

**No. 3**  
**STATE OF MICHIGAN**  
**Journal of the Senate**  
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**REGULAR SESSION OF 2010**

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Senate Chamber, Lansing, Tuesday, January 19, 2010.

10:00 a.m.

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

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

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

Senator Tupac A. Hunter of the 5th District offered the following invocation:

Heavenly Father, thank You so much for this day that You have given us. Thank You for this awesome privilege that You have given every man and woman in this chamber and in this Legislature to serve the people of this great state.

Lord, I am especially burdened this morning. You know the turmoil, the pain, and all the problems throughout this state, this country, and this world. Lord, I pray humbly that You touch each one of Your children in a very special way this morning, turning our attention to You. Lord, let us understand and appreciate Your grace and Your mercy. Let us understand and let us acknowledge that it is You who sent Your only begotten Son, our Lord and Savior Jesus Christ, to die for our sins. He was buried and he rose again on that third day according to Your Scriptures.

Thank You, Father, for everlasting life through Christ Jesus. Thank You, Lord, for Christ Jesus being the bread of life. Thank You, Lord, for forgiveness of sin. Lord, we know that if we turn our attention to You, if we praise You, honor and glorify You, You can heal our land. Lord, You can change our hearts. Lord, You can change everything that we do. Lord, please let us do things according to Your will, not our own way, for when we do things in our own way, we stumble. Lord, even when we perform works that we deem to be good, we know what You think of our works.

So, Lord, let us understand this morning that we ought to praise You; that we ought to give You the pre-eminence; that we ought not look to ourselves and lean on our own understanding; but, Lord, seek Your counsel and Your wisdom.

Lord, we need You in Michigan right now. We need You in every home and in every community. Lord, we need You in this country. Lord, so I am praying right now for every leader, every person in authority, every man, and every woman. Lord, but today I ask that You dwell in this chamber, that You are in every conversation, in every negotiation, every bill that is written, every amendment offered, and every bill that passes. Lord, I need You right now, and I am asking You to be with us.

Lord, without You we can do nothing, but in You we can do everything. Lord, so I praise You this morning. I ask that You be with every man and woman here and their families. Lord, I ask that You give us the knowledge, wisdom, and understanding to again do Your will. Lord, and in the end when our work is done, we will be careful to praise You for the results.

In Jesus' name, I pray this prayer of thanksgiving. Amen.

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

Senator Cropsey entered the Senate Chamber.

### Recess

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

10:41 a.m.

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

During the recess, Senators Cherry, Brater, Whitmer, Gleason, Gilbert, Kuipers, Brown, McManus, Van Woerkom, Richardville, Jelinek, Allen, Cassis, Birkholz, Stamas, George, Jansen, Kahn and Hardiman entered the Senate Chamber.

A quorum of the Senate was present.

### Motions and Communications

The Secretary announced that the following official bills were printed on Thursday, January 14, and are available at the legislative website:

**Senate Bill Nos. 1056 1057**

**House Bill Nos. 5734 5735 5736 5737 5738 5739 5740 5741 5742 5743 5744 5745 5746**

The Secretary announced that the following official bills and joint resolutions were printed on Friday, January 15, and are available at the legislative website:

**Senate Bill Nos. 1058 1059 1060 1061 1062 1063 1064**

**House Bill Nos. 5747 5748**

**House Joint Resolutions RR SS**

**Messages from the Governor**

Senators Pappageorge and Bishop entered the Senate Chamber.

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

**Senate Bill No. 254**

**Senate Bill No. 237**

**Senate Bill No. 243**

**Senate Bill No. 245**

**Senate Bill No. 248**

The motion prevailed.

The following messages from the Governor were received and read:

January 15, 2010

Pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963 and Executive Order 2009-45, MCL 324.99919, please be advised that Mr. Donald Koivisto of 2516 Lake Lansing Road, Lansing, Michigan 48912, county of Ingham, is appointed as **Director of the Michigan Department of Agriculture**, for a term commencing January 17, 2010 and expiring at the pleasure of the Governor.

January 15, 2010

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 5 of the Michigan Strategic Fund Act, 1984 PA 270, MCL 125.2005:

**Michigan Strategic Fund Board of Directors**

Mr. Richard E. Rassel, Jr., of 1595 Fairfax Road, Birmingham, Michigan 48009, county of Oakland, is reappointed to represent a person in the private sector with knowledge, skill, and experience in the academic, business, or financial field, for a term expiring December 31, 2013.

January 15, 2010

Pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963 and Executive Order 2009-45, MCL 324.99919, please be advised that Ms. Rebecca Humphries of 13480 Beckwith Drive, N.E., Lowell, Michigan 49331, county of Kent, is appointed as **Director of the Department of Natural Resources and Environment**, for a term commencing January 17, 2010 and expiring at the pleasure of the Governor.

Sincerely,  
Jennifer M. Granholm  
Governor

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

By unanimous consent the Senate proceeded to the order of

**Third Reading of Bills**

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

**Senate Bill No. 38**

The motion prevailed.

The following bill was read a third time:

**Senate Bill No. 38, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 261 (MCL 206.261), as amended by 2008 PA 207.

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. 11****Yeas—24**

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

**Nays—13**

Allen	Clark-Coleman	Jacobs	Scott
Basham	Clarke	Olshove	Switalski
Brater	Hunter	Prusi	Whitmer
Cherry			

**Excused—0****Not Voting—1**

Thomas

In The Chair: President

The Senate agreed to the title of the bill.

**Protests**

Senators Jacobs, Brater, Hunter, Scott and Switalski, under their constitutional right of protest (Art. 4, Sec. 18), protested against the passage of Senate Bill No. 38.

Senators Jacobs and Switalski moved that the statements they made during the discussion of the bill be printed as their reasons for voting “no.”

The motion prevailed.

Senator Jacobs’ first statement, in which Senators Brater, Hunter and Scott concurred, is as follows:

It would seem intuitive that I would be standing up here to support this bill. However, and honestly, in my district, I have some education foundations that are very well-funded by the folks who live in the school districts and others who are struggling. This is going to cost us at a minimum of about \$44 million. I think that if we are going to be doing good work for our school districts, we need to really take a look at how we are funding education.

This sort of kinda puts a Band-Aid on a festering blister that we have. Our education funding does not work. Proposal A needs to be revamped and fixed. While I recognize the sponsor’s desire to do this, I think he is so well-intentioned, and I don’t think this really addresses the holistic approach that we need to be taking. It is going to take money directly out of our budget that, honestly, if we had an extra \$44 million or even an excess of that, we should be sprinkling that around to all of the school districts.

So I reluctantly ask my colleagues to vote “no” on this, but I feel it was well-intentioned but very expensive legislation that really does not fix the real problems that we have in Michigan.

Senator Switalski’s statement is as follows:

If I understand this bill, it would permit people to, in a sense, earmark their taxes that they would pay, and they would earmark, in effect, toward schools. This leaves open, well, then how are we to deal with our overall budget if you are suddenly earmarking portions through your favorite portion of the budget, and you know, what about State Police, what about Corrections, what about DHS, what about Community Health? You know, the budget decision is best made when

all entities are at the table and you are making decisions between them. This bill would constrain our ability to do that. But even worse than that, I think, is the idea that is being promoted as, “Oh, citizens want to give more to schools.” Well, how is this bill allowing us to give more to schools when it is actually cutting revenue? This is granting a tax credit to people. It is, in fact, reducing the revenue to the state that would otherwise come in. So you can’t increase revenue to schools by granting a tax credit.

Finally, this bill as proposed is unconstitutional because in an attempt to be fair, it allows people to give donations to private schools in an attempt to be fair and allow donations to both public and private. But that is banned by our State Constitution. So why are we passing legislation that violates the oath that we took when we were sworn in?

So I am opposed to this legislation.

Senator Jacobs’ second statement, in which Senators Brater, Hunter and Scott concurred, is as follows:

I just want to clarify something. Right now schools can create foundations and collect money, and people get a tax break for giving to those foundations. There is nothing that precludes school districts from doing this. I have a school foundation in the Farmington district, the Hazel Park district, the Berkley district, and there may even be one in Oak Park—I am not sure. They are active and people have the opportunity to donate to them and give more to their school districts. Those foundations were specifically set up to get around that problem of Proposal A which doesn’t allow local millages.

We have the ability to do this—it’s there. We are not precluding anybody from doing it. I would imagine that even Troy has a foundation that is set up for their schools. A “no” vote here is not doom and gloom for our schools. It is just as Senator Switalski pointed out; it’s going to be costing us \$44 million that we don’t have. I love it when our side of the aisle turns out to be the more fiscally-responsible party, but I think that is what is happening today.

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

The motion prevailed.

Senator Jelinek’s statement is as follows:

You know, I am puzzled by the opposition to this bill. Now often we hear about Proposal A and the fact that local schools are not able to levy millages and things like that. You know, one of my reactions is, well, if everybody—so many people are anxious to give to their schools—allow them to give to their schools. Let them create foundations. Let them do things just like community foundations do in other ways to give credit for giving to a group or something. Why not do this to schools? Why not let local citizens who believe strongly in their schools who want to help their schools? Why not allow them to do it? Why not make it possible?

I think this is the one way that we could have to offer to schools to help maintain them, to give John Q. Citizen the opportunity to support his schools further beyond other means, further beyond his tax requirements and things like that. This is just a natural. It makes sense. We should allow and we should make it possible for people to support their schools.

You know, we rely on volunteerism in many ways. This is another way of volunteerism that we are enabling. I think it is very important, and I think we should support it.

Senator Pappageorge’s statement is as follows:

You know, we have to be careful that when somebody tries to take a small step, we don’t introduce some larger concept and kill the small step.

Now I agree with the previous speaker that we have to look at Proposal A, but understand what this bill does. This allows a whole bunch of people who want to help their schools by contributing \$50 to a fund—hello, \$50. We have a \$44 million budget, and the notion that somehow this will destroy the system is just wrong.

Now the question is do you want to vote to preclude people from helping schools in some small way? Hello, those small contributions reduce the strain on local school districts. The idea that this is bad makes no sense, folks, so understand what your “no” vote is going to be all about if you do it.

Senator Anderson moved that Senator Thomas be excused from today’s session.

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, Lieutenant Governor Cherry, designated Senator Sanborn as Chairperson.

After some time spent therein, the Committee arose; and, the President, Lieutenant Governor Cherry, having resumed the Chair, the Committee reported back to the Senate, favorably and with a substitute therefor, the following bill:

**Senate Bill No. 951, entitled**

A bill to amend 1954 PA 116, entitled "Michigan election law," (MCL 168.1 to 168.992) by adding section 483a. Substitute (S-1).

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

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

**Senate Bill No. 952, entitled**

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 482 (MCL 168.482), as amended by 1998 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:

**Senate Bill No. 953, entitled**

A bill to amend 1954 PA 116, entitled "Michigan election law," (MCL 168.1 to 168.992) by adding section 483b. Substitute (S-1).

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

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

**Senate Bill No. 954, entitled**

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 488 (MCL 168.488), as added by 1998 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.

### Resolutions

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

**Senate Resolution No. 41**

**Senate Resolution No. 75**

**Senate Resolution No. 88**

**Senate Concurrent Resolution No. 24**

The motion prevailed.

Senator Bishop offered the following resolution:

**Senate Resolution No. 108.**

A resolution to amend the Standing Rules of the Senate.

Resolved by the Senate, That Rules 1.310, 1.311, 2.103, 2.104, 3.204, 3.804, and 3.901 of the Standing Rules of the Senate are hereby amended to read as follows:

**"1.310 ADVISORY OPINIONS**

All questions relating to the interpretation and enforcement of these rules concerning legislative conduct and ethics shall be referred to the Committee on Government Operations ~~and Reform~~. A Senator who has a question regarding legislative conduct and ethics may submit a factual situation to the Committee on Government Operations ~~and Reform~~ with a request for an advisory opinion establishing the standard of public duty. The Committee shall respond to each inquiry. All opinions shall, after hearing, be numbered, dated, and printed in the Journal. No opinion shall identify the requesting Senator without his or her consent.

### **1.311 PENALTIES FOR VIOLATION**

If a Senator is alleged to have violated the provisions of the rules regulating ethics and conduct, the Committee on Government Operations ~~and Reform~~ shall determine if the facts underlying the allegation are sufficient to merit a hearing. If a hearing is held, the Senator charged with a violation shall be given notice and granted the opportunity to appear at the hearing and be represented by counsel. The determination and any disciplinary action shall be made and taken only by a two-thirds vote of the Senators elected and serving on recommendation of the Committee on Government Operations ~~and Reform~~. A Senator determined to have violated the provisions of the rules regulating ethics and conduct may be reprimanded, censured, or expelled. Any actions undertaken under this section shall be separate from any prosecutions or penalties otherwise provided by law.

### **2.103 STANDING COMMITTEES**

The standing committees of the Senate shall be:

- Agriculture and Bioeconomy (5 members)
- Appropriations (18 members)
- Banking and Financial Institutions (7 members)
- Campaign and Election Oversight (5 members)
- Commerce and Tourism (5 members)
- Economic Development and Regulatory Reform (7 members)
- Education (5 members)
- Energy Policy and Public Utilities (10 members)
- Families and Human Services (3 members)
- Finance (7 members)
- Government Operations ~~and Reform~~ (7 members)
- Health Policy (7 members)
- Homeland Security and Emerging Technologies (7 members)
- Hunting, Fishing and Outdoor Recreation (5 members)
- Judiciary (8 members)
- Local, Urban and State Affairs (5 members)
- Natural Resources and Environmental Affairs (5 members)

### **REFORMS AND RESTRUCTURING (7 MEMBERS)**

- Senior Citizens and Veterans Affairs (5 members)
- Transportation (5 members)

Statutory standing committees:

- Administrative Rules (5 members) (see MCL 24.235)
- Legislative Council (6 members and 3 alternates) (see MCL 4.1103)
- Legislative Retirement Board of Trustees (2 members) (see MCL 38.1026)
- Michigan Capitol Committee (4 members) (see MCL 4.1701)

### **2.104 COMMITTEE ON GOVERNMENT OPERATIONS AND REFORM**

a) All appointments to office submitted by the Governor, and any other executive business, shall be referred to the Committee on Government Operations ~~and Reform~~. No appointment shall be voted upon until it has been printed in the Journal.

1) Any appointment not disapproved within 60 session days after receipt shall stand confirmed (see Const. Art. 5, Sec. 6).

2) On all appointments to office reported favorably, the question shall be on advising and consenting to the appointment. On all appointments reported unfavorably or without recommendation, the question shall be on the disapproval of the appointment.

3) The vote of a majority of the Senators elected and serving by record roll call vote shall be required to approve or disapprove any appointment to office submitted by the Governor. Any appointments considered by the Senate shall be in open session, unless a majority of the Senators elected and serving shall vote in favor of an executive session (see Const. Art. 4, Sec. 19).

b) If an appointment is made at a time when the 60 days would lapse during an extended recess of the Senate, the Senate Majority Leader may schedule a session of the Senate for the sole purpose of carrying out the Senate's constitutional duties to advise and consent on gubernatorial appointments. The Senate Majority Leader shall notify the Secretary of the Senate at least 10 calendar days prior to the date of the scheduled session. The Secretary of the Senate shall take all reasonable steps to notify the members of the Senate of the scheduled session.

c) Effective upon written notification to the Secretary of the Senate, the chairperson of the Committee on Government Operations ~~and Reform~~ may request a Senate standing committee to hold hearings and make written recommendations to the Committee on Government Operations ~~and Reform~~ on a gubernatorial appointment or an executive order. The Senate standing committee shall adopt by committee vote a recommendation to the Committee on Government Operations ~~and Reform~~.

d) Executive orders issued by the Governor, except those dealing with matters of appropriations or expenditure reductions, shall be referred to the Committee on Government Operations ~~and Reform~~. Any executive order dealing with matters of executive reorganization may be disapproved by a resolution concurred in by a majority of the members elected to and serving in each House within 60 calendar days after receipt at a regular session, or a full regular session if of shorter duration. Unless disapproved within that time, the executive order shall become effective at a date thereafter to be designated by the Governor (see Const. Art. 5, Sec. 2).



e) Executive orders dealing with matters of appropriations or expenditure reductions shall be referred to the Committee on Appropriations (see MCL 18.1391).

f) The Committee on Government Operations ~~and Reform~~ shall receive for review all reports presented by the legislative auditor general.

g) Effective upon written notification to the Secretary of the Senate, the chairperson of the Committee on Government Operations ~~and Reform~~ may request a Senate standing committee to hold hearings and make written recommendations to the Committee on Government Operations ~~and Reform~~ on an auditor general report. The Senate standing committee shall adopt by a committee vote a recommendation to the Committee on Government Operations ~~and Reform~~.

### **3.204 RESOLUTIONS**

a) All resolutions shall be accompanied by nine true copies. Resolutions which are not subject to provisions in other Senate rules shall be read once by title to the Senate, and referred to the Committee on Government Operations ~~and Reform~~. Once submitted to the Secretary of the Senate, resolutions become the property of the Senate and shall remain in the possession of the Secretary of the Senate. Concurrent resolutions shall be transmitted to the House on adoption.

b) Once a resolution is submitted to the Secretary of the Senate, any Senator and the President of the Senate wishing to co-sponsor it shall complete a form provided by the Secretary of the Senate. A member must be present and specifically request to be named as a co-sponsor of a resolution. After adoption of a Senate resolution, the presiding officer may open the voting board to allow Senators to add their names as co-sponsors.

c) After a Senate concurrent resolution has been adopted by both Houses and is returned to the Senate, the Secretary of the Senate is authorized to order the printing of the concurrent resolution unless amended by the House or otherwise directed by the Senate.

### **3.804 AMENDMENT OR REPEAL OF SENATE RULES**

The repeal or amendment of any rule shall be accomplished only by resolution. All proposed amendments or repeals of Senate rules shall be referred to the Committee on Government Operations ~~and Reform~~ for consideration. The adoption of a proposed resolution for the repeal or amendment of any rule shall require a majority of the Senators elected and serving.

### **3.901 MEMBERS OF THE MEDIA**

Members of the media shall register with the Secretary of the Senate. The following provisions shall govern the registration process:

1) A member of the media shall be defined as a person employed by or working as:

a) A newspaper (as defined by U.S. postal regulations);

b) A broadcast station licensed by the Federal Communications Commission, or a network serving one or more licensed broadcast stations;

c) A cable television system with a franchise granted by a Michigan unit of government, or a network serving one or more franchised cable systems;

d) A wire service; or

e) An independent contractor on assignment to report state government news for an organization described above.

2) A visiting member of the media shall register on a daily basis at least 30 minutes before the start of session with the Secretary of the Senate.

3) The Secretary of the Senate may, under special circumstances, register representatives of the media not defined above if it is determined to be in the public interest.

4) Technicians for broadcast/cable stations shall also be registered when accompanying members of the media and shall be subject to the same rules.

5) The Secretary of the Senate may revoke the registration of any member of the media for cause. Cause shall include, but not be limited to, a change in employment status, lobbying or acting as a lobbyist agent, disrupting Senate proceedings, or refusing to comply with Senate rules or the directives of the presiding officer, Senate Majority Leader, or Secretary of the Senate. A decision to revoke registration may be appealed to the Committee on Government Operations ~~and Reform~~.

6) Members of the media may talk with a Senator in the front entry or the hallway behind the Senate rostrum. Members of the media, notwithstanding Senate Rule 3.902, may leave the media's designated area and talk with Senators in the Chamber immediately following adjournment.

7) Members of the media shall enter from the north main door or the two south doors on either side of the rostrum and shall proceed directly to the areas designated for the media. If a member of the media enters through the north main door, he or she shall proceed directly to the areas designated for the media using the east or west side aisles only. Members of the media shall not enter the cloak room or the restrooms of the Senate Chamber.

8) Members of the media may film, videotape, or photograph the Senate session from the media's designated area. During the first 20 minutes after the attendance roll call, with permission from the Senate, members of the media shall be allowed to film, videotape, or photograph from along the full length of the east and west side aisles.

9) A member of the media, including a broadcast technician, shall be entitled to record Senate session as long as it does not disrupt the proceedings of the Senate. "Record" shall mean videotaping, photographing, filming, taping, or electronically transmitting Senate proceedings or activities on the Senate floor when the Senate is in session."



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, a majority of the members serving voting therefor.

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

Senators Kahn, Stamas, Nofs and Garcia introduced

#### **Senate Bill No. 1066, entitled**

A bill to amend 2007 PA 36, entitled "Michigan business tax act," (MCL 208.1101 to 208.1601) by adding section 465.

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

Senator Birkholz introduced

#### **Senate Bill No. 1066, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 32503 (MCL 324.32503), as amended by 2004 PA 325.

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

Senator Birkholz introduced

#### **Senate Bill No. 1067, entitled**

A bill to provide for the use of waters and submerged lands of the Great Lakes for wind energy development; to provide for the issuance of permits; to impose certain fees; to provide for the powers and duties of certain state and local governmental officers and entities; and to authorize the promulgation of rules.

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

By unanimous consent the Senate returned to the order of

### **Motions and Communications**

The Secretary announced that the Majority Leader has made the appointment of the following standing committee:

**Reforms and Restructuring** - Senators Bishop (C), Gilbert (VC), George, Kuipers, Prusi (MVC), Hunter and Cherry. The standing committee appointments were approved, a majority of the members serving voting therefor.

By unanimous consent the Senate proceeded to the order of

### **Statements**

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

The motion prevailed.

Senator Scott's statement is as follows:

First, I would like to say that my prayers go out to those in Haiti; that we pray they will be able to get the necessary resources to these people. It does no good there at the airport, so I am hoping that they will find a way. I ask all of us to pray for those people. I thank God for those families who went over to Haiti just the other day to pick up these young children to bring them to America so that they can have a better life.

The American philosopher Elbert Hubbard wrote, "It does not take much strength to do things, but it requires great strength to decide what to do." What we need is to decide to give our constituents relief from over-priced auto insurance policies. Bills have been introduced in both the Senate and the House and are ready for debate and our approval. We need to put this issue on the front burner, and take action this year.

I look forward to working with all of you and the Representatives across the rotunda to finally bring meaningful auto insurance reform to the citizens of Michigan. The years 2010 and 2011 are going to be tough budget years for our

citizens. This year many of our citizens are going to again have to make do with less money and have to figure out what they can do without so that they will have money for food and housing. The majority of citizens cannot do without a car. They need a car to get to work, to look for work, and to take their kids to school. Let's give them a helping hand and a little bit of financial relief by passing legislation to make auto insurance rates fair and affordable.

Senator Patterson's statement is as follows:

It is a wonderful day. The eyes of many are on Massachusetts where there was a revolution some years ago—tea was thrown into the harbor. Today we are watching very closely what happens in the U.S. Senate race. I am reminded of words uttered by none other than Thomas Jefferson: "On this most auspicious day when the government fears the people, that is liberty; when the people fear the government, that is tyranny."

### Committee Reports

The Committee on Appropriations reported

**House Bill No. 5404, entitled**

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2010; and to provide for the expenditure of the appropriations.

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

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

Ron Jelinek  
Chairperson

To Report Out:

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

Nays: None

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

The Committee on Finance reported

**Senate Bill No. 192, 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 472.

With the recommendation that the bill pass.

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

Nancy Cassis  
Chairperson

To Report Out:

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

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Finance reported

**Senate Bill No. 883, entitled**

A bill to amend 2004 PA 175, entitled "Streamlined sales and use tax revenue equalization act," (MCL 205.171 to 205.191) by adding section 14a.

With the recommendation that the bill pass.

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

Nancy Cassis  
Chairperson

To Report Out:

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

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Finance reported

**House Bill No. 5621, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 53b (MCL 211.53b), as amended by 2008 PA 122.

With the recommendation that the bill pass.

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

Nancy Cassis  
Chairperson

To Report Out:

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

Nays: None

The bill was referred to the Committee of the Whole.

#### COMMITTEE ATTENDANCE REPORT

The Committee on Finance submitted the following:

Meeting held on Thursday, January 14, 2010, at 12:59 p.m., Room 110, Farnum Building

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

Excused: Senator Whitmer

#### Scheduled Meetings

**Appropriations** - Wednesday, January 20, 2:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-6960)

**Subcommittees -**

**Capital Outlay** - Thursday, January 21, 9:00 a.m., Senate Hearing Room, Ground Floor, Boji Tower (373-2768)

**Economic Development and House Economic Development Appropriations Subcommittee** - Wednesday, February 17, 10:30 a.m., Room 426, Capitol Building (373-2768)

**General Government** - Wednesday, January 27, 1:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

**Human Services Department and House Human Services Appropriations Subcommittee** - Wednesday, January 20, 9:00 a.m., House Appropriations Room, 3rd Floor, Capitol Building (373-2768)

**K-12, School Aid, Education** - Wednesday, February 17, and Thursday, February 18, 9:00 a.m., and Tuesdays, February 23, March 2 and March 9, 2:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

**Energy Policy and Public Utilities** - Thursday, January 21, 1:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower (373-7350)

**Health Policy** - Wednesday, January 20, 3:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower (373-0793)

**Natural Resources and Environmental Affairs** - Wednesday, January 20, 1:00 p.m., Room 110, Farnum Building (373-3447)

**Senior Citizens and Veterans Affairs** - Wednesday, January 20, 9:00 a.m., Room 100, Farnum Building (373-2413)

Senator Cropsey moved that the Senate adjourn.

The motion prevailed, the time being 11:18 a.m.

The President, Lieutenant Governor Cherry, declared the Senate adjourned until Wednesday, January 20, 2010, at 10:00 a.m.

CAROL MOREY VIVENTI  
Secretary of the Senate