

No. 29  
STATE OF MICHIGAN  
**Journal of the Senate**  
96th Legislature  
REGULAR SESSION OF 2011

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Senate Chamber, Lansing, Thursday, March 24, 2011.

10:00 a.m.

The Senate was called to order by the President, Lieutenant Governor Brian N. Calley.

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

Anderson—present  
Bieda—present  
Booher—present  
Brandenburg—excused  
Casperson—present  
Caswell—present  
Colbeck—present  
Emmons—present  
Gleason—present  
Green—present  
Gregory—present  
Hansen—excused  
Hildenbrand—present

Hood—present  
Hopgood—present  
Hune—present  
Hunter—present  
Jansen—present  
Johnson—present  
Jones—present  
Kahn—present  
Kowall—present  
Marleau—present  
Meekhof—present  
Moolenaar—present  
Nofs—present

Pappageorge—present  
Pavlov—present  
Proos—present  
Richardville—present  
Robertson—present  
Rocca—present  
Schuitmaker—present  
Smith—present  
Walker—present  
Warren—present  
Whitmer—present  
Young—present

Pastor Richard Shelton of Riverside Tabernacle Church of Fort Gratiot offered the following invocation:

“For this reason I kneel before the Father, from whom the whole family in heaven and on earth derives its name. I pray that out of his glorious riches he may strengthen you with power through his Spirit in your inner being, so that Christ may dwell in your hearts through faith. And I pray that you, being rooted and established in love, may have power, together with all the saints, to grasp how wide and long and high and deep is the love of Christ, and to know this love that surpasses knowledge that you may be filled to the measure of all the fullness of God.

Now to him who is able to do immeasurably more than all we ask or imagine, according to the power that is at work in us, to him be glory in the church and in Christ Jesus throughout all generations forever and ever. Amen.”

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

### Motions and Communications

Senator Meekhof moved that Senator Casperson be temporarily excused from today’s session.  
The motion prevailed.

Senator Meekhof moved that Senators Hansen and Brandenburg be excused from today’s session.  
The motion prevailed.

The Secretary announced that the following House bills were received in the Senate and filed on Wednesday, March 23:  
**House Bill Nos. 4227 4228 4248**

The Secretary announced that the following official bills and joint resolution were printed on Wednesday, March 23, and are available at the legislative website:

<b>Senate Bill Nos.</b>	<b>282</b>	<b>283</b>	<b>284</b>	<b>285</b>	<b>286</b>	<b>287</b>	<b>288</b>	<b>289</b>	<b>290</b>					
<b>Senate Joint Resolution</b>			<b>J</b>											
<b>House Bill Nos.</b>	<b>4458</b>	<b>4459</b>	<b>4460</b>	<b>4461</b>	<b>4462</b>	<b>4463</b>	<b>4464</b>	<b>4465</b>	<b>4466</b>	<b>4467</b>	<b>4468</b>	<b>4469</b>	<b>4470</b>	<b>4471</b>
	<b>4472</b>	<b>4473</b>	<b>4474</b>	<b>4475</b>	<b>4476</b>	<b>4477</b>	<b>4478</b>							

### Messages from the House

#### **Senate Bill No. 140, entitled**

A bill to make, supplement, and adjust appropriations for certain capital outlay projects for the fiscal year ending September 30, 2011; to provide for the expenditure of the appropriations; to prescribe certain conditions for the appropriations; and to repeal acts and parts of acts.

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

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

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

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

Senator Casperson entered the Senate Chamber.

#### **Senate Bill No. 206, entitled**

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 11b of chapter XVII (MCL 777.11b), as amended by 2008 PA 538.

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

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

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

The Senate agreed to the full title.

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

Senator Meekhof moved that rule 3.202 be suspended to permit immediate consideration of the following bill:

#### **Senate Bill No. 188**

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

**Senate Bill No. 188, entitled**

A bill to amend 1994 PA 295, entitled "Sex offenders registration act," by amending sections 2, 3, 4, 4a, 5, 5a, and 5b (MCL 28.722, 28.723, 28.724, 28.724a, 28.725, 28.725a, and 28.725b), section 2 as amended by 2005 PA 301, section 3 as amended by 1999 PA 85, section 4 as amended by 2004 PA 240, section 4a as amended and section 5b as added by 2004 PA 237, section 5 as amended by 2006 PA 402, and section 5a as amended by 2005 PA 322.

The House of Representatives has amended the bill as follows:

1. Amend page 2, line 20, after "AFTER" by inserting "JULY 1,".

2. Amend page 4, line 10, after "CORRECTIONS" by inserting "AND USED HIS OR HER POSITION OF AUTHORITY OVER THE VICTIM TO GAIN ACCESS TO OR TO COERCE OR OTHERWISE ENCOURAGE THE VICTIM TO ENGAGE IN SEXUAL CONTACT".

3. Amend page 4, line 23, after "JURISDICTION" by inserting "AND USED HIS OR HER POSITION OF AUTHORITY OVER THE VICTIM TO GAIN ACCESS TO OR TO COERCE OR OTHERWISE ENCOURAGE THE VICTIM TO ENGAGE IN SEXUAL CONTACT".

4. Amend page 12, line 5, after "AGE." by striking out the balance of the subparagraph.

5. Amend page 13, following line 13, by inserting:

"(vi) A VIOLATION OF SECTION 520E COMMITTED BY AN INDIVIDUAL 17 YEARS OF AGE OR OLDER AGAINST AN INDIVIDUAL LESS THAN 13 YEARS OF AGE." and renumbering the remaining subparagraphs.

6. Amend page 13, line 15, after "TO" by striking out "(v)" and inserting "(vi)".

7. Amend page 13, line 17, after "TO" by striking out "(vi)" and inserting "(vii)".

8. Amend page 16, following line 13, by inserting:

"SEC. 3A. (1) IF AN INDIVIDUAL PLEADS GUILTY TO OR IS FOUND GUILTY OF A LISTED OFFENSE OR IS ADJUDICATED AS A JUVENILE AS BEING RESPONSIBLE FOR A LISTED OFFENSE BUT ALLEGES THAT HE OR SHE IS NOT REQUIRED TO REGISTER UNDER THIS ACT BECAUSE SECTION 2(U)(v) OR (vi) APPLIES OR SECTION 2(W)(iv) APPLIES, AND THE PROSECUTING ATTORNEY DISPUTES THAT ALLEGATION, THE COURT SHALL CONDUCT A HEARING ON THE MATTER BEFORE SENTENCING OR DISPOSITION TO DETERMINE WHETHER THE INDIVIDUAL IS REQUIRED TO REGISTER UNDER THIS ACT.

(2) THE INDIVIDUAL HAS THE BURDEN OF PROVING BY A PREPONDERANCE OF THE EVIDENCE IN A HEARING UNDER THIS SECTION THAT HIS OR HER CONDUCT FALLS WITHIN THE EXCEPTIONS DESCRIBED IN SUBSECTION (1) AND THAT HE OR SHE IS THEREFORE NOT REQUIRED TO REGISTER UNDER THIS ACT.

(3) THE RULES OF EVIDENCE, EXCEPT FOR THOSE PERTAINING TO PRIVILEGES AND PROTECTIONS SET FORTH IN SECTION 520J OF THE MICHIGAN PENAL CODE, 1931 PA 328, MCL 750.520J, DO NOT APPLY TO A HEARING UNDER THIS SECTION.

(4) THE PROSECUTING ATTORNEY SHALL GIVE THE VICTIM NOTICE OF THE DATE, TIME, AND PLACE OF THE HEARING.

(5) THE VICTIM OF THE OFFENSE HAS THE FOLLOWING RIGHTS IN A HEARING UNDER THIS SECTION:

(A) TO SUBMIT A WRITTEN STATEMENT TO THE COURT.

(B) TO ATTEND THE HEARING AND TO MAKE A WRITTEN OR ORAL STATEMENT TO THE COURT.

(C) TO REFUSE TO ATTEND THE HEARING.

(D) TO ATTEND THE HEARING BUT REFUSE TO TESTIFY OR MAKE A STATEMENT AT THE HEARING.

(6) THE COURT'S DECISION EXCUSING OR REQUIRING THE INDIVIDUAL TO REGISTER IS A FINAL ORDER OF THE COURT AND MAY BE APPEALED BY THE PROSECUTING ATTORNEY OR THE INDIVIDUAL AS A MATTER OF RIGHT.

(7) THIS SECTION APPLIES TO CRIMINAL AND JUVENILE CASES PENDING ON JULY 1, 2011 AND TO CRIMINAL AND JUVENILE CASES BROUGHT ON AND AFTER THAT DATE."

9. Amend page 20, following line 13, by inserting:

"(7) IF A PROSECUTION OR JUVENILE PROCEEDING IS PENDING ON JULY 1, 2011, WHETHER THE DEFENDANT IN A CRIMINAL CASE OR THE MINOR IN A JUVENILE PROCEEDING IS REQUIRED TO REGISTER UNDER THIS ACT SHALL BE DETERMINED ON THE BASIS OF THE LAW IN EFFECT ON JULY 1, 2011."

10. Amend page 26, line 1, after "COUNTRY" by inserting "FOR MORE THAN 7 DAYS".

11. Amend page 28, line 10, after "COMMITTED" by striking out "COUNT" and inserting "COUNTS".

12. Amend page 34, line 5, after "WEBSITE," by striking out "and".

13. Amend page 34, line 5, after "8," by inserting "OR".

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

A bill to amend 1994 PA 295, entitled "An act to require persons convicted of certain offenses to register; to prohibit certain individuals from engaging in certain activities within a student safety zone; to prescribe the powers and duties of certain

departments and agencies in connection with that registration; and to prescribe fees, penalties, and sanctions,” by amending sections 2, 3, 4, 4a, 5, 5a, and 5b (MCL 28.722, 28.723, 28.724, 28.724a, 28.725, 28.725a, and 28.725b), section 2 as amended by 2005 PA 301, section 3 as amended by 1999 PA 85, section 4 as amended by 2004 PA 240, section 4a as amended and section 5b as added by 2004 PA 237, section 5 as amended by 2006 PA 402, and section 5a as amended by 2005 PA 322, and by adding section 3a.

The question being on concurring in the amendments made to the bill by the House,  
Senator Jones offered the following amendment to the amendments:

1. Amend House Amendment No. 5, page 13, following line 13, after “**520E**” by inserting “**OF THE MICHIGAN PENAL CODE, 1931 PA 328, MCL 750.520E,**”.

The amendment to the amendments was adopted.

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

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

**Roll Call No. 83**

**Yeas—35**

Anderson	Gregory	Kahn	Richardville
Bieda	Hildenbrand	Kowall	Robertson
Booher	Hood	Marleau	Rocca
Casperson	Hopgood	Meekhof	Schuitmaker
Caswell	Hune	Moolenaar	Smith
Colbeck	Hunter	Nofs	Walker
Emmons	Jansen	Pappageorge	Warren
Gleason	Johnson	Pavlov	Young
Green	Jones	Proos	

**Nays—0**

**Excused—2**

Brandenburg                      Hansen

**Not Voting—1**

Whitmer

In The Chair: President

Senator Meekhof moved to reconsider the vote by which the House amendments were concurred in.

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

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

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

**Roll Call No. 84**

**Yeas—36**

Anderson	Gregory	Kahn	Richardville
Bieda	Hildenbrand	Kowall	Robertson
Booher	Hood	Marleau	Rocca
Casperson	Hopgood	Meekhof	Schuitmaker

Caswell	Hune	Moolenaar	Smith
Colbeck	Hunter	Nofs	Walker
Emmons	Jansen	Pappageorge	Warren
Gleason	Johnson	Pavlov	Whitmer
Green	Jones	Pros	Young

**Nays—0**

**Excused—2**

Brandenburg	Hansen
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**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 as amended.

**Senate Bill No. 189, entitled**

A bill to amend 1994 PA 295, entitled "Sex offenders registration act," by amending sections 6, 7, 8, 8c, 8d, 9, and 10 (MCL 28.726, 28.727, 28.728, 28.728c, 28.728d, 28.729, and 28.730), section 6 as amended by 1996 PA 494, section 7 as amended by 2004 PA 237, section 8 as amended and sections 8c and 8d as added by 2004 PA 240, section 9 as amended by 2005 PA 132, and section 10 as amended by 2006 PA 46, and by adding section 8a; and to repeal acts and parts of acts.

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

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

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

Senator Meekhof moved that the rule be suspended.

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

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

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

**Roll Call No. 85**

**Yeas—36**

Anderson	Gregory	Kahn	Richardville
Bieda	Hildenbrand	Kowall	Robertson
Booher	Hood	Marleau	Rocca
Casperson	Hopgood	Meekhof	Schuitmaker
Caswell	Hune	Moolenaar	Smith
Colbeck	Hunter	Nofs	Walker
Emmons	Jansen	Pappageorge	Warren
Gleason	Johnson	Pavlov	Whitmer
Green	Jones	Pros	Young

**Nays—0**

**Excused—2**

Brandenburg

Hansen

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

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

Senator Meekhof moved that the following bill be placed at the head of the Third Reading of Bills calendar:  
**Senate Bill No. 263**  
 The motion prevailed.

The following bill was read a third time:  
**Senate Bill No. 263, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 17902 (MCL 333.17902), as added by 2006 PA 54.

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. 86****Yeas—36**

Anderson	Gregory	Kahn	Richardville
Bieda	Hildenbrand	Kowall	Robertson
Booher	Hood	Marleau	Rocca
Casperson	Hopgood	Meekhof	Schuitmaker
Caswell	Hune	Moolenaar	Smith
Colbeck	Hunter	Nofs	Walker
Emmons	Jansen	Pappageorge	Warren
Gleason	Johnson	Pavlov	Whitmer
Green	Jones	Proos	Young

**Nays—0****Excused—2**

Brandenburg

Hansen

**Not Voting—0**

In The Chair: President

The Senate agreed to the title of the bill.

By unanimous consent the Senate proceeded to the order of  
**General Orders**

Senator Meekhof 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 Calley, designated Senator Proos as Chairperson.

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

**Senate Bill No. 152, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," (MCL 760.1 to 777.69) by adding sections 7, 8, 9, 10, and 11 to chapter III.

Substitute (S-1).

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

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

**Senate Bill No. 46, entitled**

A bill to amend 2006 PA 110, entitled "Michigan zoning enabling act," (MCL 125.3101 to 125.3702) by adding section 513.

Substitute (S-8).

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.

Senator Meekhof moved that Senator Green be excused from the balance of today's session.

The motion prevailed.

### **Resolutions**

Senators Bieda, Whitmer, Gregory, Hopgood, Young, Warren, Gleason, Smith, Anderson, Johnson, Hunter and Rocca offered the following resolution:

**Senate Resolution No. 29.**

A resolution to urge the Attorney General to investigate and monitor gasoline prices throughout the state.

Whereas, The recent spike in gas prices has once again caused concern across Michigan and elsewhere. Just as encouraging signs on our economy are starting to appear, with hints of the long-awaited recovery in some areas, the spike in prices at the pump the past few weeks threatens this progress and shakes the confidence that is so important to economic activity; and

Whereas, While the recent turmoil in several countries in the Middle East, with governments displaced or threatened, is often cited as the cause of the latest increase in gasoline prices, there are many observers who feel that speculation, rather than the facts at hand, is behind much of the rise in prices. The events in Japan only amplify fears over the future. The significant gas price increases that have taken place of late—even before the summer driving demand takes hold—have many people worried about what the situation will be like in a few months. Some reports have spoken of per-gallon prices possibly reaching the \$5 mark; and

Whereas, Over the years, there have been a few situations during previous crises in which unscrupulous parties have taken advantage of periods of fear and uncertainty to hike prices beyond those dictated by the marketplace. Such gouging not only harms those who fall victim, but it also erodes faith in the integrity of the market and all companies within this industry; now, therefore, be it

Resolved by the Senate, That we urge the Attorney General to investigate and monitor gasoline prices throughout the state; and be it further

Resolved, That copies of this resolution be transmitted to the Office of the Attorney General.

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

Senators Booher and Schuitmaker were named co-sponsors of the resolution.

Senator Casperson offered the following resolution:

**Senate Resolution No. 30.**

A resolution to call on the state and federal government to work cooperatively to fund the restoration of the breakwall at the Grand Marais Harbor.

Whereas, For hundreds of years, Grand Marais Harbor has provided refuge to ships and boats from sudden and violent storms along Lake Superior's southern coast. Adjacent to Pictured Rocks National Lakeshore, it is the only harbor of refuge available to vessels along a notoriously dangerous 90-mile stretch of coastline that has claimed numerous ships in the past; and

Whereas, Historically, the harbor was protected by a breakwall. First constructed in 1894 by the U.S. Army Corps of Engineers, the breakwall blocked sand from filling in the harbor and protected it from damaging waves. Abandoned by the Army Corps in 1943, the breakwall suffered severe damage and deterioration over the years, and the protection it provided the harbor and boaters was lost; and

Whereas, It is imperative to build a new breakwall for Grand Marais Harbor to preserve the harbor for commerce, recreational boaters, wildlife, and the community. Damaging waves now enter the harbor, and sand is filling it in. The harbor could be inaccessible as early as 2012, hurting the local economy and increasing the risk of tragedy on this beautiful but dangerous stretch of coastline. In addition, habitat that supports sportfish and federally-endangered species like the piping plover is being lost at a rapid pace; and

Whereas, The small Grand Marais community continues to demonstrate that no other community in our nation is more dedicated to a single cause. Recently, Grand Marais was awarded \$40,000 in a *Reader's Digest* contest to help build the breakwall. Grand Marais succeeded in having more votes cast than 9,000 other communities nationwide in a contest to aid civic causes. In only a few months, Grand Marais, with a population of 300 people, generated 1,281,724 votes in support of saving Grand Marais Harbor. This impressive unified community effort will be wasted if Grand Marais cannot secure the \$7 million needed for actual restoration; now, therefore, be it

Resolved by the Senate, That we call on the Michigan Department of Natural Resources, the Natural Resources Trust Fund Board, the Michigan Waterways Commission, the Michigan Department of Environmental Quality, and the U.S. Army Corps of Engineers to work swiftly and cooperatively to collectively fund the restoration of the breakwall at Grand Marais Harbor; 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, the members of the Michigan congressional delegation, the U.S. Army Corps of Engineers, the Office of the Governor, the director of the Michigan Department of Natural Resources, the director of the Michigan Department of Environmental Quality, the Natural Resources Trust Fund Board, the Michigan Waterways Commission, and Burt Township, Grand Marais, Michigan.

Pending the order that, under rule 3.204, the resolution be referred to the Committee on Government Operations, Senator Meekhof moved that the rule be suspended.

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

The question being on the adoption of the resolution,

Senator Meekhof moved that the resolution be referred to the Committee on Natural Resources, Environment and Great Lakes.

The motion prevailed.

Senators Booher and Robertson were named co-sponsors of the resolution.

Senator Casperson offered the following concurrent resolution:

**Senate Concurrent Resolution No. 13.**

A concurrent resolution to call on the state and federal government to work cooperatively to fund the restoration of the breakwall at the Grand Marais Harbor.

Whereas, For hundreds of years, Grand Marais Harbor has provided refuge to ships and boats from sudden and violent storms along Lake Superior's southern coast. Adjacent to Pictured Rocks National Lakeshore, it is the only harbor of refuge available to vessels along a notoriously dangerous 90-mile stretch of coastline that has claimed numerous ships in the past; and

Whereas, Historically, the harbor was protected by a breakwall. First constructed in 1894 by the U.S. Army Corps of Engineers, the breakwall blocked sand from filling in the harbor and protected it from damaging waves. Abandoned by the Army Corps in 1943, the breakwall suffered severe damage and deterioration over the years, and the protection it provided the harbor and boaters was lost; and

Whereas, It is imperative to build a new breakwall for Grand Marais Harbor to preserve the harbor for commerce, recreational boaters, wildlife, and the community. Damaging waves now enter the harbor, and sand is filling it in. The harbor could be inaccessible as early as 2012, hurting the local economy and increasing the risk of tragedy on this beautiful but dangerous stretch of coastline. In addition, habitat that supports sportfish and federally-endangered species like the piping plover is being lost at a rapid pace; and

Whereas, The small Grand Marais community continues to demonstrate that no other community in our nation is more dedicated to a single cause. Recently, Grand Marais was awarded \$40,000 in a *Reader's Digest* contest to help build the breakwall. Grand Marais succeeded in having more votes cast than 9,000 other communities nationwide in a contest to



aid civic causes. In only a few months, Grand Marais, with a population of 300 people, generated 1,281,724 votes in support of saving Grand Marais Harbor. This impressive unified community effort will be wasted if Grand Marais cannot secure the \$7 million needed for actual restoration; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That we call on the Michigan Department of Natural Resources, the Natural Resources Trust Fund Board, the Michigan Waterways Commission, the Michigan Department of Environmental Quality, and the U.S. Army Corps of Engineers to work swiftly and cooperatively to collectively fund the restoration of the breakwall at Grand Marais Harbor; 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, the members of the Michigan congressional delegation, the U.S. Army Corps of Engineers, the Office of the Governor, the director of the Michigan Department of Natural Resources, the director of the Michigan Department of Environmental Quality, the Natural Resources Trust Fund Board, the Michigan Waterways Commission, and Burt Township, Grand Marais, Michigan.

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

Senator Meekhof moved that the rule be suspended.

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

The question being on the adoption of the concurrent resolution,

Senator Meekhof moved that the concurrent resolution be referred to the Committee on Natural Resources, Environment and Great Lakes.

The motion prevailed.

Senators Booher and Robertson were named co-sponsors of the concurrent resolution.

#### **House Concurrent Resolution No. 10.**

A concurrent resolution prescribing the legislative schedule.

Resolved by the House of Representatives (the Senate concurring), That when the House of Representatives adjourns on Thursday, March 24, 2011, it stands adjourned until Tuesday, April 12, 2011, at 1:30 p.m.; and be it further

Resolved, That when the Senate adjourns on Thursday, March 24, 2011, it stands adjourned until Tuesday, April 12, 2011, at 10:00 a.m.

The House of Representatives has adopted the concurrent resolution.

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

Senator Meekhof moved that the rule be suspended.

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

The concurrent resolution was adopted.

Senators Booher, Meekhof and Schuitmaker were named co-sponsors of the concurrent resolution.

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

Senator Johnson introduced

#### **Senate Joint Resolution K, entitled**

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 8 of article IX, to allow the levy of a sales tax on the sale of tangible personal property and services by local units of government and to restrict the use of the proceeds of that tax.

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

Senators Pavlov, Brandenburg, Casperson, Hildenbrand, Gleason, Kowall, Jones, Hune, Robertson, Jansen, Smith, Anderson, Emmons, Hunter, Meekhof, Johnson and Richardville introduced

#### **Senate Bill No. 291, entitled**

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

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

Senator Johnson introduced

#### **Senate Bill No. 292, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 732a (MCL 257.732a), as amended by 2010 PA 155.

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

Senators Hune and Smith introduced

**Senate Bill No. 293, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending sections 2111, 3101, 3104, 3107, 3114, 3115, 3163, and 3172 (MCL 500.2111, 500.3101, 500.3104, 500.3107, 500.3114, 500.3115, 500.3163, and 500.3172), section 2111 as amended by 2002 PA 492, section 3101 as amended by 2008 PA 241, section 3104 as amended by 2002 PA 662, section 3107 as amended by 1991 PA 191, section 3114 as amended by 2002 PA 38, section 3163 as amended by 2002 PA 697, and section 3172 as amended by 1984 PA 426.

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

Senator Hune introduced

**Senate Bill No. 294, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending sections 3107 and 3157 (MCL 500.3107 and 500.3157), section 3107 as amended by 1991 PA 191.

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

Senators Hune and Smith introduced

**Senate Bill No. 295, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 3157 (MCL 500.3157).

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

Senators Smith and Hune introduced

**Senate Bill No. 296, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending the title, the heading of chapter 61, and sections 3301, 3330, 4501, 6101, 6105, 6107, and 6110 (MCL 500.3301, 500.3330, 500.4501, 500.6101, 500.6105, 500.6107, and 500.6110), the title as amended by 2002 PA 304, section 4501 as added by 1995 PA 276, and sections 6101, 6105, 6107, and 6110 as added by 1992 PA 174, and by adding sections 6104, 6104a, 6104b, and 6108; and to repeal acts and parts of acts.

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

Senators Smith and Hune introduced

**Senate Bill No. 297, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending sections 3171, 3172, 3173a, 3174, 3175, 3320, and 3330 (MCL 500.3171, 500.3172, 500.3173a, 500.3174, 500.3175, 500.3320, and 500.3330), sections 3172 and 3175 as amended and section 3173a as added by 1984 PA 426 and section 3320 as amended by 1980 PA 461.

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

Senators Smith and Hune introduced

**Senate Bill No. 298, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending sections 4501 and 4503 (MCL 500.4501 and 500.4503), as added by 1995 PA 276.

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

Senators Gregory, Bieda, Anderson, Johnson, Hood and Young introduced

**Senate Bill No. 299, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 34d (MCL 211.34d), as amended by 2007 PA 31.

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

Senators Gleason, Hune and Hunter introduced

**Senate Bill No. 300, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding chapter 21A.

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

Senators Bieda, Whitmer, Smith, Hunter, Anderson, Gregory, Johnson, Gleason, Warren and Young introduced  
**Senate Bill No. 301, entitled**

A bill to amend 1996 PA 463, entitled "An act to establish guidelines for the decennial adoption of redistricting plans for the senate and house of representatives; to provide original jurisdiction to the supreme court to review redistricting plans enacted by the legislature for compliance with those guidelines; and to provide a procedure for the supreme court to use to redistrict the senate and house of representatives under certain circumstances," by amending sections 1, 1a, and 2 (MCL 4.261, 4.261a, and 4.262), section 1a as added and section 2 as amended by 1999 PA 223; and to repeal acts and parts of acts.

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

Senators Bieda, Whitmer, Smith, Hunter, Anderson, Gregory, Johnson, Gleason, Warren and Young introduced  
**Senate Bill No. 302, entitled**

A bill to amend 1999 PA 221, entitled "Congressional redistricting act," by amending sections 2 and 3 (MCL 3.62 and 3.63).

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

Senators Casperson, Pappageorge, Nofs and Walker introduced

**Senate Bill No. 303, entitled**

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 541 (MCL 436.1541), as amended by 2008 PA 489.

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

Senator Jones introduced

**Senate Bill No. 304, entitled**

A bill to establish the terms on which health benefits may be provided to legislators.

The bill was read a first and second time by title and referred to the Committee on Reforms, Restructuring and Reinvesting.

Senator Jones introduced

**Senate Bill No. 305, entitled**

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," (MCL 388.1601 to 388.1772) by adding section 11e.

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

Senator Hune introduced

**Senate Bill No. 306, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 2110c.

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

Senator Hune introduced

**Senate Bill No. 307, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 12m of chapter XVII (MCL 777.12m), as amended by 2005 PA 54.

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

Senator Hune introduced

**Senate Bill No. 308, entitled**

A bill to amend 2000 PA 190, entitled "Privately owned cervidae producers marketing act," by amending section 5 (MCL 287.955), as amended by 2006 PA 561.

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

Senator Hune introduced

**Senate Bill No. 309, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 40103 and 41102 (MCL 324.40103 and 324.41102), as amended by 2000 PA 191.

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

Senator Hune introduced

**Senate Bill No. 310, entitled**

A bill to regulate raising of swine as an agricultural enterprise in this state; to provide powers and duties of certain state agencies and officials; and to prescribe penalties and provide remedies.

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

Senators Caswell, Casperson, Kahn and Emmons introduced

**Senate Bill No. 311, entitled**

A bill to amend 2006 PA 593, entitled "An act to provide for the sharing of certain health care coverage information; to provide for the powers and duties of certain departments and agencies; and to provide penalties and fines," by amending section 1 (MCL 550.281).

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

Senators Caswell, Casperson, Emmons, Green and Kahn introduced

**Senate Bill No. 312, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending sections 8 and 27 (MCL 211.8 and 211.27), section 8 as amended by 2006 PA 633 and section 27 as amended by 2003 PA 274.

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

**House Bill No. 4227, entitled**

A bill to prohibit certain covenants attaching to nonresidential real property; to prohibit the imposition of certain fees upon transfer of that real property; and to provide for remedies.

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

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

**House Bill No. 4228, entitled**

A bill to prohibit certain covenants attaching to residential real property; to prohibit the imposition of certain fees upon transfer of that real property; and to provide for remedies.

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

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

**House Bill No. 4248, entitled**

A bill to amend 1975 PA 197, entitled "An act to provide for the establishment of a downtown development authority; to prescribe its powers and duties; to correct and prevent deterioration in business districts; to encourage historic preservation; to authorize the acquisition and disposal of interests in real and personal property; to authorize the creation and implementation of development plans in the districts; to promote the economic growth of the districts; to create a board; to prescribe its powers and duties; to authorize the levy and collection of taxes; to authorize the issuance of bonds and other evidences of indebtedness; to authorize the use of tax increment financing; to reimburse downtown development authorities for certain losses of tax increment revenues; and to prescribe the powers and duties of certain state officials," by amending section 1 (MCL 125.1651), as amended by 2008 PA 225.

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

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

By unanimous consent the Senate returned to the order of

**Motions and Communications**

Senator Meekhof moved that, pursuant to rule 1.114, upon receipt of Senate bills returned from the House of Representatives, the Secretary of the Senate be directed to proceed with the enrollment printing and presentation of the bills to the Governor.

The motion prevailed.

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

Senators Hildenbrand, Hopgood, Hunter, Young, Kahn, Schuitmaker 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 Hildenbrand's statement is as follows:

I wanted to take this opportunity to address the chamber regarding my observations during the first three months of this legislative session. I have been humbled to serve in this chamber and work for the citizens of the 29th District. Like many of you, I have heard from a large number of my constituents on a variety of issues since taking office. One theme has been consistent: We must strengthen our state and provide an economic climate that allows for good-paying jobs for our residents.

For too long the state and its leaders have stuck with the status quo. Budgets were passed that pieced funding sources together with gimmicks and one-time adjustments for various programs. They rushed through the development and implementation of a flawed new business tax. They asked Michigan's residents to pay more in income taxes, business taxes, and fees to help keep the state afloat. After years of this mentality of quick fixes and temporary solutions, we are now faced with a daunting task of establishing a new tax code and budget structure that will help Michigan once and for all recover from our over decadelong recession. I think we've made some good initial progress over our first three months, but there is much more to do in the months and years ahead. And in this work, I hope we can all work together in a polite and respectful fashion as we wade through the myriad issues before us.

One area that I think we can improve is during statements where I have been quite disappointed with our Democrat colleagues who have used this time of statements as an opportunity to take political cheap shots at the work that has gone on in this chamber. These political maneuvers have been directed at our colleagues and our Governor. It is quite unfair and misleading to suggest that we want to hurt our seniors or line the pockets of the wealthy and corporations or that we won't stand with our workers. These allegations are not true, and they are unfounded. They are nothing more than political cheap shots. This is not productive, and our hardworking Michigan citizens deserve better. I certainly respect different philosophies, differences of opinion, different ideals, and different approaches, but certainly not unfounded political cheap shots in the statements before this chamber. It seems to me that time would be better spent proposing good alternatives to add to the debate, which I have not heard.

I believe that the actions we have taken thus far will begin to put Michigan in a better place for our children and grandchildren and will position Michigan for greatness yet again. I look forward to our work ahead and welcome constructive alternative proposals to those that are before us.

Senator Hopgood's statement is as follows:

Just about two months ago, the Governor's State of the State address highlighted the need for a new international crossing between Detroit and Canada. I couldn't agree with him more on this issue. This crossing is absolutely vital to the economic future of our entire state. Currently, the United States and Canada share the largest bilateral trade relationship in the world. Michigan accounts for more than half of the total U.S. trade with Canada and is the critical trade corridor between the two nations. In fact, over \$1.1 billion in goods cross between the countries every day.

This international commerce supports more than 220,000 jobs in our state. However, with the projected growth in trade through this corridor, we are expected to exceed the capacity of our existing crossings in the coming years. Delays on the bridge are already attributed to increase costs of over \$800 per vehicle that we manufacture. Without the capacity provided by this new crossing, Michigan is looking at a loss of over 25,000 jobs by 2035. The new crossing will allow for the expansion of Michigan as the nation's top logistics trade hub. In addition, building this new international crossing will create 10,000 construction jobs and more than 30,000 indirect jobs.

With Canada's offer to pay our share of the bridge costs, we can build this much-needed crossing at no cost to Michigan taxpayers. It's a win-win situation for Michigan that creates countless jobs and revenue that our cash-strapped state desperately needs.

I have already introduced Senate Bill No. 66 to authorize the construction of the crossing. I understand that similar legislation will be introduced by a member of the Senate Republican Caucus in the near future. Recognizing the critical importance of this crossing to our state's economic future, I offer my assistance to the Governor and my colleagues on both sides of the aisle and in both chambers to enact legislation to build the bridge.

Let's come together to do what's in the best interest of this great state and its hardworking people. Let's build this bridge now.

Senator Hunter's statement is as follows:

I didn't intend to make a statement today, but I thought I would rise to just share a concern. I personally like the Senator from the 29th District. He is, indeed, a gentleman, but I take offense to the remark that somehow the Democrats on the

issue of the new pension tax have taken cheap shots. I think we have the right to stand up on this floor and talk about our values and what we think is best for this state.

I can certainly understand and empathize with members of the Republican Party. Perhaps you are a little uncomfortable with the fact that you are proposing a brand-new tax on the citizens of this state. Perhaps you are hearing from your constituents, and you don't like what you hear, so you are just getting a little uncomfortable. That does not warrant you getting up on this floor accusing your colleagues of taking cheap shots. Perhaps you have taken a charge you should not have taken. Perhaps the proposal that you all are pushing is not best for this state. Perhaps you should hit the reset button and think of something else that does not penalize our hardworking citizens who worked all their lives to accumulate a pension that they can retire on and live for the remaining days that the Lord blesses them with.

Again, you may be a little uncomfortable, and you may be a little upset because we are hitting that sore spot. But to accuse us of taking cheap shots, I think, is unfair.

Senator Young's statement is as follows:

Mr. President, I would like to begin with a quote: "The end of law is not to abolish or restrain, but to preserve and enlarge freedom. For in all the states of created beings capable of law, where there is no law, there is no freedom." It's a quote from John Locke.

I think it is very apropos in this topic because I rise today to express my surprise to Governor Snyder. Last week, my colleagues and I introduced a resolution which would constitutionally protect the rights of our workers to collectively bargain, a right those same workers feel is under assault by the current administration. In my personal opinion, the actions which have gone on in this Legislature is also a violation of the Wagner Act, which could also be perceived as a violation of the Constitution and the Supremacy Clause as well.

We made it very simple for Governor Snyder. This wasn't a complex piece of legislation which we tried to put him on the spot with before we had a chance to read it or he had a chance to read it. Instead, the resolution is a mere one sentence—one sentence—and we only asked that he give us a simple yes or no answer to the question: Do you support the rights of our workforce being protected in our state's Constitution?

For a week, our question was only met with either silence or a series of scripted responses from his spokesperson who did not answer the question. He couldn't or perhaps wouldn't give the public a straight answer on the issue. Shocking. Just absolutely surprising.

So imagine my surprise last night when I heard that a news reporter had actually gotten an answer out of him on the issue. The Governor's response: "I don't see the point of a constitutional amendment." He doesn't see the point of protecting workers in Michigan in this day, what is founded and built on the backs of working men and women across this country, but he doesn't see the point of protecting them in the Constitution. Just shameful.

Really, Governor? You don't see the point of protecting the most fundamental of rights that our state's workforce has relied upon for generations? You don't see how your actions up until this point haven't lived up to your words? While you tell workers you support collective bargaining, they see you pushing legislation through this very chamber which would allow fairly negotiated contracts to be broken, wages cut, jobs eliminated, and constitutional principles and liberties violated.

You may not see the point, Governor, but the thousands of workers who joined us here at the Capitol last week most certainly do see the point. The numbers are on our side as well, Governor. While your approval ratings continue to fall, support for collective bargaining rights continue to grow. Nearly 60 percent of Michigan residents polled recently support collective bargaining rights for our public employees, and roughly half of our population now supports the collective bargaining rights of all of our state's workforce in the Constitution.

Governor Snyder, I am glad you have finally answered our question and made it perfectly clear where you stand on collective bargaining. Now it is time for you to answer the families across Michigan telling you that your priorities are wrong.

I want to end with this quote: "The Constitution does not grant rights to the people, rather it identifies the powers that the people have granted to the governments." The people want the powers of collective bargaining to be protected in the Constitution. Let's give the people what they want.

Senator Kahn's statement is as follows:

Eight hundred and fifty thousand—that is the number of jobs we have lost in Michigan this century. Let me remind you, and through you, the chamber and the folks in the Gallery that Michigan lost more jobs than the rest of the nation put together.

Here we are now trying to operate on some fundamental principles as we restore the state we love for our kids, grandkids, and for us too. What are those principles? We want a business-friendly environment not for the businesses, but to create the jobs our people need. We want a budget free of tricks and gimmicks, one that is structurally balanced that we can count on and we can look our people in the eye about and say, yes, this actually works.

What has been the response that we have seen? Well, to quote Bill Johnson as per the *Free Press*, his response to Ford which has finally made a profit: "If they, Ford, don't restore everything we gave them, then members are going to knock it down." What kind of message does that send to a job provider, a job creator? It says that we have learned nothing in

Michigan, and why locate here? That sort of attitude is long overdue for a change. Unions and management, we who govern, and those who are governed need to work together to provide jobs for our kids and our grandkids. Statements in this chamber should reflect that need, particularly now. We need to look and find big things and little things that do exactly that.

Last week, I talked a little bit about one of those sorts of jobs. I would like to talk for a moment about another one. Remanufacturing is an industry, or industry term, about restoring or reusing components, and in so doing, it provides jobs. It can be done locally, i.e., here in Michigan and will save us as much as \$10 million a year. It is relatively labor-necessitating, if that's a word. It is environmentally responsible. Carbon footprinting is less than 40 percent of new parts manufacturing.

So as we look to create these budgets for our people and we create jobs for our people, we in government by utilizing these sorts of tools can be of assistance in job creating and efficiencies. That's a win-win. So when we finish the budgets, hopefully, before the summer break, and we are largely committed to doing that, these are the ideas I would hope members would get up and speak about, and give us the tools to make Michigan stronger.

Senator Schuitmaker's statement is as follows:

Like my colleagues have said, I think everyone here were elected to come up to Lansing to find solutions for the extreme problems and the extreme realities that we face. It is no secret that we have been facing a structural deficit for the past number of years, and the days of kicking the can down the road have got to end. We need to find long-term and permanent solutions.

I admire my colleagues on the other side of the aisle. I feel that vigorous debate is extremely important. However, what I think needs to be added is solutions. Having come from the House of Representatives in the minority, we didn't like the solution that was proposed on the other side of the aisle, so we came up with our own solution. We published our solution, did editorial boards on it, and we offered solutions. Were they popular answers? Probably not, but they were solutions. What I think is missing from the debate here is a question of solutions from the other side.

I think it is important that if they are going to say no to certain aspects of the Governor's budget, or the budget that we pass out shortly from the Senate, that they offer their own budget solutions. Whether it is tax increases or cuts, I welcome a balanced budget. That is our obligation when we took the oath of office that we promised our constituents. I think that it is only doing right that the other side either work with us, or if they don't like our solutions that they propose a solution.

I know that for the next two weeks, we will not be meeting. I know that as the Higher Education Subcommittee chair that I will be holding hearings, finding and working on those solutions, and hopefully, be able to produce a balanced budget with regards to higher education by April 14, which is the deadline that is out there. The time of saying no to everything has got to end. We need to find permanent, long-term solutions.

Senator Gleason's statement is as follows:

Well, I would like to begin the process of offering something that may be substantial. I appreciate the previous remarks. We have all witnessed, I think, some very demeaning actions. I remember when the minority was at the far end of the building when I visited over there on several occasions, actually standing up and chanting with the majority, screaming and pounding on desks. In the last few months in this chamber, I have watched as statements were being made and staff and Senators continued to talk and not appreciate what was being said. I think every single one of us can do a better job of respecting each other. The issue is who is going to be first? I think all of us ought to be first.

We have a \$1.8 billion deficit. I don't care whether you are a Democrat or a Republican. I think that we have to solve some longstanding concerns. I would put it this simply: I think that all of us are better than any of us. That is the way that we have to address these issues before us today.

You don't see me standing up, and I would like some decorum in this room, if we could. This is what I have been talking about—someone speaking and others are even louder than those trying to address this body. This institution is a beautiful display of democracy, but we don't do the best with what we have been given. We all like to have fun, and we have our moments. Not one of us can talk to our parents and grandparents and find them explaining a more difficult time.

But we have to take this work seriously. Those people being laid off are not Democrat or Republican. They are not businesses or families. They are us. We need to rise above this. I have sat and watched action in this chamber for the last four years and three months, and I would on some days have a difficult time finding the difference between this and a day-care center with the way our demeanor is and the way we treat each other.

None of us have all the answers. But every single one of us is saddled with fixing this problem, and we ought to get started. Now even in the last few minutes, we have bantered back and forth with the Republican view and Democratic view. Yes, we are entitled to our constitutional rights, but this is bigger than this room.

We recently witnessed what has happened in Japan. Many of us witnessed and experienced what has happened in this building over the last few years. It is great that we pick a concern, but I don't think Michigan right now has a greater concern than providing energy to our manufacturers and our communities and families. We have seen the troubling event in Japan. We discussed thoroughly, I thought, the renewable portfolio the last few years. We discussed clean coal. But it is time that this state ramped up that discussion. We can't go forward if we aren't providing the energy required for this

new investment in our state. I think we have to get serious about this. I have worked in a nuclear power plant and a coal plant. We are not taking our responsibilities serious about energy.

I have noticed that some countries have now turned off their nuclear energy. Can Michigan afford to do that? I think we need to put together a bipartisan effort, and I mean bipartisan by effort and word, to find a very constructive means to provide energy for our state.

We need to treat each other better in the future.

### Committee Reports

The Committee on Economic Development reported

**Senate Bill No. 12, entitled**

A bill to amend 1936 (Ex Sess) PA 1, entitled "Michigan employment security act," (MCL 421.1 to 421.75) by adding section 22c.

With the recommendation that the bill pass.

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

Michael W. Kowall  
Chairperson

To Report Out:

Yeas: Senators Kowall, Hildenbrand, Nofs and Emmons

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Education reported

**Senate Bill No. 45, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1310b.

With the recommendation that the bill be referred to the Committee on Judiciary.

Phillip J. Pavlov  
Chairperson

To Report Out:

Yeas: Senators Pavlov, Emmons and Colbeck

Nays: None

The bill was referred to the Committee on Judiciary.

### COMMITTEE ATTENDANCE REPORT

The Committee on Education submitted the following:

Meeting held on Wednesday, March 23, 2011, at 12:30 p.m., Room 100, Farnum Building

Present: Senators Pavlov (C), Emmons, Colbeck, Hopgood and Young

The Committee on Families, Seniors and Human Services reported

**Senate Bill No. 218, entitled**

A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending section 43 of chapter X (MCL 710.43), as amended by 1996 PA 409.

With the recommendation that the bill pass.

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

Judith K. Emmons  
Chairperson

To Report Out:

Yeas: Senators Emmons, Rocca, Nofs and Gregory

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Families, Seniors and Human Services reported

**Senate Bill No. 219, entitled**

A bill to amend 1935 PA 220, entitled "An act to provide family home care for children committed to the care of the state, to create the Michigan children's institute under the control of the Michigan social welfare commission, to prescribe



the powers and duties thereof, and to provide penalties for violations of certain provisions of this act,” by amending section 9 (MCL 400.209), as amended by 2004 PA 470.

With the recommendation that the bill pass.

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

Judith K. Emmons  
Chairperson

To Report Out:

Yeas: Senators Emmons, Rocca, Nofs and Gregory

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Families, Seniors and Human Services reported

**Senate Bill No. 220, entitled**

A bill to amend 1939 PA 288, entitled “Probate code of 1939,” by amending section 19c (MCL 712A.19c), as amended by 2008 PA 203.

With the recommendation that the bill pass.

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

Judith K. Emmons  
Chairperson

To Report Out:

Yeas: Senators Emmons, Rocca, Nofs and Gregory

Nays: None

The bill was referred to the Committee of the Whole.

#### COMMITTEE ATTENDANCE REPORT

The Committee on Families, Seniors and Human Services submitted the following:

Meeting held on Wednesday, March 23, 2011, at 3:03 p.m., Room 210, Farnum Building

Present: Senators Emmons (C), Rocca, Nofs and Gregory

#### COMMITTEE ATTENDANCE REPORT

The Subcommittee on K-12, School Aid, Education submitted the following:

Meeting held on Wednesday, March 23, 2011, at 8:30 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building

Present: Senators Walker (C), Caswell, Pappageorge and Hopgood

#### COMMITTEE ATTENDANCE REPORT

The Subcommittee on Higher Education submitted the following:

Meeting held on Wednesday, March 23, 2011, at 12:30 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building

Present: Senators Schuitmaker (C), Walker and Hood

#### COMMITTEE ATTENDANCE REPORT

The Committee on Local Government and Elections submitted the following:

Meeting held on Wednesday, March 23, 2011, at 3:00 p.m., Room 100, Farnum Building

Present: Senators Robertson (C), Brandenburg and Young

Excused: Senator Hansen

#### Scheduled Meetings

#### Appropriations -

##### Subcommittees -

**Community Colleges** - Wednesday, April 13, 12:00 noon, Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

**Community Health Department** - Wednesday, April 13, 1:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower (373-2768)

**Environmental Quality Department** - Wednesday, April 6, 1:30 p.m., Rooms 402 and 403, Capitol Building (373-2768)

**General Government** - Tuesday, April 12, 2:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

**Higher Education** - Wednesday, March 30, 12:30 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768) (CANCELED)

**Higher Education and House Higher Education Appropriations Subcommittee** - Wednesday, March 30, 10:30 a.m., House Appropriations Room, 3rd Floor, Capitol Building (373-2768)

**Human Services Department** - Thursday, April 14, 2:30 p.m., Room 210, Farnum Building; Tuesday, March 29, and Thursday, March 31, 10:00 a.m., Senate Hearing Room, Ground Floor, Boji Tower (373-2768)

**Natural Resources Department** - Wednesday, April 6, 10:30 a.m., Room 100, Farnum Building (373-2768)

**Transportation** - Wednesday, April 13, 3:00 p.m. or later immediately following the Appropriations Committee meeting, Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

Senator Meekhof moved that the Senate adjourn.  
The motion prevailed, the time being 11:17 a.m.

Pursuant to House Concurrent Resolution No. 10, the President, Lieutenant Governor Calley, declared the Senate adjourned until Tuesday, April 12, 2011, at 10:00 a.m.

CAROL MOREY VIVENTI  
Secretary of the Senate