

No. 29
STATE OF MICHIGAN
Journal of the Senate
95th Legislature
REGULAR SESSION OF 2010

Senate Chamber, Lansing, Tuesday, April 13, 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 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—present
Van Woerkom—present
Whitmer—present

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

Our Heavenly Father, we thank You for this day You have given to us. We thank You for the opportunity to serve. We ask that You give us wisdom, understanding, and patience with one another and with the problems we deal with. We thank You for all those who serve, and we also thank You for all those serving overseas. We ask that You watch over them and their families. We ask all these things in Jesus' name. Amen.

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

Motions and Communications

Recess

Senator Cropsey moved that the Senate recess subject to the call of the Chair.
The motion prevailed, the time being 10:04 a.m.

10:40 a.m.

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

During the recess, Senators Clark-Coleman, Clarke, Thomas, Gilbert, Hunter, Pappageorge, Van Woerkom, McManus, Kahn, Cassis, Jelinek, George, Bishop, Birkholz, Hardiman, Stamas, Jansen and Nofs entered the Senate Chamber.

Senator Cropsey moved that the following bill, now on the order of the order of General Orders, be referred to the Committee on Campaign and Election Oversight:

House Bill No. 5560, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 644e (MCL 168.644e), as amended by 2003 PA 302.

The motion prevailed.

The following communication was received and read:
Department of Transportation

March 23, 2010

I am pleased to provide the Michigan Department of Transportation's report on transportation accessibility for seniors and persons with disabilities for Fiscal Year 2009.

The report is being forwarded to the Legislature for their information pursuant to Section 10e(21) of Act 51 of the Public Acts of 1951, as amended.

Sincerely,
Kirk T. Steudle
Director

The communication was referred to the Secretary for record.

The following communication was received:
Department of Education

March 31, 2010

I hereby transmit the legislatively required, most recent annual reports (per MCL 397.21) of the Library of Michigan. The report for 2008 is tardy due to transition staffing issues from the changes to the Department of History, Arts, and Libraries, and I apologize for the delay.

The report for FY08 can be found at:

http://www.michigan.gov/mde/0,1607,7-140-54504_19270_19411-223891--,00.html

The report for FY09 can be found at:

http://www.michigan.gov/mde/0,1607,7-140-54504_19270_19411-231830--,00.html

If you have any questions or concerns, please feel free to call our legislative liaison, Lisa Hansknecht, at 517-335-4913.

Carol Wolenberg
Deputy Superintendent

The communication was referred to the Secretary for record.

The Secretary announced that the following House bills were received in the Senate and filed on Thursday, March 25:
House Bill Nos. 4516 4543 4544 4545 4546 4547 4548 4549 4550 4551 4552 4553 4583 4747
5158 5163 5165 5363

The Secretary announced that the following House bills were received in the Senate and filed on Friday, March 26:
House Bill Nos. 5875 5880 5883 5884 5885 5888

The Secretary announced the enrollment printing and presentation to the Governor on Friday, March 26, for her approval the following bills:

Enrolled Senate Bill No. 1131 at 3:07 p.m.
Enrolled Senate Bill No. 1132 at 3:09 p.m.
Enrolled Senate Bill No. 1094 at 3:11 p.m.
Enrolled Senate Bill No. 1095 at 3:13 p.m.

The Secretary announced the enrollment printing and presentation to the Governor on Tuesday, March 30, for her approval the following bills:

Enrolled Senate Bill No. 1057 at 3:20 p.m.
Enrolled Senate Bill No. 389 at 3:22 p.m.
Enrolled Senate Bill No. 578 at 3:24 p.m.
Enrolled Senate Bill No. 619 at 3:26 p.m.

The Secretary announced that the following official bills were printed on Thursday, March 25, and are available at the legislative website:

House Bill Nos. 5985 5986 5987 5988 5989 5990 5991 5992 5993 5994 5995

The Secretary announced that the following official bills and joint resolutions were printed on Friday, March 26, and are available at the legislative website:

Senate Bill Nos. 1242 1243 1244 1245 1246 1247 1248 1249
House Bill Nos. 5996 5997 5998 5999 6000 6001 6002 6003 6004 6005 6006 6007 6008 6009
6010 6011 6012 6013 6014 6015 6016 6017 6018 6019 6020 6021 6022 6023
6024 6025
House Joint Resolutions AAA BBB

Messages from the Governor

The following messages from the Governor were received:

Date: March 25, 2010
Time: 10:42 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 722 (Public Act No. 23), being

An act to amend 1978 PA 368, entitled “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,” (MCL 333.1101 to 333.25211) by adding section 21529; and to repeal acts and parts of acts.

(Filed with the Secretary of State on March 25, 2010, at 11:53 a.m.)

Date: March 26, 2010
Time: 3:34 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 528 (Public Act No. 25), being

An act to amend 1978 PA 368, entitled “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,” (MCL 333.1101 to 333.25211) by adding section 20153.

(Filed with the Secretary of State on March 26, 2010, at 4:02 p.m.)

Date: March 26, 2010
Time: 3:40 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 251 (Public Act No. 27), being

An act to make, supplement, and adjust appropriations for certain capital outlay projects for the fiscal year ending September 30, 2010; to provide for the expenditure of the appropriations; and to prescribe certain conditions for the appropriations.

(Filed with the Secretary of State on March 26, 2010, at 4:06 p.m.)

Date: March 26, 2010
Time: 3:42 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 1001 (Public Act No. 28), 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 1c (MCL 247.651c), as amended by 1982 PA 438.

(Filed with the Secretary of State on March 26, 2010, at 4:08 p.m.)

Date: March 31, 2010

Time: 1:07 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 1131 (Public Act No. 41), being

An act to amend 2001 PA 266, entitled “An act to regulate the production, transportation, handling, processing, delivery, and sale of grade A milk and milk products; to define grade A milk and milk products and to establish standards and requirements for grade A milk and milk products; to provide for dairy food safety; to provide for the sampling, sampling analysis, and transportation of milk and milk products; to regulate the labeling, manufacture, distribution, and sale of milk and milk products for the protection of the consuming public and to prevent fraud and deception by prohibiting the misbranding, adulteration, manufacture, distribution, and sale of milk and milk products; to provide for enforcement; to provide for licenses and permits and revocation of licenses and permits; to impose certain fees; to require certain security arrangements of milk plants to ensure the prompt payment of producers; to prescribe powers and duties of certain state departments and officers; to provide for uniform standards and uniform inspection; to provide for promulgation of rules; to provide for certain remedies and penalties; and to repeal acts and parts of acts,” by amending sections 31, 32, 33, and 53 (MCL 288.501, 288.502, 288.503, and 288.523), sections 31 and 53 as amended by 2008 PA 136.

(Filed with the Secretary of State on March 31, 2010, at 1:53 p.m.)

Date: March 31, 2010

Time: 1:09 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 1132 (Public Act No. 42), being

An act to amend 2001 PA 267, entitled “An act to define and regulate milk, cream, frozen desserts, and related foods and by-products of those foods under certain circumstances; to prescribe certain powers and duties of certain state agencies and officers; to prohibit the sale of unclean and unsanitary milk and manufactured dairy products and their use in the manufacture of food products; to prohibit unclean and unsanitary conditions of milk and milk processing establishments; to establish production and handling standards of sanitary milk and dairy products for manufacturing and manufactured dairy products; to regulate the sale and transportation of milk and dairy products for manufacturing purposes; to issue licenses and permits to certain persons and provide for the revocation or suspension of licenses and permits under certain circumstances; to impose certain fees; to require certain security devices under certain circumstances; to establish inspection requirements; to promulgate rules; to set certain standards for milk and dairy products, processing, and pasteurization; to provide for penalties and remedies; and to repeal acts and parts of acts,” by amending sections 110 and 125 (MCL 288.670 and 288.685), as amended by 2008 PA 147, and by adding section 110b.

(Filed with the Secretary of State on March 31, 2010, at 1:55 p.m.)

Date: March 31, 2010

Time: 1:11 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 1094 (Public Act No. 43), being

An act to amend 1954 PA 116, entitled “An act to reorganize, consolidate, and add to the election laws; to provide for election officials and prescribe their powers and duties; to prescribe the powers and duties of certain state departments, state agencies, and state and local officials and employees; to provide for the nomination and election of candidates for public office; to provide for the resignation, removal, and recall of certain public officers; to provide for the filling of vacancies in public office; to provide for and regulate primaries and elections; to provide for the purity of elections; to guard against the abuse of the elective franchise; to define violations of this act; to provide appropriations; to prescribe penalties and provide remedies; and to repeal certain acts and all other acts inconsistent with this act,” by amending section 714 (MCL 168.714), as amended by 1990 PA 7.

(Filed with the Secretary of State on March 31, 2010, at 1:57 p.m.)

Date: March 31, 2010
Time: 1:13 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 1095 (Public Act No. 44), being

An act to amend 1954 PA 116, entitled “An act to reorganize, consolidate, and add to the election laws; to provide for election officials and prescribe their powers and duties; to prescribe the powers and duties of certain state departments, state agencies, and state and local officials and employees; to provide for the nomination and election of candidates for public office; to provide for the resignation, removal, and recall of certain public officers; to provide for the filling of vacancies in public office; to provide for and regulate primaries and elections; to provide for the purity of elections; to guard against the abuse of the elective franchise; to define violations of this act; to provide appropriations; to prescribe penalties and provide remedies; and to repeal certain acts and all other acts inconsistent with this act,” by amending section 644e (MCL 168.644e), as amended by 2003 PA 302.

(Filed with the Secretary of State on March 31, 2010, at 1:59 p.m.)

Date: March 31, 2010
Time: 1:19 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 389 (Public Act No. 35), being

An act 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 regulate the introduction and use of certain evidence; 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,” (MCL 257.1 to 257.923) by adding section 805; and to repeal acts and parts of acts.

(Filed with the Secretary of State on March 31, 2010, at 1:41 p.m.)

Date: March 31, 2010
Time: 1:21 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 1057 (Public Act No. 33), being

An act to amend 1994 PA 451, entitled “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,” by amending sections 74101, 74102, 74102a, 74116, 74117, 74120, and 74122 (MCL 324.74101, 324.74102, 324.74102a, 324.74116, 324.74117, 324.74120, and 324.74122), sections 74101 and 74122 as amended by 2004 PA 587, sections 74102, 74116, and 74120 as added by 1995 PA 58, section 74102a as amended by 2006 PA 307, and section 74117 as amended by 2009 PA 197.

(Filed with the Secretary of State on March 31, 2010, at 1:37 p.m.)

Date: March 31, 2010
Time: 1:29 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 619 (Public Act No. 37), being

An act to amend 1937 PA 94, entitled “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,” by amending section 21 (MCL 205.111), as amended by 1994 PA 34.

(Filed with the Secretary of State on March 31, 2010, at 1:45 p.m.)

Date: April 1, 2010

Time: 3:00 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 578 (Public Act No. 45), being

An act to amend 1994 PA 451, entitled “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,” (MCL 324.101 to 324.90106) by adding sections 72114 and 72115.

(Filed with the Secretary of State on April 2, 2010, at 11:44 a.m.)

Respectfully,
Jennifer M. Granholm
Governor

The following message from the Governor was received on March 31, 2010, and read:

EXECUTIVE ORDER

No. 2010-4

**Department of Community Health
Department of Energy, Labor, and Economic Growth**

Implementation of the Patient Protection and Affordable Care Act

WHEREAS, Section 1 of Article V of the Michigan Constitution of 1963 vests the executive power of the State of Michigan in the Governor;

WHEREAS, under Section 8 of Article V of the Michigan Constitution of 1963, each principal department of state government is under the supervision of the Governor unless otherwise provided by the Constitution;

WHEREAS, under Section 8 of Article V of the Michigan Constitution of 1963, the Governor is responsible to take care that the laws be faithfully executed;

WHEREAS, the Patient Protection and Affordable Care Act, Public Law 111-148, as amended, was duly enacted by the United States Congress and the President of the United States and is now the law of the land;

WHEREAS, Michigan residents and businesses will benefit from this new federal law through enhanced access to quality and affordable health care, critical insurance market reforms, and reductions in the cost of health care for Michigan families and job providers;

WHEREAS, enactment of the Patient Protection and Affordable Care Act reinforces the State of Michigan’s long-standing commitment to improving the health of state residents by increasing citizen access to health care, reducing costs, and improving the quality of health care;

WHEREAS, a coordinated response by the executive branch of this state is necessary for the implementation of the Patient Protection and Affordable Care Act and to assure that this state takes appropriate further action to increase access, reduce costs, and improve the quality of health care in Michigan;

NOW THEREFORE, I, Jennifer M. Granholm, Governor of the State of Michigan, by virtue of the power vested in the Governor by the Michigan Constitution of 1963 and Michigan law, order the following:

I. DEFINITIONS

As used in this Order:

A. “Civil Service Commission” means the commission created under Section 5 of Article XI of the Michigan Constitution of 1963.

B. “Commissioner of Financial and Insurance Regulation” means the head of the Office of Financial and Insurance Regulation.

C. “Department of Community Health” or “Department” means the principal department of state government created as the Department of Mental Health under Section 400 of the Executive Organization Act of 1965, 1965 PA 380, MCL 16.500, and renamed the Department of Community Health under Executive Order 1996-1, MCL 330.3101.

D. "Department of Human Services" means the principal department of state government created as the Department of Social Services under Section 450 of the Executive Organization Act of 1965, 1965 PA 380, MCL 16.550, renamed the Family Independence Agency under 1995 PA 223, MCL 400.1, and renamed the Department of Human Services under Executive Order 2004-38.

E. "Department of Technology, Management, and Budget" means the principal department of state government created as the Department of Management and Budget under Section 121 of The Management and Budget Act, 1984 PA 431, MCL 18.1121, and renamed under Executive Order 2009-55, MCL 18.441.

F. "Health Insurance Reform Coordinating Council" or "Council" means the council created within the Department of Community Health under Section II of this Order.

G. "Office of Financial and Insurance Regulation" means the office within the Department of Energy, Labor, and Economic Growth established by Executive Order 2000-4, MCL 445.2003, as the Office of Financial and Insurance Services and renamed the Office of Financial and Insurance Regulation under Executive Order 2008-2, MCL 445.2005.

H. "Office of the State Employer" means the autonomous office created within the Department of Management and Budget under Executive Order 1979-5, whose duties include, but are not limited to, those assigned by Executive Orders 1979-5, 1981-3, 1988-6, 2002-18, 2004-31, 2007-30, 2008-22, and 2009-55.

I. "Patient Protection and Affordable Care Act" or "Act" means the federal Patient Protection and Affordable Care Act, Public Law 111-148, as amended by the federal Health Care and Education Reconciliation Act of 2010.

J. "State Budget Director" means the individual appointed by the Governor under Section 321 of The Management and Budget Act, 1984 PA 431, MCL 18.1321.

K. "State Personnel Director" means the administrative and principal executive officer of the Civil Service Commission provided for under Section 5 of Article XI of the Michigan Constitution of 1963 and Section 204 of the Executive Organization Act of 1965, 1965 PA 380, MCL 16.304.

II. HEALTH INSURANCE REFORM COORDINATING COUNCIL

A. The Health Insurance Reform Coordinating Council is created as an advisory body within the Department of Community Health.

B. The Council shall consist of the following members:

1. The Director of the Department of Community Health.
2. The Director of the Department of Human Services, or his or her designee from within the Department of Human Services.
3. The Director of the Department of Technology, Management, and Budget, or his or her designee from within the Department of Technology, Management, and Budget.
4. The State Budget Director, or his or her designee from within the State Budget Office.
5. The State Personnel Director, or his or her designee from within the Civil Service Commission.
6. The Director of the Office of the State Employer, or his or her designee from within the Office of the State Employer.
7. The Commissioner of Financial and Insurance Regulation, or his or her designee from within the Office of Financial and Insurance Regulation.
8. The Director of the Medical Services Administration within the Department of Community Health.

C. The Director of the Department, or his or her designee, shall serve as the Chairperson of the Council. The Council shall elect a member of the Council to serve as Vice-Chairperson of the Council.

III. CHARGE TO THE COUNCIL

A. The Council shall act in an advisory capacity to the Governor and the Director of the Department of Community Health and shall do all of the following:

1. Conduct a comprehensive evaluation of the Patient Protection and Affordable Care Act, Public Law 111-148, as amended, and the potential impact of the Act upon the health care system within this state to identify crucial decision points or state action items necessary to comply with the Act or to further enhance access to health care, reduce costs, and improve the quality of health care.
2. Identify and recommend mechanisms to assure a coordinated and efficient state response to implementation of the Act.
3. Engage with relevant stakeholders to assist in the development of recommendations for implementation of the Act.
4. Facilitate collaboration with appropriate federal agencies when necessary regarding the establishment of new rules, regulations, or mechanisms for implementation of the Act.
5. Develop recommendations for implementation of a health insurance exchange in this state.
6. Analyze the impact of the Act on state departments and agencies, including, but not limited to, budgetary implications of the Act for this state.
7. Identify federal grants, pilot programs, and other non-state funding sources to assist with implementation of the Act and other measures to further enhance access to health care, reduce costs, and to improve the quality of health care in this state.
8. Recommend executive action or legislation to effectively and efficiently implement the Act.
9. Submit to the Director of the Department and to the Governor a strategic plan for the effective and efficient implementation of the Act.

10. Perform other functions related to implementation of the Act as requested by the Director of the Department or the Governor.

B. The Council may establish advisory workgroups composed of Council members or others deemed necessary by the Council to assist the Council in performing its duties and responsibilities. Members may include, without limitation, doctors, nurses, health care professionals, patient advocates, representatives from health plans and health insurers, and others with expertise in the private sector, organized labor, government agencies, and at institutions of higher education. The Council may adopt, reject, or modify any recommendations proposed by an advisory workgroup.

IV. OPERATIONS OF THE COUNCIL

A. The Council shall be staffed and assisted by personnel from the Department, subject to available funding. Any budgeting, procurement, or related management functions of the Council shall be performed under the direction and supervision of the Director of the Department.

B. The Council shall adopt procedures consistent with Michigan law and this Order governing its organization and operations.

C. A majority of the members of the Council serving constitutes a quorum for the transaction of the Council's business. The Council shall act by a majority vote of its serving members.

D. The Council shall meet at the call of the Chairperson and as may be provided in procedures adopted by the Council.

E. The Council may, as appropriate, make inquiries, studies, investigations, hold hearings, and receive comments from the public. The Council may also consult with outside experts in order to perform its duties, including, but not limited to, experts in the private sector, organized labor, government agencies, and at institutions of higher education.

F. Members of the Council shall serve without compensation. Members of the Council may receive reimbursement for necessary travel and expenses consistent with relevant statutes and the rules and procedures of the Civil Service Commission and the Department of Technology, Management, and Budget, subject to available funding.

G. The Council may hire or retain contractors, sub-contractors, advisors, consultants, and agents, and may make and enter into contracts necessary or incidental to the exercise of the powers of the Council and the performance of its duties as the Director of the Department deems advisable and necessary, in accordance with this Order, the relevant statutes, and the rules and procedures of the Civil Service Commission and the Department of Technology, Management, and Budget, subject to available funding.

H. The Council may accept donations of labor, services, or other things of value from any public or private agency or person.

I. Members of the Council shall refer all legal, legislative, and media contacts to the Department.

V. OFFICE OF FINANCIAL AND INSURANCE REGULATION

A. The Commissioner of Financial and Insurance Regulation shall establish within the Office of Financial and Insurance Regulation an Office of Health Insurance Consumer Assistance to do all of the following:

1. Coordinate with the Office of Financial and Insurance Regulation and with consumer assistance organizations the receipt and response to inquiries and complaints concerning health insurance coverage relating to federal health insurance requirements and related requirements under Michigan law.

2. Assist with the filing of complaints and appeals, including filing appeals with an internal appeal or grievance process of a group health plan or health insurance issuer and with the provision of information about any external appeal process.

3. Collect, track, and quantify problems and inquiries encountered by consumers.

4. Educate consumers on their rights and responsibilities with respect to group health plans and health insurance coverage.

5. Assist consumers with enrollment in a group health plan or health insurance coverage by providing information, referral, and assistance.

6. Resolve problems with obtaining premium tax credits under Section 36B of the federal Internal Revenue Code of 1986.

7. Collect and report relevant data to the United States Secretary of Health and Human Services to the extent provided by federal law on the types of problems and inquiries encountered by consumers.

B. The Commissioner of Financial and Insurance Regulation shall designate an individual within the Office of Financial and Insurance Regulation to serve as the Michigan Health Insurance Consumer Assistance Ombudsman and to supervise and direct the Office of Health Insurance Consumer Assistance.

VI. MISCELLANEOUS

A. The Director of the Department of Community Health shall provide direction and supervision for the implementation of Sections II, II, and IV of this Order. The Commissioner of Financial and Insurance Regulation shall provide direction and supervision for implementation of Section V of this Order.

B. All departments, committees, commissioners, or officers of this state, or of any political subdivision of this state, shall give to the Health Insurance Reform Coordinating Council or to any member or representative of the Council, any necessary assistance required by the Council or any member or representative of the Council, in the performance of the duties of the Council so far as is compatible with its, his, or her duties. Free access shall also be given to any books,

records, or documents in its, his, or her custody, relating to matters within the scope of inquiry, study, or review of the Council.

This Order is effective upon filing.

[SEAL]

Given under my hand this 31st day of March, in the year of our Lord, two thousand and ten.

Jennifer M. Granholm
Governor

By the Governor:
Terri L. Land
Secretary of State

The executive order was referred to the Committee on Government Operations.

The following messages from the Governor were received and read:

March 25, 2010

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 303 and 2002 of the Occupational Code, 1980 PA 299, MCL 339.303 and 339.2002:

Board of Architects

Mr. Jeffrey L. Wilkerson of 7532 Windgate Drive, Jenison, Michigan 49428, county of Ottawa, succeeding Christopher Siemion, whose term has expired, is appointed to represent the general public, for a term commencing April 1, 2010 and expiring March 31, 2014.

Ms. Paula C. Van Valkenburgh of 9065 Cotters Ridge Road, Richland, Michigan 49083, county of Kalamazoo, is reappointed to represent architects, for a term commencing April 1, 2010 and expiring March 31, 2014.

March 25 2010

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following appointments to state office under Section 1 of 1963 (2nd Ex. Sess.) PA 48, MCL 390.551:

Central Michigan University Board of Control

Mr. Ronald C. Edmonds of 4901 Warblers Way, Midland, Michigan 48642, county of Midland, succeeding Gail Torreano, whose term will expire December 31, 2010, is appointed to represent the general public, for a term commencing January 1, 2011 and expiring December 31, 2018.

Mr. Kevin F. Kelley of 14900 Fox, Redford, Michigan 48239, county of Wayne, succeeding Stephanie Comai, whose term will expire December 31, 2010, is appointed to represent the general public, for a term commencing January 1, 2011 and expiring December 31, 2018.

Mr. Robert F. Wardrop II, of 144 Morningside, S.E., Grand Rapids, Michigan 49506, county of Kent, succeeding Jacqueline Garrett, who has resigned, is appointed to represent the general public, for a term commencing March 24, 2010 and expiring December 31, 2014.

March 25, 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 3 of 1939 PA 176, MCL 423.3:

Employment Relations Commission

Mr. Nino E. Green, a Democrat, of P.O. Box 753, Escanaba, Michigan 49829, county of Delta, is reappointed for a term commencing July 1, 2010 and expiring June 30, 2013.

March 25, 2010

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following appointments to state office under Section 2 of 1949 PA 114, MCL 390.802:

Ferris State University Board of Control

Mr. Edward L. Haynor of 1407 East 78th Street, Newaygo, Michigan 49337, county of Newaygo, succeeding James Haverman, whose term will expire December 31, 2010, is appointed to represent the general public, for a term commencing January 1, 2011 and expiring December 31, 2018.

Mr. D. William Lakin, O.D., of 44260 Boulder Drive, Clinton Township, Michigan 48038, county of Macomb, succeeding Patrick LaPine, who has resigned, is appointed to represent the general public, for a term commencing March 25, 2010 and expiring December 31, 2014.

Mr. Larry L. Leatherwood of 812 Canton Drive, Lansing, Michigan 48917, county of Eaton, succeeding R. Thomas Cook, whose term will expire December 31, 2010, is appointed to represent the general public, for a term commencing January 1, 2011 and expiring December 31, 2018.

March 25, 2010

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following reappointment to office under Section 1 of 1913 PA 271, MCL 399.1:

Michigan Historical Commission

Mr. John M. Dempsey of 9400 Northampton, Plymouth, Michigan 48170, county of Wayne, is reappointed to represent the general public, for a term commencing May 22, 2010 and expiring May 21, 2014.

March 25, 2010

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following reappointment to office under Section 209 of the Michigan Liquor Control Code of 1998, 1998 PA 58, MCL 436.1209:

Michigan Liquor Control Commission

Mr. Donald B. Weatherspoon, an Independent, of 8942 East Saginaw, Haslett, Michigan 48840, county of Ingham, is reappointed for a term commencing June 13, 2010 and expiring June 12, 2014.

March 25, 2010

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 Section 1 of 1963 (2nd Ex. Sess.) PA 48, MCL 390.551:

Northern Michigan University Board of Control

Mr. Larry C. Inman of 8971 Crockett, Williamsburg, Michigan 49690, county of Grand Traverse, is reappointed for a term commencing January 1, 2011 and expiring December 31, 2018.

Mr. Douglas B. Roberts, Ph.D., of 1853 Northgate Drive, East Lansing, Michigan 48823, county of Ingham, is reappointed for a term commencing January 1, 2011 and expiring December 31, 2018.

March 25, 2010

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following appointments to state office under Section 2 of 1970 PA 35, MCL 390.152:

Oakland University Board of Control

Mr. Ronald E. Robinson of 39801 Moravian Drive, Clinton Township, Michigan 48036, county of Macomb, succeeding Dennis Pawley, whose term will expire August 11, 2010, is appointed to represent the general public, for a term commencing August 12, 2010 and expiring August 11, 2018.

Mr. Mark E. Schlüssel of 28755 Bell Road, Southfield, Michigan 48034, county of Oakland, succeeding Ann Nicholson, whose term will expire August 11, 2010, is appointed to represent the general public, for a term commencing August 12, 2010 and expiring August 11, 2018.

Mr. Jayprakash B. Shah of 182 Dourdan Place, Bloomfield Hills, Michigan 48304, county of Oakland, succeeding Ganesh Reddy, who has resigned, is appointed to represent the general public, for a term commencing March 25, 2010 and expiring August 11, 2014.

March 25, 2010

I respectfully submit to the Senate pursuant to Article V, Section 6 of the Michigan Constitution of 1963, the following reappointments to office under Sections 303 and 2002 of the Occupational Code, 1980 PA 299, MCL 339.303 and 339.2002:

Board of Professional Engineers

Mr. Cary M. Junior of 21095 Glen Ledge Road, Ferndale, Michigan 48220, county of Oakland, is reappointed to represent the general public, for a term commencing April 1, 2010 and expiring March 31, 2014.

Mr. George Y. Karmo of 29888 Harrow Drive, Farmington Hills, Michigan 48331, county of Oakland, is reappointed to represent professional engineers, for a term commencing April 1, 2010 and expiring March 31, 2014.

March 25, 2010

I respectfully submit to the Senate pursuant to Article V, Section 6 of the Michigan Constitution of 1963, the following appointments to office under Sections 303 and 2002 of the Occupational Code, 1980 PA 299, MCL 339.303 and 339.2002:

Board of Professional Surveyors

Mr. Steven S. Gravlin of 336 Elmington Court, Canton, Michigan 48188, county of Wayne, succeeding Carl Shangraw, whose term has expired, is appointed to represent professional surveyors, for a term commencing April 1, 2010 and expiring March 31, 2014.

Mr. Donnie K. Whitley of 8065 Bliss, Detroit, Michigan 48234, county of Wayne, succeeding Carolyn Charters, whose term has expired, is appointed to represent the general public, for a term commencing April 1, 2010 and expiring March 31, 2014.

March 26, 2010

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following appointment and reappointment to state office under Section 3a of the Stille-DeRossett Single State Construction Code Act, 1972 PA 230, MCL 125.1503a:

State Construction Code Commission

Ms. Sheilah L. Johnson of 277 King Street, Detroit, Michigan 48202, county of Wayne, succeeding Amru Meah, who has resigned, is appointed to represent municipal building inspectors, for a term commencing March 26, 2010 and expiring January 31, 2011.

Mr. Edwin E. Tatem of 6336 East Norma Lee, West Bloomfield, Michigan 48322, county of Oakland, is reappointed to represent the field of professional engineering, for a term expiring January 31, 2012.

March 26, 2010

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 18 of the Michigan Occupational Safety and Health Act, 1974 PA 154, MCL 408.1018:

Construction Safety Standards Commission

Mr. Jack P. O'Donnell of 8021 Clippert, Taylor, Michigan 48180, county of Wayne, succeeding Patrick "Shorty" Gleason, whose term has expired, is appointed to represent individuals actively engaged in construction operations on the employee level, for a term commencing March 26, 2010 and expiring March 18, 2013.

Ms. Valerie J. Bradley of 379 River Woods Drive, Flushing, Michigan 48433, county of Genesee, is reappointed to represent individuals actively engaged in construction operations on the management level, for a term expiring March 18, 2013.

Mr. Don R. Hiltunen of 900 Hill Street, Hancock, Michigan 49930, county of Houghton, is reappointed to represent the general public, for a term expiring March 18, 2013.

March 26, 2010

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following appointments to state office under Section 1 of 1963 (2nd Ex. Sess.) PA 48, MCL 390.551:

Eastern Michigan University Board of Control

Mr. Michael D. Hawks of 3494 Riverside Drive, Saugatuck, Michigan 49453, county of Allegan, succeeding Gary Hawks, whose term will expire December 31, 2010, is appointed to represent the general public, for a term commencing January 1, 2011 and expiring December 31, 2018.

Ms. Erane C. Washington-Kendrick of 8409 South Huron River Drive, Ypsilanti, Michigan 48197, county of Washtenaw, succeeding Phil Incarnati, whose term will expire December 31, 2010, is appointed to represent the general public, for a term commencing January 1, 2011 and expiring December 31, 2018.

March 26, 2010

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 Section 15 of the Michigan Occupational Safety and Health Act, 1974 PA 154, MCL 408.1015:

General Industry Safety Standards Commission

Mr. Dwayne F. Betcher of 2929 34th Street, Allegan, Michigan 49010, county of Allegan, is reappointed to represent public employees of this state, for a term expiring March 26, 2013.

Ms. Regina L. Meo of 67 Sheron Street, Lake Orion, Michigan 48362, county of Oakland, is reappointed to represent the general public, for a term expiring March 26, 2013.

Mr. Thomas J. Pytlik of 3306 Westway Drive, Bay City, Michigan 48706, county of Bay, is reappointed to represent the management of principal industries in this state, for a term expiring March 26, 2013.

March 26, 2010

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following appointments to state office under Section 2 of 1960 PA 120, MCL 390.842:

Grand Valley State University Board of Control

Mr. Douglas W. Crim of 16711 Peacock Lane, Haslett, Michigan 48840, county of Clinton, succeeding Lucille Taylor, whose term will expire December 31, 2010, is appointed for a term commencing January 1, 2011 and expiring December 31, 2018.

Mr. Matthew L. Tomasiewicz of 2567 Hunter Green Court, Grand Rapids, Michigan 49546, county of Kent, succeeding Dorothy Johnson, whose term will expire December 31, 2010, is appointed for a term commencing January 1, 2011 and expiring December 31, 2018.

March 26, 2010

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

Board of Mechanical Rules

Mr. Patrick M. Maher of 1978 South Long Lake Road, Traverse City, Michigan 49684, county of Grand Traverse, is reappointed to represent HVAC equipment contractors, for a term commencing October 2, 2010 and expiring October 1, 2012.

March 26, 2010

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following appointment and reappointment to state office under Section 2 of 1885 PA 70, MCL 390.352 and Section 1 of 1963 (2nd Ex. Sess.) PA 21, MCL 390.861:

Michigan Technological University Board of Control

Mr. Terry J. Woychowski of 9333 Park Lane, Commerce, Michigan 48382, county of Oakland, succeeding Ruth Reck, whose term will expire December 31, 2010, is appointed for a term commencing January 1, 2011 and expiring December 31, 2018.

Mr. Russell A. Gronevelt, Jr., of 11648 Paciocco Court, Plymouth, Michigan 48170, county of Wayne, is reappointed for a term commencing January 1, 2011 and expiring December 31, 2018.

March 26, 2010

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 302 and 2402 of the Occupational Code, 1980 PA 299, MCL 339.302 and 339.2402:

Residential Builders' and Maintenance and Alteration Contractors' Board

Mr. Frank DiStefano of 923 Blairmoor Court, Grosse Pointe Woods, Michigan 48236, county of Wayne, is reappointed to represent licensed residential builders, for a term expiring March 31, 2013.

Mr. James G. Haeussler of 229 South Williams Street, Saline, Michigan 48176, county of Washtenaw, is reappointed to represent licensed residential builders, for a term commencing April 1, 2010 and expiring March 31, 2014.

March 26, 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 511 of the Worker's Disability Compensation Act of 1969, 1969 PA 317, MCL 418.511:

Self-Insurers' Security Fund, Second Injury Fund, Silicosis, Dust Disease, and Logging Industry Compensation Fund Board of Trustees

Mr. Richard F. Zapala of 1915 Creek Landing, Haslett, Michigan 48840, county of Ingham, is reappointed to represent the insurance industry, for a term commencing May 1, 2010 and expiring April 30, 2014.

March 26, 2010

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following appointments to state office under Section 1 of 1963 (2nd Ex. Sess.) PA 48, MCL 390.551:

Western Michigan University Board of Control

Mr. John T. Cakmakci of 11073 East Higley Circle, Schoolcraft, Michigan 49087, county of Kalamazoo, succeeding William Martin, whose term will expire on December 31, 2010, is appointed for a term commencing January 1, 2011 and expiring December 31, 2018.

Mr. George A. Franklin of 2010 Hudson Street, Kalamazoo, Michigan 49008, county of Kalamazoo, succeeding Kenneth Miller, whose term will expire on December 31, 2010, is appointed for a term commencing January 1, 2011 and expiring December 31, 2018.

Sincerely,
Jennifer M. Granholm
Governor

The appointments were referred to the Committee on Government Operations.

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

The President, Lieutenant Governor Cherry, resumed the Chair.

Senator Cropsey moved that the following bills be placed at the head of the Third Reading of Bills calendar:
Senate Bill No. 941
Senate Bill No. 115
The motion prevailed.

The following bill was read a third time:

Senate Bill No. 941, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending sections 10a and 10b (MCL 400.10a and 400.10b), as added by 1996 PA 190, and by adding section 10c.

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. 177

Yeas—38

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

Nays—0

Excused—0

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 115, entitled

A bill to amend 1993 PA 354, entitled "Railroad code of 1993," (MCL 462.101 to 462.451) by adding section 318.

The question being on the passage of the bill,

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

Roll Call No. 178

Yeas—38

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

Nays—0

Excused—0

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

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 Switalski 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. 5200, entitled

A bill to amend 1980 PA 299, entitled "Occupational code," by amending section 2511 (MCL 339.2511), as amended by 1990 PA 164.

House Bill No. 5201, entitled

A bill to repeal 1972 PA 286, entitled "Land sales act," (MCL 565.801 to 565.835).

The bills were 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

The motion prevailed.

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

Senate Resolution No. 138

The resolution consent calendar was adopted.

Senators Olshove, Cherry, Scott, Basham and Jacobs offered the following resolution:

Senate Resolution No. 138.

A resolution recognizing April 2010 as Multiple Birth Awareness Month in Michigan.

Whereas, The National Organization of Mothers of Twins Clubs, Inc., *TWINS Magazine* and the Fetal Hope Foundation have joined with local organizations to establish and celebrate April as National Multiple Birth Awareness Month; and

Whereas, Multiple births are on the rise. The number of live births in twin deliveries rose 2 percent between 2005 and 2006 to 137,085 births. This number has almost doubled in the last 20 years. In 2006, there were also 6,540 triplets, 355 quadruplets, and 67 higher-order multiples born nationwide; and

Whereas, With the increase in multiple births, there is an increased risk for the mothers and babies. Nationally, 1 out of every 8 twins and 1 of every 3 triplets are born very preterm, compared with fewer than 2 of every 100 single births. Death during infancy is four times more common for twins than singletons; and

Whereas, This month will be used to spread awareness about the issues that families of multiple births face, including what to know when expecting multiples, such as twin-to-twin transfusion syndrome and other fetal issues directly affecting multiple-birth pregnancies, premature births and low birth weights, multiples with special needs, the exceptional physical and bonding demands placed on parents, and the separation of multiples in classrooms; and

Whereas, There are many local support groups for parents of multiples. The Michigan Organization of Mothers of Twins Club was founded in 1964 and has many local clubs throughout the state for parents or expectant parents to get involved. Many of these clubs are planning events throughout their communities during this month to celebrate their families, increase participation, and help out other families in need; and

Whereas, By raising awareness of multiple births, this month also encourages parents of multiples or who are expecting multiples to seek out the resources and support found with local Mothers of Twins Clubs, through their prenatal care provider, pediatrician, local hospital, the Michigan Organization of Mothers of Twins Clubs, or friends and family. These clubs are established to serve parents or guardians of multiple-birth children through education, research, and fellowship; and

Whereas, We join with the many parents of multiples to celebrate the joys and challenges they face in raising their twins, triplets, or higher-order multiples and support efforts to educate our communities on the needs and challenges of multiple-birth children; now, therefore, be it

Resolved by the Senate, That the members of this legislative body recognize and celebrate the month of April 2010 as Multiple Birth Awareness Month in the state of Michigan.

Senators Clark-Coleman, Clarke, Hunter, Jansen, Pappageorge, Richardville and Switalski were named co-sponsors of the resolution.

Senators Whitmer, Clark-Coleman, Switalski, Hunter, Barcia, Prusi, Thomas, Brater, Olshove, Cherry, Jacobs, Scott, Gleason, Basham, Clarke and Anderson offered the following resolution:

Senate Resolution No. 139.

A resolution to condemn bigotry, violence, and hate speech with regards to the political discourse surrounding the health care reform process taking place in Congress.

Whereas, Congress recently passed a health care reform bill, and the President of the United States has signed this legislation into law; and

Whereas, Violence has been threatened against our elected officials who voted to support this legislation; and

Whereas, Extremists are inciting hate and violence, resorting to throwing bricks through windows, hurling racial epithets at members of Congress, and making death threats against those who supported the bill, including threatening their families; and

Whereas, Radical elements of the body politic, members who are out of step with the majority of Americans, are preaching a doctrine of hate; now, therefore, be it

Resolved by the Senate, That the members of this legislative body condemn bigotry, violence, and hate speech and proclaim their support for Congress and all elected officials who have respected the deliberative debate and political discourse surrounding health care reform. We urge that ideological disputes be resolved at the ballot box, not by resorting to fear and intimidation; 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.

Pursuant to rule 3.204, the resolution was referred to the Committee on Government Operations.

Senator Nofs offered the following resolution:

Senate Resolution No. 140.

A resolution declaring April 2010 as Youth Financial Literacy Month in the state of Michigan.

Whereas, The informed use of credit and other financial products and services benefits individual consumers and promotes economic growth; and

Whereas, Financial literacy and learning these skills at an early age encourages greater economic self-sufficiency, higher levels of successful homeownership, and enhanced retirement security, particularly among low- and moderate-income citizens; and

Whereas, The past decade has seen declining personal savings rates, increased bankruptcy filings, soaring home foreclosures, and rising percentages of family income devoted to servicing household debt; and

Whereas, Given the current economic conditions facing Michigan, personal financial education and money management skills are crucial to ensure that our young people are prepared to manage credit and debt and become responsible workers, heads of households, homeowners, investors, entrepreneurs, business leaders, and productive citizens; and

Whereas, The young people of our state represent the nation's single greatest resource who, in the years ahead, will assume leadership positions and responsibility for advancement of our society; and

Whereas, Youth Financial Literacy Month highlights the commitment of credit unions throughout the nation to strengthen the financial knowledge of our youth and to prepare them for a fiscally-responsible future; now, therefore, be it

Resolved by the Senate, That we hereby declare April 2010 as Youth Financial Literacy Month in the state of Michigan, raising public awareness about the need for increased financial literacy in our schools and among our children and the serious problems that are associated with a lack of understanding of personal finances; and be it further

Resolved, That we call on each parent, school, business, community organization, and unit of government to observe the month with appropriate programs and activities.

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

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.

House Concurrent Resolution No. 50.

A concurrent resolution providing for a joint convention of the House of Representatives and the Senate.

Resolved by the House of Representatives (the Senate concurring), That the House of Representatives and Senate shall meet in joint convention in the Hall of the House of Representatives, Wednesday, April 14, 2010, at 2:00 p.m., to receive the State of the Judiciary message from the Honorable Marilyn Kelly, Chief Justice of the Michigan Supreme Court.

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,

Senator Cropsey moved that the rule be suspended.

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

The concurrent resolution was adopted.

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

Senate Concurrent Resolution No. 39.

A concurrent resolution prescribing the legislative schedule.

(For text of resolution, see Senate Journal No. 28, p. 526.)

The House of Representatives has adopted the concurrent resolution.

The concurrent resolution was referred to the Secretary for record.

Introduction and Referral of Bills

Senator Sanborn introduced

Senate Bill No. 1250, entitled

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

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

Senator Sanborn introduced

Senate Bill No. 1251, 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 2009 PA 209.

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

Senators Van Woerkom, Gilbert, Kahn and Gleason introduced

Senate Bill No. 1252, entitled

A bill to amend 1917 PA 253, entitled "An act to authorize the transfer of moneys from the general fund of counties, in certain instances, to the county road fund of said counties, to be used in the construction, maintenance and repair of highways," by amending section 1 (MCL 247.121).

The bill was read a first and second time by title and referred to the Committee on Local, Urban and State Affairs.

Senators Birkholz and Stamas introduced

Senate Bill No. 1253, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 20173a (MCL 333.20173a), as amended by 2008 PA 444.

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

Senators Stamas and Birkholz introduced

Senate Bill No. 1254, entitled

A bill to amend 1979 PA 218, entitled "Adult foster care facility licensing act," by amending section 34b (MCL 400.734b), as amended by 2008 PA 442.

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

Senators Thomas, Birkholz and Stamas introduced

Senate Bill No. 1255, entitled

A bill to amend 1974 PA 258, entitled "Mental health code," by amending section 134a (MCL 330.1134a), as amended by 2008 PA 446.

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

Senator Allen introduced

Senate Bill No. 1256, entitled

A bill to amend 1978 PA 59, entitled "Condominium act," by amending sections 46 and 53 (MCL 559.146 and 559.153), section 53 as amended by 1982 PA 538.

The bill was read a first and second time by title and referred to the Committee on Local, Urban and State Affairs.

House Bill No. 4583, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 5133 (MCL 333.5133), as amended by 1994 PA 420.

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 Health Policy.

House Bill No. 4747, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 658 (MCL 257.658), as amended by 2002 PA 494.

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. 5158, entitled

A bill to require that crisis pregnancy organizations obtain informed consent from women served by those organizations; and to provide remedies and prescribe 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 Health Policy.

House Bill No. 5163, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 1169, 1507, and 1507b (MCL 380.1169, 380.1507, and 380.1507b), sections 1169 and 1507 as amended and section 1507b as added by 2004 PA 165.

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. 5165, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding part 98.

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 Health Policy.

House Bill No. 5363, entitled

A bill to amend 1990 PA 187, entitled "The pupil transportation act," by amending sections 51 and 53 (MCL 257.1851 and 257.1853), as amended by 2006 PA 108.

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. 5875, entitled

A bill to make appropriations for the department of agriculture for the fiscal year ending September 30, 2011; to provide for the expenditure of the appropriations; to create funds; to provide for the imposition of fees; to require reports, audits, and plans; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by certain state agencies.

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. 5880, entitled

A bill to make, supplement, and adjust appropriations for the departments of attorney general, civil rights, state, technology, management, and budget, and treasury, the executive office, and the legislative branch for the fiscal year ending September 30, 2011; to provide for the expenditure of these appropriations; to provide for the funding of certain work projects; to provide for the imposition of certain fees; to establish or continue certain funds, programs, and categories; to transfer certain funds; to prescribe certain requirements for bidding on state contracts; to provide for disposition of year-end balances; to prescribe the powers and duties of certain principal executive departments and state agencies, officials, and employees; and to provide for the disposition of fees and other income received by the various principal executive departments and state agencies.

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. 5883, entitled

A bill to make appropriations for the judicial branch for the fiscal year ending September 30, 2011; to provide for the expenditure of these appropriations; to place certain restrictions on the expenditure of these appropriations; to prescribe the powers and duties of certain state and local departments, officials, and employees; to require certain reports; and to provide for the disposition of fees and other income received by the judicial branch.

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. 5884, entitled

A bill to make appropriations for the department of energy, labor, and economic growth and certain other state purposes for the fiscal year ending September 30, 2011; to provide for the expenditure of those appropriations; to provide for the imposition of certain fees; to provide for the disposition of fees and other income received by the state agencies; to provide for reports to certain persons; and to prescribe powers and duties of certain state departments and certain state and local agencies and officers.

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. 5885, entitled

A bill to make appropriations for the department of military and veterans affairs for the fiscal year ending September 30, 2011; to provide for the expenditure of the appropriations; to provide for certain powers and duties of the department of military and veterans affairs, other state agencies, and local units of government related to the appropriations; and to provide for the preparation of certain reports related to 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. 5888, entitled

A bill to make appropriations for the department of state police and certain other state purposes for the fiscal year ending September 30, 2011; to provide for the expenditure of those appropriations; to provide for certain reports and the consideration of those reports; to provide for the disposition of other income received by the various state agencies; to provide for certain emergency powers; to provide for the powers and duties of certain committees, certain state agencies, and certain employees; and to provide for the acquisition and disposition of certain real and personal property.

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.

Statements

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

The motion prevailed.

Senator Garcia's statement is as follows:

I rise to give my voting intentions for March 25 when I was absent from this chamber. I was absent that day due to some military responsibilities. There were four votes. On Roll Call No. 160, I would have voted "no." On Roll Call Nos. 161 and 162, I would have voted "yes." On Roll Call No. 163, I would have voted "no."

Senator Scott's statement is as follows:

What we do here today will certainly help Michigan citizens now, and it will also help future citizens long after we have moved on. If we act today, if we act this year on auto insurance reforms, it will help Michigan drivers now and Michigan drivers in the future.

The money we can save drivers and families now can be used for other equally important things in their lives. They can save it for a home, for home improvements, or for a child's education. The money they save by paying fair insurance rates will help our state's economy in other ways. Warren Buffett once said, "Someone's sitting in the shade today because someone planted a tree a long time ago." We can affect people's lives for the better right now and far into the future if we just act on insurance reforms now.

Senator Pappageorge stated that had he been present on March 25 when the vote was taken on the passage of the following bill, he would have voted "yea":

House Bill No. 5018

Senator Pappageorge stated that had he been present on March 25 when the vote was taken on concurring in the House substitute to the following bill, he would have voted "yea":

Senate Bill No. 578

Senator Pappageorge stated that had he been present on March 25 when the vote was taken on the adoption of the following resolution, he would have voted "yea":

Senate Resolution No. 137

Senator Jelinek's statement is as follows:

Last Friday, Benton Harbor resident, 34-year-old Donnell Williams, decided to take a gun and shoot at someone in a car whom he had a fight with a month previous. He paid no attention to the eight people 40 yards away, four of whom were young children. As a result, 4-year-old Zaniyah Anderson was shot through the rib cage and is unable to move her young legs today. She has severe spinal cord injury.

Williams, the shooter, also faces charges of assaulting, obstructing, and resisting a police officer for an unrelated incident. He has convictions for assault, drugs, and gun charges. His last conviction was in 2006. Williams was paroled last January 7, just three months ago. Do his actions indicate rehabilitation or parole eligibility? Shouldn't his behavior have caused his parole to be revoked?

Governor Granholm, I'm upset. My heart goes out to little Zaniyah. Please don't parole any more bad actors before they're due. Bring down costs for incarceration by other means—not excusing the bad guys.

Committee Reports

The Committee on Agriculture and Bioeconomy reported

Senate Bill No. 1138, entitled

A bill to amend 1879 PA 248, entitled "An act to prevent animals from running at large in certain cities and villages within this state," by amending section 1 (MCL 433.51) and by adding section 13.

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.

Gerald Van Woerkom
Chairperson

To Report Out:

Yeas: Senators Van Woerkom, Gilbert, Birkholz, Gleason and Whitmer

Nays: None

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

The Committee on Agriculture and Bioeconomy reported

House Bill No. 5822, entitled

A bill to amend 1976 PA 328, entitled "An act to regulate animals running at large; to provide for compensation for damage done by animals running at large; to prescribe penalties; and to repeal certain acts and parts of acts," by amending section 1 (MCL 433.11) and by adding section 4a; and to repeal acts and parts of acts.

With the recommendation that the bill pass.

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

Gerald Van Woerkom
Chairperson

To Report Out:

Yeas: Senators Van Woerkom, Gilbert, Birkholz, Gleason and Whitmer

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Agriculture and Bioeconomy reported

House Bill No. 5823, entitled

A bill to amend 1959 PA 66, entitled "An act to prohibit the running at large on or the grazing upon any land owned by or under the control of the department of conservation, by cattle, horses, sheep and swine; to provide for the enforcement of this act; and to prescribe penalties for the violation of the provisions of this act," by amending the title and sections 1, 2, 3, 4, 5, 6, 7, 9, 10, and 11 (MCL 322.581, 322.582, 322.583, 322.584, 322.585, 322.586, 322.587, 322.589, 322.590, and 322.591) and by adding section 12.

With the recommendation that the bill pass.

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

Gerald Van Woerkom
Chairperson

To Report Out:

Yeas: Senators Van Woerkom, Gilbert, Birkholz, Gleason and Whitmer

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Agriculture and Bioeconomy submitted the following:
Meeting held on Thursday, March 25, 2010, at 9:00 a.m., Room 110, Farnum Building
Present: Senators Van Woerkom (C), Gilbert, Birkholz, Gleason and Whitmer

Scheduled Meetings**Appropriations -****Subcommittees -**

Agriculture - Tuesdays, April 27 and May 4, 2:00 p.m., Room 405, Capitol Building (373-2768)

Economic Development and House Economic Development Appropriations Subcommittee - Wednesday, April 14, 8:30 a.m., Senate Hearing Room, Ground Floor, Boji Tower (373-2768)

General Government - Thursdays, April 22, April 29, May 6 and May 13, 2:00 p.m., Room 110, Farnum Building (373-2768)

Judiciary and Corrections - Tuesdays, April 20, April 27, May 4 and May 11, 3:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

State Police and Military Affairs - Thursdays, April 22, May 6 and May 13, 1:00 p.m., Rooms 402 and 403, Capitol Building (373-2768)

Finance - Thursday, April 15, 11:00 a.m., Room 110, Farnum Building (373-1758)

Hunting, Fishing and Outdoor Recreation - Thursday, April 15, 1:00 p.m., Room 100, Farnum Building (373-1777)

State Drug Treatment Court Advisory Committee - Tuesday, April 27, 9:30 a.m., Legislative Council Conference Room, 3rd Floor, Boji Tower (373-0212)

Transportation and House Transportation - Tuesday, April 27, 3:00 p.m., Room 519, South Tower, House Office Building (373-7708) (CANCELED)

Senator Cropsey moved that the Senate adjourn.
The motion prevailed, the time being 11:10 a.m.

The President pro tempore, Senator Richardville, declared the Senate adjourned until Wednesday, April 14, 2010, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate