

No. 55
STATE OF MICHIGAN
Journal of the Senate
95th Legislature
REGULAR SESSION OF 2009

Senate Chamber, Lansing, Tuesday, June 23, 2009.

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

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

Reverend Yvette Griffin of Pilgrim Baptist Church of Detroit offered the following invocation:

Almighty God, our Father in heaven, we are asking You to invoke Your power over this chamber and over this session. We thank You for these leaders chosen by Your people to represent them as Senators of this great state. Please invoke Your Spirit and power as they represent Your people. Allow these men and women to be honorable with integrity not just in name, but in word and deed and walk and talk in Your sight, so they will conduct the business of this great state of Michigan through Your direction and not their own.

Dear Lord, we're asking that whatever spirit that is not like You, take it out, bind it up, and dispel it right now in Your name. God Almighty, we ask that You invoke the spirit of brotherhood, of sisterhood, of cooperation, of respect, and the spirit of loving thy neighbor as thyself. For You said, "You did it to the one of these brothers and sisters of mine, even the least of them, you did it to me." You said, "Whatever you did for the least of these brothers and sisters of mine, you did it for me."

Unleash this spirit right now in the name of Jesus. We thank You for invoking Your power to allow us to wake up this morning with a mind stayed on You. For those who do not have a mind stayed on You, we declare through Your power and might that this session will be one that will never be forgotten.

In the mighty name of Jesus, the God Almighty. Amen, amen, and amen.

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

Motions and Communications

Senator Barcia entered the Senate Chamber.

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

The motion prevailed.

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

House Bill No. 4435

House Bill No. 4438

House Bill No. 4441

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

The following communication was received and read:

Office of the Secretary of the Senate

June 22, 2009

This is to inform you that Adam Reames has been appointed to the position of the Assistant Secretary of the Senate.

Adam has previously interned for the Legislative Service Bureau and worked as a Clerk for Secretary of the Senate Session Staff. After leaving Session Staff, he attended law school and was an attorney in private practice. He later became a policy analyst for Senate Democratic Staff and has also worked at the Michigan Department of Transportation, Michigan House of Representatives Policy Office, and Dykema Gossett. Adam has a B.A. from the University of Michigan, a Master's of Public Policy from Claremont Graduate University, and a Juris Doctorate from Wayne State University.

Sincerely,

Carol Morey Viventi, J.D.

Secretary of the Senate

The communication was referred to the Secretary for record.

The following communications were received and read:

Office of the Auditor General

June 18, 2009

Enclosed is a copy of the following audit report:

Financial audit, including the provisions of the Single Audit Act, of the Department of Attorney General for the period October 1, 2006 through September 30, 2008.

June 18, 2009

Enclosed is a copy of the following audit report:
Financial audit, including the provisions of the Single Audit Act, of the State-Funded Judicial Operations for the period October 1, 2006 through September 30, 2008.

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

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

Recess

Senator Cropsey moved that the Senate recess subject to the call of the Chair.
The motion prevailed, the time being 10:07 a.m.

10:37 a.m.

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

During the recess, Senators Hunter, Stamas, Jelinek, George, Kahn, Hardiman, Birkholz, Jansen, Van Woerkom, Gilbert, Bishop, Cassis, Brown and Kuipers entered the Senate Chamber.

Senator Cropsey moved that rule 3.902 be suspended to allow the guests of Senators Basham and Stamas admittance to the Senate floor, including the center aisle.

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

Senator Cropsey moved that rule 3.901 be suspended to allow photographs to be taken from the Senate floor, including the center aisle and Gallery.

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

Recess

Senator Cropsey moved that the Senate recess subject to the call of the Chair.
The motion prevailed, the time being 10:38 a.m.

10:51 a.m.

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

During the recess, Senator Basham honored the 70th Anniversary of the U.S. Coast Guard Auxiliary and introduced Commodore Richard Ives, Legislative Liaison, President of the National Association of Commodores; and Commodore Wesley Cottrell, District Commodore, Ninth Region; and presented them with Senate Resolution No. 64.

Commodore Ives responded briefly.

During the recess, Senator Stamas introduced the Midland H.H. Dow High School Girls Tennis Team, Division I State Champions, and Coach Garrett Turner; and presented them with a Special Tribute.

Coach Turner responded briefly.

The Secretary announced that the following House bills were received in the Senate and filed on Thursday, June 18:

House Bill Nos. 4310 4349 4446 4450 4998

The Secretary announced the enrollment printing and presentation to the Governor on Monday, June 22, for her approval the following bills:

Enrolled Senate Bill No. 264 at 10:54 a.m.

Enrolled Senate Bill No. 280 at 10:56 a.m.

Enrolled Senate Bill No. 624 at 10:58 a.m.

Enrolled Senate Bill No. 151 at 11:00 a.m.

The Secretary announced that the following official bills were printed on Thursday, June 18, and are available at the legislative website:

Senate Bill Nos. 642 643 644 645 646

House Bill Nos. 5111 5112 5113 5114 5115 5116 5117 5118 5119 5120 5121 5122 5123 5124

The Secretary announced that the following official bills were printed on Friday, June 19, and are available at the legislative website:

Senate Bill Nos. 647 648 649 650 651 652 653

House Bill No. 5125

By unanimous consent the Senate proceeded to the order of

Introduction and Referral of Bills

Senators Van Woerkom, Jelinek, Cropsey, Sanborn, Hardiman, Birkholz, Gilbert, Stamas, Olshove, Barcia and Gleason introduced

Senate Bill No. 654, entitled

A bill to amend 1988 PA 466, entitled "Animal industry act," by amending section 3 (MCL 287.703), as amended by 2002 PA 458, and by adding section 7a.

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

Senators Kuipers, Jelinek, Cropsey, Sanborn, Hardiman, Gilbert, Stamas, Olshove, Barcia and Gleason introduced

Senate Bill No. 655, entitled

A bill to amend 1988 PA 466, entitled "Animal industry act," (MCL 287.701 to 287.745) by adding section 8a.

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

Senators Clarke and Clark-Coleman introduced

Senate Bill No. 656, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 1304, 1312, 1321, and 1344 (MCL 600.1304, 600.1312, 600.1321, and 600.1344), sections 1304 and 1321 as amended by 2004 PA 12, section 1312 as amended by 2005 PA 6, and section 1344 as amended by 2002 PA 739, and by adding sections 1301c, 1310a, and 1310b.

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

Senators Gilbert, Sanborn, Pappageorge and Birkholz introduced

Senate Bill No. 657, entitled

A bill to establish travel expenditure limitations for certain local units of government and other local governmental entities; to establish permissible conditions for out-of-state travel; and to establish reporting requirements.

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. 4310, entitled

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2009; 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. 4349, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 2841 (MCL 333.2841).

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

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

House Bill No. 4446, entitled

A bill to make appropriations for the departments of environmental quality and natural resources for the fiscal year ending September 30, 2010; to provide for the expenditure of those appropriations; to create funds and accounts; to require reports; to prescribe certain powers and duties of certain state agencies and officials; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by the various 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.

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

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

House Bill No. 4450, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 710d (MCL 257.710d), as amended by 1999 PA 29.

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

The bill was read a first and second time by title.

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

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

House Bill No. 4998, entitled

A bill to amend 2008 PA 554, entitled "Regional convention facility authority act," by amending sections 5, 7, 11, and 19 (MCL 141.1355, 141.1357, 141.1361, and 141.1369).

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

The bill was read a first and second time by title.

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

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

Recess

Senator Cropsey moved that the Senate recess subject to the call of the Chair.
The motion prevailed, the time being 10:57 a.m.

12:19 p.m.

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

By unanimous consent the Senate returned to the order of

Messages from the Governor

The following messages from the Governor were received:

Date: June 18, 2009

Time: 8:13 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 387 (Public Act No. 46), being

An act to amend 1998 PA 386, entitled "An act to codify, revise, consolidate, and classify aspects of the law relating to wills and intestacy, relating to the administration and distribution of estates of certain individuals, relating to trusts, and relating to the affairs of certain individuals under legal incapacity; to provide for the powers and procedures of the court that has jurisdiction over these matters; to provide for the validity and effect of certain transfers, contracts, and deposits that relate to death; to provide procedures to facilitate enforcement of certain trusts; and to repeal acts and parts of acts," by amending sections 1103, 1104, 1105, 1106, 1107, 1201, 1209, 1210, 1212, 1214, 1308, 1403, 1507, 2501, 2504, 2511, 2519, 2705, 2722, 2901, 2904, 2907, 3104, 3403, 3703, 3705, 3713, 3715, 3801, 3803, 3805, 3914, 3915, 5407, 5421, 6101, 7101, 7102, 7103, 7104, 7105, 7201, 7202, 7203, 7204, 7205, 7206, 7207, 7301, 7302, 7303, 7304, 7305, 7401, 7402, 7403, 7404, 7405, 7406, 7407, 7410, 7501, 7502, 7503, 7504, 7505, 7506, 7507, and 7508 (MCL

700.1103, 700.1104, 700.1105, 700.1106, 700.1107, 700.1201, 700.1209, 700.1210, 700.1212, 700.1214, 700.1308, 700.1403, 700.1507, 700.2501, 700.2504, 700.2511, 700.2519, 700.2705, 700.2722, 700.2901, 700.2904, 700.2907, 700.3104, 700.3403, 700.3703, 700.3705, 700.3713, 700.3715, 700.3801, 700.3803, 700.3805, 700.3914, 700.3915, 700.5407, 700.5421, 700.6101, 700.7101, 700.7102, 700.7103, 700.7104, 700.7105, 700.7201, 700.7202, 700.7203, 700.7204, 700.7205, 700.7206, 700.7207, 700.7301, 700.7302, 700.7303, 700.7304, 700.7305, 700.7401, 700.7402, 700.7403, 700.7404, 700.7405, 700.7406, 700.7407, 700.7410, 700.7501, 700.7502, 700.7503, 700.7504, 700.7505, 700.7506, 700.7507, and 700.7508), sections 1103 and 7503 as amended by 2000 PA 177, section 1104 as amended by 2006 PA 299, sections 1105, 3803, 7303, and 7406 as amended and section 7410 as added by 2004 PA 314, section 1106 as amended by 2004 PA 532, sections 1107, 1214, 2504, 7206, 7501, and 7507 as amended by 2000 PA 54, sections 2519, 3715, 7401, 7502, and 7508 as amended by 2005 PA 204, section 3705 as amended by 2004 PA 481, and section 3805 as amended by 2007 PA 73, by amending the heading of article VII and the headings of parts 1, 2, 3, 4, and 5 of article VII, by adding sections 7107, 7108, 7109, 7110, 7111, 7112, 7113, 7208, 7209, 7210, 7211, 7411, 7412, 7413, 7414, 7415, 7416, 7417, 8201, 8202, 8204, and 8206, and by adding parts 6, 7, 8, and 9 to article VII; and to repeal acts and parts of acts.

(Filed with the Secretary of State on June 18, 2009, at 9:40 a.m.)

Date: June 18, 2009

Time: 8:15 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 96 (Public Act No. 40), being

An act to amend 1965 PA 290, entitled “An act to regulate the use, construction, installation, and repair of certain boilers; to create a board of boiler rules; to prescribe uniform rules and regulations for certain boilers; to provide for the licensing of certain boiler inspectors, installers, and repairers and registration of certain boiler operators and stationary engineers; to provide for powers and duties for certain state agencies and officers; to provide fees for registrations, licenses, permits, inspections, and certificates; to provide penalties and remedies for the violation of this act; and to repeal acts and parts of acts,” by amending section 13c (MCL 408.763c), as added by 2008 PA 159.

(Filed with the Secretary of State on June 18, 2009, at 9:28 a.m.)

Date: June 18, 2009

Time: 8:17 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 108 (Public Act No. 41), being

An act to amend 1972 PA 382, entitled “An act to license and regulate the conducting of bingo, millionaire parties, and certain other forms of gambling; to provide for the conducting of charity games, raffles, and numeral games; to provide for exemptions from licensing requirements under certain circumstances; to impose certain duties and authority upon certain state departments, agencies, and officers; to provide a tax exemption; and to provide penalties,” by amending section 3 (MCL 432.103), as amended by 2008 PA 401.

(Filed with the Secretary of State on June 18, 2009, at 9:30 a.m.)

Date: June 18, 2009

Time: 8:19 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 383 (Public Act No. 42), being

An act to amend 1846 RS 81, entitled “Of fraudulent conveyances and contracts, relative to goods, chattels, and things in action,” by amending section 1 (MCL 566.131).

(Filed with the Secretary of State on June 18, 2009, at 9:32 a.m.)

Date: June 18, 2009

Time: 8:21 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 384 (Public Act No. 43), being

An act to amend 1846 RS 63, entitled “Of uses and trusts,” (MCL 555.1 to 555.27) by adding section 28.

(Filed with the Secretary of State on June 18, 2009, at 9:34 a.m.)

Date: June 18, 2009
Time: 8:23 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 385 (Public Act No. 44), being

An act to amend 1998 PA 434, entitled “An act to define and regulate fraudulent transfers and conveyances; to set aside and modify certain transfers and conveyances; to make uniform the law of fraudulent transfers; and to repeal acts and parts of acts,” by amending section 1 (MCL 566.31).

(Filed with the Secretary of State on June 18, 2009, at 9:36 a.m.)

Date: June 18, 2009
Time: 8:25 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 386 (Public Act No. 45), being

An act to amend 1967 PA 224, entitled “An act relating to powers, the creation and exercise of powers, release of powers, contracts to appoint, dispositions when powers are unexercised, rights of creditors of donees of powers, computations under the rule against perpetuities, reservation of powers of revocation, and recording of instruments; and to repeal certain acts and parts of acts,” by amending section 13 (MCL 556.123).

(Filed with the Secretary of State on June 18, 2009, at 9:38 a.m.)

Date: June 18, 2009
Time: 8:31 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 432 (Public Act No. 48), being

An act to amend 1998 PA 58, entitled “An act to create a commission for the control of the alcoholic beverage traffic within this state, and to prescribe its powers, duties, and limitations; to provide for powers and duties for certain state departments and agencies; to impose certain taxes for certain purposes; to provide for the control of the alcoholic liquor traffic within this state and to provide for the power to establish state liquor stores; to prohibit the use of certain devices for the dispensing of alcoholic vapor; to provide for the care and treatment of alcoholics; to provide for the incorporation of farmer cooperative wineries and the granting of certain rights and privileges to those cooperatives; to provide for the licensing and taxation of activities regulated under this act and the disposition of the money received under this act; to prescribe liability for retail licensees under certain circumstances and to require security for that liability; to provide procedures, defenses, and remedies regarding violations of this act; to provide for the enforcement and to prescribe penalties for violations of this act; to provide for allocation of certain funds for certain purposes; to provide for the confiscation and disposition of property seized under this act; to provide referenda under certain circumstances; and to repeal acts and parts of acts,” by amending section 513 (MCL 436.1513), as amended by 2007 PA 11.

(Filed with the Secretary of State on June 18, 2009, at 9:44 a.m.)

Date: June 18, 2009
Time: 8:35 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 416 (Public Act No. 50), being

An act to amend 2005 PA 92, entitled “An act to prescribe the procedures, terms, and conditions for the qualification or approval of school bonds and other bonds; to authorize this state to make loans to certain school districts for the payment of certain bonds and to authorize schools to borrow from this state for that purpose; to prescribe the terms and conditions of certain loans to school districts; to prescribe the powers and duties of certain state agencies and certain state and local officials; to provide for certain fees; to prescribe certain penalties; and to repeal acts and parts of acts,” by amending section 9 (MCL 388.1929), as amended by 2006 PA 71.

(Filed with the Secretary of State on June 18, 2009, at 9:48 a.m.)

Respectfully,
Jennifer M. Granholm
Governor

Messages from the House

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

Senate Bill No. 349

The motion prevailed.

Senate Bill No. 587, entitled

A bill to amend 1985 PA 106, entitled "State convention facility development act," by amending sections 3, 8, 9, 10, and 12 (MCL 207.623, 207.628, 207.629, 207.630, and 207.632), as amended by 2008 PA 553.

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

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

A bill to amend 1985 PA 106, entitled "An act to impose a state excise tax on persons engaged in the business of providing rooms for dwelling, lodging, or sleeping purposes to transient guests in certain counties; to provide for the levy, assessment, and collection of the tax; to provide for the disposition and appropriation of the collections from the tax; to create a convention facility development fund; to authorize the distributions from the fund; to authorize the use of distributions from the tax as security for any bonds, obligations, or other evidences of indebtedness issued to finance convention facilities as provided by law; to prescribe certain other matters relating to bonds, obligations, or other evidences of indebtedness issued for such purposes," by amending sections 3, 8, 9, and 10 (MCL 207.623, 207.628, 207.629, and 207.630), as amended by 2008 PA 553.

Pursuant to rule 3.202, the bill was laid over one day.

Senate Bill No. 290, entitled

A bill to amend 1996 PA 381, entitled "Brownfield redevelopment financing act," by amending section 15 (MCL 125.2665), as amended by 2007 PA 201.

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

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

Pursuant to rule 3.202, the bill was laid over one day.

Senate Bill No. 293, entitled

A bill to amend 1996 PA 376, entitled "Michigan renaissance zone act," by amending section 15 (MCL 125.2695) and by adding sections 8g and 8h.

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

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

Pursuant to rule 3.202, the bill was laid over one day.

Senate Bill No. 295, entitled

A bill to amend 2000 PA 146, entitled "Obsolete property rehabilitation act," by amending section 8 (MCL 125.2788), as amended by 2008 PA 504.

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

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

Pursuant to rule 3.202, the bill was laid over one day.

Senate Bill No. 296, entitled

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending section 435 (MCL 208.1435), as amended by 2008 PA 448.

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

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

Pursuant to rule 3.202, the bill was laid over one day.

House Bill No. 4083, entitled

A bill to amend 1984 PA 270, entitled "An act relating to the economic development of this state; to create the Michigan strategic fund and to prescribe its powers and duties; to transfer and provide for the acquisition and succession to the rights, properties, obligations, and duties of the job development authority and the Michigan economic development authority to the Michigan strategic fund; to provide for the expenditure of proceeds in certain funds to which the Michigan strategic fund succeeds in ownership; to provide for the issuance of, and terms and conditions for, certain notes and bonds of the Michigan strategic fund; to create certain boards and funds; to create certain permanent funds; to exempt the property, income, and operation of the fund and its bonds and notes, and the interest thereon, from certain taxes; to provide for the creation of certain centers within and for the purposes of the Michigan strategic fund; to provide for the creation and funding of certain accounts for certain purposes; to impose certain powers and duties upon certain officials, departments, and authorities of this state; to make certain loans, grants, and investments; to provide penalties; to make an appropriation; and to repeal acts and parts of acts," by amending section 11 (MCL 125.2011), as amended by 1987 PA 278.

The House of Representatives has substituted (H-1) the Senate substitute (S-2).

The House of Representatives has concurred in the Senate substitute (S-2) as substituted (H-1) and agreed to the full title. Pursuant to rule 3.202, the bill was laid over one day.

House Bill No. 4089, entitled

A bill to amend 1995 PA 24, entitled "An act relating to the economic development of this state; to create the Michigan strategic fund and to prescribe its powers and duties; to transfer and provide for the acquisition and succession to the rights, properties, obligations, and duties of the job development authority and the Michigan economic development authority to the Michigan strategic fund; to provide for the expenditure of proceeds in certain funds to which the Michigan strategic fund succeeds in ownership; to provide for the issuance of, and terms and conditions for, certain notes and bonds of the Michigan strategic fund; to create certain boards and funds; to create certain permanent funds; to exempt the property, income, and operation of the fund and its bonds and notes, and the interest thereon, from certain taxes; to provide for the creation of certain centers within and for the purposes of the Michigan strategic fund; to provide for the creation and funding of certain accounts for certain purposes; to impose certain powers and duties upon certain officials, departments, and authorities of this state; to make certain loans, grants, and investments; to provide penalties; to make an appropriation; and to repeal acts and parts of acts," by amending sections 8 and 10 (MCL 207.808 and 207.810), section 8 as amended by 2008 PA 257 and section 10 as amended by 2006 PA 283.

The House of Representatives has substituted (H-1) the Senate substitute (S-2).

The House of Representatives has concurred in the Senate substitute (S-2) as substituted (H-1) and agreed to the full title. Pursuant to rule 3.202, the bill was laid over one day.

House Bill No. 4092, entitled

A bill to amend 1963 PA 62, entitled "An act relating to industrial development; to authorize municipalities to acquire and dispose of industrial buildings and sites and industrial machinery and equipment, including water and air pollution control equipment, solid waste disposal facilities, and tourist and resort facilities and to lease the same to persons, firms, or corporations; to authorize municipalities to acquire and dispose of water and air pollution control equipment and solid waste disposal facilities and to lease or sell the same to persons, firms, corporations, or public utilities; to provide for the financing of such buildings, sites, machinery, and equipment or water and air pollution control equipment and solid waste disposal facilities by the issuance of revenue bonds and refunding bonds; to provide the terms and conditions of such bonds; to prescribe the powers and duties of the municipal finance commission; and to prescribe penalties and provide remedies," (MCL 125.1251 to 125.1267) by adding section 5a.

The House of Representatives has substituted (H-3) the Senate substitute (S-1).

The House of Representatives has concurred in the Senate substitute (S-1) as substituted (H-3) and agreed to the full title. Pursuant to rule 3.202, the bill was laid over one day.

House Bill No. 4093, 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 4 (MCL 207.554), as amended by 2004 PA 437.

The House of Representatives has substituted (H-1) the Senate substitute (S-1).

The House of Representatives has concurred in the Senate substitute (S-1) as substituted (H-1).

Pursuant to rule 3.202, the bill was laid over one day.

House Bill No. 4094, entitled

A bill to amend 1987 PA 231, entitled "An act to create a transportation economic development fund in the state treasury; to prescribe the uses of and distributions from this fund; to create the office of economic development and to prescribe its powers and duties; to prescribe the powers and duties of the state transportation department, state transportation commission, and certain other bodies; and to permit the issuance of certain bonds," by amending section 13 (MCL 247.913) and by adding section 9a.

The House of Representatives has substituted (H-3) the Senate substitute (S-1).

The House of Representatives has concurred in the Senate substitute (S-1) as substituted (H-3).

Pursuant to rule 3.202, the bill was laid over one day.

By unanimous consent the Senate proceeded to the order of

General Orders

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

The motion prevailed, and the President, Lieutenant Governor Cherry, designated Senator Jacobs as Chairperson.

After some time spent therein, the Committee arose; and, the President, Lieutenant Governor Cherry, having resumed the Chair, the Committee reported back to the Senate, favorably and without amendment, the following bills:

House Bill No. 4743, entitled

A bill to amend 1999 PA 276, entitled "Banking code of 1999," by amending section 4205 (MCL 487.14205).

House Bill No. 4749, entitled

A bill to amend 1996 PA 354, entitled "Savings bank act," by amending section 512 (MCL 487.3512).

The bills were placed on the order of Third Reading of Bills.

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

Senate Bill No. 462, entitled

A bill to provide for the licensing of mortgage loan originators; to regulate the business practices of mortgage loan originators; to establish certain obligations of employees and principals of mortgage loan originators; to prescribe the powers and duties of certain state agencies and officials; and to provide remedies and prescribe penalties.

Substitute (S-2).

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

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

Senate Bill No. 463, entitled

A bill to amend 1987 PA 173, entitled "Mortgage brokers, lenders, and servicers licensing act," by amending the title and sections 1a, 2, 8, 10, 11, 12, 14, 29, and 33 (MCL 445.1651a, 445.1652, 445.1658, 445.1660, 445.1661, 445.1662, 445.1664, 445.1679, and 445.1683), the title and section 1a as amended by 2008 PA 66, section 2 as amended by 2008 PA 328, section 8 as amended by 2008 PA 326, section 10 as amended by 2008 PA 69, sections 11 and 12 as amended by 2008 PA 62, section 14 as amended by 2008 PA 63, section 29 as amended by 2008 PA 529, and section 33 as amended by 2008 PA 324; and to repeal acts and parts of acts.

Substitute (S-2).

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

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

Senate Bill No. 464, entitled

A bill to amend 1981 PA 125, entitled "The secondary mortgage loan act," by amending the title and sections 1, 2, 6, 6a, 6b, 11, 13, 20, 22, and 27 (MCL 493.51, 493.52, 493.56, 493.56a, 493.56b, 493.61, 493.63, 493.70, 493.72, and 493.77), the title and sections 1, 2, 6, 6a, 6b, 11, 13, 20, and 22 as amended by 2008 PA 325 and section 27 as amended by 2008 PA 530; and to repeal acts and parts of acts.

Substitute (S-2).

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

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:
Senate Bill No. 465, entitled

A bill to amend 1988 PA 161, entitled "Consumer financial services act," by amending section 9 (MCL 487.2059), as amended by 1999 PA 275.

Substitute (S-2).

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

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:
House Bill No. 4435, entitled

A bill to make appropriations for community colleges and certain state purposes related to education for the fiscal year ending September 30, 2010; to provide for the expenditure of those appropriations; to establish or continue certain funds, programs, and categories; and to prescribe the powers and duties of certain state departments, institutions, agencies, employees, and officers.

Substitute (S-1).

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

1. Amend page 9, following line 21, by inserting:

"Sec. 250. If additional funding becomes available for community college operations, that additional funding shall first be allocated to colleges that incurred the highest percentage reduction due to the elimination of renaissance zone reimbursements. As used in this section, percentage reduction means renaissance zone payment as a percentage of state funding for college operations."

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

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:
House Bill No. 4438, entitled

A bill to make appropriations for the department of education and certain other purposes relating to education for the fiscal year ending September 30, 2010; to provide for the expenditure of the appropriations; and to provide for the disposition of fees and other income received by the state agency.

Substitute (S-1).

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

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:
House Bill No. 4441, entitled

A bill to make appropriations for the state institutions of higher education and certain state purposes related to education for the fiscal year ending September 30, 2010; to provide for the expenditures of those appropriations; and to prescribe the powers and duties of certain state departments, institutions, agencies, employees, and officers.

Substitute (S-1).

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

1. Amend page 21, following line 2, by inserting:

"Sec. 317. It is the intent of the legislature that if the economy improves, and additional state revenue is available, 1 of the foremost priorities for the expenditure of additional revenue in the higher education budget will be to fund Michigan tuition grants authorized under 1966 PA 313, MCL 390.991 to 390.997a.

Sec. 318. It is the intent of the legislature that if the economy improves, and additional state revenue is available, 1 of the foremost priorities for the expenditure of additional revenue in the higher education budget will be to fund the provisions of the Michigan promise grant act, 2006 PA 479, MCL 390.1621 to 390.1628."

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

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

Senator Cropsey moved that the rules be suspended and that the following bills, now on the order of Third Reading of Bills, be placed on their immediate passage at the head of the Third Reading of Bills calendar:

House Bill No. 4435

House Bill No. 4438

House Bill No. 4441

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

The following bill was read a third time:

House Bill No. 4435, entitled

A bill to make appropriations for community colleges and certain state purposes related to education for the fiscal year ending September 30, 2010; to provide for the expenditure of those appropriations; to establish or continue certain funds, programs, and categories; and to prescribe the powers and duties of certain state departments, institutions, agencies, employees, and officers.

The question being on the passage of the bill,

Senator Gleason offered the following amendments:

1. Amend page 3, following line 23, by inserting:

“Renaissance zone tax reimbursement funding \$ 3,480,000”.

2. Amend page 3, line 26, by striking out “\$3,322,700” and inserting “\$6,802,700” and adjusting the subtotals, totals, and section 201 accordingly.

3. Amend page 13, following line 15, by inserting:

“Sec. 404. The appropriation in part 1 for renaissance zone reimbursements shall be made to each eligible recipient no later than 60 days after the department of treasury certifies to the state budget director that it has received all necessary information to properly determine the amounts due each eligible recipient under section 12 of the Michigan renaissance zone act, 1996 PA 376, MCL 125.2692.”.

The amendments were not adopted, a majority of the members serving not voting therefor.

Senator Thomas requested the yeas and nays.

The yeas and nays were ordered, 1/5 of the members present voting therefor.

The amendments were not adopted, a majority of the members serving not voting therefor, as follows:

Roll Call No. 288

Yeas—15

Anderson	Clark-Coleman	Jacobs	Switalski
Basham	Clarke	Olshove	Thomas
Brater	Gleason	Prusi	Whitmer
Cherry	Hunter	Scott	

Nays—21

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

Excused—1

Garcia

Not Voting—0

In The Chair: President

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. 289**Yeas—36**

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

Nays—0**Excused—1**

Garcia

Not Voting—0

In The Chair: President

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

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

The motion prevailed.

Senator Hardiman's statement is as follows:

I rise to speak in favor of the community colleges budget and the substitute version passed by the Appropriations Committee. The subcommittee held hearings at Mott Community College in Flint, Kellogg Community College in Battle Creek, and Alpena Community College. I do appreciate the subcommittee members and their work on this bill, as well as fiscal and policy staff and our staff as well.

I'm encouraged by the new programs and outreach that the community colleges are making to nontraditional students and to those displaced by job loss in particular. Community colleges are providing a way for students and preserving hope that better days are ahead.

Here is what the subcommittee and full committee have recommended. Operations funding is maintained at the 2008-2009 budget levels. The subcommittee does not include House changes regarding the Indian Tuition Waiver or the federal stimulus funds. The subcommittee does meet the Senate leadership target by cutting renaissance zone payments by \$3.5 million below the Governor's recommendation. The subcommittee does not include House proposals on part-time faculty tuition increases. On the use of fund balances and consolidations, the subcommittee does include language in seeking new ways to collaborate and serve the students.

This is a responsible budget which will help many of our neighbors to pull themselves up on their feet again or train for better job opportunities. I am hopeful that the full Senate will support it.

Senator Gleason's statement is as follows:

Fellow Senators, I ask for consideration in regard to this amendment. This has been enacted for the state in Act 376 of 1996 about the disbursement of money to community college districts. My amendment would restore the reimbursement of the renaissance zone to our community college districts. This distribution of funds is required by the renaissance zone act and provides those community colleges that lose tax revenue as a result of exemption of property to be reimbursed. Where there are renaissance zones, there can be a significant loss of local revenue that would have gone to local libraries and community colleges.

We as a state went in and took away local revenues when we created the renaissance zone act. That is why there is a provision to reimburse the locals for certain necessities. These community colleges are expecting this money. Unless there are plans to modify the renaissance zone act, I see no option but to adopt my amendment to restore the transfer of this \$3.1 million as required by the current law.

All of us understand the amenities and the opportunities that community colleges give all of our neighboring communities. At this particular time, we are offering more burdens and responsibilities to these community colleges for the new generation of workers. Therefore, I ask that we put back in place this \$3.1 million. They are expecting it and have expected it for years and have gotten it. I see no need to change that. I would ask for support for my amendment.

The following bill was read a third time:

House Bill No. 4438, entitled

A bill to make appropriations for the department of education and certain other purposes relating to education for the fiscal year ending September 30, 2010; to provide for the expenditure of the appropriations; and to provide for the disposition of fees and other income received by the state agency.

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. 290

Yeas—36

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

Nays—0

Excused—1

Garcia

Not Voting—0

In The Chair: President

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

The following bill was read a third time:

House Bill No. 4441, entitled

A bill to make appropriations for the state institutions of higher education and certain state purposes related to education for the fiscal year ending September 30, 2010; to provide for the expenditures of those appropriations; and to prescribe the powers and duties of certain state departments, institutions, agencies, employees, and officers.

The question being on the passage of the bill,

Senator Brater offered the following amendments:

1. Amend page 8, following line 12, by inserting:
 “Michigan promise grant program..... 140,000,000”.
2. Amend page 8, line 16, by striking out “\$82,173,300” and inserting “\$222,173,300”.
3. Amend page 8, line 24, by striking out “26,100,100” and inserting “166,100,100” and adjusting the subtotals, totals, and section 201 accordingly.

The question being on the adoption of the amendments,

Senator Brater requested the yeas and nays.

The yeas and nays were ordered, 1/5 of the members present voting therefor.

The amendments were not adopted, a majority of the members serving not voting therefor, as follows:

Roll Call No. 291

Yeas—16

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

Nays—20

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

Excused—1

Garcia

Not Voting—0

In The Chair: President

Senator Cherry offered the following amendment:

1. Amend page 8, line 7, by striking out section 118 and inserting:

“Sec. 118. GRANTS AND FINANCIAL AID

State competitive scholarships.....	\$	31,977,400
Tuition grants.....		51,001,300
Michigan work-study program		6,593,700
Part-time independent student program.....		2,388,000
Michigan education opportunity grants		1,875,800
Robert C. Byrd honors scholarship program.....		1,500,000
Nursing scholarship and grant programs.....		3,825,000
Michigan merit award program.....		100
Michigan promise grant program		126,000,000
Tuition incentive program		22,680,000
Children of veterans tuition grant program.....		1,000,000
Project gear-up		3,000,000
GROSS APPROPRIATION.....	\$	251,841,300

Appropriated from:

Federal revenues	7,400,000
Special revenue funds:	
Michigan merit award trust fund	166,100,100
Contributions to children of veterans tuition grant program	300,000
State general fund/general purpose	\$ 78,041,200”

and adjusting the subtotals, totals, and section 201 accordingly.

The amendment was not adopted, a majority of members serving not voting therefor, Senator Thomas requested the yeas and nays.

The yeas and nays were ordered, 1/5 of the members present voting therefor.

The amendment was not adopted, a majority of the members serving not voting therefor, as follows:

Roll Call No. 292

Yeas—16

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

Nays—20

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

Excused—1

Garcia

Not Voting—0

In The Chair: President

Senator Gleason offered the following amendments:

1. Amend page 8, line 11, by striking out “200,000” and inserting “2,125,000”.
2. Amend page 8, line 16, by striking out “\$82,173,300” and inserting “\$84,098,300”.
3. Amend page 8, line 24, by striking out “26,100,100” and inserting “28,025,100” and adjusting the subtotals, totals, and section 201 accordingly.

The amendments were not adopted, a majority of members serving not voting therefor, Senator Gleason requested the yeas and nays.

The yeas and nays were ordered, 1/5 of the members present voting therefor.

The amendments were not adopted, a majority of the members serving not voting therefor, as follows:

Roll Call No. 293

Yeas—17

Anderson	Clark-Coleman	Jacobs	Scott
Barcia	Clarke	Olshove	Switalski

Basham
Brater
Cherry

Gleason
Hunter

Patterson
Prusi

Thomas
Whitmer

Nays—19

Allen
Birkholz
Bishop
Brown
Cassis

Cropsey
George
Gilbert
Hardiman
Jansen

Jelinek
Kahn
Kuipers
McManus
Pappageorge

Richardville
Sanborn
Stamas
Van Woerkom

Excused—1

Garcia

Not Voting—0

In The Chair: President

Senator Brater offered the following amendments:

- 1. Amend page 8, following line 9, by inserting:

“Indian tuition waiver costs 100”.

- 2. Amend page 8, line 16, by striking out “\$82,173,300” and inserting “\$82,173,400”.

3. Amend page 9, line 1, by striking out “\$51,064,700” and inserting “\$51,064,800” and adjusting the subtotals, totals, and section 201 accordingly.

The amendments were adopted, a majority of the members serving voting therefor.

Senator Cassis offered the following amendments:

- 1. Amend page 8, following line 13, by inserting:

“Michigan promise grant 40,000,000”.

- 2. Amend page 21, following line 2, by inserting:

“Sec. 320. It is the intent of the legislature that the Michigan promise grant program shall be statutorily changed to base eligibility of the program on the financial needs of the students. Eligibility shall be limited to families with a household income of under \$100,000.00 annually on a joint tax return and \$50,000.00 annually on a single tax return. The scholarship amount shall equal \$1,000.00 for high school graduates who meet the statutory requirements regarding the Michigan merit examination and an additional \$1,000.00 upon completing 1 year of college with at least a 2.5 grade point average.”.

The question being on the adoption of the amendments,

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

The motion prevailed.

Senator Cassis offered the following amendments:

- 1. Amend page 8, line 9, by striking out all of line 9.
- 2. Amend page 13, line 10, by striking out all of section 302.

The amendments were not adopted, a majority of the members serving not voting therefor.

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

The motion prevailed.

Senators Cherry, Gleason and Cassis asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator Cherry's first statement is as follows:

I rise to support the Brater amendment and to ask all of my colleagues to support it. Earlier, under General Orders, you passed an amendment which said if things get good, then we will re-fund this program. I can't think of a more important time to fund this program when things are difficult. This is the future of our state. This is one of the programs that we need for good economic development to be attractive to companies all across this nation. My colleagues, it's also a promise that we have made to the parents and students of this state.

Lastly, this budget cut, again today, is just like the budget cuts of last week. We are balancing this budget on the backs of our children. I thought our children were our priority. We have twisted things around, and I hope that we can straighten them back out again. I hope that the members of this body will vote for the Brater amendment

Senator Cherry's second statement is as follows:

Once again, my colleagues, earlier today you voted for an amendment that was a feel-good amendment that basically said when times get good, we will restore programs like scholarship programs. To me, again, it is important to keep those programs going when times are bad. Like the other amendment, I don't want to balance this budget on the backs of our children and on the back of our future.

This amendment specifically continues the financial aid programs. I know the Governor recommended some changes in the financial aid programs, but I do understand that we all have different varying opinions about a lot of those programs. For example, the Michigan Competitive Scholarship program was one that helped me go to college when I was of that age, and it is important to many people. There is a whole wide variety of programs. This budget, in case you don't know, wipes out the work-study program. It wipes out the adult part-time grant programs and the Michigan Education Opportunity Grants.

In addition, as I said, it cuts many other scholarship programs in half at least. This amendment doesn't restore all of them fully. It recognizes that we are in financial hard times and that we need to make cuts. It restores them to the 90 percent level, and so then there is a 10 percent cut in our scholarship programs, which the Senate Republicans have said that was their goal.

I would hope that our members would support this. We don't want to break the backs of our children and our families in this state. We need students to be able to go to college and we need them to be affordable. These programs help us do that. I ask my colleagues to support this amendment.

Senator Gleason's statement is as follows:

Fellow Senators, a few numbers to consider. We are getting information from our nation's capital that in 2015, we'll have 70 million Americans of retirement age needing health care. At the same time, here in Michigan, we are seeing an influx of out-of-country nurses coming to our state. So I would ask us to consider this. We all understand the duress that we're under with this state budget. We all see the shortcomings we have with our receipts—income taxes are down, sales receipts are down—but one of the best bargains we have in health care is the nurses.

It is well understood in this chamber and across the state that we don't have enough nurses. Yet, here again we are looking at an impediment, a restriction on offering those who want to choose nursing as a profession from getting into school with these grants. Although we've zeroed out these nurse grants, I think we are looking at this differently than we should.

Every day, they cross the bridges going back to Canada from different points here in Michigan. We are losing the talent that is provided to those who are sick and those who need health care in our state hospitals and the satellite sites across this state. They take the money that is spent here in Michigan by those who are being offered health care, and they take it back to Canada on a regular basis. I understand that we have a budget to meet, but why would we consider giving those from a foreign land opportunities to come to our state and take our tax dollars back to Canada?

We know there is a shortage of Michigan nurses. This is going to compound that shortage. The money that we could be putting into state coffers by hiring Michigan nurses and getting them through the academic requirements and clinic requirements, let's restore this funding to a responsible level. Let's add 50 percent. Let's not cut at \$4.2 million; let's cut at \$2.1 million so that we give our nurses a chance. I think that we have looked at this budgetary obligation wrong for too long. We have a chance to take these nurses' wages and the purchases they make here in Michigan. Why would we give a nurse from Canada a chance to take our nursing jobs, and then take all of the money they get in employment, their wages, back to Canada?

Let's hire our nurses so that they can pay off the student obligations, and put them on the payroll here in Michigan so that we get some money back. Right now, we have too many, as I mentioned earlier, going from Canada to Michigan and taking the paycheck back across our bridges to their land. I think we should look at this closer and give the nurses the grant money that they need and require. We can fill the void and also fill some of our state coffers with income taxes and sales taxes that Michigan nurses would be spending right here in our state.

Senator Cassis' first statement is as follows:

I've been listening closely to this very lively discussion this afternoon, and what I am offering here in Amendment No. 5 is a compromise—a compromise, a partial restoration of the Promise Grant program. Certainly, we all recognize the significant economic crisis that Michigan faces, but I am struck by the need now, perhaps greater than ever before, to prioritize very scarce and diminishing state resources.

So today I offer intent language to restore accountability in scholarships. A Promise Scholarship is a promise to students who qualify and work hard in high school and a promise equally important to our entire economy. Well-educated young people are the future of our next economy here in Michigan and the pride, I believe, of Michigan.

Here is a compromise: Restore \$40 million of the proposed \$140 million cut. It still represents a savings of \$100 million. We reduce the grant overall from \$4,000 down to \$2,000; \$1,000 for the first year for graduating high school seniors who have met the criteria, and then another \$1,000 their sophomore year if they maintain a 2.5 grade point average, which is responsible to all our taxpayers.

Secondly, it creates a means testing. In these difficult times with scarce resources, let us put it to those families who are indeed extremely hard-pressed by our economy. Therefore, what this would propose is that students would receive it if their single-parent household income is \$50,000 or less and for a joint-return taxpayer up to \$100,000. All of this is an attempt to find a solution to where we are kind of caught up today.

I notice that my colleagues on the other side of the aisle are beginning to talk about—and I believe it is responsible—where do you find the money to cover these costs. One of my colleagues—one or two—has spoken to the issue of tax expenditures. This has not gone unnoticed, my friends and colleagues. Conservatively speaking, there is \$180 million to \$200 million keeping certain credits but just removing refundability in those credits. This discussion is certainly in the background of what we are talking about today.

Senator Cassis' second statement is as follows:

In many ways, this amendment will go along with the prior amendment. Again, I am speaking to the need for prioritizing in this and every other budget. My amendment, in its most positive intent, is to save almost \$32 million that otherwise would go to private schools of higher education. My amendment seeks to really underscore good public policy. Let's first fund Michigan students going to taxpayer-supported public universities.

You know, how can we justify sending a Promise Scholarship to public universities, and yet, retain grants to private institutions? Would that mean we could really consider doing both? But we cannot. Public education must be our first priority. I urge adoption of the Cassis Amendment No. 6.

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

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

House Bill No. 4998

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

By unanimous consent the Senate returned to the order of
General Orders

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

The motion prevailed, and the President, Lieutenant Governor Cherry, designated Senator Jacobs as Chairperson.

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

House Bill No. 4498, entitled

An act to amend 2008 PA 554, entitled "An act to create and provide for the incorporation of certain regional convention facility authorities; to provide for the membership of the authorities; to provide for the powers and duties of the authorities; to provide for the conveyance of ownership of and operational jurisdiction over certain convention facilities to authorities and to provide for the transfer of certain real and personal property utilized as convention facilities to authorities; to provide for the assumption of certain contracts, bonds, notes, and other evidences of indebtedness and liabilities related to convention facilities by authorities; to authorize the creation of certain funds; to authorize expenditures from certain funds; to finance the acquisition of land and the development of certain convention facilities and of public improvements or related facilities; to provide for the issuance of bonds and notes; to authorize certain investments; to provide for the transfer of public employees to the employment of authorities; to provide for the allocation of liabilities related to employee benefits; to protect certain rights of local government employees; and to impose certain powers and duties upon state and local departments, agencies, and officers," by amending sections 5, 7, 11, and 19 (MCL 141.1355, 141.1357, 141.1361, and 141.1369).

Substitute (S-2).

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

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

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

House Bill No. 4998

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

The following bill was read a third time:

House Bill No. 4998, entitled

A bill to amend 2008 PA 554, entitled "Regional convention facility authority act," by amending sections 5, 7, 11, and 19 (MCL 141.1355, 141.1357, 141.1361, and 141.1369).

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. 294

Yeas—20

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

Nays—16

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

Excused—1

Garcia

Not Voting—0

In The Chair: President

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

"An act to create and provide for the incorporation of certain regional convention facility authorities; to provide for the membership of the authorities; to provide for the powers and duties of the authorities; to provide for the conveyance of ownership of and operational jurisdiction over certain convention facilities to authorities and to provide for the transfer of certain real and personal property utilized as convention facilities to authorities; to provide for the assumption of certain contracts, bonds, notes, and other evidences of indebtedness and liabilities related to convention facilities by authorities; to authorize the creation of certain funds; to authorize expenditures from certain funds; to finance the acquisition of land and the development of certain convention facilities and of public improvements or related facilities; to provide for the issuance of bonds and notes; to authorize certain investments; to provide for the transfer of public employees to the employment of authorities; to provide for the allocation of liabilities related to employee benefits; to protect certain rights of local government employees; and to impose certain powers and duties upon state and local departments, agencies, and officers."

The Senate agreed to the full title.

Protests

Senators Thomas and Hunter, under their constitutional right of protest (Art. 4, Sec. 18), protested against the passage of House Bill No. 4998.

Senator Thomas moved that the statement he made during the discussion of the bill be printed as their reasons for voting "no."

The motion prevailed.

Senator Thomas' statement, in which Senator Hunter concurred, is as follows:

I understand moving the process along and keeping us going. Obviously, when the Senate votes on this today, it will continue. I don't think that these are changes that my colleagues in the House and certainly colleagues in the community that I represent can support. While I understand moving the process along, I don't think that this is helpful, and I will be voting "no."

Recess

Senator Cropsey moved that the Senate recess subject to the call of the Chair. The motion prevailed, the time being 1:54 p.m.

2:47 p.m.

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

By unanimous consent the Senate returned to consideration of the following bill:

House Bill No. 4441, entitled

A bill to make appropriations for the state institutions of higher education and certain state purposes related to education for the fiscal year ending September 30, 2010; to provide for the expenditures of those appropriations; and to prescribe the powers and duties of certain state departments, institutions, agencies, employees, and officers.

(This bill was read a third time earlier today, amendments offered and consideration postponed. See p. 1036.)

The question being on the adoption of the amendments offered by Senator Cassis, Senator Cassis withdrew the amendments.

Senator Cassis offered the following amendments:

- 1. Amend page 8, following line 12, by inserting:

"Michigan promise grant program..... 100".

- 2. Amend page 8, line 16, by striking out "\$82,173,400" and inserting "\$82,173,500".

- 3. Amend page 8, line 24, by striking out "26,100,100" and inserting "26,100,200" and adjusting the subtotals, totals, and section 201 accordingly.

The amendments were adopted, a majority of the members serving voting therefor.

Senator Thomas offered the following amendments:

- 1. Amend page 8, following line 13, by inserting:

"Michigan promise grant 40,000,000".

- 2. Amend page 21, following line 2, by inserting:

"Sec. 320. It is the intent of the legislature that the Michigan promise grant program shall be statutorily changed to base eligibility of the program on the financial needs of the students. Eligibility shall be limited to families with a household income of under \$100,000.00 annually on a joint tax return and \$50,000.00 annually on a single tax return. The scholarship amount shall equal \$1,000.00 for high school graduates who meet the statutory requirements regarding the Michigan merit examination and an additional \$1,000.00 upon completing 1 year of college with at least a 2.5 grade point average.".

The amendments were not adopted, a majority of the members serving not voting therefor.

The question being on the passage of the bill,

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

Roll Call No. 295

Yeas—19

Allen
Birkholz
Bishop

Cropsey
George
Gilbert

Jelinek
Kahn
McManus

Richardville
Sanborn
Stamas

Brown
Cassis

Hardiman
Jansen

Pappageorge
Patterson

Van Woerkom

Nays—17

Anderson
Barcia
Basham
Brater
Cherry

Clark-Coleman
Clarke
Gleason
Hunter

Jacobs
Kuipers
Olshove
Prusi

Scott
Switalski
Thomas
Whitmer

Excused—1

Garcia

Not Voting—0

In The Chair: President

The question being on concurring in the committee recommendation to give the bill immediate effect,
The recommendation was not concurred in, 2/3 of the members serving not voting therefor.
The Senate agreed to the title of the bill.

Protest

Senator Gleason, under his constitutional right of protest (Art. 4, Sec. 18), protested against the passage of House Bill No. 4441.

Senator Gleason's statement is as follows:

Once again, I rise with concern over the stress on our state budget. Only a few weeks ago, we voted on legislation that indicated that we would support Michigan workers. We passed legislation nearly unanimous, if it wasn't unanimous, about putting Michigan workers first; yet, with leaving the grant for our nurses, we are continuing an effort that I think is detracting from the coffers of our state. We have a tremendous influx of Canadian nurses coming to our state to fill this void. This is not against the Canadian nurses; this is for Michigan workers and Michigan nurses.

For far too long, we have had a shortage, a void in Michigan nurses. A few years ago, we tried to close this gap by offering these grants by making it a high priority, with the high need and the high acceptance rates of those who wanted to become nurses. We could fill this void with a little bit of financial support. So I ask for a token of recognition and a token of support and financial consideration of raising this allocation to \$2.1 million, only 50 percent of prior allocations to the nurses here in Michigan.

In recent times, there has been talk that we may be able to fill some of these voids in our state budget with tax credits. It appears to me that this may be an appropriate place to transfer money from the credits into a much-needed workforce. Every day, we have tough decisions to make because our coffers are so suppressed, and yet, today we say it is okay if Canadian nurses come to Michigan and work in our hospitals. Only a few minutes away lies their country where they will spend their income; where they will purchase their goods at a detraction to our Michigan sales tax coffers.

We are not only losing their income to Canada, but also we are hurting our manufacturing industry with Canadian nurses more than likely purchasing Canadian automobiles from the Canadian dealerships. So those Senators who have communities like mine will be just seeing a reduction. My concern and my reason for supporting this is we've recently seen a tremendous cost to our local auto dealerships with closures, and yet, we still see an influx of hundreds of Canadian nurses coming and more than likely purchasing cars from a foreign country; buying with high-ticket incomes that we could use from nurses in our state, rather than sending the nurses back to Canada and spending their money over in Canada.

I think we need a little more thought in this process in cutting these nurses' grants. We need the nurses; we need the sales tax receipts; we need the income tax receipts. I think when you look at this holistically, I think this is a bad decision that we are making today by leaving these nurses out of our economic recovery plan. That is exactly what we are doing. We know that there is a waiting list in the nursing schools, and we have known that for some time. Yet, once more, we are going to take a step that I would consider irresponsible in these tough budgetary times.

Let's take the money that we could pay Michigan workers. We already made a commitment two weeks ago saying we were going to put Michigan workers first, and yet, with this legislation, we are going to continue to put Canadian nurses, Canadian workers, first. I think we can change our philosophy in midstream.

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

The motion prevailed.

Senator Cassis' statement is as follows:

This amendment will establish a \$100 placeholder to continue the discussion on the Michigan Promise Grant. We are working toward a compromise very diligently. The process will continue, and the bill now goes back to the House. I fully expect, as we all do, that it will go then to a conference committee. There is no question the original amendment is a good practical solution. It keeps half of the Promise Grant, it creates a means test, and most importantly, it retains a promise to our kids.

It is intent language and I want to share with this body that I have requested the policy bill this afternoon, so it will continue. Importantly, also to all my members who voted in favor of this when it first came up, I have the support, commitment, good faith, and, I believe, the confidence of the chair of higher education appropriations to pursue this policy further. I would hope that my colleagues on the other side of the aisle will join in this mutual effort.

By unanimous consent the Senate proceeded to the order of

Resolutions

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

Senate Resolution No. 41

The motion prevailed.

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

Senate Resolution No. 63

The resolution consent calendar was adopted.

Senators Gleason and Pappageorge offered the following resolution:

Senate Resolution No. 63.

A resolution to memorialize the United States Congress to enact legislation to eliminate the 24-month Medicare waiting period for participants on Social Security Disability Insurance.

Whereas, The Medicare program created in 1965 provided health insurance to an estimated 44.8 million beneficiaries in 2008. In 1972, Medicare expanded health insurance coverage to people living with significant disabilities. An estimated 7.3 million enrollees under the age of 65 qualified for Medicare in 2008 because of permanent and severe disability. Medicare benefits provide an invaluable safety net for Americans, especially those with multiple sclerosis, spinal cord injury, ALS, Huntington's disease, Parkinson's disease, brain injury, ataxia, spastic paraplegia, end-stage renal disease, and other illnesses or disabilities; and

Whereas, Federal law mandates a 24-month waiting period from the time a disabled individual first receives SSDI benefits to the time Medicare coverage begins, and the SSDI program delays benefits for five months while the person's disability is determined, effectively creating a 29-month waiting period. As of December 2007, there were approximately 1.8 million disabled individuals who qualified for SSDI and were awaiting Medicare coverage. Consequently, under these conditions, by the time Medicare began, an estimated 25 percent would have incomes below the federal poverty line, and close to 30 percent would be enrolled in state Medicaid programs; and

Whereas, Approximately 68,700 SSDI beneficiaries who are awaiting Medicare coverage reside in Michigan. It has been estimated that as many as one-third of the individuals currently awaiting coverage, who are already sick and vulnerable individuals, may be uninsured. Many forgo medical treatments, stop medications and therapy, and further compromise their health. In addition, many individuals accumulate health care-related debt and often declare bankruptcy; and

Whereas, While disabled former employees eligible for COBRA can purchase up to 29 months of employer-sponsored health coverage (which is 11 months more than the limit for the non-disabled population), employers are allowed to charge 150 percent of the combined employee and employer share of the coverage cost during the additional 11 months. The high COBRA premium, even at the non-disabled rates, proves unaffordable for many, as shown in a recent Commonwealth Fund study that found only 9 percent of all unemployed workers receive COBRA coverage; and

Whereas, An American Medical Association study shows death rates among SSDI beneficiaries are highest during the first two years of SSDI enrollment, the time period SSDI beneficiaries must wait to be enrolled in Medicare. The Ending the Medicare Disability Waiting Period Act of 2009 (S. 700/H.R. 1708) was reintroduced during the 111th Congress, with

co-sponsors Senator Debbie Stabenow and Representatives Dale Kildee, Carolyn Cheeks Kilpatrick, and Thaddeus McCotter. This measure would phase out over 10 years the Medicare waiting period; and

Whereas, To make federal comprehensive health care reform meaningful, Congress must work to include elimination of the Medicare 24-month disability waiting period as part of this reform; now, therefore, be it

Resolved by the Senate, That we memorialize the United States Congress to enact legislation to eliminate the 24-month Medicare waiting period for participants on Social Security Disability Insurance; 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.

Senators Anderson, Barcia, Birkholz, Brater, Cherry, Clark-Coleman, Clarke, Jacobs, Olshove, Prusi and Scott were named co-sponsors of the resolution.

Statements

Senators Whitmer, Scott, Clark-Coleman, Cassis, Birkholz, Cherry and Pappageorge asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator Whitmer's statement is as follows:

Even before I served as a legislative staff person in a time of unprecedented cooperation of Co-Speakers Hertel and Hillegonds, I cut my teeth over at the AFL-CIO under the tutelage of a lion of labor, Mr. Franklin Delano Garrison. Sadly, Frank passed away last week. He was buried this past weekend. Governor Granholm, former Governor Blanchard, yourself, Mr. President, former Attorney General Frank J. Kelley, and many, many more were there to pay their respects. Because he was such a close friend and true mentor of mine, this is one of those rare moments that I'm just unable to speak off the cuff. He was that special to me and to so many, for that matter. So I wanted to read you his obituary from last week, but we didn't go to Statements on Thursday. I wanted to read you his obituary this week, and instead of telling you about his funeral arrangements, which are in the past now, I wanted to read to you a poem that was on the thing that they passed out at the funeral.

Franklin Delano Garrison. Beloved husband, father, grandfather, great-grandfather and friend passed away Wednesday, June 17, 2009, at Ingham Regional Medical Center at the age of 74 after a brief illness.

Franklin Delano Garrison was born December 28, 1934, in Huntington, Indiana, son of George Francis Garrison and Archie and Gladys Payne. Husband of 54 years on June 18 to Dora Garrison, whom he called Goodboo. Father of Cheryl, Carol, and Jennifer; grandfather of Tammie, Nicole, Danielle, Matthew, Jessica, Jeffery, and Amy; and 10 wonderful great-grandchildren—only if we could all be so lucky. Also surviving, he had a sister, two sisters-in-law, and a brother-in-law.

Frank was drafted into the United States Army in 1954 and served two years. In 1972, he was appointed as a UAW International Representative for Region 1D and assigned UAW Education Department and the Michigan UAW Community Action Program (CAP). He was serving as CAP coordinator for Region 1D when he joined the Michigan UAW-CAP legislative office in Lansing as a lobbyist in January 1976. He became President of the Michigan AFL-CIO on December 12, 1986.

Throughout Frank's career as a labor leader, he served on federal and state government task forces, including President Clinton's National Commission for Employment Policy, the Governor's Council on Human Investment, and the Governor's Council on Job Training, and Unemployment Insurance Advisory Committee. In 1993, Frank received an honorary Doctorate of Law degree from Michigan State University. He handed me my degree when I graduated from Michigan State University that same year. He was a lifetime member of the NAACP. Since his retirement in 1999, he spent a lot of time at his summer home in Lake City with his family, whom he loved dearly. He will be dearly missed.

On his program, they had the poem called "The Dash" by Linda Ellis:

"I read of a man who stood to speak

At the funeral of a friend.

He referred to the dates on her tombstone

From the beginning to the end.

He noted that first came the date of her birth

And spoke of the following date with tears,

But he said what mattered most of all

Was the dash between those years.

For that dash represents all the time

That she spent alive on earth

And now only those who loved her

Know what that little line is worth.

For it matters not, how much we own,
The cars, the house, the cash,
What matters is how we live and love
And how we spend our dash.

So think about this long and hard;
Are there things you'd like to change?
For you never know how much time is left
That can still be rearranged.

If we could just slow down enough
To consider what's true and real
And always try to understand
The way other people feel.

And be less quick to anger
And show appreciation more
And love the people in our lives
Like we've never loved before.

If we treat each other with respect
And more often wear a smile,
Remembering that this special dash
Might only last a little while.

So when your eulogy is being read
With your life's actions to rehash
Would you be proud of the things they say
About how you spent your dash?"

Senator Scott's statement is as follows:

I, too, am sorry that I was not able to honor the legacy of my foreparents last week because this Senate made Juneteenth a holiday. I think it is only fitting because Juneteenth is African Americans' 4th of July. I just wanted to read an excerpt from a book that a young man named Rodney Dale wrote:

"Today, as a nation living in the 21st century we must keep the proper perspective and collective thoughts on the life, labor, and land our African-American ancestors experienced. They cultivated hundreds of thousands of acres of land unpaid for millions of labored hours, under legalized social oppression for over two centuries. The lives of our African-American ancestors labored this land like no piece of machinery could ever have the voice to speak against, an emotion to express, a gland to sweat or drop a tear, and skin to release blood from physical abuse. Please understand the journey of being an African/African-American treated as disposable property, to becoming an African-American citizen protected by the U.S. Constitution is unparalleled to the opportunities European-Americans defined, established, and protected for themselves."

So on last Saturday, which was the holiday for Juneteenth in the state of Michigan, and on last Thursday, there was a great celebration right here in Lansing that we were not able to attend because session went a little bit longer. It is the oldest-known celebration of the end of slavery.

Slavery was officially abolished by the Emancipation Proclamation in 1863. However, many Western states were either unaware of the executive order or lacked the Union troops to enforce it. It wasn't until two and a half years after the Emancipation Proclamation was issued by President Abraham Lincoln that the slaves in the state of Texas were finally made aware that the atrocity of slavery was over. In Texas, it is a paid holiday, so they truly recognize it.

As leaders, it is up to us to educate ourselves on issues, listen to the needs of our citizens, and craft solutions that do the most good for the people we serve. Marian Anderson once said, "Leadership should be born out of the understanding of the needs of those who would be affected by it." I have spoken day after day about the need for auto insurance reform for Michigan citizens. I understand what the people want because they tell me over and over again in letters and e-mails of the problems they have finding and keeping affordable insurance.

Surely, by now, everyone in the chamber understands what I am talking about and how desperate many of our constituents are for reform. By refusing to act on this issue, we are just making a challenging economy that much more difficult for our constituents. Michiganians could use a break. They could use some leadership from their elected officials. They could use the help that I want to give them through my legislation.

I always tell you it is me today and you tomorrow. I think we all know that that tomorrow is here because we are all having problems all over this state. So, again, I ask you to move my bills.

Senator Clark-Coleman's statement is as follows:

To the good State Senate Majority Leader from the 12th District, I greatly appreciate the sincere apology you made to me on June 18th for the actions of the Senator from the 32nd District. However, I was denied an opportunity to make a statement during session on that same date. I stand now to make my statement that will be entered into the Senate Journal.

Dear Senator from the 12th District:

I submit this letter as a formal complaint against the State Senator from the 32nd District who I believe is a menace to the State Legislature. He perpetrated petulant and violent behavior towards me following a Senate Appropriations Committee meeting yesterday afternoon in the Capitol Building. I ask that you sanction him for conduct unbecoming of an elected official. I am fearful that given the opportunity, this legislator would continue to use physical intimidation to reinforce his policy position.

He accosted me inside the main elevator. He came at me as if he was going to strike me after I expressed my great displeasure with the committee's approval of the Senate substitute for House Bill No. 4436, which literally decimates Wayne County's and Detroit's ability to provide mental and medical treatment for poor and uninsured residents.

This 40-percent cut is even more devastating because the money will not be returned to the General Fund to reduce our state's budget deficit, but it will be redistributed to other counties and towns. I maintain my strong opposition to this legislation and will continue to represent the interests of my district even in the face of physical compulsion at the hand of a Senate colleague.

The Senator from Saginaw charged at me while we were both confined in a 6-foot by 6-foot elevator. His hysterical behavior startled citizens who, like me, were simply trying to leave the Capitol Building. Everyone looked on in horror until the good Senator from the 13th District blocked his advance to my side of the elevator car.

As the doors opened on the Ground Floor, the Senator from Troy took me by the elbow and escorted me out of harm's way. Despite my exit, the legislator from the 32nd District continued his verbal assault. His bellowing startled the Kentwood Senator and the State Budget Director, who were conversing at the visitor's desk. Both gentlemen looked up in utter amazement.

Never in my 12 years as a legislator, 7 years as a member of the Detroit Board of Education, and 30 years as a Wayne County employee have I been attacked for my policy positions. I commend Troy's best for his quick action to shield me from my aggressor, who had lost control of his temper and his ability to reason.

This incident has severely shaken me and caused me to question the true motivation of some colleagues when it comes to shaping public law. I naively believed the days of employing physical intimidation in the political process were a part of America's dark past. I now know that at least one member of the Michigan Legislature prefers this old-fashioned bully tactic over intelligent debate.

My 90-minute commute home did little to squash this apprehension that hovered over me like a stormy rain cloud. My husband, Reverend D. Coleman, Sr., could do little to console me as I replayed the horrible events of the afternoon. I asked myself, "Is this what has become of the State Senate?" After some contemplation, my response was an emphatic "no." I believe the Michigan State Senate is greater than one individual. Our honorable call to serve the people of Michigan far outweighs dishonorable actions by those who devalue decency and order while embracing indecency and chaos.

As leader of the Republican Caucus, I respectfully request that you take corrective measures against the Senator from the 32nd District, and I look forward to your immediate response.

Now I've had to endure over the weekend character assassination and questioning whether I am telling the truth. There have been many attempts by the Republican staff to discredit me. Even under all of that duress, I will still go through the process of allowing the internal process to go forward. If I'm not satisfied with that, I will take further action, and I will reopen the case that was closed.

Senator Cassis' statement is as follows:

I'd like to share with you and my colleagues some very upbeat news. Nicole Blaszczyk, a senior at Wayne State University studying marketing and interested in a career in sports and marketing, has been chosen as our Miss Michigan 2009.

This is special to me because, you see, Nicole lives in Novi and is a graduate of Novi High School. She currently is the reigning Miss Wayne County, and indeed, attends Wayne State University. Known for her outstanding dance skills, Nicole is truly a very talented young woman. She continues to teach dance at Cheryl's School of Dance in Novi, where she herself trained.

Now Nicole prepares for the Miss America Pageant in January in Las Vegas. On behalf of my colleagues here in the Senate, we are proud of you, Nicole, and wish you Godspeed.

Senator Birkholz's statement is as follows:

Last week when we adjourned, we adjourned rather quickly, so I did not have the opportunity to wish Michigan state parks a very happy anniversary. Last Saturday, the Michigan Department of Natural Resources celebrated a very important milestone, the 90th anniversary of the Michigan State Park Commission. This ten-person commission was created by the

Michigan Legislature in 1919. Michigan was one of the very first states to establish state parks when the federal government transferred Fort Michilimackinac and parts of Mackinac Island to Michigan.

Other watershed marks in our state parks history include the tremendous work done by the Civilian Conservation Corps in rebuilding our parks system during the 1930s and 1940s, followed by the creation of the motor vehicle permit system in 1960, which helped to increase our state parks usage. Most recently, the overwhelming citizen support for our parks with Proposal P in the 1990s added the State Parks Endowment Fund.

Today, whenever you are in Michigan, you are never more than an hour's drive from a Michigan state park. Michigan's 98 state parks and recreation areas encompass a large amount of territory—over 879 miles of trails, 850 boating access sites, 14 harbors, and 8 lighthouses. Many of these are open year-round and offer four seasons of recreation opportunities from snowshoeing and hiking to skiing and kiteboarding.

Annually, 22 million visitors visit our state parks. These millions of visitors generate more than \$650 million in economic benefit to local economies. State parks provide low-cost, high-quality recreation opportunity for all Michigan citizens, even in tough economic times. It is important that we maintain these opportunities, but I have to tell you, not all is well in Michigan state parks on this 90th anniversary. Many of them are in significant disrepair. You have all seen the numerous newspaper stories and the pictures with collapsed buildings and bridges. They are literally falling down.

Our General Fund support has literally disappeared in the last five years, and we have been forced to rely on entrance fees as the sole source of revenue. We have to work hard to maintain these gems. The DNR is now holding its 90th anniversary celebration for Michigan state parks activities at more than 70 state parks and recreation areas. Last week, I put on your desks a schedule for you to attend these. There will be over 400 events at state parks.

So I encourage my colleagues to join us in support of maintaining a healthy and vibrant state parks system for another 90 years. May we all keep in mind that the natural resources of this state and the citizens' access to these resources are our responsibility to protect.

Happy anniversary to our state parks, and thank you, Michigan state parks, for the more than \$650 million which you contribute to our local economies each year.

Senator Cherry's statement is as follows:

I'm sure many of you read the news last week and saw the unsettling unemployment numbers released by the Department of Energy, Labor, and Economic Growth. Unemployment in Michigan jumped 1.2 percentage points in May, making Michigan's unemployment rate 14.1 percent—the highest it's been in Michigan since July of 1983 and still the worst in the nation.

While many of these numbers stem from the difficult times our automotive industry is facing, these figures are still a shocking reality and devastating for our citizens and their families throughout the state. On behalf of every worker in Michigan who has been handed a pink slip, I rise to support the unemployment modernization legislation that Senator Hunter and I have sponsored. It would not only help our workers stay afloat, but it would also provide displaced workers up to 26 weeks of training benefits.

This legislation is vital to preparing and assisting Michigan workers to re-enter the job market and to assist those who have only been able to secure part-time jobs, only to be laid off from those as well. We can't afford to turn this money away. It's downright irresponsible to turn our backs on resources that could help those who have been hurt by layoffs, people who aren't sure how they are going to pay their bills or even put food on the table.

Eleven other states with unemployment rates far below ours have already approved the changes to their unemployment laws to receive the funding allocated to them. We are seeing support from our constituents to pass this plan, as we have launched a website, www.senate.mi.gov/demcaucus, to help Michigan workers, calling for action to secure the \$138.9 million to help our unemployed workers. If the Senate ignores the cries of its citizens and fails to approve this legislation, this funding may be sent back to Washington, rather than going toward helping Michigan families.

We're about to take a two-week break, where some of us will be working back in the district or spending time with our families. But before we do, I'm calling on my colleagues to think about all the other families in Michigan who are struggling to get by right now and need our help. I don't know about you, but it would be difficult for me to sleep at night knowing that we let an opportunity to provide support for Michigan workers slip through the cracks.

Senator Hardiman moved that he be permitted to submit a statement in writing for inclusion in a subsequent Journal. The motion prevailed.

Senator Pappageorge's statement is as follows:

I rise to speak about the event discussed earlier by the good Senator from the 3rd District. I want my colleagues to know that this is being investigated. In fact, I've been called upon to testify, so I shouldn't say much here. I do want to remind all of us that most of us are going to be working together for another year and a half—another year and a half, and it is not going to be an easy year and a half. We need to put this event behind us just as quickly as possible and as soon as the investigation is completed. I would hope that all of you share that sentiment.

Committee Reports

The Committee on Appropriations reported

House Bill No. 4435, entitled

A bill to make appropriations for community colleges and certain state purposes related to education for the fiscal year ending September 30, 2010; to provide for the expenditure of those appropriations; to establish or continue certain funds, programs, and categories; and to prescribe the powers and duties of certain state departments, institutions, agencies, employees, and officers.

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

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

Ron Jelinek
Chairperson

To Report Out:

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

Nays: None

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

The Committee on Appropriations reported

House Bill No. 4436, entitled

A bill to make appropriations for the department of community health and certain state purposes related to mental health, public health, and medical services for the fiscal year ending September 30, 2010; to provide for the expenditure of those appropriations; to create funds; to require and provide for reports; to prescribe the powers and duties of certain local and state agencies and departments; and to provide for disposition of fees and other income received by the various state agencies.

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

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

Ron Jelinek
Chairperson

To Report Out:

Yeas: Senators Jelinek, Pappageorge, Hardiman, Kahn, Cropsey, George, Jansen, Brown, McManus and Stamas

Nays: Senators Switalski, Anderson, Barcia, Brater, Cherry, Clark-Coleman and Scott

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

The Committee on Appropriations reported

House Bill No. 4437, entitled

A bill to make appropriations for the department of corrections and certain state purposes related to corrections for the fiscal year ending September 30, 2010; to provide for the expenditure of the appropriations; to provide for reports; to provide for the creation of certain advisory committees and boards; to prescribe certain powers and duties of the department of corrections, certain other state officers and agencies, and certain advisory committees and boards; to provide for the collection of certain funds; and to provide for the disposition of fees and other income received by certain state agencies.

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

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

Ron Jelinek
Chairperson

To Report Out:

Yeas: Senators Jelinek, Pappageorge, Hardiman, Kahn, Cropsey, George, Jansen, Brown, McManus, Stamas and Barcia

Nays: Senators Switalski, Anderson, Brater, Cherry, Clark-Coleman and Scott

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

The Committee on Appropriations reported

House Bill No. 4438, entitled

A bill to make appropriations for the department of education and certain other purposes relating to education for the fiscal year ending September 30, 2010; to provide for the expenditure of the appropriations; and to provide for the disposition of fees and other income received by the state agency.

With the recommendation that the substitute (S-1) be adopted and that the bill then pass.
The committee further recommends that the bill be given immediate effect.

Ron Jelinek
Chairperson

To Report Out:

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

Nays: None

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

The Committee on Appropriations reported

House Bill No. 4441, entitled

A bill to make appropriations for the state institutions of higher education and certain state purposes related to education for the fiscal year ending September 30, 2010; to provide for the expenditures of those appropriations; and to prescribe the powers and duties of certain state departments, institutions, agencies, employees, and officers.

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

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

Ron Jelinek
Chairperson

To Report Out:

Yeas: Senators Jelinek, Pappageorge, Hardiman, Kahn, Cropsey, George, Jansen, Brown, McManus and Stamas

Nays: Senators Switalski, Anderson, Barcia, Brater, Cherry, Clark-Coleman and Scott

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

The Committee on Appropriations reported

House Bill No. 4447, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 3, 6, 8b, 11, 11a, 11g, 11j, 11k, 11m, 11n, 15, 18, 20, 20d, 20j, 22a, 22b, 22d, 22e, 24, 24a, 24c, 26a, 26b, 29, 31a, 31d, 31f, 32b, 32c, 32d, 32j, 32l, 32n, 39, 39a, 41, 51a, 51c, 51d, 53a, 54, 54a, 54c, 56, 57, 61a, 62, 64, 65, 74, 81, 94a, 98, 99, 99a, 99n, 99p, 101, 104, 107, 147, and 164c (MCL 388.1603, 388.1606, 388.1608b, 388.1611, 388.1611a, 388.1611g, 388.1611j, 388.1611k, 388.1611m, 388.1611n, 388.1615, 388.1618, 388.1620, 388.1620d, 388.1620j, 388.1622a, 388.1622b, 388.1622d, 388.1622e, 388.1624, 388.1624a, 388.1624c, 388.1626a, 388.1626b, 388.1629, 388.1631a, 388.1631d, 388.1631f, 388.1632b, 388.1632c, 388.1632d, 388.1632j, 388.1632l, 388.1632n, 388.1639, 388.1639a, 388.1641, 388.1651a, 388.1651c, 388.1651d, 388.1653a, 388.1654, 388.1654a, 388.1654c, 388.1656, 388.1657, 388.1661a, 388.1662, 388.1664, 388.1665, 388.1674, 388.1681, 388.1694a, 388.1698, 388.1699, 388.1699a, 388.1699n, 388.1699p, 388.1701, 388.1704, 388.1707, 388.1747, and 388.1764c), sections 3, 6, 11, 11a, 11g, 11j, 11k, 11m, 15, 18, 20d, 22a, 22b, 22d, 24, 24a, 24c, 26a, 26b, 29, 31a, 31d, 31f, 32c, 32d, 32j, 32l, 39, 39a, 41, 51a, 51c, 51d, 53a, 54, 54a, 54c, 56, 57, 61a, 62, 64, 65, 74, 81, 94a, 98, 99, 99p, 104, 107, 147, and 164c as amended and sections 11n, 22e, and 99a as added by 2008 PA 268, section 8b as amended by 2007 PA 92, sections 20, 20j, and 32b as amended by 2008 PA 561, section 32n as added by 2007 PA 137, section 99n as added by 2008 PA 112, and section 101 as amended by 2006 PA 342, and by adding sections 22f, 32a, and 98a; and to repeal acts and parts of acts.

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

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

Ron Jelinek
Chairperson

To Report Out:

Yeas: Senators Jelinek, Pappageorge, Hardiman, Kahn, Cropsey, George, Jansen, Brown, McManus and Stamas

Nays: Senators Switalski, Anderson, Barcia, Brater, Cherry, Clark-Coleman and Scott

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

The Committee on Appropriations reported

House Bill No. 4721, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 6, 11, 11j, 11n, 20, 22a, 22b, 26a, 51a, 51c, 53a, and 94a (MCL 388.1606, 388.1611, 388.1611j, 388.1611n, 388.1620, 388.1622a, 388.1622b, 388.1626a, 388.1651a, 388.1651c, 388.1653a, and 388.1694a), sections 6, 11, 11j, 22a, 22b, 26a, 51a, 51c, 53a, and 94a

as amended and section 11n as added by 2008 PA 268 and section 20 as amended by 2008 PA 561, and by adding section 98a.

With the recommendation that the substitute (S-1) be adopted and that the bill then pass.
The committee further recommends that the bill be given immediate effect.

Ron Jelinek
Chairperson

To Report Out:

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

Nays: None

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

The Committee on Appropriations reported

Senate Bill No. 251, entitled

A bill to make appropriations for the department of natural resources for the fiscal year ending September 30, 2010; and to provide for the expenditure of the appropriations.

With the recommendation that the substitute (S-1) be adopted and that the bill then pass.
The committee further recommends that the bill be given immediate effect.

Ron Jelinek
Chairperson

To Report Out:

Yeas: Senators Jelinek, Pappageorge, Hardiman, Kahn, Cropsey, George, Jansen, Brown, McManus, Stamas and Barcia

Nays: Senators Switalski, Anderson, Brater, Cherry, Clark-Coleman and Scott

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

COMMITTEE ATTENDANCE REPORT

The Committee on Appropriations submitted the following:

Meeting held on Wednesday, June 17, 2009, at 2:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building

Present: Senators Jelinek (C), Pappageorge, Hardiman, Kahn, Cropsey, George, Jansen, Brown, McManus, Stamas, Switalski, Anderson, Barcia, Brater, Cherry, Clark-Coleman and Scott

Excused: Senator Garcia

Scheduled Meetings

Appropriations - Wednesday, June 24, 2:00 p.m. or later when committees are given leave to meet, Senate Appropriations Room, 3rd Floor, Capitol Building (373-6960)

Subcommittee -

Federal Stimulus Oversight - Wednesday, June 24, 8:30 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

Banking and Financial Institutions - Wednesday, June 24, 8:30 a.m., Room 210, Farnum Building (373-3543)

Economic Development and Regulatory Reform - Wednesday, June 24, 1:00 p.m., Rooms 402 and 403, Capitol Building (373-7670)

Finance - Thursday, June 25, 11:00 a.m., Room 110, Farnum Building (373-1758)

Legislative Commission on Statutory Mandates - Thursday, June 25 (CANCELED); Friday, June 26, 9:00 a.m., Oakland County Executive Office Building, Waterford Room, 1st Floor, Building 41-West, 2100 Pontiac Lake Road, Waterford (373-0212)

Legislative Retirement Board of Trustees - Thursdays, September 10 and December 3, 2:00 p.m., Room H-252, Capitol Building (373-0575)

Michigan Law Revision Commission - Wednesday, June 24, 11:30 a.m., Legislative Council Conference Room, 3rd Floor, Boji Tower (373-0212)

Senior Citizens and Veterans Affairs - Wednesday, June 24, 9:00 a.m., Room 100, Farnum Building (373-2413)

Senator Cropsey moved that the Senate adjourn.
The motion prevailed, the time being 3:49 p.m.

The President, Lieutenant Governor Cherry, declared the Senate adjourned until Wednesday, June 24, 2009, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate

