

No. 38  
STATE OF MICHIGAN  
**Journal of the Senate**  
95th Legislature  
REGULAR SESSION OF 2010

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Senate Chamber, Lansing, Tuesday, May 4, 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—excused  
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 Roger Kahn, M.D., of the 32nd District offered the following invocation:

Our dear Heavenly Father, thank You for the grace, love, and mercy that You have shown to all of us. Thank You for this great nation and for the freedom we enjoy; the freedom that You have given us to utter prayers such as this. Thank You for allowing us the privilege of serving the state of Michigan.

Please give us the wisdom as we decide, discernment as we consider, kindness as we debate, and gratitude as we serve. Help us to be aware of Your presence and Your love. Keep us mindful of those in the dawn of life and those in the dusk and those who live in the shadows. Amen.

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

### Recess

Senator Brown moved that the Senate recess subject to the call of the Chair.  
The motion prevailed, the time being 10:05 a.m.

11:16 a.m.

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

During the recess, Senators Cropsey, Allen, Kuipers, Jansen, McManus, Bishop, Gilbert, Sanborn, Van Woerkom, Pappageorge, George, Jelinek, Nofs, Richardville, Cassis, Stamas, Birkholz and Hardiman entered the Senate Chamber.

A quorum of the Senate was present.

### Motions and Communications

Senator Cropsey moved that Senator Garcia be excused from today's session.  
The motion prevailed.

Senator Cropsey moved that rule 2.106 be suspended to allow committees to meet during Senate session.  
The motion prevailed, a majority of the members serving voting therefor.

The following communication was received:  
Michigan Economic Development Corporation

March 31, 2010

Attached you will find the 21st Century Jobs Fund report for Fiscal Year 2009, as required in MCL 125.2088n of the Michigan Strategic Fund Act and the 21st Century Jobs Trust Fund legislation.

To date, the 21st Century Jobs Fund has resulted in the creation and retention of 4,934 Michigan jobs, with an additional 5,044 projected to be created in the near future. The funding received through the 21st Century Jobs Fund has enabled Michigan companies to raise additional investment totaling \$918,264,710.

If you have any questions regarding the information in this report, please feel free to contact James McBryde in our Office of Governmental Affairs at 517.335.1847.

Sincerely,  
D. Gregory Main  
President and CEO

The communication was referred to the Secretary for record.

The following communications were received:  
Department of State

Administrative Rules  
Notices of Filing

April 27, 2010

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Energy, Labor, and Economic Growth and the State

Office of Administrative Hearings and Rules filed Administrative Rule #2007-057-LG (Secretary of State Filing #10-04-07) on this date at 11:43 a.m. for the Department of Energy, Labor, and Economic Growth, entitled "Beer."

This rule becomes effective immediately upon filing with the Secretary of State unless adopted under section 33, 44, 45a(6), or 48 of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

April 27, 2010

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Energy, Labor, and Economic Growth and the State Office of Administrative Hearings and Rules filed Administrative Rule #2009-014-LG (Secretary of State Filing #10-04-08) on this date at 11:45 a.m. for the Department of Energy, Labor, and Economic Growth, entitled "Off-Premises License."

This rule becomes effective immediately upon filing with the Secretary of State unless adopted under section 33, 44, 45a(6), or 48 of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

April 27, 2010

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Natural Resources and Environment and the State Office of Administrative Hearings and Rules filed Administrative Rule #2009-028-NE (Secretary of State Filing #10-04-09) on this date at 11:47 a.m. for the Department of Natural Resources and Environment, entitled "Shooting Ranges on State-owned Lands."

These rules becomes effective immediately upon filing with the Secretary of State unless adopted under section 33, 44, 45a(6), or 48 of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

April 27, 2010

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Energy, Labor, and Economic Growth and the State Office of Administrative Hearings and Rules filed Administrative Rule #2009-029-LG (Secretary of State Filing #10-04-10) on this date at 11:49 a.m. for the Department of Energy, Labor, and Economic Growth, entitled "Board of Real Estate Appraisers - General Rules."

This rule becomes effective immediately upon filing with the Secretary of State unless adopted under section 33, 44, 45a(6), or 48 of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

April 28, 2010

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Natural Resources and Environment and the State Office of Administrative Hearings and Rules filed Administrative Rule #2010-006-NE (Secretary of State Filing #10-04-11) on this date at 1:54 p.m. for the Department of Natural Resources and Environment, entitled "Inland Lakes and Streams."

This rule becomes effective immediately upon filing with the Secretary of State unless adopted under section 33, 44, 45a(6), or 48 of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

Sincerely,  
Terri Lynn Land  
Secretary of State  
Robin L. Houston, Departmental Supervisor  
Office of the Great Seal

The communications were referred to the Secretary for record.

The following communication was received:

Department of Transportation

April 29, 2010

Pursuant to Public Act 116 of 2009, Section 384, enclosed is a report intended to fulfill the requirements of the following language:

*(1) The department may continue with preliminary legal, financial, traffic and revenue study, permitting, engineering, and other ancillary work for the Detroit River International Crossing (DRIC) so that it can solicit from the private sector*

requests for proposals for public-private partnerships to construct the bridge, plaza, and related infrastructure. The department shall submit proposals to the legislature by May 1, 2010. Those activities associated with the DRIC project shall not bind the state in any way to construction.

(2) The department shall submit an investment grade traffic study to the legislature by May 1, 2010 from a reputable traffic company with appropriate experience intended to provide a detailed traffic projection for the ensuing 10 years, taking into account projected infrastructure modifications, expansions, and improvements announced.

(3) The department shall not expend more than \$2,500,000.00 from state transportation revenue sources for activities enumerated in this section.

(4) It is the intent of the legislature to fully adopt or reject authorizing legislation by the full legislative bodies by June 1, 2010 to do all of the following:

(a) Construct a new international crossing jointly and in agreement with Canada.

(b) Create an authorized tolling authority.

(c) Create a public-private partnership.

The report includes a "Report to the Legislature of the State of Michigan responding to Public Act 116 of 2009, Section 384," the investment grade traffic study, and twenty proposals of interest from the private sector for Public-Private Partnerships to construct the bridge, plaza, and related infrastructure.

The Michigan Department of Transportation takes great pride in the way we are conducting the DRIC project. We urge you to visit the project Web site, [www.partnershipborderstudy.com](http://www.partnershipborderstudy.com), where a wealth of additional information regarding study data and activities has been available since 2005. All material attached to this memo will be made available on the project Web site if not already posted.

If you have any questions, please feel free to contact me at (517) 373-3946 or [decookr@michigan.gov](mailto:decookr@michigan.gov).

Sincerely,  
 Ronald K. DeCook, Director  
 Office of Governmental Affairs

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, April 29:  
**House Bill Nos. 5271 5409 5573 5786 5991 6045**

The Secretary announced the enrollment printing and presentation to the Governor on Thursday, April 29, for her approval the following bills:

**Enrolled Senate Bill No. 1174 at 11:59 a.m.**

**Enrolled Senate Bill No. 1010 at 12:01 p.m.**

**Enrolled Senate Bill No. 468 at 12:03 p.m.**

The Secretary announced that the following official bills were printed on Thursday, April 29, and are available at the legislative website:

**House Bill Nos. 6079 6080 6081 6082 6083 6084 6085 6086 6087 6088 6089 6090 6091 6092**

The Secretary announced that the following official bills were printed on Friday, April 30, and are available at the legislative website:

**Senate Bill Nos. 1305 1306 1307 1308 1309 1310 1311 1312 1313 1314**

**House Bill Nos. 6093 6094 6095 6096 6097 6098 6099 6100 6101**

### Messages from the Governor

The following messages from the Governor were received:

Date: April 29, 2010  
 Time: 10:00 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 719 (Public Act No. 56), being**

An act to amend 1895 PA 198, entitled "An act to establish a law uniform with the laws of other states relating to the sealing of deeds and other written instruments," by amending section 2 (MCL 565.232).

(Filed with the Secretary of State on April 29, 2010, at 10:41 a.m.)

Date: April 29, 2010  
Time: 10:02 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 720 (Public Act No. 57), being**

An act to amend 1846 RS 1, entitled “Of the statutes,” by amending section 3n (MCL 8.3n).

(Filed with the Secretary of State on April 29, 2010, at 10:43 a.m.)

Date: April 30, 2010  
Time: 8:47 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 468 (Public Act No. 59), 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,” by amending sections 732 and 907 (MCL 257.732 and 257.907), section 732 as amended by 2006 PA 298 and section 907 as amended by 2008 PA 463.

(Filed with the Secretary of State on April 30, 2010, at 1:02 p.m.)

Date: April 30, 2010  
Time: 3:00 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 1174 (Public Act No. 61), being**

An act to amend 1956 PA 218, entitled “An act to revise, consolidate, and classify the laws relating to the insurance and surety business; to regulate the incorporation or formation of domestic insurance and surety companies and associations and the admission of foreign and alien companies and associations; to provide their rights, powers, and immunities and to prescribe the conditions on which companies and associations organized, existing, or authorized under this act may exercise their powers; to provide the rights, powers, and immunities and to prescribe the conditions on which other persons, firms, corporations, associations, risk retention groups, and purchasing groups engaged in an insurance or surety business may exercise their powers; to provide for the imposition of a privilege fee on domestic insurance companies and associations and the state accident fund; to provide for the imposition of a tax on the business of foreign and alien companies and associations; to provide for the imposition of a tax on risk retention groups and purchasing groups; to provide for the imposition of a tax on the business of surplus line agents; to provide for the imposition of regulatory fees on certain insurers; to provide for assessment fees on certain health maintenance organizations; to modify tort liability arising out of certain accidents; to provide for limited actions with respect to that modified tort liability and to prescribe certain procedures for maintaining those actions; to require security for losses arising out of certain accidents; to provide for the continued availability and affordability of automobile insurance and homeowners insurance in this state and to facilitate the purchase of that insurance by all residents of this state at fair and reasonable rates; to provide for certain reporting with respect to insurance and with respect to certain claims against uninsured or self-insured persons; to prescribe duties for certain state departments and officers with respect to that reporting; to provide for certain assessments; to establish and continue certain state insurance funds; to modify and clarify the status, rights, powers, duties, and operations of the nonprofit malpractice insurance fund; to provide for the departmental supervision and regulation of the insurance and surety business within this state; to provide for regulation over worker’s compensation self-insurers; to provide for the conservation, rehabilitation, or liquidation of unsound or insolvent insurers; to provide for the protection of policyholders, claimants, and creditors of unsound or insolvent insurers; to provide for associations of insurers to protect policyholders and claimants in the event of insurer insolvencies; to prescribe educational requirements

for insurance agents and solicitors; to provide for the regulation of multiple employer welfare arrangements; to create an automobile theft prevention authority to reduce the number of automobile thefts in this state; to prescribe the powers and duties of the automobile theft prevention authority; to provide certain powers and duties upon certain officials, departments, and authorities of this state; to provide for an appropriation; to repeal acts and parts of acts; and to provide penalties for the violation of this act," by amending section 1311 (MCL 500.1311), as amended by 1994 PA 227.

(Filed with the Secretary of State on April 30, 2010, at 3:43 p.m.)

Respectfully,  
Jennifer M. Granholm  
Governor

The following messages from the Governor were received and read:

May 3, 2010

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following appointment to office under Section 3 of the Older Michiganians Act, 1981 PA 180, MCL 400.583:

**Commission on Services to the Aging**

Mr. William H. Walters IV, an Independent, of 4108 2nd Street, P.O. Box 221, Brown City, Michigan 48416, county of Sanilac, succeeding Rose Gill, whose term will expire, is appointed for a term commencing July 29, 2010 and expiring July 28, 2013.

May 3, 2010

I respectfully submit to the Senate pursuant to Article V, Section 6 of the Michigan Constitution of 1963, the following appointment to office under Section 2 of the Electrical Administrative Act, 1956 PA 217, MCL 338.882:

**Electrical Administrative Board**

Mr. David M. Vallier of 37244 Woodpointe Drive, Clinton Township, Michigan 48036, county of Macomb, succeeding Clark Justin, whose term has expired, is appointed to represent electrical parts manufacturers operating in this state, for a term commencing May 3, 2010 and expiring August 10, 2013.

May 3, 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 office under Section 88I of the Michigan Strategic Fund Act, 1984 PA 270, MCL 125.2088I:

**Strategic Economic Investment and Commercialization Board**

Ms. Coffiann U. Hawthorne of 4060 Springer Way, #714, East Lansing, Michigan 48823, county of Clinton, succeeding David Baker Lewis, who has resigned, is appointed to represent business with expertise, knowledge, skill, or experience in venture capital investments, business finance, bringing competitive edge technology products to market, or representing a qualified business, for a term commencing May 3, 2010 and expiring December 31, 2013.

Mr. John W. Brown of 6464 Liteolier, Portage, Michigan 49024, county of Kalamazoo, is reappointed to represent business with expertise, knowledge, skill, or experience in venture capital investments, business finance, bringing competitive edge technology products to market, or representing a qualified business, for a term expiring December 31, 2013.

Sincerely,  
Jennifer M. Granholm  
Governor

The appointments were referred to the Committee on Government Operations.

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

By unanimous consent the Senate proceeded to the order of

**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.

Senator Clarke entered the Senate Chamber.

**House Concurrent Resolution No. 49.**

A concurrent resolution to urge the Great Lakes-St. Lawrence River Basin Water Resources Council to scrutinize carefully the proposed diversion at Waukesha, Wisconsin.

The question being on the adoption of the following committee substitute:

Substitute (S-1).

The substitute was adopted.

The concurrent resolution, as substituted, was adopted.

Senator Clarke was named co-sponsor of the concurrent resolution.

**Introduction and Referral of Bills**

Senator Jacobs introduced

**Senate Joint Resolution X, entitled**

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 54 of article IV, to modify term limits for members of the house of representatives and senate.

The joint resolution was read a first and second time by title and referred to the Committee on Government Operations.

Senators Jacobs, Pappageorge, Switalski, Sanborn and Cassis introduced

**Senate Bill No. 1315, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 18223 (MCL 333.18223), as amended by 1986 PA 174.

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

Senator Stamas introduced

**Senate Bill No. 1316, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 710 (MCL 257.710).

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

**House Bill No. 5271, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1264.

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. 5409, entitled**

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

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

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

**House Bill No. 5573, entitled**

A bill to amend 1941 PA 359, entitled "An act for controlling and eradicating certain noxious weeds within the state; to permit townships, villages, and cities to have a lien for expenses incurred in controlling and eradicating such weeds; to permit officials of counties and municipalities to appoint commissioners of noxious weeds; to define the powers, duties, and compensation of commissioners; to provide for sanctions; and to repeal certain acts and parts of acts," by amending section 4 (MCL 247.64), as amended by 2003 PA 321.

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 Local, Urban and State Affairs.

**House Bill No. 5786, entitled**

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

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

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

**House Bill No. 5991, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 20107a (MCL 324.20107a), as amended by 1996 PA 383.

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. 6045, entitled**

A bill to provide for the procedure for allocation, reallocation, and waiver of federal bond limitations under certain bond programs; and to prescribe certain powers and duties of certain state agencies and public 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.

By unanimous consent the Senate returned 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. 198**

The motion prevailed.

The following bill was read a third time:

**Senate Bill No. 198, entitled**

A bill to amend 1937 PA 94, entitled "Use tax act," by amending section 4o (MCL 205.94o), as amended by 2004 PA 172.

The question being on the passage of the bill,

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

**Roll Call No. 224****Yeas—28**

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

**Nays—9**

Brater	Jacobs	Scott	Thomas
Cherry	Olshove	Switalski	Whitmer
Clark-Coleman			

**Excused—1**

Garcia



**Not Voting—0**

In The Chair: Richardville

The Senate agreed to the title of the bill.

**Protest**

Senator Jacobs, under her constitutional right of protest (Art. 4, Sec. 18), protested against the passage of Senate Bill No. 198.

Senator Jacobs' statement is as follows:

I think, as vice chair of the fiscally responsible caucus, I just want the members to take note, Mr. President, that this is about a million-dollar hit to us in Treasury, and some of that money is going to school aid. As I have oftentimes said, if we are going to try to write the taxes by nibbling at it bit by bit, that is not the way to go.

So while I am sympathetic to saw mills, I think that we have to go in and kind of rewrite the tax code. If we are going to be taking money away from the General Fund, we better find another way to put it in because things are pretty awful here in Michigan, and we can't be taking bites from this apple.

By unanimous consent the Senate proceeded to the order of

**Statements**

Senators Scott, Jacobs, Cherry, Basham and Birkholz 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:

Broadcasting executive Donald H. McGannon said, "Leadership is action." The people of Michigan rely on us to act on the issues that are important to them and that affect them in their daily lives. Auto insurance is one of the top issues that our constituents want action on. They pay their insurance bills every month or every three months or six months, so many of them are constantly reminded of how unfair auto insurance costs are.

I've said it before and I'll say it again: No one is asking for a handout. I'm not even asking for a handout. I'm asking for leadership on this very important issue. I'm asking you to give serious consideration to the bills we have in committee, to commit to taking action on this issue, and give consumers relief from the excessively high rates many of them must pay to insure their cars. Our constituents want us to take action on insurance. They expect us to take action because they sent us here to act on their behalf.

So let's decide to do their bidding and take serious, meaningful action on auto insurance reform.

Senator Jacobs' statement is as follows:

Today, I am bringing my good news statement. It is no secret that Michigan citizens are facing challenging times, but recently there were a number of good news stories about Michigan and our nation. While these announcements do not solve all of our problems, I believe it is important that we showcase this good news to encourage those who are looking for jobs, to encourage more employers to bring their jobs to Michigan, and just to encourage us as citizens of this great state.

Just last week, Comerica Bank's Michigan Brief predicted that the Michigan jobless rate will fall below 12.5 percent. Now, I know that is still high. But, most importantly, the brief stated that the auto sector appears to have made the necessary adjustments to become profitable, and this will help both our state's economy and the national economy. Comerica's chief economist, Dana Johnson, believes that this means that the production of goods and services will grow by 3 percent or more this year, and this will lead to a modest increase in job creation as well.

And thanks to President Obama, proof of this auto-sector rebound comes in the announcement from General Motors recently that they will spend \$890 million at five factories, including one in Michigan, to upgrade its V-8 engines to make them more fuel-efficient. Ford also recently announced that it would turn a \$2.1 billion profit in the first quarter, signaling that consumers are feeling more confident and buying cars once again. This was Ford's fourth straight profitable quarter, and the company expects to end the year with strong full-year earnings. We just have to look at *Crain's* each week to look at some of the new industries that have won grants and will bring new jobs to our cities.

Recently, we learned about companies creating jobs in marketing solutions and business support services; the design, manufacturing, and marketing of components used in wireless communications applications; pharmacy dispensing and delivery services, including patient call center support and patient database management plans; automotive components; and metal stamping and welded fabrications. These and other companies could bring over 15,000 jobs to Michigan. Even more importantly, they show that we are diversifying our job base and our economy, and that is the best news in recent months.

A more diversified economy will clearly help us put more people back to work, keep more of our talented young workers here in Michigan, and will let me come back again with more good news to share with you.

Senator Cherry's statement is as follows:

Congress recently approved yet another short-term extension of federal unemployment benefits. The latest federal extension ends on June 2 and still only provides temporary relief, leaving unemployed workers on edge while they await more significant assistance. In Michigan, even with the new extension, 125,000 unemployed workers still exhausted all of their unemployment benefits at the end of April, having received every extension eligible for them. That is 125,000 workers who now have no income and no jobs, which will only hurt our state's already unstable economy.

That's 125,000 workers who are looking to state government for solutions and who continue to be ignored by the Republican leadership of this body. As the Senate majority, what are you doing to help stimulate our economy and support working families? Michigan needs innovation and job creation to help both our active and displaced workers, but there has been a drought of economic ideas from across the aisle. We need to do everything we can to create jobs for these workers, and make sure Michigan workers are able to obtain jobs that open up with existing companies.

If Senate Republicans don't have an economic agenda of your own, you can at least pass existing legislation that can create jobs and jump-start our economy. We could pass Hire Michigan First legislation now to give workers in our state priority for jobs created with taxpayer dollars. We could also keep our working families off the constant emotional roller coaster that is the unsure federal expansion of unemployment benefits by expanding state unemployment benefits so that more workers will be eligible, including those who are in state-approved training programs.

This expansion of unemployment benefits will help struggling workers pay bills and provide for their families while learning the skills needed to compete for jobs in growing industries. Real long-term solutions to Michigan's economic woes are job creation and helping unemployed workers prepare for new jobs. Senate Republicans, Michigan workers are tired of waiting for answers, and there are steps you can take right now to help turn our state around.

Senator Basham's statement is as follows:

I would just like to thank members on both sides of the aisle and staff who worked on an issue to allow my granddaughters, one who has asthma, to enjoy a couple of games of bowling in a smoke-free bowling alley in my district on Saturday.

So I again appreciate the work that has actually changed people's lives and actually protected public health for many, many years to come. Hopefully, we won't continue to lose 3,000 people a year in Michigan as a result of secondhand smoke. So this is a great day for workers, May 1st, and also a great day for patrons.

Senator Birkholz's statement is as follows:

I had an excused absence on Thursday, April 29. I was speaking to some business leaders in West Michigan. I missed some roll call votes. So in the interest of brevity, I would have voted "yes" on the following bills: Roll Call No. 219, Senate Bill No. 1206; Roll Call No. 220, Senate Bill No. 1207; Roll Call No. 221, Senate Bill No. 1208; Roll Call No. 222, Senate Bill No. 1241; and Roll Call No. 223, Senate Bill No. 962.

### Committee Reports

The Committee on Health Policy reported

**House Bill No. 4406, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 2835 (MCL 333.2835), as amended by 2002 PA 562.

With the recommendation that the bill pass.

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

Thomas M. George  
Chairperson

To Report Out:

Yeas: Senators George, Allen, Clarke and Jacobs

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Health Policy reported

**House Bill No. 4900, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 2441 (MCL 333.2441), as amended by 1986 PA 76, and by adding section 2443.

With the recommendation that the bill pass.

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

Thomas M. George  
Chairperson

To Report Out:

Yeas: Senators George, Allen, Clarke and Jacobs

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Health Policy reported

**House Bill No. 5765, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 16521, 17025, 17903, and 18705 (MCL 333.16521, 333.17025, 333.17903, and 333.18705), section 16521 as amended by 2006 PA 397, section 17025 as amended by 2006 PA 161, section 17903 as amended by 2006 PA 387, and section 18705 as amended by 2006 PA 407.

With the recommendation that the bill pass.

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

Thomas M. George  
Chairperson

To Report Out:

Yeas: Senators George, Allen, Clarke and Jacobs

Nays: None

The bill was referred to the Committee of the Whole.

#### COMMITTEE ATTENDANCE REPORT

The Committee on Health Policy submitted the following:

Meeting held on Wednesday, April 28, 2010, at 3:05 p.m., Senate Hearing Room, Ground Floor, Boji Tower

Present: Senators George (C), Allen, Clarke, Gleason and Jacobs

Excused: Senators Patterson and Sanborn

#### Scheduled Meetings

**Appropriations** - Wednesday, May 5, 2:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-6960)

**Subcommittees -**

**Capital Outlay** - Thursday, May 6, 9:00 a.m., Senate Hearing Room, Ground Floor, Boji Tower (373-2768)

**General Government** - Thursdays, May 6 and May 13 (CANCELED), 2:00 p.m., and Wednesday, May 12, 9:00 a.m., Room 110, Farnum Building (373-2768)

**Higher Education** - Thursdays, May 6 and May 13, 9:00 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

**Judiciary and Corrections** - Tuesday, May 11, 3:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768) (CANCELED)

**Conference Committee -**

**Public School Employees Retirement (SB 1227)** - Wednesday, May 5, 9:30 a.m., Room 100, Farnum Building (373-2768)

**Economic Development and Regulatory Reform** - Wednesday, May 5, 1:00 p.m., Rooms 402 and 403, Capitol Building (373-7670)

**Finance** - Wednesday, May 5, 8:00 a.m., Rooms 402 and 403, Capitol Building (373-1758)

**Health Policy** - Wednesday, May 5, 3:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower (373-0793)

**Natural Resources and Environmental Affairs** - Wednesday, May 5, 1:00 p.m., Room 110, Farnum Building (373-3447)

**Senate Fiscal Agency Board of Governors** - Wednesday, May 5, 9:15 a.m., Room S-101, Capitol Building (373-5300)

Senator Cropsey moved that the Senate adjourn.  
The motion prevailed, the time being 11:42 a.m.

The President pro tempore, Senator Richardville, declared the Senate adjourned until Wednesday, May 5, 2010, at 10:00 a.m.

CAROL MOREY VIVENTI  
Secretary of the Senate