

A bill to amend 1991 PA 180, entitled "An act to assist in the financing of stadia or convention facilities; to permit eligible municipalities to impose and collect an excise tax on businesses engaged in the preparation and delivery of food and beverages for immediate consumption, in leasing or renting motor vehicles in the eligible municipality, and in providing accommodations for dwelling, lodging, or sleeping purposes; to limit the rate of that excise tax; to authorize voter approval in a single ballot question of the excise tax authorized by this act and of certain purposes for which the excise tax is imposed; to provide for the establishment of procedures for the collection, administration, and enforcement of the excise tax; to prescribe the powers and duties of certain state departments and state and local officials; to provide for the disposition and transmittal of the revenues from the tax for stadia or convention facility development and other purposes and authorize the pledge of those revenues; to authorize the appointment of employees and officials of a local governmental unit to an authority to which revenues from the tax may be pledged; to prescribe penalties and provide

remedies; and to repeal certain acts and parts of acts,” by amending section 1 (MCL 207.751), as amended by 2007 PA 172.

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

1. Amend page 3, line 14, after “than” by striking out “70,000” and inserting “100,000”.
2. Amend page 3, following line 22, by inserting:

“(vi) A COUNTY WITH A POPULATION OF LESS THAN 300,000 WITH A CITY WITH A POPULATION OF MORE THAN 70,000 PERSONS, OR THE MOST POPULOUS CITY WITHIN THAT COUNTY IF EITHER INTENDS TO IMPOSE A TAX UNDER THIS ACT FOR PURPOSES RELATED TO A STADIUM AS DEFINED UNDER SUBDIVISION (I)(ii).”.

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

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

**House Bill No. 6056, 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 following is the amendment recommended by the Committee of the Whole:

1. Amend page 6, line 9, after the second “April 1,” by striking out “2009” and inserting “2011”.

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 amendment, the following bill:

**House Bill No. 6057, 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 following is the amendment recommended by the Committee of the Whole:

1. Amend page 6, line 15, after “1,” by striking out “2008” and inserting “2011”.

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 amendments, the following bill:

**House Bill No. 6726, entitled**

A bill to amend 1979 PA 94, entitled “The state school aid act of 1979,” by amending sections 20, 20j, and 32b (MCL 388.1620, 388.1620j, and 388.1632b), as amended by 2008 PA 268.

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

1. Amend page 22, line 25, after “NOT” by striking out “LESS” and inserting “LATER”.
2. Amend page 23, line 4, after “CORPORATION.” by inserting “THE CORPORATION SHALL NOTIFY EACH OF THE LEGISLATIVE LEADERS OF THIS REQUIREMENT TO SUBMIT A LIST OF NOMINEES NOT LATER THAN 30 DAYS BEFORE THE DATE THAT THE LIST IS DUE.”.
3. Amend page 23, line 12, after “LEADERS.” by striking out the balance of the line through “year.” on line 15.
4. Amend page 23, line 21, after “TERM,” by striking out the balance of the line through “the” on line 23 and inserting “THE CORPORATION SHALL NOTIFY THE LEGISLATIVE LEADER WHO ORIGINALLY NOMINATED THE MEMBER OF THE VACANCY AND THAT LEGISLATIVE LEADER SHALL SUBMIT TO THE GOVERNOR A LIST OF 3 OR MORE INDIVIDUALS AS NOMINEES FOR APPOINTMENT TO FILL THE VACANCY WITHIN 30 DAYS AFTER BEING NOTIFIED BY THE CORPORATION OF THE VACANCY. THE”.
5. Amend page 23, line 26, after “occurs.” by striking out the balance of the subdivision.

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

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

**House Bill No. 6455, entitled**

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending section 732a (MCL 257.732a), as amended by 2004 PA 52.

Substitute (S-1).

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

1. Amend page 6, following line 15, by inserting:

“Enacting section 1. This amendatory act takes effect April 1, 2009.”.

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

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:  
**House Bill No. 5639, entitled**

A bill to amend 1976 PA 451, entitled “The revised school code,” by amending sections 623a, 1267, and 1274 (MCL 380.623a, 380.1267, and 380.1274), section 623a as amended by 2007 PA 45, section 1267 as amended by 2004 PA 232, and section 1274 as amended by 2004 PA 588.

Substitute (S-2).

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

1. Amend page 3, line 1, after “**ACTION**” by striking out “**FOR A BIDDER**”.

2. Amend page 7, line 5, after “**ACTION**” by striking out “**FOR A BIDDER**”.

3. Amend page 9, line 2, after “**ACTION**” by striking out “**FOR A BIDDER**”.

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.

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:

**House Bill No. 4839**

**House Bill No. 6515**

**House Bill No. 6056**

**House Bill No. 6057**

**House Bill No. 6726**

**House Bill No. 4594**

**House Bill No. 6612**

**House Bill No. 6613**

**House Bill No. 5771**

**House Bill No. 6455**

**House Bill No. 5639**

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

The following bill was read a third time:

**House Bill No. 4839, entitled**

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending sections 11, 208c, 216, 244, 252a, 252d, 252e, 252f, 252g, 252k, 252l, 625n, 716, and 717 (MCL 257.11, 257.208c, 257.216, 257.244, 257.252a, 257.252d, 257.252e, 257.252f, 257.252g, 257.252k, 257.252l, 257.625n, 257.716, and 257.717), section 11 as amended by 2003 PA 37, section 208c as amended by 2004 PA 362, sections 216 and 244 as amended by 2002 PA 642, sections 252a, 252d, 252e, and 252f as amended by 2004 PA 495, section 252g as amended and sections 252k and 252l as added by 2004 PA 493, section 625n as amended by 1998 PA 349, section 716 as amended by 2006 PA 509, and section 717 as amended by 2004 PA 511, and by adding section 79f.

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. 823**

**Yeas—35**

Allen  
Anderson  
Barcia

Clark-Coleman  
Clarke  
Cropsey

Jansen  
Jelinek  
Kahn

Sanborn  
Schauer  
Scott

Basham	Garcia	Kuipers	Stamas
Birkholz	Gilbert	McManus	Switalski
Bishop	Gleason	Olshove	Thomas
Brater	Hardiman	Pappageorge	Van Woerkom
Cassis	Hunter	Prusi	Whitmer
Cherry	Jacobs	Richardville	

**Nays—3**

Brown	George	Patterson
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**Excused—0****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.

Senator Gilbert offered to amend the title to read as follows:

A bill to amend 1949 PA 300, entitled “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,” by amending sections 11, 208c, 216, 244, 252a, 252d, 252e, 252f, 252g, 252k, 252l, 625n, 716, 717, and 726 (MCL 257.11, 257.208c, 257.216, 257.244, 257.252a, 257.252d, 257.252e, 257.252f, 257.252g, 257.252k, 257.252l, 257.625n, 257.716, 257.717, and 257.726), section 11 as amended by 2003 PA 37, section 208c as amended by 2004 PA 362, sections 216 and 244 as amended by 2002 PA 642, sections 252a, 252d, 252e, and 252f as amended by 2004 PA 495, section 252g as amended and sections 252k and 252l as added by 2004 PA 493, section 625n as amended by 1998 PA 349, section 716 as amended by 2006 PA 509, section 717 as amended by 2004 PA 511, and section 726 as amended by 1983 PA 107, and by adding section 79f.

The amendment to the title was adopted.

The Senate agreed to the title as amended.

The following bill was read a third time:

**House Bill No. 6515, entitled**

A bill to amend 1991 PA 180, entitled “An act to assist in the financing of stadia or convention facilities; to permit eligible municipalities to impose and collect an excise tax on businesses engaged in the preparation and delivery of food and beverages for immediate consumption, in leasing or renting motor vehicles in the eligible municipality, and in providing accommodations for dwelling, lodging, or sleeping purposes; to limit the rate of that excise tax; to authorize voter approval in a single ballot question of the excise tax authorized by this act and of certain purposes for which the excise tax is imposed; to provide for the establishment of procedures for the collection, administration, and enforcement of the excise tax; to prescribe the powers and duties of certain state departments and state and local officials; to provide for the disposition and transmittal of the revenues from the tax for stadia or convention facility development and other purposes and authorize the pledge of those revenues; to authorize the appointment of employees and officials of a local

governmental unit to an authority to which revenues from the tax may be pledged; to prescribe penalties and provide remedies; and to repeal certain acts and parts of acts,” by amending section 1 (MCL 207.751), as amended by 2007 PA 172.

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. 824**

**Yeas—37**

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

**Nays—1**

Richardville

**Excused—0**

**Not Voting—0**

In The Chair: Richardville

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

The following bill was read a third time:

**House Bill No. 6056, entitled**

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 20173a (MCL 333.20173a), as added by 2006 PA 28.

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. 825**

**Yeas—30**

Allen	Clark-Coleman	Hunter	Schauer
Barcia	Clarke	Jacobs	Scott
Basham	Cropsey	Jansen	Stamas
Birkholz	Garcia	Jelinek	Switalski
Bishop	George	McManus	Thomas
Brater	Gilbert	Olshove	Van Woerkom



Cassis  
CherryGleason  
Hardiman

Prusi

Whitmer

**Nays—8**Anderson  
BrownKahn  
KuipersPappageorge  
PattersonRichardville  
Sanborn**Excused—0****Not Voting—0**

In The Chair: Richardville

Senator Cropsey moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

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

“An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to provide for the levy of taxes against certain health facilities or agencies; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for the implementation of federal law; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to provide for an appropriation and supplements; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates.”.

The Senate agreed to the full title.

The following bill was read a third time:

**House Bill No. 6057, 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. 826****Yeas—27**Basham  
Bishop  
Brater  
Cassis  
Cherry  
Clark-Coleman  
ClarkeCropsey  
Garcia  
George  
Gilbert  
Gleason  
Hardiman  
HunterJacobs  
Jansen  
Jelinek  
McManus  
Olshove  
Prusi  
SchauerScott  
Stamas  
Switalski  
Thomas  
Van Woerkom  
Whitmer

**Nays—11**

Allen  
Anderson  
Barcia

Birkholz  
Brown  
Kahn

Kuipers  
Pappageorge  
Patterson

Richardville  
Sanborn

**Excused—0****Not Voting—0**

In The Chair: Richardville

Senator Cropsey moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

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

“An act to codify, revise, consolidate, and classify the laws relating to mental health; to prescribe the powers and duties of certain state and local agencies and officials and certain private agencies and individuals; to regulate certain agencies and facilities providing mental health services; to provide for certain charges and fees; to establish civil admission procedures for individuals with mental illness or developmental disability; to establish guardianship procedures for individuals with developmental disability; to establish procedures regarding individuals with mental illness or developmental disability who are in the criminal justice system; to provide for penalties and remedies; and to repeal acts and parts of acts;”.

The Senate agreed to the full title.

The following bill was read a third time:

**House Bill No. 6726, entitled**

A bill to amend 1979 PA 94, entitled “The state school aid act of 1979,” by amending sections 20 and 20j (MCL 388.1620 and 388.1620j), as amended by 2008 PA 268.

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. 827****Yeas—38**

Allen  
Anderson  
Barcia  
Basham  
Birkholz  
Bishop  
Brater  
Brown  
Cassis  
Cherry

Clark-Coleman  
Clarke  
Cropsey  
Garcia  
George  
Gilbert  
Gleason  
Hardiman  
Hunter  
Jacobs

Jansen  
Jelinek  
Kahn  
Kuipers  
McManus  
Olshove  
Pappageorge  
Patterson  
Prusi

Richardville  
Sanborn  
Schauer  
Scott  
Stamas  
Switalski  
Thomas  
Van Woerkom  
Whitmer

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

In The Chair: Richardville

Senator Cropsey moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

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

“An act to make appropriations to aid in the support of the public schools and the intermediate school districts of the state; to make appropriations for certain other purposes relating to education; to provide for the disbursement of the appropriations; to supplement the school aid fund by the levy and collection of certain taxes; to authorize the issuance of certain bonds and provide for the security of those bonds; to prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to create certain funds and provide for their expenditure; to prescribe penalties; and to repeal acts and parts of acts.”.

The Senate agreed to the full title.

The following bill was read a third time:

**House Bill No. 4594, entitled**

A bill to amend 1972 PA 382, entitled “Traxler-McCauley-Law-Bowman bingo act,” by amending sections 2, 3, and 9 (MCL 432.102, 432.103, and 432.109), sections 2 and 9 as amended by 1999 PA 108 and section 3 as amended by 2006 PA 427.

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. 828**

**Yeas—35**

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

**Nays—3**

Birkholz	Hardiman	Jansen
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**Excused—0**

**Not Voting—0**

In The Chair: Richardville

Senator Cropsey moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

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

“An act to license and regulate the conducting of bingo, millionaire parties, and certain other forms of gambling; to provide for the conducting of charity games, raffles, and numeral games; to provide for exemptions from licensing requirements under certain circumstances; to impose certain duties and authority upon certain state departments, agencies, and officers; to provide a tax exemption; and to provide penalties.”.

The Senate agreed to the full title.

The following bill was read a third time:

**House Bill No. 6612, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 2505 (MCL 324.2505), as added by 1995 PA 60; 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. 829**

**Yeas—38**

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

**Nays—0**

**Excused—0**

**Not Voting—0**

In The Chair: Richardville

Senator Cropsey moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

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

“An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, assessments, and donations; to provide certain appropriations; to prescribe penalties and provide remedies; and to repeal acts and parts of acts.”.

The Senate agreed to the full title.

The following bill was read a third time:

**House Bill No. 6613, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 11135 and 11153 (MCL 324.11135 and 324.11153), as amended by 2007 PA 75.

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. 830**

**Yeas—38**

Allen	Clark-Coleman	Jansen	Richardville
Anderson	Clarke	Jelinek	Sanborn

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

**Nays—0**

**Excused—0**

**Not Voting—0**

In The Chair: Richardville

Senator Cropsey moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

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

“An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, assessments, and donations; to provide certain appropriations; to prescribe penalties and provide remedies; and to repeal acts and parts of acts.”.

The Senate agreed to the full title.

The following bill was read a third time:

**House Bill No. 5771, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 40501 (MCL 324.40501), as added by 1995 PA 57.

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. 831**

**Yeas—37**

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

**Nays—0**

**Excused—0**

**Not Voting—1**

Thomas

In The Chair: Richardville

Senator Cropsey moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

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

“An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, assessments, and donations; to provide certain appropriations; to prescribe penalties and provide remedies; and to repeal acts and parts of acts.”.

The Senate agreed to the full title.

The following bill was read a third time:

**House Bill No. 6455, entitled**

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending section 732a (MCL 257.732a), as amended by 2004 PA 52.

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. 832**

**Yeas—38**

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

**Nays—0**

**Excused—0**

**Not Voting—0**

In The Chair: 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:

**House Bill No. 5639, entitled**

A bill to amend 1976 PA 451, entitled “The revised school code,” by amending sections 623a, 1267, and 1274 (MCL 380.623a, 380.1267, and 380.1274), section 623a as amended by 2007 PA 45, section 1267 as amended by 2004 PA 232, and section 1274 as amended by 2004 PA 588.

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. 833**

**Yeas—38**

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

**Nays—0**

**Excused—0**

**Not Voting—0**

In The Chair: 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 a system of public instruction and elementary and secondary schools; to revise, consolidate, and clarify the laws relating to elementary and secondary education; to provide for the organization, regulation, and

maintenance of schools, school districts, public school academies, intermediate school districts, and other public school entities; to prescribe rights, powers, duties, and privileges of schools, school districts, public school academies, intermediate school districts, and other public school entities; to provide for the regulation of school teachers and certain other school employees; to provide for school elections and to prescribe powers and duties with respect thereto; to provide for the levy and collection of taxes; to provide for the borrowing of money and issuance of bonds and other evidences of indebtedness; to establish a fund and provide for expenditures from that fund; to provide for and prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to provide for licensure of boarding schools; to prescribe penalties; and to repeal acts and parts of acts.”

The Senate agreed to the full title.

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 Clarke 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:

**House Bill No. 6549, entitled**

A bill to amend 1966 PA 346, entitled “State housing development authority act of 1966,” by amending section 22 (MCL 125.1422), as amended by 2008 PA 216.

**House Bill No. 5018, entitled**

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 14j of chapter XVII (MCL 777.14j), as added by 2002 PA 29.

**House Bill No. 5862, entitled**

A bill to amend 1933 PA 167, entitled “General sales tax act,” by amending section 4a (MCL 205.54a), as amended by 2004 PA 173.

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. 6437, entitled**

A bill to amend 1893 PA 206, entitled “The general property tax act,” by amending section 7q (MCL 211.7q), as added by 1980 PA 142.

Substitute (S-2).

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

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

**House Bill No. 6438, entitled**

A bill to amend 1893 PA 206, entitled “The general property tax act,” by amending section 27a (MCL 211.27a), as amended by 2006 PA 446.

Substitute (S-1).

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

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

**House Bill No. 5008, entitled**

A bill to enact the uniform securities act (2002) relating to the issuance, offer, sale, or purchase of securities; to prohibit fraudulent practices in relation to securities; to establish civil and criminal sanctions for violations of the act and civil sanctions for violation of the rules promulgated pursuant to the act; to require the registration of broker-dealers, agents, investment advisers, and securities; to make uniform the law with reference to securities; 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:

**House Bill No. 5969, entitled**

A bill to amend 1927 PA 372, entitled "An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms and gas ejecting devices; to prohibit the buying, selling, or carrying of certain firearms and gas ejecting devices without a license or other authorization; to provide for the forfeiture of firearms under certain circumstances; to provide for penalties and remedies; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; to prohibit certain conduct against individuals who apply for or receive a license to carry a concealed pistol; to make appropriations; to prescribe certain conditions for the appropriations; and to repeal all acts and parts of acts inconsistent with this act," by amending sections 2, 5b, 5l, 5o, 8, and 9 (MCL 28.422, 28.425b, 28.425l, 28.425o, 28.428, and 28.429), section 2 as amended by 2004 PA 101, section 5b as amended by 2006 PA 350, section 5l as amended by 2006 PA 456, section 5o as amended by 2002 PA 719, section 8 as amended by 2000 PA 381, and section 9 as amended by 2004 PA 100.

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:

**House Bill No. 6022, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 356a (MCL 750.356a), as amended by 1998 PA 311.

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. 6036, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 2926a (MCL 600.2926a).

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

1. Amend page 2, line 12, by striking out all of enacting section 1 and inserting:

"Enacting section 1. This amendatory act does not take effect unless Senate Bill No. 674 of the 94th Legislature is enacted into law."

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.

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:

**House Bill No. 6437**

**House Bill No. 6438**

**House Bill No. 6549**

**House Bill No. 5008**

**House Bill No. 5018**

**House Bill No. 5969**

**House Bill No. 6022**

**House Bill No. 6036**

**House Bill No. 5862**

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

The following bill was read a third time:

**House Bill No. 6437, entitled**

A bill to amend 1893 PA 206, entitled “The general property tax act,” by amending section 7q (MCL 211.7q), as added by 1980 PA 142.

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. 834**

**Yeas—38**

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

**Nays—0**

**Excused—0**

**Not Voting—0**

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

The Senate agreed to the full title.

The following bill was read a third time:

**House Bill No. 6438, entitled**

A bill to amend 1893 PA 206, entitled “The general property tax act,” by amending section 27a (MCL 211.27a), as amended by 2006 PA 446.

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. 835****Yeas—38**

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

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

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

The Senate agreed to the full title.

The following bill was read a third time:

**House Bill No. 6549, entitled**

A bill to amend 1966 PA 346, entitled “State housing development authority act of 1966,” by amending section 22 (MCL 125.1422), as amended by 2002 PA 385.

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. 836****Yeas—38**

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

Bishop  
Brater  
Brown  
Cassis  
Cherry

Gilbert  
Gleason  
Hardiman  
Hunter  
Jacobs

Olshove  
Pappageorge  
Patterson  
Prusi

Switalski  
Thomas  
Van Woerkom  
Whitmer

**Nays—0**

**Excused—0**

**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 create a state housing development authority; to define the powers and duties of the authority; to establish a housing development revolving fund; to establish a land acquisition and development fund; to establish a rehabilitation fund; to establish a conversion condominium fund; to create certain other funds and provide for the expenditure of certain funds; to authorize the making and purchase of loans, deferred payment loans, and grants to qualified developers, sponsors, individuals, mortgage lenders, and municipalities; to establish and provide acceleration and foreclosure procedures; to provide tax exemption; to authorize payments instead of taxes by nonprofit housing corporations, consumer housing cooperatives, limited dividend housing corporations, mobile home park corporations, and mobile home park associations; and to prescribe criminal penalties for violations of this act.”

The Senate agreed to the full title.

The following bill was read a third time:

**House Bill No. 5008, entitled**

A bill to enact the uniform securities act (2002) relating to the issuance, offer, sale, or purchase of securities; to prohibit fraudulent practices in relation to securities; to establish civil and criminal sanctions for violations of the act and civil sanctions for violation of the rules promulgated pursuant to the act; to require the registration of broker-dealers, agents, investment advisers, and securities; to make uniform the law with reference to securities; 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. 837**

**Yeas—38**

Allen  
Anderson  
Barcia  
Basham  
Birkholz  
Bishop  
Brater  
Brown  
Cassis  
Cherry

Clark-Coleman  
Clarke  
Cropsey  
Garcia  
George  
Gilbert  
Gleason  
Hardiman  
Hunter  
Jacobs

Jansen  
Jelinek  
Kahn  
Kuipers  
McManus  
Olshove  
Pappageorge  
Patterson  
Prusi

Richardville  
Sanborn  
Schauer  
Scott  
Stamas  
Switalski  
Thomas  
Van Woerkom  
Whitmer

**Nays—0**

**Excused—0**

**Not Voting—0**

In The Chair: Richardville

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

The following bill was read a third time:

**House Bill No. 5018, entitled**

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 14j of chapter XVII (MCL 777.14j), as added by 2002 PA 29.

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. 838**

**Yeas—38**

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

**Nays—0**

**Excused—0**

**Not Voting—0**

In The Chair: 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 revise, consolidate, and codify the laws relating to criminal procedure and to define the jurisdiction, powers, and duties of courts, judges, and other officers of the court under the provisions of this act; to provide laws relative to the rights of persons accused of criminal offenses and ordinance violations; to provide for the arrest of persons charged with or suspected of criminal offenses and ordinance violations; to provide for bail of persons arrested for or accused

of criminal offenses and ordinance violations; to provide for the examination of persons accused of criminal offenses; to regulate the procedure relative to grand juries, indictments, informations, and proceedings before trial; to provide for trials of persons complained of or indicted for criminal offenses and ordinance violations and to provide for the procedure in those trials; to provide for judgments and sentences of persons convicted of criminal offenses and ordinance violations; to establish a sentencing commission and to prescribe its powers and duties; to provide for procedure relating to new trials and appeals in criminal and ordinance violation cases; to provide a uniform system of probation throughout this state and the appointment of probation officers; to prescribe the powers, duties, and compensation of probation officers; to provide penalties for the violation of the duties of probation officers; to provide for procedure governing proceedings to prevent crime and proceedings for the discovery of crime; to provide for fees of officers, witnesses, and others in criminal and ordinance violation cases; to set forth miscellaneous provisions as to criminal procedure in certain cases; to provide penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act.”.

The Senate agreed to the full title.

The following bill was read a third time:

**House Bill No. 5969, entitled**

A bill to amend 1927 PA 372, entitled “An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms and gas ejecting devices; to prohibit the buying, selling, or carrying of certain firearms and gas ejecting devices without a license or other authorization; to provide for the forfeiture of firearms under certain circumstances; to provide for penalties and remedies; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; to prohibit certain conduct against individuals who apply for or receive a license to carry a concealed pistol; to make appropriations; to prescribe certain conditions for the appropriations; and to repeal all acts and parts of acts inconsistent with this act.” by amending sections 2, 5b, 5l, 5o, 8, 9a, and 9b (MCL 28.422, 28.425b, 28.425l, 28.425o, 28.428, 28.429a, and 28.429b), section 2 as amended by 2008 PA 195, section 5b as amended by 2006 PA 350, section 5l as amended by 2006 PA 456, section 5o as amended by 2008 PA 194, section 8 as amended by 2000 PA 381, and sections 9a and 9b as added by 1990 PA 320.

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. 839**

**Yeas—34**

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

**Nays—4**

Brater	Clark-Coleman	Jacobs	Scott
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**Excused—0**

**Not Voting—0**

In The Chair: Richardville

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

The following bill was read a third time:

**House Bill No. 6022, entitled**

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending section 356a (MCL 750.356a), as amended by 1998 PA 311.

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. 840**

**Yeas—38**

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

**Nays—0**

**Excused—0**

**Not Voting—0**

In The Chair: 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 revise, consolidate, codify, and add to the statutes relating to crimes; to define crimes and prescribe the penalties and remedies; to provide for restitution under certain circumstances; to provide for the competency of evidence at the trial of persons accused of crime; to provide immunity from prosecution for certain witnesses appearing at such trials; and to repeal certain acts and parts of acts inconsistent with or contravening any of the provisions of this act.”

The Senate agreed to the full title.

The following bill was read a third time:

**House Bill No. 6036, entitled**

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending section 2926a (MCL 600.2926a).

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. 841**

**Yeas—38**

Allen	Clark-Coleman	Jansen	Richardville
Anderson	Clarke	Jelinek	Sanborn

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

**Nays—0**

**Excused—0**

**Not Voting—0**

In The Chair: Richardville

Senator Cropsey moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

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

“An act to revise and consolidate the statutes relating to the organization and jurisdiction of the courts of this state; the powers and duties of such courts, and of the judges and other officers thereof; the forms and attributes of civil claims and actions; the time within which civil actions and proceedings may be brought in said courts; pleading, evidence, practice and procedure in civil and criminal actions and proceedings in said courts; to provide remedies and penalties for the violation of certain provisions of this act; to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act; and to repeal acts and parts of acts,”.

The Senate agreed to the full title.

The following bill was read a third time:

**House Bill No. 5862, entitled**

A bill to amend 1933 PA 167, entitled “General sales tax act,” by amending section 4a (MCL 205.54a), as amended by 2004 PA 173.

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. 842**

**Yeas—38**

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

**Nays—0**



**Excused—0**

**Not Voting—0**

In The Chair: Richardville

Senator Cropsey moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

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

“An act to provide for the raising of additional public revenue by prescribing certain specific taxes, fees, and charges to be paid to the state for the privilege of engaging in certain business activities; to provide, incident to the enforcement thereof, for the issuance of licenses to engage in such occupations; to provide for the ascertainment, assessment and collection thereof; to appropriate the proceeds thereof; and to prescribe penalties for violations of the provisions of this act.”.

The Senate agreed to the full title.

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

**House Bill No. 4017**

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

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

**House Bill No. 5987**

**House Bill No. 4872**

**House Bill No. 4873**

**House Bill No. 4017**

**House Bill No. 6629**

**House Bill No. 6630**

**House Bill No. 6089**

**House Bill No. 6090**

The motion prevailed.

The following bill was read a third time:

**House Bill No. 5987, entitled**

A bill to amend 1982 PA 325, entitled “An act to authorize county sheriffs to declare a county jail overcrowding state of emergency; to prescribe the powers and duties of certain judges, county sheriffs, and other county officials; and to provide remedies for a county jail overcrowding state of emergency,” by amending section 6 (MCL 801.56), as amended by 1988 PA 399.

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. 843**

**Yeas—38**

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

Cassis  
Cherry

Hunter  
Jacobs

Prusi

Whitmer

**Nays—0**

**Excused—0**

**Not Voting—0**

In The Chair: Richardville

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

The following bill was read a third time:

**House Bill No. 4872, entitled**

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” (MCL 750.1 to 750.568) by adding section 135a.

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. 844**

**Yeas—37**

Allen  
Anderson  
Barcia  
Basham  
Birkholz  
Bishop  
Brater  
Brown  
Cassis  
Cherry

Clark-Coleman  
Clarke  
Cropsey  
Garcia  
George  
Gilbert  
Gleason  
Hardiman  
Hunter

Jacobs  
Jansen  
Jelinek  
Kahn  
Kuipers  
McManus  
Olshove  
Pappageorge  
Patterson

Prusi  
Richardville  
Sanborn  
Scott  
Stamas  
Switalski  
Thomas  
Van Woerkom  
Whitmer

**Nays—0**

**Excused—0**

**Not Voting—1**

Schauer

In The Chair: Richardville

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

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

“An act to revise, consolidate, codify, and add to the statutes relating to crimes; to define crimes and prescribe the penalties and remedies; to provide for restitution under certain circumstances; to provide for the competency of evidence at the trial of persons accused of crime; to provide immunity from prosecution for certain witnesses appearing at such trials; and to repeal certain acts and parts of acts inconsistent with or contravening any of the provisions of this act.”.

The Senate agreed to the full title.

The following bill was read a third time:

**House Bill No. 4873, entitled**

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 16g of chapter XVII (MCL 777.16g), as amended by 2002 PA 630.

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. 845**

**Yeas—38**

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

**Nays—0**

**Excused—0**

**Not Voting—0**

In The Chair: Richardville

Senator Cropsey moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

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

“An act to revise, consolidate, and codify the laws relating to criminal procedure and to define the jurisdiction, powers, and duties of courts, judges, and other officers of the court under the provisions of this act; to provide laws relative to the rights of persons accused of criminal offenses and ordinance violations; to provide for the arrest of persons charged with or suspected of criminal offenses and ordinance violations; to provide for bail of persons arrested for or accused of criminal offenses and ordinance violations; to provide for the examination of persons accused of criminal offenses; to regulate the procedure relative to grand juries, indictments, informations, and proceedings before trial; to provide for trials of persons complained of or indicted for criminal offenses and ordinance violations and to provide for the procedure in those trials; to provide for judgments and sentences of persons convicted of criminal offenses and ordinance violations; to establish a sentencing commission and to prescribe its powers and duties; to provide for procedure relating to new trials and appeals in criminal and ordinance violation cases; to provide a uniform system of probation throughout this state and the appointment of probation officers; to prescribe the powers, duties, and compensation of probation officers; to provide penalties for the violation of the duties of probation officers; to provide for procedure governing proceedings to prevent crime and proceedings for the discovery of crime; to provide for fees of officers, witnesses, and others in criminal

and ordinance violation cases; to set forth miscellaneous provisions as to criminal procedure in certain cases; to provide penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act.”

The Senate agreed to the full title.

The following bill was read a third time:

**House Bill No. 4017, entitled**

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” (MCL 257.1 to 257.923) by adding section 653b.

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. 846**

**Yeas—38**

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

**Nays—0**

**Excused—0**

**Not Voting—0**

In The Chair: Richardville

Senator Cropsey moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

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

“An act to 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:

**House Bill No. 6629, 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. 847**

**Yeas—38**

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

**Nays—0**

**Excused—0**

**Not Voting—0**

In The Chair: Richardville

Senator Cropsey moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

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

"An act to revise, consolidate, and codify the laws relating to criminal procedure and to define the jurisdiction, powers, and duties of courts, judges, and other officers of the court under the provisions of this act; to provide laws relative to the rights of persons accused of criminal offenses and ordinance violations; to provide for the arrest of persons charged with or suspected of criminal offenses and ordinance violations; to provide for bail of persons arrested for or accused of criminal offenses and ordinance violations; to provide for the examination of persons accused of criminal offenses; to regulate the procedure relative to grand juries, indictments, informations, and proceedings before trial; to provide for trials of persons complained of or indicted for criminal offenses and ordinance violations and to provide for the procedure in those trials; to provide for judgments and sentences of persons convicted of criminal offenses and ordinance violations; to establish a sentencing commission and to prescribe its powers and duties; to provide for procedure relating to new trials and appeals in criminal and ordinance violation cases; to provide a uniform system of probation throughout this state and the appointment of probation officers; to prescribe the powers, duties, and compensation of probation officers; to provide penalties for the violation of the duties of probation officers; to provide for procedure governing proceedings to prevent crime and proceedings for the discovery of crime; to provide for fees of officers, witnesses, and others in criminal and ordinance violation cases; to set forth miscellaneous provisions as to criminal procedure in certain cases; to provide penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act."

The Senate agreed to the full title.

The following bill was read a third time:

**House Bill No. 6630, 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. 848****Yeas—38**

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

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

In The Chair: Richardville

Senator Cropsey moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

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

“An act to revise, consolidate, and codify the laws relating to criminal procedure and to define the jurisdiction, powers, and duties of courts, judges, and other officers of the court under the provisions of this act; to provide laws relative to the rights of persons accused of criminal offenses and ordinance violations; to provide for the arrest of persons charged with or suspected of criminal offenses and ordinance violations; to provide for bail of persons arrested for or accused of criminal offenses and ordinance violations; to provide for the examination of persons accused of criminal offenses; to regulate the procedure relative to grand juries, indictments, informations, and proceedings before trial; to provide for trials of persons complained of or indicted for criminal offenses and ordinance violations and to provide for the procedure in those trials; to provide for judgments and sentences of persons convicted of criminal offenses and ordinance violations; to establish a sentencing commission and to prescribe its powers and duties; to provide for procedure relating to new trials and appeals in criminal and ordinance violation cases; to provide a uniform system of probation throughout this state and the appointment of probation officers; to prescribe the powers, duties, and compensation of probation officers; to provide penalties for the violation of the duties of probation officers; to provide for procedure governing proceedings to prevent crime and proceedings for the discovery of crime; to provide for fees of officers, witnesses, and others in criminal and ordinance violation cases; to set forth miscellaneous provisions as to criminal procedure in certain cases; to provide penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act.”

The Senate agreed to the full title.

The following bill was read a third time:

**House Bill No. 6089, entitled**

A bill to establish the foster care trust fund in the department of human services; to establish the state foster care board; to prescribe the powers and duties of the state foster care board; to provide for the distribution of the money from the fund; to prescribe the powers and duties of certain agencies and officials; and to provide for appropriations.

The 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. 849****Yeas—38**

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

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

In The Chair: Richardville

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

The following bill was read a third time:

**House Bill No. 6090, 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,  
Senator Jansen offered the following substitute:  
Substitute (S-1).

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

The question being on the passage of the bill,

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

**Roll Call No. 850****Yeas—38**

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

**Nays—0**

**Excused—0**

**Not Voting—0**

In The Chair: 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.  
Senator Jansen offered to amend the title to read as follows:

A bill to amend 1967 PA 281, entitled "An act to meet deficiencies in state funds by providing for the imposition, levy, computation, collection, assessment, and enforcement by lien and otherwise of taxes on or measured by net income; to prescribe the manner and time of making reports and paying the taxes, and the functions of public officers and others as to the taxes; to permit the inspection of the records of taxpayers; to provide for interest and penalties on unpaid taxes; to provide exemptions, credits and refunds of the taxes; to prescribe penalties for the violation of this act; to provide an appropriation; and to repeal certain acts and parts of acts," by amending section 435 (MCL 206.435), as amended by 2008 PA 322.

The amendment to the title was adopted.

The Senate agreed to the title as amended.

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

**House Bill No. 6058**

The motion prevailed.

The following bill was read a third time:

**House Bill No. 6058, entitled**

A bill to amend 1979 PA 218, entitled "Adult foster care facility licensing act," by amending section 34b (MCL 400.734b), as added by 2006 PA 29.

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. 851**

**Yeas—38**

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

**Nays—0**

**Excused—0**



**Not Voting—0**

In The Chair: Richardville

Senator Cropsey moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

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

“An act to provide for the licensing and regulation of adult foster care facilities; to provide for the establishment of standards of care for adult foster care facilities; to prescribe powers and duties of the department of social services and other departments; to prescribe certain fees; to prescribe penalties; and to repeal certain acts and parts of acts;”.

The Senate agreed to the full title.

Senators Allen, Cropsey and Bishop asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator Allen’s statement is as follows:

Unfortunately, we have great joy and great sadness. Our dear friend, who has been with Team Allen for ten years, Laura DuBreuil, is moving back to the lower chamber to give them tutelage, honor, and insights on how to do things. As you know, Laura started with our office in the House and is now going to work with Representative Leader-elect Kevin Elsenheimer.

I am proud to know Laura, and she has been a dear friend for many years. She started out serving exclusively northern Michigan under the leadership of State Senator Connie Binsfeld, the gentle lady from Maple City. After her retirement, she came to work with Team Allen in the House and has been my scheduler extraordinaire since 1998. Her Rolodex file has been called the Holy Grail of state government, with listings of everyone everywhere, and she knows how to get hold of them just about any time.

We will greatly miss her. She has been a terrific scheduler and dear friend. Her two daughters are wonderful ladies. Equally important, I know that many of us have enjoyed her wonderful baking skills of the Christmas rolls for the past six years. May we give an appropriate Senate greeting and wish Laura DuBreuil well.

Senator Cropsey’s statement is as follows:

I also have a person I would like to acknowledge who is leaving my staff. Two years ago, I hired Jeremy Hedges to manage the procedure and operations on the Senate floor during sessions. He has taken us through over 840 roll call votes, and, so far, so many late nights that I really don’t care to remember how many late nights. He has assured me that he is going to try to make sure that it doesn’t go past midnight this evening. Right, Jeremy?

Usually, we see folks in a work environment, but we know very little about their personal lives, so I need to tell you a little bit about Jeremy’s personal background. In the Traverse City High School band, he is so old that they have had to change the name of the Traverse City high school. Now, Jeremy rocked out in the band playing percussion, complete with his signature Camaro Mullet look. He attended Michigan Tech where he earned the nickname “Tech,” and he finished out at Grand Valley State University with two degrees. While at Grand Valley State, he also perfected the Buddha dance. I am not going to ask him to perform it today.

During his employment and in my office, he hit a big one; this year his birthday was the big 30. He has the same birthday as Napoleon, so the House had better watch out. Jeremy has been in the Senate for years and has the well-earned reputation for getting things done, for organizational skills, for his negotiating skills, and for always being able to find a way to ease the tension that we so often see around here. He is an expert in economic development and in the legislative process. He knows the right people in order to get things done and the right parliamentary rules to make sure that the Senate session flows smoothly. He is quick, and he is a pleasure to have in my office. I know that no matter what hole I have dug myself into, I can always look up and he is standing there on solid ground yelling down at me, “Hey, boss, I’ve got a ladder for you.”

Jeremy has exceptional endurance, and there was one time, believe it or not, he was working on Jason Allen’s House race. He was doing a parade in the little town of Empire, Michigan. He wore a Popeye suit, and he almost died of heatstroke because of the extreme heat that day due to the lack of spinach.

In all seriousness, Jeremy has been a very dedicated employee to the great state of Michigan. He is so dedicated, in fact, that he chose his wedding date to work around the Senate session schedule and the election year, and we appreciate that, Jeremy. We are going to miss having you in the Senate, but we are going to look forward to working with you as you move over to the State House. Best wishes.

Senator Bishop's first statement is as follows:

This is a bittersweet day for a lot of reasons. We have seen some tributes already to some of our special employees who have been here and have been a part of this great family of ours in the Senate. As I said, it is bittersweet because we do not want to see them go, but at the same time, we know that they are moving on to greener pastures in an area that fits them and their career in the future.

I have one such person next to me who has worked in my office in the advise and consent department. He has done a great job for us in so many different areas in addressing our needs in that area. Mike Healy has worked in the Senate for Senator Johnson. He worked for Senator Pappageorge. He has seen just about every level of public service. He is a dedicated employee and a hard worker, and he has been tapped by one of our new incoming State Representatives, Gail Haines, to be her chief of staff. This is a great move for Mike individually, and it is a great move for Gail Haines, as she picked a good person and someone who will be a tremendous help in her office.

On behalf of the Senate, I would like to present Mike with a Special Tribute in honor of his great career and his service to the Senate. We look forward to seeing him in the years to come.

Senator Bishop's second statement is as follows:

I have one of those days today where I have to say goodbye to my employees who have been there for so long for me. I have been lucky to have Carolyn Harden in my office for a number of years now. In fact, she has been with us for two terms now. She is already crying behind me—I know she is; I'm not going to even look. She is probably one of the more dedicated people I have ever known, one of the more loyal people I have ever known, and one of the most important parts of the family in my office. It is a real challenge for me to try to replace her because I know I won't be able to completely.

Our office will miss her greatly. She is going on to a different job that is going to keep her close, but her presence will be missed. I hope she knows of our great esteem for her, her efforts, and her friendship over the years. She has worked with just about every one of you out here in the Senate over the time. She is known as a person who is so gracious, and when she answers the phone for anybody, of all the people I work with, she is the one person that I get that compliment about how she is so gracious, so helpful, and so friendly. She puts such a great face on our office, and I will miss it. I will miss her, and I know the rest of my staff that is up here right now would agree.

I have not looked at her yet because I am afraid to. She will probably make me break down too. Thank you, Carolyn, for all that you do. We look forward to you visiting us in the near future.

### Recess

Senator Cropsey moved that the Senate recess subject to the call of the Chair.  
The motion prevailed, the time being 3:09 p.m.

6:26 p.m.

The Senate was called to order by the President pro tempore, Senator Richardville.

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

The motion prevailed.

Senator Stamas' statement is as follows:

Colleagues, I just want to take a moment to recognize a gentleman who will be leaving my staff. He has done an outstanding job. Jason Griffin is from Traverse City by way of Fruitport and has been a member of my staff since 2006. He interned in my office while he was attending Michigan State. He moved up to Midland to help run my 2006 campaign, and, after a successful endeavor, came back to work in my office full-time while attending Michigan State University, which I believe he is still finishing up there. He made the mistake of picking up the phone call from a family member of mine, my brother, a few months back and agreed to work on my brother's campaign. After a successful campaign, he has agreed to go to work for him. I know that he will do an outstanding job.

He comes from a family that is committed to public service. His grandfather, Senator Griffin, was truly a public servant in this state. His parents, whom I have gotten to know, are committed to the community and the state. I know that Jason will continue to do wonderful work.

I just ask that you join me in thanking him for his work in the State Senate and wishing him the best for his continued service in the State House of Representatives.

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

Senator Brown offered the following resolution:

**Senate Resolution No. 232.**

A resolution to memorialize the Congress of the United States to assist Michigan in rebuilding the state's economy, in light of Michigan's high rate of unemployment and pressures on the state's Unemployment Trust Fund.

Whereas, Our nation is facing an economic crisis, the depth and breath of which has not been seen in decades. With Michigan's historic connection to the automotive industry, the Great Lakes State's economic struggles have been a precursor to the nation's economic maelstrom. Michigan has the nation's highest unemployment rate and has lost 538,000 jobs since 2000. Clearly, federal assistance is necessary to help Michigan restart its economic engine and help drive the national economy back to full recovery. Given the severity of Michigan's economic downturn, the state should be given priority when distributing stimulus dollars to spur economic growth in our country; and

Whereas, Indeed, Michigan is now at a tipping point between economic despair and recovery. Technological innovation and business reforms and efficiencies adopted in response to Michigan's "one-state recession" are already paying dividends. However, the national economy and numerous federal policies have continued to negatively impact our state's ability to pull itself up by its bootstraps. Chief among these are Michigan's longtime status as a donor state for federal highway funding dollars and the relative lack of federal public works and defense investment in this state; and

Whereas, Congress could be of great assistance in our state's economic redevelopment efforts, in particular, temporarily suspending the federal match for highway infrastructure investment, improving the state's share of federal highway funding so Michigan is no longer a donor state, and giving greater weight to Michigan firms in contracting would provide an immediate stimulus to our stagnant state economy. Moreover, longer term efforts such as creating tax-free state economic recovery zones; reducing taxation on innovation, production, and investment; allowing states to designate certain areas of the state as exempt from federal corporate taxes capped at \$1 billion per year; enhancing investment tax credit availability; and targeting federal infrastructure investment to those states with the highest rates of unemployment would help provide economic stability where it is needed the most; now, therefore, be it

Resolved by the Senate, That we hereby memorialize the Congress of the United States to assist Michigan in rebuilding the state's economy, in light of unemployment and pressures on the state's Unemployment Trust Fund; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, 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 Cropsey moved that the rule be suspended.

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

The resolution was adopted.

Senators Allen, Anderson, Barcia, Basham, Birkholz, Bishop, Brater, Cassis, Cherry, Clark-Coleman, Clarke, Cropsey, Garcia, George, Gilbert, Gleason, Hardiman, Hunter, Jacobs, Jansen, Jelinek, Kahn, Kuipers, McManus, Olshove, Pappageorge, Patterson, Prusi, Richardville, Sanborn, Schauer, Scott, Stamas, Switalski, Thomas, Van Woerkom and Whitmer were named co-sponsors of the resolution.

Senators Scott, Thomas, Hunter and Clark-Coleman offered the following resolution:

**Senate Resolution No. 233.**

A resolution in memory of the Honorable Robert Blackwell, former mayor of the city of Highland Park and the first elected African-American Republican in the nation.

Whereas, Mr. Robert Blackwell was born in Meridian, Mississippi, and came to Highland Park, Michigan, in 1950 after graduating from Howard University in Washington, D.C., with a degree in chemistry; and

Whereas, Mr. Blackwell was a production planner for Chrysler and served three terms as president of his local United Auto Workers chapter; and

Whereas, Mr. Blackwell entered the political arena as a Republican in the 1960s, and in 1963, was appointed executive secretary of the Michigan Labor Mediation Board by then-Governor George Romney; and

Whereas, In 1965, Mr. Blackwell was appointed to fill a vacancy on the Highland Park City Council; and

Whereas, Mr. Blackwell was elected mayor of Highland Park in 1968 and became the first African-American Republican elected official in the nation; and

Whereas, He toured the country making speeches in the company of prominent Republicans; and

Whereas, Mr. Blackwell served as mayor until 1975 and then again from 1980-1984, after switching parties and running as a Democrat; and

Whereas, The life of Robert Blackwell is a study in the power of hard work, dedication, and commitment to his career, his family, his city, and his state; and

Whereas, Mr. Blackwell passed away on December 16, 2008; and

Whereas, Mr. Blackwell was a dedicated public servant and caring person who enriched many lives; now, therefore, be it Resolved by the Senate, That we offer our words of praise as a memorial for Highland Park Mayor Robert Blackwell; and be it further

Resolved, That a copy of this resolution be transmitted to the city of Highland Park and the family of Robert Blackwell, that they may find comfort in their faith and their memories of this fine man and his distinguished career.

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

Senator Cropsey moved that the rule be suspended.

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

The resolution was adopted.

Senator Cropsey moved that rule 3.204 be suspended to name the entire membership of the Senate and the Lieutenant Governor as co-sponsors of the resolution.

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

By unanimous consent the Senate proceeded to consideration of the following concurrent resolution:

**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.

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. 852**

**Yeas—38**

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

**Nays—0**

**Excused—0**

**Not Voting—0**

**House Concurrent Resolution No. 103.**

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-Ann Arbor Phoenix Laboratory.

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-Ann Arbor Phoenix Laboratory (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-Ann Arbor Phoenix Laboratory shall not exceed \$9,500,000 (the Authority share is \$6,428,200, the State General Fund/General Purpose share is \$100, and the Educational Institution share is \$3,071,700), 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 \$6,428,200, 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 \$441,000 and \$576,000, 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 Cropsey 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. 853****Yeas—38**

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

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

In The Chair: Richardville

Senators Cherry, Clark-Coleman, Clarke, Jacobs, Pappageorge and Richardville were named co-sponsors of the concurrent resolution.

**House Concurrent Resolution No. 104.**

A concurrent resolution to authorize construction and establish the total project cost of the Health Sciences Facility project at Saginaw Valley State University.

Whereas, The Saginaw Valley State University Health Sciences Facility 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 Saginaw Valley State University Health Sciences Facility project at an amount not to exceed \$28,000,000 (State Building Authority share \$20,999,900; State General Fund/General Purpose share \$100; Saginaw Valley State University share \$7,000,000); 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 \$20,999,900; 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 Saginaw Valley State University.

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 Cropsey moved that the rule be suspended.

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

The resolution was adopted.

Senators Barcia, Cherry, Clark-Coleman, Clarke, Jacobs and Pappageorge were named co-sponsors of the concurrent resolution.

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

The motion prevailed.

Senator Kahn’s statement is as follows:

I rise today to urge the adoption of House Concurrent Resolution No. 104, a concurrent resolution to authorize the construction and the establishment of the total project cost of the Health Sciences Facility project at Saginaw Valley State University. Saginaw Valley State University Health Sciences Facility project was authorized for planning as a state project earlier this year. Whereas, pursuant to section 246 of 1984 PA 431, the authorized cost of projects should only be established or revised by specific reference in a budget act or by concurrent resolution adopted in both houses of the Legislature, and thus, this resolution comes to us today.

I urge its prompt adoption so that we can start putting spades in the ground and rered in concrete.

**Senate Concurrent Resolution No. 31.**

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

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

The House of Representatives has adopted the concurrent resolution and named Reps. Accavitti, Bauer, Brown, Condino, Constan, Dean, Gillard, Gonzales, Hammon, Huizenga, Robert Jones, LeBlanc, Lemmons, Marleau, Opsommer, Palmer, Pastor, Polidori, Sak, Tobocman, Vagnozzi, Valentine, Wojno and Leland as co-sponsors of the concurrent resolution.

The concurrent resolution was referred to the Secretary for record.

By unanimous consent the Senate returned to the order of

**Messages from the House**

**Senate Bill No. 84, entitled**

A bill to amend 2001 PA 142, entitled “Michigan memorial highway act,” (MCL 250.1001 to 250.2080) by adding section 1068.

The House of Representatives has substituted (H-1) the bill.

The House of Representatives has passed the bill as substituted (H-1), ordered that it be given immediate effect and amended the title to read as follows:

A bill to amend 2001 PA 142, entitled “An act to consolidate prior acts naming certain Michigan highways; to provide for the naming of certain highways; to prescribe certain duties of the state transportation department; and to repeal acts and parts of acts and certain resolutions,” (MCL 250.1001 to 250.2080) by adding section 1067.

Pending the order that, under rule 3.202, the bill be laid over one day,

Senator Cropsey moved that the rule be suspended.

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

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. 854**

**Yeas—38**

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

**Nays—0**

**Excused—0**

**Not Voting—0**

In The Chair: Richardville

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

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

**Senate Bill No. 152, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 3902 (MCL 324.3902).

The House of Representatives has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

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

Senator Jacobs entered the Senate Chamber.

**Senate Bill No. 362, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 3902 (MCL 324.3902).

The House of Representatives has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

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

**Senate Bill No. 494, 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 1h (MCL 247.651h), as added by 1997 PA 79.

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

**Senate Bill No. 505, entitled**

A bill to amend 1927 PA 372, entitled “An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms and gas ejecting devices; to prohibit the buying, selling, or carrying of certain firearms and gas ejecting devices without a license or other authorization; to provide for the forfeiture of firearms under certain circumstances; to provide for penalties and remedies; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; to prohibit certain conduct against individuals who apply for or receive a license to carry a concealed pistol; to make appropriations; to prescribe certain conditions for the appropriations; and to repeal all acts and parts of acts inconsistent with this act,” by amending sections 1 and 5o (MCL 28.421 and 28.425o), as amended by 2002 PA 719.

The House of Representatives has substituted (H-3) the bill.

The House of Representatives has passed the bill as substituted (H-3), ordered that it be given immediate effect and amended the title to read as follows:

A bill to amend 1927 PA 372, entitled “An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms and gas ejecting devices; to prohibit the buying, selling, or carrying of certain firearms and gas ejecting devices without a license or other authorization; to provide for the forfeiture of firearms under certain circumstances; to provide for penalties and remedies; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; to prohibit certain conduct against individuals who apply for or receive a license to carry a concealed pistol; to make appropriations; to prescribe certain conditions for the appropriations; and to repeal all acts and parts of acts inconsistent with this act,” by amending sections 1 and 5o (MCL 28.421 and 28.425o), section 1 as amended by 2002 PA 719 and section 5o as amended by 2008 PA 194.

Pending the order that, under rule 3.202, the bill be laid over one day,  
 Senator Cropsey moved that the rule be suspended.

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

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. 855**

**Yeas—34**

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

**Nays—4**

Brater	Clark-Coleman	Jacobs	Scott
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**Excused—0**

**Not Voting—0**

In The Chair: Richardville

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

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

The motion prevailed.

Senator Kahn's statement is as follows:

I encourage the passage of this bill as amended. This bill strengthens the ability of our judges, practicing and retired, to defend themselves by increasing the locations where they can carry concealed pistols. This bill is primarily an issue of safety. Judges receive death threats regularly from the criminals they put behind bars. In fact, since we sent this bill over to the House, it is returned now to us, one of my local judges has received exactly that—another death threat.

Within this bill, there are provisions that state if a judge meets all state requirements for a concealed weapon permit, he or she should receive the same consideration as others in law enforcement. They should be able to have protection for themselves and their families.

The House substitute we are concurring in today includes a retired judge of the Recorder's Court and tie-bars this bill to another bill of Representative Mayes that clarifies residency issues in the pistol license law. I urge its passage.

**Senate Bill No. 635, entitled**

A bill to amend 1917 PA 167, entitled "Housing law of Michigan," by amending sections 1 and 126 (MCL 125.401 and 125.526), section 126 as amended by 2000 PA 479.

The House of Representatives has substituted (H-1) the bill.

The House of Representatives has passed the bill as substituted (H-1), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

Pending the order that, under rule 3.202, the bill be laid over one day,

Senator Cropsey moved that the rule be suspended.

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

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. 856**

**Yeas—38**

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

**Nays—0**

**Excused—0**

**Not Voting—0**

In The Chair: 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.  
The bill was referred to the Secretary for enrollment printing and presentation to the Governor.

**Senate Bill No. 720, entitled**

A bill to amend 1917 PA 350, entitled “An act to regulate and license second hand dealers and junk dealers; and to prescribe penalties for the violation of the provisions of this act,” by amending sections 1 and 2 (MCL 445.401 and 445.402), as amended by 2006 PA 675.

The House of Representatives has amended the bill as follows:

1. Amend page 4, line 20, by striking out all of enacting section 1 and inserting:

“Enacting section 1. This amendatory act does not take effect unless all of the following bills of the 94th Legislature are enacted into law:

- (a) Senate Bill No. 1114.
- (b) Senate Bill No. 1571.
- (c) House Bill No. 5694.
- (d) House Bill No. 6181.

Enacting section 2. This amendatory act takes effect April 1, 2009.”.

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

Pending the order that, under rule 3.202, the bill be laid over one day,

Senator Cropsey moved that the rule be suspended.

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

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

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

**Roll Call No. 857**

**Yeas—38**

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

**Nays—0**

**Excused—0**

**Not Voting—0**

In The Chair: 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.

Senator Basham moved that he be named co-sponsor of the following bill:

**Senate Bill No. 720**

The motion prevailed.

**Senate Bill No. 882, entitled**

A bill to amend 1993 PA 327, entitled "Tobacco products tax act," by amending sections 7 and 8 (MCL 205.427 and 205.428), section 7 as amended by 2004 PA 164 and section 8 as amended by 2005 PA 238.

The House of Representatives has substituted (H-2) the bill.

The House of Representatives has passed the bill as substituted (H-2), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

Pending the order that, under rule 3.202, the bill be laid over one day,

Senator Cropsey moved that the rule be suspended.

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

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. 858**

**Yeas—38**

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

**Nays—0**

**Excused—0**

**Not Voting—0**

In The Chair: 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.  
The bill was referred to the Secretary for enrollment printing and presentation to the Governor.

**Senate Bill No. 1020, entitled**

A bill to amend 2007 PA 36, entitled "Michigan business tax act," (MCL 208.1101 to 208.1601) by adding section 426.

The House of Representatives has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

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

**Senate Bill No. 1085, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 40107a (MCL 324.40107a), as amended by 2003 PA 242.

The House of Representatives has amended the bill as follows:

1. Amend page 2, following line 25, by inserting:

“Enacting section 1. This amendatory act does not take effect unless House Bill No. 5741 of the 94th Legislature is enacted into law.”.

The House of Representatives has passed the bill as amended, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

Pending the order that, under rule 3.202, the bill be laid over one day,

Senator Cropsey moved that the rule be suspended.

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

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

Senator Richardville offered the following amendment to the House amendment:

1. Amend the House Amendment page 2, following line 25, enacting section 1, after “unless” by striking out the balance of the amendment and inserting “House Bill No. 4614 of the 94th Legislature is enacted into law.”.

The amendment to the amendment was adopted.

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

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

**Roll Call No. 859**

**Yeas—38**

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

**Nays—0**

**Excused—0**

**Not Voting—0**

In The Chair: 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.

Senator Thomas moved that Senator Jacobs be temporarily excused from the balance of today’s session.  
 The motion prevailed.

**Senate Bill No. 1114, entitled**

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending section 356 (MCL 750.356), as amended by 1998 PA 311.

The House of Representatives has amended the bill as follows:

1. Amend page 4, line 25, after “effect” by striking out the balance of the enacting section and inserting “April 1, 2009.”.

2. Amend page 5, line 1, after “unless” by striking out the balance of the enacting section and inserting “all of the following bills of the 94th Legislature are enacted into law:

(a) Senate Bill No. 720.

(b) Senate Bill No. 1571.

(c) House Bill No. 5694.

(d) House Bill No. 6181.”.

The House of Representatives has passed the bill as amended, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

Pending the order that, under rule 3.202, the bill be laid over one day,

Senator Cropsey moved that the rule be suspended.

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

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

The amendments were concurred in, a majority of the members serving voting therefor, as follows:

**Roll Call No. 860****Yeas—37**

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

**Nays—0****Excused—1**

Jacobs

**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.

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

**Senate Bill No. 1253, entitled**

A bill to amend 1943 PA 20, entitled “An act relative to the investment of funds of public corporations of the state; and to validate certain investments,” (MCL 129.91 to 129.96) by adding section 7.

The House of Representatives has substituted (H-2) the bill.

The House of Representatives has passed the bill as substituted (H-2), ordered that it be given immediate effect and amended the title to read as follows:

A bill to amend 1943 PA 20, entitled "An act relative to the investment of funds of public corporations of the state; and to validate certain investments," (MCL 129.91 to 129.97) by adding section 7a.

Pending the order that, under rule 3.202, the bill be laid over one day,

Senator Cropsey moved that the rule be suspended.

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

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. 861**

**Yeas—37**

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

**Nays—0**

**Excused—1**

Jacobs

**Not Voting—0**

In The Chair: Richardville

Senator Jacobs entered the Senate Chamber.

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

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

The Senate agreed to the title as amended.

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

**Senate Bill No. 1344, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 1205 (MCL 500.1205), as amended by 2001 PA 228.

The House of Representatives has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

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

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

The Senate agreed to the full title.

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

**Senate Bill No. 1345, entitled**

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

The House of Representatives has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

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

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

The Senate agreed to the full title.

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

**Senate Bill No. 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 House of Representatives has substituted (H-1) the bill.

The House of Representatives has passed the bill as substituted (H-1), ordered that it be given immediate effect and amended the title to read as follows:

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 sections 10 and 17 (MCL 123.1010 and 123.1017).

Pending the order that, under rule 3.202, the bill be laid over one day,

Senator Cropsey moved that the rule be suspended.

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

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. 862****Yeas—38**

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

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

In The Chair: Richardville

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

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

The Senate agreed to the title as amended.

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



**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 House of Representatives has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

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

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

The Senate agreed to the full title.

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

**Senate Bill No. 1376, 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 2 (MCL 207.552), as amended by 2007 PA 146.

The House of Representatives has substituted (H-3) the bill.

The House of Representatives has passed the bill as substituted (H-3), ordered that it be given immediate effect and amended the title to read as follows:

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 14 (MCL 207.552, 207.557, and 207.564), section 2 as amended by 2008 PA 170, section 7 as amended by 2006 PA 483, and section 14 as amended by 2007 PA 146.

Pending the order that, under rule 3.202, the bill be laid over one day,

Senator Cropsey moved that the rule be suspended.

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

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. 863**

**Yeas—37**

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

**Nays—1**

Cassis

**Excused—0**

**Not Voting—0**

In The Chair: Richardville

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

**Senate Bill No. 1401, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 1239 (MCL 500.1239), as amended by 2007 PA 187.

The House of Representatives has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

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

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

**Senate Bill No. 1419, entitled**

A bill to amend 1982 PA 294, entitled "Friend of the court act," by amending section 20 (MCL 552.520), as added by 1996 PA 366.

The House of Representatives has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

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

**Senate Bill No. 1420, entitled**

A bill to amend 1975 PA 238, entitled "Child protection law," by amending section 3 (MCL 722.623), as amended by 2006 PA 583.

The House of Representatives has substituted (H-1) the bill.

The House of Representatives has passed the bill as substituted (H-1), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

Pending the order that, under rule 3.202, the bill be laid over one day,  
Senator Cropsey moved that the rule be suspended.

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

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. 864****Yeas—38**

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

Brater  
Brown  
Cassis  
Cherry

Gleason  
Hardiman  
Hunter  
Jacobs

Pappageorge  
Patterson  
Prusi

Thomas  
Van Woerkom  
Whitmer

**Nays—0**

**Excused—0**

**Not Voting—0**

In The Chair: Sanborn

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

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

**Senate Bill No. 1421, entitled**

A bill to amend 1975 PA 238, entitled "Child protection law," (MCL 722.621 to 722.638) by adding section 8e.

The House of Representatives has substituted (H-2) the bill.

The House of Representatives has passed the bill as substituted (H-2), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

Pending the order that, under rule 3.202, the bill be laid over one day,

Senator Cropsey moved that the rule be suspended.

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

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. 865**

**Yeas—37**

Allen  
Anderson  
Barcia  
Basham  
Birkholz  
Bishop  
Brater  
Brown  
Cassis  
Cherry

Clark-Coleman  
Cropsey  
Garcia  
George  
Gilbert  
Gleason  
Hardiman  
Hunter  
Jacobs

Jansen  
Jelinek  
Kahn  
Kuipers  
McManus  
Olshove  
Pappageorge  
Patterson  
Prusi

Richardville  
Sanborn  
Schauer  
Scott  
Stamas  
Switalski  
Thomas  
Van Woerkom  
Whitmer

**Nays—0**

**Excused—0**

**Not Voting—1**

Clarke

In The Chair: Sanborn

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

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

The motion prevailed.

Senator Kahn's statement is as follows:

This bill is a companion measure to Senate Bill No. 1420 that Senator Cropsey just spoke upon. Indeed, it was a tragic death in October of 2007. It was the death of a nine-year-old boy, Nicholas Braman, who died at the hands of his father, Oliver, who had had a documented history of violence. In fact, the father, Oliver Braman, had cattle-prodded his two other sons, and they had been removed from the father's custody. Oliver Braman was awaiting sentencing, jail time, when he took his young son Nicholas' life.

Senate Bill No. 1421 will require the Michigan Department of Human Services to develop a thorough checklist to be used in the investigation of suspected child abuse and neglect cases. This bill will prevent closure of an investigation until that checklist is completed, the DHS supervisor has reviewed it, and compliance with the law has been established. I urge its passage.

#### **Senate Bill No. 1433, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," (MCL 211.1 to 211.155) by adding sections 89d and 89e.

The House of Representatives has substituted (H-1) the bill.

The House of Representatives has passed the bill as substituted (H-1), ordered that it be given immediate effect and amended the title to read as follows:

A bill to amend 1893 PA 206, entitled "An act to provide for the assessment of rights and interests, including leasehold interests, in property and the levy and collection of taxes on property, and for the collection of taxes levied; making those taxes a lien on the property taxed, establishing and continuing the lien, providing for the sale or forfeiture and conveyance of property delinquent for taxes, and for the inspection and disposition of lands bid off to the state and not redeemed or purchased; to provide for the establishment of a delinquent tax revolving fund and the borrowing of money by counties and the issuance of notes; to define and limit the jurisdiction of the courts in proceedings in connection with property delinquent for taxes; to limit the time within which actions may be brought; to prescribe certain limitations with respect to rates of taxation; to prescribe certain powers and duties of certain officers, departments, agencies, and political subdivisions of this state; to provide for certain reimbursements of certain expenses incurred by units of local government; to provide penalties for the violation of this act; and to repeal acts and parts of acts," by amending sections 78, 89a, 89b, and 89c (MCL 211.78, 211.89a, 211.89b, and 211.89c), section 78 as added by 1999 PA 123, section 89a as amended and section 89b as added by 2003 PA 246, and section 89c as added by 2007 PA 31, and by adding sections 89d and 89e.

Pending the order that, under rule 3.202, the bill be laid over one day,

Senator Cropsey moved that the rule be suspended.

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

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. 866**

#### **Yeas—33**

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

**Nays—5**

Clark-Coleman  
Clarke

Hunter

Scott

Thomas

**Excused—0**

**Not Voting—0**

In The Chair: Sanborn

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

**Senate Bill No. 1483, entitled**

A bill to amend 1996 PA 376, entitled “Michigan renaissance zone act,” by amending sections 8d and 9 (MCL 125.2688d and 125.2689), section 8d as amended by 2008 PA 117 and section 9 as amended by 2007 PA 186.

The House of Representatives has amended the bill as follows:

1. Amend page 7, line 15, after “(3)” by striking out the balance of the line through “**DURING**” on line 16 and inserting “During”.

The House of Representatives has passed the bill as amended, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

Pending the order that, under rule 3.202, the bill be laid over one day,

Senator Cropsey moved that the rule be suspended.

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

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

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

**Roll Call No. 867**

**Yeas—37**

Allen  
Anderson  
Barcia  
Basham  
Birkholz  
Bishop  
Brater  
Brown  
Cassis  
Cherry

Clark-Coleman  
Cropsey  
Garcia  
George  
Gilbert  
Gleason  
Hardiman  
Hunter  
Jacobs

Jansen  
Jelinek  
Kahn  
Kuipers  
McManus  
Olshove  
Pappageorge  
Patterson  
Prusi

Richardville  
Sanborn  
Schauer  
Scott  
Stamas  
Switalski  
Thomas  
Van Woerkom  
Whitmer

**Nays—1**

Clarke

**Excused—0**

**Not Voting—0**

In The Chair: Sanborn

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

**Senate Bill No. 1487, entitled**

A bill to amend 1905 PA 157, entitled "An act to provide for the acquisition, maintenance, management, and control of township parks, resorts, bathing beaches, and places of recreation; to provide for the creation of a township park commission; to provide for a board of commissioners to provide for the issuance of bonds and the levy of taxes; to provide for the transfer of certain real property for parks; to authorize cities and villages to appropriate money for park purposes; to provide for the acquisition, construction, and use of wharves, piers, docks, and landing places in townships; to provide the powers and duties of certain local units of government and certain officials; and to prescribe penalties and provide remedies," (MCL 41.421 to 41.429) by amending the title, as amended by 1998 PA 160, and by adding sections 6g and 6h.

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

**Senate Bill No. 1508, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 4424 (MCL 500.4424), as amended by 1998 PA 457.

The House of Representatives has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

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

**Senate Bill No. 1550, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 44a (MCL 211.44a), as amended by 2004 PA 357.

The House of Representatives has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

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

**Senate Bill No. 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 House of Representatives has amended the bill as follows:

1. Amend page 2, line 2, after "Pub ord" by striking out "F" and inserting "E".
2. Amend page 2, line 2, after "metal" by striking out "3" and inserting "5".
3. Amend page 2, line 3, after "metal" by striking out the balance of the line through "jobsite" and inserting "- SECOND OR SUBSEQUENT OFFENSE".
4. Amend page 4, line 1, after "unless" by striking out the balance of the enacting section and inserting "all of the following bills of the 94th Legislature are enacted into law:  
(a) Senate Bill No. 720.

- (b) Senate Bill No. 1114.
- (c) House Bill No. 5694.
- (d) House Bill No. 6181.

Enacting section 2. This amendatory act takes effect April 1, 2009.”.

The House of Representatives has passed the bill as amended, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

Pending the order that, under rule 3.202, the bill be laid over one day,  
Senator Cropsey moved that the rule be suspended.

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

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

The amendments were concurred in, a majority of the members serving voting therefor, as follows:

**Roll Call No. 868**

**Yeas—38**

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

**Nays—0**

**Excused—0**

**Not Voting—0**

In The Chair: Sanborn

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

**Senate Bill No. 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 House of Representatives has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

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

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

The Senate agreed to the full title.

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

**Senate Bill No. 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 House of Representatives has amended the bill as follows:

1. Amend page 5, following line 10, by inserting:

“Sec. 8. (1) If the taxable value of the property proposed to be exempt pursuant to an application under consideration, considered together with the aggregate taxable value of property exempt under certificates previously granted and currently in force under this act or under 1974 PA 198, MCL 207.551 to 207.572, exceeds 5% of the taxable value of the qualified local governmental unit, the legislative body of the qualified local governmental unit shall make a separate finding and shall include a statement in its resolution approving the application that exceeding that amount shall not have the effect of substantially impeding the operation of the qualified local governmental unit or impairing the financial soundness of an affected taxing unit.

(2) The legislative body of the qualified local governmental unit shall not approve an application for a commercial rehabilitation exemption certificate unless the applicant complies with all of the following requirements:

(a) Except as otherwise provided in this subdivision, the commencement of the rehabilitation of the qualified facility does not occur earlier than 6 months before the applicant files the application for the commercial rehabilitation exemption certificate. However, through December 31, 2009, for a qualified facility that is a qualified retail food establishment, the commencement of the rehabilitation does not occur earlier than ~~36~~42 months before the applicant files the application for the commercial rehabilitation exemption certificate.

(b) The application relates to a rehabilitation program that when completed constitutes a qualified facility within the meaning of this act and that shall be situated within a commercial rehabilitation district established in a qualified local governmental unit eligible under this act.

(c) Completion of the qualified facility is calculated to, and will at the time of issuance of the certificate have the reasonable likelihood to, increase commercial activity, create employment, retain employment, prevent a loss of employment, revitalize urban areas, or increase the number of residents in the community in which the qualified facility is situated.

(d) The applicant states, in writing, that the rehabilitation of the qualified facility, excluding qualified retail food establishments through December 31, 2009, would not be undertaken without the applicant’s receipt of the exemption certificate.

(e) The applicant is not delinquent in the payment of any taxes related to the qualified facility.”.

The House of Representatives has passed the bill as amended, ordered that it be given immediate effect and amended the title to read as follows:

A bill to amend 2005 PA 210, entitled “An act to provide for the establishment of commercial rehabilitation districts in certain local governmental units; to provide for the exemption from certain taxes; to levy and collect a specific tax upon the owners of certain qualified facilities; to provide for the disposition of the tax; to provide for the obtaining and transferring of an exemption certificate and to prescribe the contents of those certificates; to prescribe the powers and duties of certain local governmental officials; and to provide penalties,” by amending sections 2, 8, and 10 (MCL 207.842, 207.848, and 207.850), sections 2 and 8 as amended by 2008 PA 231.

Pending the order that, under rule 3.202, the bill be laid over one day, Senator Cropsey moved that the rule be suspended.

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

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

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

**Roll Call No. 869**

**Yeas—38**

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

**Nays—0**



**Excused—0**

**Not Voting—0**

In The Chair: Sanborn

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

**Senate Bill No. 1622, entitled**

A bill to amend 1977 PA 72, entitled "The medicaid false claim act," by amending sections 2, 7, 10a, 10c, 11, and 12 (MCL 400.602, 400.607, 400.610a, 400.610c, 400.611, and 400.612), sections 2 and 7 as amended by 1984 PA 333 and sections 10a and 10c as added and section 11 as amended by 2005 PA 337, and by adding sections 14 and 15.

The House of Representatives has substituted (H-1) the bill.

The House of Representatives has passed the bill as substituted (H-1), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

Pending the order that, under rule 3.202, the bill be laid over one day,

Senator Cropsey moved that the rule be suspended.

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

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. 870**

**Yeas—38**

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

**Nays—0**

**Excused—0**

**Not Voting—0**

In The Chair: Sanborn

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

**Senate Bill No. 1642, entitled**

A bill to amend 1992 PA 234, entitled "The judges retirement act of 1992," by amending sections 105 and 604 (MCL 38.2105 and 38.2604), as amended by 2002 PA 95.

The House of Representatives has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

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

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

The Senate agreed to the full title.

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

**House Bill No. 4289, entitled**

A bill to amend 1949 PA 300, entitled "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," by amending sections 625k, 625l, 904, and 904d (MCL 257.625k, 257.625l, 257.904, and 257.904d), sections 625k, 625l, and 904d as amended by 2003 PA 61 and section 904 as amended by 2004 PA 362.

The House of Representatives has amended the Senate substitute (S-1) as follows:

1. Amend page 19, line 22, after "effect" by striking out "January" and inserting "October".

The House of Representatives has concurred in the Senate substitute (S-1) as amended and agreed to the full title.

Pending the order that, under rule 3.202, the bill be laid over one day,

Senator Cropsey moved that the rule be suspended.

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

The question being on concurring in the House amendment made to the Senate substitute,

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

**Roll Call No. 871****Yeas—38**

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

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

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

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

December 18, 2008

Pursuant to Senate Rule 1.105(c), I am hereby replacing Senator Jason Allen with Senator Mark Jansen on the Conference Committee for HB 5282.

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

Respectfully yours,  
Michael D. Bishop  
Senate Majority Leader

The communication was referred to the Secretary for record.

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

December 18, 2008

Pursuant to Senate Rule 1.105(c), I am hereby replacing Senator Jason Allen with Senator Mark Jansen on the Conference Committee for HB 5283.

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

Respectfully yours,  
Michael D. Bishop  
Senate Majority Leader

The communication was referred to the Secretary for record.

The following communications were received and read:  
Office of the Auditor General

December 9, 2008

Enclosed is a copy of the following audit report:

Performance audit of the G. Robert Cotton Correctional Facility, Department of Corrections.

December 12, 2008

Enclosed is a copy of the following audit report:

Financial audit of the Commercial Mobile Radio Service Emergency Telephone Fund, Department of Treasury and Michigan Department of State Police, for the period October 1, 2005 through September 30, 2007.

Sincerely,  
Thomas H. McTavish, C.P.A.  
Auditor General

The audit reports were referred to Committee on Government Operations and Reform.

The following communication was received:  
Office of Senator Ron Jelinek

December 16, 2008

On Wednesday, December 10, 2008, the Senate Appropriations Committee approved the Governor's Executive Order 2008-21.

Ron Jelinek  
State Senator  
21st District

The communication was referred to the Secretary for record.

Senator Cropsey moved that the Committee on Economic Development and Regulatory Reform be discharged from further consideration of the following bills:

**House Bill No. 4179, entitled**

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 541 (MCL 436.1541), as amended by 2006 PA 253.

**House Bill No. 6420, entitled**

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

**House Bill No. 6644, entitled**

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 203 (MCL 436.1203), as amended by 2005 PA 268.

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

Senator Cropsy moved that the Committee on Appropriations be discharged from further consideration of the following bill:

**House Bill No. 6113, entitled**

A bill to amend 1961 PA 88, entitled "Reciprocal retirement act," by amending sections 4 and 5 (MCL 38.1104 and 38.1105), as amended by 1990 PA 274.

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

Senator Cropsy moved that the Committee on Judiciary be discharged from further consideration of the following bills:

**House Bill No. 5361, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 383a (MCL 750.383a).

**House Bill No. 5362, entitled**

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

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

Senator Cropsy moved that the Committee on Finance be discharged from further consideration of the following bills:

**House Bill No. 6193, entitled**

A bill to establish the children's miracle network and children's hospital of Michigan fund in the department of community health; to provide for the distribution of the money from the fund; to prescribe the powers and duties of certain agencies and officials; and to provide for appropriations.

**House Bill No. 6194, 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 motion prevailed, a majority of the members serving voting therefor, and the bills were placed on the order of General Orders.

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

**House Bill No. 6644**

**House Bill No. 4179**

**House Bill No. 6420**

**House Bill No. 6113**

**House Bill No. 5361**

**House Bill No. 5362**

**House Bill No. 6193**

**House Bill No. 6194**

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

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 Assistant President pro tempore, Senator Sanborn, designated Senator Clarke as Chairperson.

### Recess

Senator Cropsey moved that the Committee of the Whole recess subject to the call of the Chairperson.  
The motion prevailed, the time being 8:18 p.m.

8:30 p.m.

The Committee of the Whole was called to order by the Chairperson, Senator Clarke.

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:

**House Bill No. 4179, entitled**

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 541 (MCL 436.1541), as amended by 2006 PA 253.

**House Bill No. 6420, entitled**

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

**House Bill No. 6113, entitled**

A bill to amend 1961 PA 88, entitled "Reciprocal retirement act," by amending sections 4 and 5 (MCL 38.1104 and 38.1105), as amended by 1990 PA 274.

**House Bill No. 5361, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 383a (MCL 750.383a).

**House Bill No. 5362, entitled**

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

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. 6644, entitled**

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 203 (MCL 436.1203), as amended by 2005 PA 268.

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:

**House Bill No. 6619, entitled**

A bill to amend 1948 (1st Ex Sess) PA 31, entitled "An act to provide for the incorporation of authorities to acquire, furnish, equip, own, improve, enlarge, operate, and maintain buildings, automobile parking lots or structures, recreational

facilities, stadiums, and the necessary site or sites therefor, together with appurtenant properties and facilities necessary or convenient for the effective use thereof, for the use of any county, city, village, or township, or for the use of any combination of 2 or more counties, cities, villages, or townships, or for the use of any school district and any city, village, or township wholly or partially within the district's boundaries, or for the use of any school district and any combination of 2 or more cities, villages, or townships wholly or partially within the district's boundaries, or for the use of any intermediate school district and any constituent school district or any city, village, or township, wholly or partially within the intermediate school district's boundaries; to provide for compensation of authority commissioners; to permit transfers of property to authorities; to authorize the execution of contracts, leases, and subleases pertaining to authority property and the use of authority property; to authorize incorporating units to impose taxes without limitation as to rate or amount and to pledge their full faith and credit for the payment of contract of lease obligations in anticipation of which bonds are issued by an authority; to provide for the issuance of bonds by such authorities; to validate action taken and bonds issued; to provide other powers, rights, and duties of authorities and incorporating units, including those for the disposal of authority property; and to prescribe penalties and provide remedies," by amending section 11 (MCL 123.961), as amended by 1980 PA 74.

Substitute (S-1).

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

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

**House Bill No. 6620, entitled**

A bill to amend 1980 PA 450, entitled "The tax increment finance authority act," by amending section 1 (MCL 125.1801), as amended by 2005 PA 29.

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:

**House Bill No. 6644**

**House Bill No. 4179**

**House Bill No. 6420**

**House Bill No. 6113**

**House Bill No. 5361**

**House Bill No. 5362**

**House Bill No. 6619**

**House Bill No. 6620**

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

The following bill was read a third time:

**House Bill No. 6644, entitled**

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 203 (MCL 436.1203), as amended by 2005 PA 268.

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. 872**

**Yeas—36**

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

Bishop	Gilbert	Olshove	Switalski
Brater	Gleason	Pappageorge	Thomas
Brown	Hardiman	Patterson	Van Woerkom
Cherry	Hunter	Prusi	Whitmer

**Nays—2**

Cassis	Kuipers
--------	---------

**Excused—0****Not Voting—0**

In The Chair: Richardville

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

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

The Senate agreed to the full title.

The following bill was read a third time:

**House Bill No. 4179, entitled**

A bill to amend 1998 PA 58, entitled “Michigan liquor control code of 1998,” by amending section 541 (MCL 436.1541), as amended by 2006 PA 253.

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. 873****Yeas—38**

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

**Nays—0**

**Excused—0**

**Not Voting—0**

In The Chair: Richardville

Senator Cropsey moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

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

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

The Senate agreed to the full title.

The following bill was read a third time:

**House Bill No. 6420, entitled**

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

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. 874**

**Yeas—38**

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

**Nays—0**

**Excused—0**

**Not Voting—0**

In The Chair: Richardville



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

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

“An act to provide for the establishment of obsolete property rehabilitation districts in certain local governmental units; to provide for the exemption from certain taxes; to levy and collect a specific tax upon the owners of certain facilities; to provide for the disposition of the tax; to provide for the obtaining and transferring of an exemption certificate and to prescribe the contents of those certificates; to prescribe the powers and duties of certain local government officials; and to provide penalties.”.

The Senate agreed to the full title.

The following bill was read a third time:

**House Bill No. 6113, entitled**

A bill to amend 1961 PA 88, entitled “Reciprocal retirement act,” by amending section 4 (MCL 38.1104), as amended by 1990 PA 274.

The question being on the passage of the bill,

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

**Roll Call No. 875**

**Yeas—37**

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

**Nays—1**

Switalski

**Excused—0**

**Not Voting—0**

In The Chair: Richardville

Senator Cropsey moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

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

“An act to provide for the preservation and continuity of retirement system service credits for public employees who transfer their employment between units of government.”.

The Senate agreed to the full title.

The following bill was read a third time:

**House Bill No. 5361, entitled**

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending section 383a (MCL 750.383a).

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. 876****Yeas—38**

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

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

In The Chair: Richardville

Senator Cropsey moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

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

“An act to revise, consolidate, codify, and add to the statutes relating to crimes; to define crimes and prescribe the penalties and remedies; to provide for restitution under certain circumstances; to provide for the competency of evidence at the trial of persons accused of crime; to provide immunity from prosecution for certain witnesses appearing at such trials; and to repeal certain acts and parts of acts inconsistent with or contravening any of the provisions of this act.”

The Senate agreed to the full title.

The following bill was read a third time:

**House Bill No. 5362, entitled**

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

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. 877****Yeas—38**

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

**Nays—0**

**Excused—0**

**Not Voting—0**

In The Chair: Richardville

Senator Cropsey moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefore.

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

“An act to revise, consolidate, and codify the laws relating to criminal procedure and to define the jurisdiction, powers, and duties of courts, judges, and other officers of the court under the provisions of this act; to provide laws relative to the rights of persons accused of criminal offenses and ordinance violations; to provide for the arrest of persons charged with or suspected of criminal offenses and ordinance violations; to provide for bail of persons arrested for or accused of criminal offenses and ordinance violations; to provide for the examination of persons accused of criminal offenses; to regulate the procedure relative to grand juries, indictments, informations, and proceedings before trial; to provide for trials of persons complained of or indicted for criminal offenses and ordinance violations and to provide for the procedure in those trials; to provide for judgments and sentences of persons convicted of criminal offenses and ordinance violations; to establish a sentencing commission and to prescribe its powers and duties; to provide for procedure relating to new trials and appeals in criminal and ordinance violation cases; to provide a uniform system of probation throughout this state and the appointment of probation officers; to prescribe the powers, duties, and compensation of probation officers; to provide penalties for the violation of the duties of probation officers; to provide for procedure governing proceedings to prevent crime and proceedings for the discovery of crime; to provide for fees of officers, witnesses, and others in criminal and ordinance violation cases; to set forth miscellaneous provisions as to criminal procedure in certain cases; to provide penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act.”

The Senate agreed to the full title.

The following bill was read a third time:

**House Bill No. 6619, entitled**

A bill to amend 1948 (1st Ex Sess) PA 31, entitled “An act to provide for the incorporation of authorities to acquire, furnish, equip, own, improve, enlarge, operate, and maintain buildings, automobile parking lots or structures, recreational facilities, stadiums, and the necessary site or sites therefor, together with appurtenant properties and facilities necessary or convenient for the effective use thereof, for the use of any county, city, village, or township, or for the use of any combination of 2 or more counties, cities, villages, or townships, or for the use of any school district and any city, village, or township wholly or partially within the district’s boundaries, or for the use of any school district and any combination of 2 or more cities, villages, or townships wholly or partially within the district’s boundaries, or for the use of any intermediate school district and any constituent school district or any city, village, or township, wholly or partially within the intermediate school district’s boundaries; to provide for compensation of authority commissioners; to permit transfers of property to authorities; to authorize the execution of contracts, leases, and subleases pertaining to authority property and the use of authority property; to authorize incorporating units to impose taxes without limitation as to rate or amount and to pledge their full faith and credit for the payment of contract of lease obligations in anticipation of which bonds are issued by an authority; to provide for the issuance of bonds by such authorities; to validate action taken and bonds issued; to provide other powers, rights, and duties of authorities and incorporating units, including those for the disposal of authority property; and to prescribe penalties and provide remedies,” by amending section 11 (MCL 123.961), as amended by 1980 PA 74.

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. 878**

**Yeas—38**

Allen  
Anderson

Clark-Coleman  
Clarke

Jansen  
Jelinek

Richardville  
Sanborn

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

**Nays—0**

**Excused—0**

**Not Voting—0**

In The Chair: Richardville

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

The following bill was read a third time:

**House Bill No. 6620, entitled**

A bill to amend 1980 PA 450, entitled "The tax increment finance authority act," by amending section 1 (MCL 125.1801), as amended by 2005 PA 29.

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. 879**

**Yeas—38**

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

**Nays—0**

**Excused—0**

**Not Voting—0**

In The Chair: Richardville

Senator Cropsey moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

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

“An act to prevent urban deterioration and encourage economic development and activity and to encourage neighborhood revitalization and historic preservation; to provide for the establishment of tax increment finance authorities and to prescribe their powers and duties; to authorize the acquisition and disposal of interests in real and personal property; to provide for the creation and implementation of development plans; to provide for the creation of a board to govern an authority and to prescribe its powers and duties; to permit the issuance of bonds and other evidences of indebtedness by an authority; to permit the use of tax increment financing; to reimburse authorities for certain losses of tax increment revenues; and to prescribe the powers and duties of certain state agencies and officers.”.

The Senate agreed to the full title.

By unanimous consent the Senate returned to the order of

### Resolutions

Senator Thomas offered the following resolution:

#### **Senate Resolution No. 234.**

A resolution of tribute for the Honorable Mark Schauer.

Whereas, It is a privilege to recognize Senator Mark Schauer as he concludes his service in the Michigan Senate and begins a new challenge in the United States House of Representatives. As a legislator, Mark Schauer has pursued initiatives on quality and safe schools, early childhood development and investing in prevention, job training and economic development, and access to health care. His concern for issues that touch all Michiganders earned him the trust of his constituents and the respect of his colleagues; and

Whereas, Mark Schauer brought a wealth of experience to the Michigan Legislature. A graduate of Albion College with a Bachelor of Arts degree, Mark Schauer also holds a master's degree in public administration from Western Michigan University and also a master's degree in political science from Michigan State University. Prior to serving in the Legislature, Mark Schauer worked as the executive director of the Community Action Agency of South Central Michigan. He served on the Battle Creek City Commission and in other local government, political, and civic organizations. He was first elected to the Michigan House of Representatives in 1996, where he served three terms before winning his Senate seat in 2002; and

Whereas, Senator Schauer serves as the Senate Democratic Leader and previously served as the Senate Democratic Floor Leader. He retains strong links with his community through a host of civic and professional organizations that work to improve their communities at the local level. Senator Schauer's record of service and excellence has set a standard for the Michigan Senate; now, therefore, be it

Resolved by the Senate, That we honor Senator Mark Schauer as he concludes his tenure of service with the Michigan State Senate; and be it further

Resolved, That a copy of this resolution be transmitted to Senator Schauer as a tribute to his public service.

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

Senator Cropsey moved that the rule be suspended.

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

The resolution was adopted.

Senator Cropsey moved that rule 3.204 be suspended to name the entire membership of the Senate and the Lieutenant Governor as co-sponsors of the resolution.

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

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

The motion prevailed.

Senator Thomas' statement is as follows:

I am very proud to offer this resolution for my friend and our leader of the Michigan Senate Democrats. He is, as we all know, moving on to a new adventure in the United State House of Representatives. I had the privilege of meeting Mark when we were all candidates running for office in 1996. Derrick Hale, a former State Representative, and I went off to Battle Creek to go off to campaign for this guy whom we had never heard of, never met. It was a fun treat meeting him. He had longer hair, a big thick mustache, and really did look like Ned Flanders from "The Simpsons." He had that kind of can-do attitude as well.

I must say that I liked him immediately. We became seatmates that first term, and all of us served in the House of Representatives. We all sat in those little three-section rows, and Mark had the privilege of sitting between me at 400 pounds and Kwame Kilpatrick at 300 pounds, so he never got to speak much during his first term in office because he could never get out of his seat.

I have watched him grow and become a remarkable leader through adversity, through struggles, through all of the hard things that we go through, and through being the most marginal Democrat in a divided Legislature. Mark always found a way to keep a smile and to keep a can-do attitude and a very positive energy for the citizens of Michigan. I am very, very proud of everything he has been able to accomplish over his 12 years in the Legislature. It is our profound loss losing Mark Schauer in the Michigan Legislature, but I believe it is the gain of the citizens of Michigan and the nation in getting a truly bright light and genuinely nice individual joining the United States House of Representatives.

I will miss my friend, but I will look forward to visiting him in Washington. I hope that my colleagues will join with us in saying a proper farewell to a great statesman for the state of Michigan, Senator Mark Schauer.

Senator Schauer's statement is as follows:

Thank you for your support of Senate Resolution No. 234, and thank you, Senator Thomas, for your words. As we meet here in this magnificent building in the waning days of 2008, our families and our businesses are hurting. They are feeling the effects of the worst economic recession since the Great Depression. Our state's unemployment rate has climbed to 9.6 percent, the highest since 1992. Auto sales are at a 26-year low as a result of the global financial crisis, the big three are closing manufacturing plants, and General Motors is teetering on the edge of bankruptcy and Chrysler may not survive. This will make for very difficult holidays for the workers at the General Motors Delta Township plant just down the road and for those at its plants right here in Lansing. I know that people in each of your districts are suffering and hurting right now, as are many, many businesses.

This is the context as I leave the Michigan Legislature after 12 years to become a member of the 111th Congress representing our great state. I'll join Senator Jim Barcia as one of fewer than 10,000 Americans in the history of our nation to serve in the United States House of Representatives. Thanks, Jim, for your encouragement.

Robert F. Kennedy said, "All of us might wish at times that we lived in a more tranquil world, but we don't. And if our times are more difficult and perplexing, so are they challenging and filled with opportunity." These are certainly times filled with opportunity. The stakes are high and the public is counting on us.

I have seen many changes since I became a member of the Michigan House in January 1997. Some of you, like Buzz talked about, came in with me, like Buzz and Mark Jansen on the other side of the aisle. Some of you were already here, like Liz Brater and Alan Cropsey. The institution hadn't yet been marred by term limits. Some of us had the honor and opportunity to serve with members like my mentor, Tom Mathieu, Morris Hood Sr., Mick Middaugh, Mike Griffin, Curtis Hertel Sr., Pat Gagliardi, Don Gilmer, Burton Leland, and Bob Emerson. In the Senate, it was people like Joe Schwarz, Ken DeBeaussaert, Phil Hoffman, Harry Gast, and John Cherry. These members fought hard over principle, but always came together over policy. They developed relationships and trust and gained the skill and wisdom to avoid making things personal or unnecessarily partisan.

Since 1999 in the House and 2003 in the Senate, incoming members join a Legislature with members and leaders lacking these tools and the same respect for this institution. This Legislature hasn't been diminished because members aren't smart or lack integrity, but because they joined a Legislature that no longer possesses a culture of collegiality and focus on the common good. I've watched the Michigan Senate change, especially in the last two years, since we lost members like Bob Emerson and Ken Sikkema. I know that those of you who knew the Legislature before are equally frustrated and disappointed. It is not a good trend in my opinion. Most important, it makes it tougher for this body to grapple with the severe challenges that the people in our state face.

We only have to look to last year's budget battle or efforts to replace the state's business tax—one that was unwisely eliminated before a replacement could be found. The bad news is things are getting worse. Examples of senseless partisanship and inexperienced leadership that have hurt relationships, eroded the culture of cooperation, and produced poorer policy outcomes are easy to find. I hope that those of you like Senators Mickey Switalski and Mark Jansen, who have rightfully earned respect on both sides of the aisle, can fix these things. I think you can. Remember, each of you is in a position to lead.

There are some people I would like to especially thank. First, the voters of 62nd House District who sent me here three times and the people of the 19th Senate District who have elected me twice. It has been an honor to serve you.

Next, to my family, to my wife Christine, thank you for all of your love, support, and understanding. One of the toughest roles is that of spouse of a candidate or of an elected official. Christine has been unwavering in her support, and has exhibited grace as spouse and partner that I couldn't come close to replicating. To my parents, Bob and Myra, who taught me compassion and to look beyond myself, thank you. They would be here but for my mom's ongoing illness. My dad was a Senate page here. You have probably heard me talk about that before—in the 1950s and couldn't be prouder. My sister, Anne Brockway, has been my biggest advocate since we were kids.

I want to thank the amazing staff and interns I have worked with over the years—those in my office and those who have served our caucus. Ken Brock, my chief of staff, my friend will join my congressional staff, as will Lisa Dedden-Cooper, John Mulcrone, Lisa Metcalf, Renell Weathers, and Jill Slaght. Thank you for your amazing work. I would stack those and the following people against any in the business: Nancy Green, David Randels, Tom Lenard, Margaret Schulte, Suzanne Caterino, Gary Garbarino, Keith Johnson, and Ericah Caughey, to name a few. They are the best, and it has been an honor to work with them. To our policy analysts, communications specialists, and all support staff, thank you. Carol Viventi and your team, Gary Olson and Senate Fiscal Agency staff, LSB, Senate pages, and all nonpartisan staff, thank you. It has been a pleasure. Special thanks to Mike Ferland and the sergeants for your professionalism and kindness. Charlie Thornhill, if you're watching, thank you. To Ivan Civils, who greets us in the morning, thanks for his warmth when he was there early and sometimes ridiculously late. To Tim Hughes and the Governor's legislative team, you do an amazing job, and I've enjoyed every minute working with you. Colleagues, no disrespect intended, but I will miss the staff the most.

To Lieutenant Governor Cherry, President of the Senate, you've been a great mentor and friend and an incredibly effective leader. Thanks for all you've done to help me.

Governor Granholm, thank you for your tireless leadership of our state during incredibly difficult times. Your vision for our future, stamina, and commitment to make things better is amazing. I'm glad we'll continue to work together on behalf of our state.

Colleagues, we work in an amazing building and I hope you don't take it for granted. This Capitol was completed in 1879. Last night, Kerry Chartkoff took me on a tour of the Capitol dome. I previously had the honor to do the same with Jerry Lawler, who I miss. If you haven't taken this tour, you should. It will inform you of the purposefulness of our predecessors, particularly as they added the final details to this building in 1886 for Michigan's 50th anniversary. The stars at the top of the dome—that are viewed by fourth graders that we dodge as they lay on the glass floor of the rotunda—symbolize the future, Michigan's boundless future. Tomas Juglaris' muses represent the tools that are available to us as a Legislature to help achieve this great potential. They are a reminder that we have all the tools that we need.

I go to Washington at one of the toughest times in our history. It is a time of change and transition. John F. Kennedy said, "Change is the law of life. And those who look only to the past or present are certain to miss the future." Rest assured, I leave for Washington embracing this change and will work in Congress every day focused on helping to transform Michigan's economy. It will take all of us, Democrats and Republicans, to help our state become stronger. You can count on me as a partner, and you can count on me to do my part.

I extend my sincerest best wishes to each of you and your families during this holiday season. And I wish for each of us and our state a prosperous 2009. Thank you. God bless you.

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

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

**House Bill No. 5192, entitled**

A bill to amend 1937 PA 94, entitled "Use tax act," (MCL 205.91 to 205.111) by adding section 3f; and to repeal acts and parts of acts.

**House Bill No. 6031, entitled**

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending section 113 (MCL 208.1113), as amended by 2008 PA 97.

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

Senator Cropsey moved that the Committee on Local, Urban and State Affairs be discharged from further consideration of the following bill:

**House Bill No. 6172, entitled**

A bill to create an Asian Pacific American affairs commission, an office of Asian Pacific American affairs, and an interagency council on Asian Pacific American affairs; to prescribe their powers and duties; and to prescribe the powers and duties of certain agencies, departments, and officials.

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

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

**House Bill No. 6500, entitled**

A bill to amend 1965 PA 314, entitled "Public employee retirement system investment act," by amending sections 12d, 13, 19, 20d, 20j, and 20k (MCL 38.1132d, 38.1133, 38.1139, 38.1140d, 38.1140j, and 38.1140k), sections 12d, 19, and 20d as amended by 2000 PA 307, section 13 as amended by 2008 PA 273, and sections 20j and 20k as added by 1996 PA 485, and by adding section 19a; and to repeal acts and parts of acts.

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

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

**House Bill No. 5192**

**House Bill No. 6031**

**House Bill No. 6172**

**House Bill No. 6500**

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

**Recess**

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

The motion prevailed, the time being 9:31 p.m.

10:46 p.m.

The Senate was called to order by the President pro tempore, Senator Richardville.

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

The motion prevailed.

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

**House Bill No. 6025, entitled**

A bill to establish the united way fund in the department of treasury; to establish the children's hospital of Michigan fund in the department of community health; to provide for the distribution of the money from those funds; to prescribe the powers and duties of certain agencies and officials; and to provide for appropriations.

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

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

**House Bill No. 6426**

**House Bill No. 6427**

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

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

**House Bill No. 6025**

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



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 Clarke 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:

**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.

**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.

**House Bill No. 6426, entitled**

A bill to amend 1936 (Ex Sess) PA 1, entitled "Michigan employment security act," by amending section 20 (MCL 421.20), as amended by 2003 PA 174.

**House Bill No. 6427, entitled**

A bill to amend 1936 (Ex Sess) PA 1, entitled "Michigan employment security act," by amending section 29 (MCL 421.29), as amended by 2002 PA 192.

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 amendment, the following bill:

**House Bill No. 6307, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 16631.

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

1. Amend page 3, line 3, after "**MAINTAIN**," by striking out "**AND**" and inserting "**AMEND, OR**".

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:

**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.

Substitute (S-4).

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. 5192, entitled**

A bill to amend 1937 PA 94, entitled "Use tax act," (MCL 205.91 to 205.111) by adding section 3f; and to repeal acts and parts of acts.

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

1. Amend page 1, line 6, after "**ACT**" by inserting "**NOTWITHSTANDING ANY OTHER PROVISION OR EXEMPTION UNDER THIS ACT**".

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 amendments, the following bill:

**House Bill No. 6172, entitled**

A bill to create an Asian Pacific American affairs commission, an office of Asian Pacific American affairs, and an interagency council on Asian Pacific American affairs; to prescribe their powers and duties; and to prescribe the powers and duties of certain agencies, departments, and officials.

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

1. Amend page 5, line 22, after "(1)" by striking out "The" and inserting "Subject to subsection (5), the".
2. Amend page 6, following line 7, by inserting:

"(5) Creation of the office of Asian Pacific American affairs is contingent on an appropriation being made for that purpose."

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

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

**House Bill No. 6500, entitled**

A bill to amend 1965 PA 314, entitled "Public employee retirement system investment act," by amending sections 12d, 13, 19, 20d, 20j, and 20k (MCL 38.1132d, 38.1133, 38.1139, 38.1140d, 38.1140j, and 38.1140k), sections 12d, 19, and 20d as amended by 2000 PA 307, section 13 as amended by 2008 PA 273, and sections 20j and 20k as added by 1996 PA 485, and by adding section 19a; 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:

**House Bill No. 5651, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 16334 and part 179A.

Substitute (S-1).

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

By unanimous consent the Senate returned to the order of

**Third Reading of Bills**

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

**House Bill No. 6307**

**House Bill No. 5437**

**House Bill No. 6492**

**House Bill No. 6493**

**House Bill No. 6426**

**House Bill No. 6427**

**House Bill No. 5192**

**House Bill No. 6172**

**House Bill No. 6500**

**House Bill No. 5651**

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

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

**House Bill No. 4611**

**House Bill No. 4612**

**House Bill No. 6627**

**House Bill No. 6307**

**House Bill No. 5437**

**House Bill No. 6492**

- House Bill No. 6493**
- House Bill No. 6426**
- House Bill No. 6427**
- House Bill No. 5192**
- House Bill No. 6172**
- House Bill No. 6500**
- House Bill No. 5651**

The motion prevailed.

The following bill was read a third time:

**House Bill No. 4611, entitled**

A bill to authorize a process for retired law enforcement officers to carry concealed firearms in this state; to prescribe certain powers and duties of the department of state police, the commission on law enforcement standards, and certain other state officers and agencies; to impose certain civil and criminal penalties; to impose certain requirements on certain persons issued certificates to carry concealed firearms; to provide for certain civil immunity; to allow for the collection of certain fees; to create certain funds; to provide for the forfeiture of firearms under certain circumstances; and to provide for the promulgation of rules.

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. 880**

**Yeas—34**

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

**Nays—3**

Brater	Clark-Coleman	Scott
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**Excused—1**

Patterson

**Not Voting—0**

In The Chair: Richardville

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

The following bill was read a third time:

**House Bill No. 4612, entitled**

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 11b of chapter XVII (MCL 777.11b), as amended by 2008 PA 24.

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. 881**

**Yeas—37**

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

**Nays—0**

**Excused—1**

Patterson

**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 revise, consolidate, and codify the laws relating to criminal procedure and to define the jurisdiction, powers, and duties of courts, judges, and other officers of the court under the provisions of this act; to provide laws relative to the rights of persons accused of criminal offenses and ordinance violations; to provide for the arrest of persons charged with or suspected of criminal offenses and ordinance violations; to provide for bail of persons arrested for or accused of criminal offenses and ordinance violations; to provide for the examination of persons accused of criminal offenses; to regulate the procedure relative to grand juries, indictments, informations, and proceedings before trial; to provide for trials of persons complained of or indicted for criminal offenses and ordinance violations and to provide for the procedure in those trials; to provide for judgments and sentences of persons convicted of criminal offenses and ordinance violations; to establish a sentencing commission and to prescribe its powers and duties; to provide for procedure relating to new trials and appeals in criminal and ordinance violation cases; to provide a uniform system of probation throughout this state and the appointment of probation officers; to prescribe the powers, duties, and compensation of probation officers; to provide penalties for the violation of the duties of probation officers; to provide for procedure governing proceedings to prevent crime and proceedings for the discovery of crime; to provide for fees of officers, witnesses, and others in criminal and ordinance violation cases; to set forth miscellaneous provisions as to criminal procedure in certain cases; to provide penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act.”

The Senate agreed to the full title.

The following bill was read a third time:

**House Bill No. 6627, 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,  
 Senator Garcia offered the following substitute:  
 Substitute (S-1).

The question being on the adoption of the substitute,  
 Senator Garcia offered the following amendment to the substitute:

1. Amend page 6, line 11, after the second “April 1,” by striking out “2009” and inserting “**2011**”.

The amendment to the substitute was adopted.

The substitute, as amended, 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. 882**

**Yeas—37**

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

**Nays—0**

**Excused—1**

Patterson

**Not Voting—0**

In The Chair: Richardville

Senator Cropsey moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

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

“An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to provide for the levy of taxes against certain health facilities or agencies; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the

transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for the implementation of federal law; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to provide for an appropriation and supplements; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates.”.

The Senate agreed to the full title.

The following bill was read a third time:

**House Bill No. 6307, entitled**

A bill to amend 1978 PA 368, entitled “Public health code,” (MCL 333.1101 to 333.25211) by adding section 16631.

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. 883**

**Yeas—37**

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

**Nays—0**

**Excused—1**

Patterson

**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 protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to provide for the levy of taxes against certain health facilities or agencies; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of

drug paraphernalia under certain circumstances; to provide for the implementation of federal law; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to provide for an appropriation and supplements; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates.”.

The Senate agreed to the full title.

The following bill was read a third time:

**House Bill No. 5437, entitled**

A bill to amend 1893 PA 206, entitled “The general property tax act,” (MCL 211.1 to 211.157) by adding section 7ll.

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. 884**

**Yeas—37**

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

**Nays—0**

**Excused—1**

Patterson

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

The Senate agreed to the full title.

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

The following bill was read a third time:

**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 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. 885**

**Yeas—37**

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

**Nays—0**

**Excused—1**

Patterson

**Not Voting—0**

In The Chair: Sanborn

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 a system of public instruction and elementary and secondary schools; to revise, consolidate, and clarify the laws relating to elementary and secondary education; to provide for the organization, regulation, and maintenance of schools, school districts, public school academies, intermediate school districts, and other public school entities; to prescribe rights, powers, duties, and privileges of schools, school districts, public school academies, intermediate school districts, and other public school entities; to provide for the regulation of school teachers and certain other school employees; to provide for school elections and to prescribe powers and duties with respect thereto; to provide for the levy and collection of taxes; to provide for the borrowing of money and issuance of bonds and other evidences of indebtedness; to establish a fund and provide for expenditures from that fund; to provide for and prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to provide for licensure of boarding schools; to prescribe penalties; and to repeal acts and parts of acts.”

The Senate agreed to the full title.

The following bill was read a third time:

**House Bill No. 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 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. 886****Yeas—37**

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

**Nays—0****Excused—1**

Patterson

**Not Voting—0**

In The Chair: Sanborn

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 create a state housing development authority; to define the powers and duties of the authority; to establish a housing development revolving fund; to establish a land acquisition and development fund; to establish a rehabilitation fund; to establish a conversion condominium fund; to create certain other funds and provide for the expenditure of certain funds; to authorize the making and purchase of loans, deferred payment loans, and grants to qualified developers, sponsors, individuals, mortgage lenders, and municipalities; to establish and provide acceleration and foreclosure procedures; to provide tax exemption; to authorize payments instead of taxes by nonprofit housing corporations, consumer housing cooperatives, limited dividend housing corporations, mobile home park corporations, and mobile home park associations; and to prescribe criminal penalties for violations of this act.”

The Senate agreed to the full title.

The following bill was read a third time:

**House Bill No. 6426, entitled**

A bill to amend 1936 (Ex Sess) PA 1, entitled “Michigan employment security act,” by amending section 20 (MCL 421.20), as amended by 2003 PA 174.

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. 887****Yeas—37**

Allen	Clark-Coleman	Jacobs	Richardville
Anderson	Clarke	Jansen	Sanborn
Barcia	Cropsey	Jelinek	Schauer
Basham	Garcia	Kahn	Scott

Birkholz  
Bishop  
Brater  
Brown  
Cassis  
Cherry

George  
Gilbert  
Gleason  
Hardiman  
Hunter

Kuipers  
McManus  
Olshove  
Pappageorge  
Prusi

Stamas  
Switalski  
Thomas  
Van Woerkom  
Whitmer

**Nays—0**

**Excused—1**

Patterson

**Not Voting—0**

In The Chair: Sanborn

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 protect the welfare of the people of this state through the establishment of an unemployment compensation fund, and to provide for the disbursement thereof; to create certain other funds; to create the Michigan employment security commission, and to prescribe its powers and duties; to provide for the protection of the people of this state from the hazards of unemployment; to levy and provide for contributions from employers; to provide for the collection of such contributions; to enter into reciprocal agreements and to cooperate with agencies of the United States and of other states charged with the administration of any unemployment insurance law; to furnish certain information to certain governmental agencies for use in administering public benefit and child support programs and investigating and prosecuting fraud; to provide for the payment of benefits; to provide for appeals from redeterminations, decisions and notices of assessments; and for referees and a board of review to hear and decide the issues arising from redeterminations, decisions and notices of assessment; to provide for the cooperation of this state and compliance with the provisions of the social security act and the Wagner-Peyser act passed by the Congress of the United States of America; to provide for the establishment and maintenance of free public employment offices; to provide for the transfer of funds; to make appropriations for carrying out the provisions of this act; to prescribe remedies and penalties for the violation of the provisions of this act; and to repeal all acts and parts of acts inconsistent with the provisions of this act.”.

The Senate agreed to the full title.

The following bill was read a third time:

**House Bill No. 6427, entitled**

A bill to amend 1936 (Ex Sess) PA 1, entitled “Michigan employment security act,” by amending section 29 (MCL 421.29), as amended by 2002 PA 192.

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. 888**

**Yeas—37**

Allen  
Anderson  
Barcia  
Basham  
Birkholz

Clark-Coleman  
Clarke  
Cropsey  
Garcia  
George

Jacobs  
Jansen  
Jelinek  
Kahn  
Kuipers

Richardville  
Sanborn  
Schauer  
Scott  
Stamas

Bishop  
Brater  
Brown  
Cassis  
Cherry

Gilbert  
Gleason  
Hardiman  
Hunter

McManus  
Olshove  
Pappageorge  
Prusi

Switalski  
Thomas  
Van Woerkom  
Whitmer

**Nays—0**

**Excused—1**

Patterson

**Not Voting—0**

In The Chair: Sanborn

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 protect the welfare of the people of this state through the establishment of an unemployment compensation fund, and to provide for the disbursement thereof; to create certain other funds; to create the Michigan employment security commission, and to prescribe its powers and duties; to provide for the protection of the people of this state from the hazards of unemployment; to levy and provide for contributions from employers; to provide for the collection of such contributions; to enter into reciprocal agreements and to cooperate with agencies of the United States and of other states charged with the administration of any unemployment insurance law; to furnish certain information to certain governmental agencies for use in administering public benefit and child support programs and investigating and prosecuting fraud; to provide for the payment of benefits; to provide for appeals from redeterminations, decisions and notices of assessments; and for referees and a board of review to hear and decide the issues arising from redeterminations, decisions and notices of assessment; to provide for the cooperation of this state and compliance with the provisions of the social security act and the Wagner-Peyser act passed by the Congress of the United States of America; to provide for the establishment and maintenance of free public employment offices; to provide for the transfer of funds; to make appropriations for carrying out the provisions of this act; to prescribe remedies and penalties for the violation of the provisions of this act; and to repeal all acts and parts of acts inconsistent with the provisions of this act.”.

The Senate agreed to the full title.

The following bill was read a third time:

**House Bill No. 5192, entitled**

A bill to amend 1937 PA 94, entitled “Use tax act,” (MCL 205.91 to 205.111) by adding section 3f; 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. 889**

**Yeas—37**

Allen  
Anderson  
Barcia  
Basham  
Birkholz  
Bishop

Clark-Coleman  
Clarke  
Cropsey  
Garcia  
George  
Gilbert

Jacobs  
Jansen  
Jelinek  
Kahn  
Kuipers  
McManus

Richardville  
Sanborn  
Schauer  
Scott  
Stamas  
Switalski

Brater  
Brown  
Cassis  
Cherry

Gleason  
Hardiman  
Hunter

Olshove  
Pappageorge  
Prusi

Thomas  
Van Woerkom  
Whitmer

**Nays—0**

**Excused—1**

Patterson

**Not Voting—0**

In The Chair: Sanborn

Senator Cropsey moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

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

“An act to provide for the levy, assessment, and collection of a specific excise tax on the storage, use, or consumption in this state of tangible personal property and certain services; to appropriate the proceeds of that tax; to prescribe penalties; and to make appropriations.”.

The Senate agreed to the full title.

The following bill was read a third time:

**House Bill No. 6172, entitled**

A bill to create an Asian Pacific American affairs commission, an office of Asian Pacific American affairs, and an interagency council on Asian Pacific American affairs; to prescribe their powers and duties; and to prescribe the powers and duties of certain agencies, departments, and 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. 890**

**Yeas—36**

Allen  
Anderson  
Barcia  
Basham  
Birkholz  
Bishop  
Brater  
Brown  
Cherry

Clark-Coleman  
Clarke  
Cropsey  
Garcia  
George  
Gilbert  
Gleason  
Hardiman  
Hunter

Jacobs  
Jansen  
Jelinek  
Kahn  
Kuipers  
McManus  
Olshove  
Pappageorge  
Prusi

Richardville  
Sanborn  
Schauer  
Scott  
Stamas  
Switalski  
Thomas  
Van Woerkom  
Whitmer

**Nays—1**

Cassis

**Excused—1**

Patterson

**Not Voting—0**

In The Chair: Sanborn

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

The following bill was read a third time:

**House Bill No. 6500, entitled**

A bill to amend 1965 PA 314, entitled "Public employee retirement system investment act," by amending sections 12d, 13, 19, and 20d (MCL 38.1132d, 38.1133, 38.1139, and 38.1140d), sections 12d, 19, and 20d as amended by 2000 PA 307 and section 13 as amended by 2008 PA 273, and by adding section 19a.

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. 891****Yeas—37**

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

**Nays—0****Excused—1**

Patterson

**Not Voting—0**

In The Chair: Sanborn

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

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

“An act to authorize the investment of assets of public employee retirement systems or plans created and established by the state or any political subdivision; to provide for the payment of certain costs and investment expenses; to authorize investment in variable rate interest loans; to define and limit the investments which may be made by an investment fiduciary with the assets of a public employee retirement system; and to prescribe the powers and duties of investment fiduciaries and certain state departments and officers.”.

The Senate agreed to the full title.

The following bill was read a third time:

**House Bill No. 5651, entitled**

A bill to amend 1978 PA 368, entitled “Public health code,” (MCL 333.1101 to 333.25211) by adding section 16334 and part 179A.

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. 892**

**Yeas—37**

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

**Nays—0**

**Excused—1**

Patterson

**Not Voting—0**

In The Chair: Sanborn

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 protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to provide for the levy of taxes against certain health facilities or agencies; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or

consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for the implementation of federal law; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to provide for an appropriation and supplements; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates.”.

The Senate agreed to the full title.

Senator Cropsey moved that when the Senate adjourns today, it stand adjourned until Friday, December 19, at 12:15 a.m. The motion prevailed.

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

Senator Cropsey 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**

**Senate Bill No. 493**

**Senate Bill No. 1175**

The motion prevailed

**Senate Bill No. 345, 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 9 (MCL 207.559), as amended by 2006 PA 436.

The House of Representatives has substituted (H-1) the bill.

The House of Representatives has passed the bill as substituted (H-1), ordered that it be given immediate effect and amended the title to read as follows:

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 9 (MCL 207.559), as amended by 2008 PA 170.

Pending the order that, under rule 3.202, the bill be laid over one day,

Senator Cropsey moved that the rule be suspended.

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

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. 893**

**Yeas—37**

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

Brater  
Brown  
Cassis  
Cherry

Gleason  
Hardiman  
Hunter

Olshove  
Pappageorge  
Prusi

Thomas  
Van Woerkom  
Whitmer

**Nays—0**

**Excused—1**

Patterson

**Not Voting—0**

In The Chair: Sanborn

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

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

Senator Cropsey moved to reconsider the vote by which the following bill was passed:

**House Bill No. 6172, entitled**

A bill to create an Asian Pacific American affairs commission, an office of Asian Pacific American affairs, and an interagency council on Asian Pacific American affairs; to prescribe their powers and duties; and to prescribe the powers and duties of certain agencies, departments, and officials.

The question being on the motion to reconsider,

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

The motion prevailed.

Senator Cropsey moved that the Senate adjourn.

The motion prevailed, the time being 11:53 p.m.

In pursuance of the order previously made, the Assistant President pro tempore, Senator Sanborn, declared the Senate adjourned until Friday, December 19, 2008, at 12:15 a.m.

CAROL MOREY VIVENTI  
Secretary of the Senate