

No. 63
STATE OF MICHIGAN
Journal of the Senate
96th Legislature
REGULAR SESSION OF 2011

Senate Chamber, Lansing, Wednesday, August 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—present
Casperson—present
Caswell—present
Colbeck—present
Emmons—present
Gleason—present
Green—present
Gregory—present
Hansen—present
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 Tim Cross of Living Word Church of Muskegon offered the following invocation:

Father, I thank You for this opportunity to pray and stand before these great men and women whom You have called to serve our great state. Father, I thank You for their sacrifice, and I thank You for their commitment. Father, I thank You for their hearts to make our state a better state, a more productive state. Father, Your word says that we are to pray and make prayers of intercession and thanksgiving on behalf of all men, but especially for those who are in authority, that we might live a quiet and peaceful life in all godliness and honesty.

Father, I pray that wisdom cries out in the streets and in the chief public places. I pray that You would give these men and women in this Michigan State Senate an ear to hear the wisdom of God that calls out in the halls. Please help them to distinguish wisdom's voice above all others. I especially pray that You would grant them wisdom on how to bring our state's fiscal matters into order. I pray that You would give them wisdom to keep the state's business in such a way that businesses would want to locate here and to make the atmosphere one that businesses would want to come here.

I pray that You would help each one of these great Senators to live honorably as befits a leader in a great state. Deliver them from those who would try to bribe them because in Your word, You said a bribe perverts the ways of justice. Reveal dishonest and dishonorable schemes that would harm the reputation of this great body and these most honorable men and women.

Father, I pray as well in the name of Jesus for those who are married and that You would keep their marriages strong as they serve our great state. I pray that You would deliver them from adulterous men and women. Please help them to keep their covenant commitments to their families and children firm. I pray that in Jesus' name that You would bring us out of our economic struggles. I pray that You would grant new inventions and technologies that would be birthed in the state of Michigan that would stimulate our economy. I pray as well that our state would be productive in agriculture and manufacturing where the needs of the people of our state would be met. I pray that You would even keep our state from any catastrophic event that would bring damage to our state.

Father, You said in Your word that righteousness exalts a nation, but sin is a reproach to many people. I pray that You would awaken us as a state to what is right in Your eyes, not in people's eyes, but Your eyes; that You would help these great men and women to see what we need to do is not more programs or more legislation, but we need to be more straight and right with You; and that You would help us in this great state and help these great men and women today. In Jesus' name. Amen.

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

Motions and Communications

Senator Marleau entered the Senate Chamber.

The following communications were received and read:
Office of the Auditor General

July 12, 2011

Enclosed is a copy of the financial statements, together with the Auditors' Report, of the Bureau of State Lottery for the six-month periods ended March 31, 2011 and 2010.

If you have questions regarding this report, please call me; Scott M. Strong, C.P.A., Deputy Auditor General; or Laura J. Hirst, C.P.A., Audit Division Administrator, who administers our contractual audits.

July 26, 2011

Enclosed is a copy of the following audit report.

Follow-up of the performance audit of the Michigan Economic Growth Authority Tax Credit Program, Michigan Strategic Fund.

August 10, 2011

Enclosed is a copy of the following audit report:

Financial audit of the Emergency 9-1-1 Fund, Michigan Department of State Police and Department of Treasury, for the period October 1, 2008 through September 30, 2010.

August 16, 2011

Enclosed is a copy of the following audit report:

Performance audit of Oversight of Local Accounting System Replacement (LASR) Payment Processing, Division of Financial Management, Bureau of Accounting, Department of Human Services.

August 18, 2011

Enclosed is a copy of the following audit report:

Performance audit of State Unified Information Technology Environment (SUITE) Project Management and System Development Controls, Department of Technology, Management & Budget.

Auditor General

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

The following communication was received and read:

Michigan Legislature

July 27, 2011

Pursuant to Public Act 224 of 2004 (MCL 600.108), we make the following appointment to the State Drug Treatment Court Advisory Committee:

Stephanie Drury of Birmingham, an individual representing probation officers, for terms from today's date to 8/4/11 and 8/5/11 to 8/4/15.

Sincerely,

Jase Bolger

Speaker of the House

Randy Richardville

Senate Majority Leader

The communication was referred to the Secretary for record.

The following communications were received:

Department of State

Administrative Rules
Notices of Filing

June 29, 2011

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Environmental Quality and the State Office of Administrative Hearings and Rules filed Administrative Rule #2010-022-EQ (Secretary of State Filing #11-06-08) on this date at 4:16 p.m. for the Department of Environmental Quality, entitled "Part 19. New Source Review For Major Sources Impacting Nonattainment Areas."

These rules become effective immediately upon filing with the Secretary of State.

June 29, 2011

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Environmental Quality and the State Office of Administrative Hearings and Rules filed Administrative Rule #2009-055-EQ (Secretary of State Filing #11-06-11) on this date at 4:22 p.m. for the Department of Environmental Quality, entitled "Part 18. Prevention of Significant Deterioration of Air Quality."

These rules become effective immediately upon filing with the Secretary of State.

June 29, 2011

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Administrative Hearings and Rules filed Administrative Rule #2010-005-LR (Secretary of State Filing #11-06-09) on this date at 4:18 p.m. for the Department of Licensing and Regulatory Affairs, entitled "Part 18. Prevention of Significant Deterioration of Air Quality."

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

June 29, 2011

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

Office of Administrative Hearings and Rules filed Administrative Rule #2009-056-LR (Secretary of State Filing #11-06-10) on this date at 4:20 p.m. for the Department of Licensing and Regulatory Affairs, entitled "Part 19. New Sources Review For Major Sources Impacting Nonattainment Areas - General Hearing Rules."

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

Sincerely,
Ruth Johnson
Secretary of State
Robin L. Houston, Departmental Supervisor
Office of the Great Seal

The communications were referred to the Secretary for record.

The following communication was received:
Municipal Employees' Retirement System

June 30, 2011

Enclosed is a copy of the *Comprehensive Annual Financial Report for the Year Ending December 31, 2010*. I am providing this to you pursuant to the requirements of the MERS Plan Document and MCL 38.1536(2)(f). Please read the report into the Daily Journal, since the Journal is the recognized official document for communication for the members of the Legislature.

The report can also be found on our website at: www.mersofmich.com. We hope that you find the report informative.

Sincerely,
Anne M. Wagner
Chief Executive Officer

The communication was referred to the Secretary for record.

The following communication was received:
Michigan State Housing Development Authority

July 8, 2011

The Low Income Housing Tax Credit program, established pursuant to Section 42 of the Internal Revenue Code of 1986, as amended, requires that tax credits allocated by state credit agencies be allocated pursuant to a Qualified Allocation Plan approved by the Governor. Section 22(b)(4) of Public Act 346 of 1966, as amended, further reflects this requirement.

The 2012 Qualified Allocation Plan has been approved by the Governor. The attached copy is transmitted pursuant to the requirements of MCL 125.1422b.

Sincerely,
Christopher LaGrand
Acting Deputy Director - Housing Development

The communication was referred to the Secretary for record.

The following communication was received:
Department of State Police

July 13, 2011

In accordance with MCL 333.7524a, I am pleased to present to the Michigan Legislature the 19th comprehensive report on asset forfeiture. Michigan's asset forfeiture program saves taxpayer money and deprives drug criminals of cash and property obtained through illegal activity. Michigan's law enforcement community has done an outstanding job of stripping drug dealers of illicit gain and utilizing these proceeds to expand and enhance drug enforcement efforts to protect our citizens.

During 2010, over \$21.3 million in cash and assets amassed by drug traffickers was forfeited and placed into the fight against drugs through the use of state and federal forfeiture laws. Extensive multi-agency teamwork is evident in this report. Considerable assets were obtained as the result of joint enforcement involving many agencies at the federal, state, and local levels.

Forfeiture funds were used to further enforce drug laws by providing resources for drug enforcement personnel, needed equipment, undercover informant and investigative costs, and matching funds to obtain federal grants. Some of the forfeited assets were also used for drug and gang prevention education programs.

I commend our law enforcement community for the tremendous job they have done and submit this report for your information and review.

Sincerely,
Kriste Etue
Director

The communication was referred to the Secretary for record.

Senator Hunter moved that Senator Smith be temporarily excused from today's session.
The motion prevailed.

Senator Meekhof moved that Senator Nofs be temporarily excused from today's session.
The motion prevailed.

Senator Nofs entered the Senate chamber.

Senator Meekhof moved that rule 3.902 be suspended to allow the guests of Senators Colbeck and Hansen admittance to the Senate floor.

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

Senator Meekhof 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:

Senate Bill No. 502

House Bill No. 4731

House Bill No. 4734

House Bill No. 4787

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

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

The motion prevailed.

Senator Hansen's statement is as follows:

Today is a great day in the state of Michigan, but it is kind of a sad day for Senator Goeff Hansen's office. This week, I lose two of our people who are moving on to bigger and better things as they move into their future.

We have Paula Englin who has been with me all year. She has been doing a tremendous job in my office and doing my scheduling and constituent work. She also had been working for Representative Hughes. It is with sorrow and gladness as I stand here before you talking about Paula, as she has done such a great job for us. She will be moving to a new position as a coordinator of student organizations and weekend programming at her alma mater Calvin College. It is a big step forward for her, and I am so glad for her, but I am also so sad for us because she will be leaving us. I just want to thank her for the time she has put in with us and the job she has done. We have a special tribute that I would like to present to her. I want to say thank you, Paula, for the time you have been with us.

I have a second person who is in his last week. Peter Ochs has been with me for a lot of years. He has been very helpful to me, probably since he was 15 years old, working with me since then. He has been working for me in the district, and Peter is leaving us to go back to Wayne State University to complete his Bachelor of Science degree in biomedical physics. He has a lot of work to do. He is almost there; he is only in his twelfth year or something like that. He is getting there; his parents are wondering. Peter has been a great asset, and moving forward, he has a very, very bright future. It is people like Peter who are going to make Michigan better as we move forward. Peter, I want to thank you. We have a special tribute for you, and thank you for the work you have done.

Recess

Senator Meekhof moved that the Senate recess subject to the call of the Chair.
The motion prevailed, the time being 10:14 a.m.

11:46 a.m.

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

During the recess, Senator Smith entered the Senate Chamber.

The Secretary announced the enrollment printing and presentation to the Governor on Tuesday, July 26, for his approval the following bill:

Enrolled Senate Bill No. 498 at 2:40 p.m.

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

Senate Bill Nos. 561 562 563 564 565 566 567 568 569 570

The Secretary announced that the following official bills were printed on Wednesday, July 27, and are available at the legislative website:

**House Bill Nos. 4858 4859 4860 4861 4862 4863 4864 4865 4866 4867 4868 4869 4870 4871
4872 4873 4874 4875 4876 4877 4878**

Messages from the Governor

The following messages from the Governor were received:

Date: July 12, 2011
Time: 10:04 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 214 (Public Act No. 73), being

An act to amend 1949 PA 300, entitled “An act to provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or generally accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways; to create certain funds; to provide penalties and sanctions for a violation of this act; to provide for civil liability of owners and operators of vehicles and service of process on residents and nonresidents; to regulate the introduction and use of certain evidence; to provide for the levy of certain assessments; to provide for the enforcement of this act; to provide for the creation of and to prescribe the powers and duties of certain state and local agencies; to impose liability upon the state or local agencies; to provide appropriations for certain purposes; to repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date,” by amending section 803i (MCL 257.803i), as amended by 1998 PA 68.

(Filed with the Secretary of State on July 12, 2011, at 3:56 p.m.)

Date: July 12, 2011
Time: 10:11 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 138 (Public Act No. 83), being

An act to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2011; to provide for the expenditure of the appropriations; and to repeal acts and parts of acts.

(Filed with the Secretary of State on July 13, 2011, at 2:23 p.m.)

Date: July 12, 2011
Time: 10:13 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 24 (Public Act No. 75), being

An act to amend 1956 PA 218, entitled “An act to revise, consolidate, and classify the laws relating to the insurance and surety business; to regulate the incorporation or formation of domestic insurance and surety companies and associations and the admission of foreign and alien companies and associations; to provide their rights, powers, and immunities and to prescribe the conditions on which companies and associations organized, existing, or authorized under this act may exercise their powers; to provide the rights, powers, and immunities and to prescribe the conditions on which

other persons, firms, corporations, associations, risk retention groups, and purchasing groups engaged in an insurance or surety business may exercise their powers; to provide for the imposition of a privilege fee on domestic insurance companies and associations and the state accident fund; to provide for the imposition of a tax on the business of foreign and alien companies and associations; to provide for the imposition of a tax on risk retention groups and purchasing groups; to provide for the imposition of a tax on the business of surplus line agents; to provide for the imposition of regulatory fees on certain insurers; to provide for assessment fees on certain health maintenance organizations; to modify tort liability arising out of certain accidents; to provide for limited actions with respect to that modified tort liability and to prescribe certain procedures for maintaining those actions; to require security for losses arising out of certain accidents; to provide for the continued availability and affordability of automobile insurance and homeowners insurance in this state and to facilitate the purchase of that insurance by all residents of this state at fair and reasonable rates; to provide for certain reporting with respect to insurance and with respect to certain claims against uninsured or self-insured persons; to prescribe duties for certain state departments and officers with respect to that reporting; to provide for certain assessments; to establish and continue certain state insurance funds; to modify and clarify the status, rights, powers, duties, and operations of the nonprofit malpractice insurance fund; to provide for the departmental supervision and regulation of the insurance and surety business within this state; to provide for regulation over worker's compensation self-insurers; to provide for the conservation, rehabilitation, or liquidation of unsound or insolvent insurers; to provide for the protection of policyholders, claimants, and creditors of unsound or insolvent insurers; to provide for associations of insurers to protect policyholders and claimants in the event of insurer insolvencies; to prescribe educational requirements for insurance agents and solicitors; to provide for the regulation of multiple employer welfare arrangements; to create an automobile theft prevention authority to reduce the number of automobile thefts in this state; to prescribe the powers and duties of the automobile theft prevention authority; to provide certain powers and duties upon certain officials, departments, and authorities of this state; to provide for an appropriation; to repeal acts and parts of acts; and to provide penalties for the violation of this act," by amending section 1505 (MCL 500.1505).

(Filed with the Secretary of State on July 12, 2011, at 4:00 p.m.)

Date: July 12, 2011

Time: 10:15 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 28 (Public Act No. 76), being

An act to amend 1941 PA 122, entitled "An act to establish the revenue collection duties of the department of treasury; to prescribe its powers and duties as the revenue collection agency of this state; to prescribe certain powers and duties of the state treasurer; to establish the collection duties of certain other state departments for money or accounts owed to this state; to regulate the importation, stamping, and disposition of certain tobacco products; to provide for the transfer of powers and duties now vested in certain other state boards, commissions, departments, and offices; to prescribe certain duties of and require certain reports from the department of treasury; to provide procedures for the payment, administration, audit, assessment, levy of interests or penalties on, and appeals of taxes and tax liability; to prescribe its powers and duties if an agreement to act as agent for a city to administer, collect, and enforce the city income tax act on behalf of a city is entered into with any city; to provide an appropriation; to abolish the state board of tax administration; to prescribe penalties and provide remedies; and to declare the effect of this act," by amending section 19 (MCL 205.19), as amended by 2002 PA 657.

(Filed with the Secretary of State on July 12, 2011, at 4:02 p.m.)

Date: July 12, 2011

Time: 3:00 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 383 (Public Act No. 77), being

An act to amend 2007 PA 36, entitled "An act to meet deficiencies in state funds by providing for the imposition, levy, computation, collection, assessment, reporting, payment, and enforcement of taxes on certain commercial, business, and financial activities; to prescribe the powers and duties of public officers and state departments; to provide for the inspection of certain taxpayer records; to provide for interest and penalties; to provide exemptions, credits, and refunds; to provide for the disposition of funds; to provide for the interrelation of this act with other acts; and to make appropriations," by amending sections 113, 409, 455, 457, 459, and 510 (MCL 208.1113, 208.1409, 208.1455, 208.1457, 208.1459, and 208.1510), section 113 as amended by 2008 PA 472, sections 409 and 455 as amended and section 510 as added by 2011 PA 39, section 457 as added by 2008 PA 86, and section 459 as added by 2008 PA 74.

(Filed with the Secretary of State on July 12, 2011, at 4:04 p.m.)

Date: July 12, 2011
Time: 3:40 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 223 (Public Act No. 82), being

An act to amend 2005 PA 210, entitled “An act to provide for the establishment of commercial rehabilitation districts in certain local governmental units; to provide for the exemption from certain taxes; to levy and collect a specific tax upon the owners of certain qualified facilities; 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 certain local governmental officials; and to provide penalties,” by amending sections 2 and 8 (MCL 207.842 and 207.848), as amended by 2008 PA 500.

(Filed with the Secretary of State on July 12, 2011, at 4:14 p.m.)

Date: July 15, 2011
Time: 9:15 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 350 (Public Act No. 85), being

An act to amend 1978 PA 368, entitled “An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to provide for the levy of taxes against certain health facilities or agencies; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for the implementation of federal law; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to provide for an appropriation and supplements; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates,” by amending section 17766e (MCL 333.17766e), as added by 2005 PA 87.

(Filed with the Secretary of State on July 15, 2011, at 2:14 p.m.)

Date: July 15, 2011
Time: 9:23 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 229 (Public Act No. 89), being

An act to amend 1975 PA 238, entitled “An act to require the reporting of child abuse and neglect by certain persons; to permit the reporting of child abuse and neglect by all persons; to provide for the protection of children who are abused or neglected; to authorize limited detainment in protective custody; to authorize medical examinations; to prescribe the powers and duties of the state department of social services to prevent child abuse and neglect; to prescribe certain powers and duties of local law enforcement agencies; to safeguard and enhance the welfare of children and preserve family life; to provide for the appointment of legal counsel; to provide for the abrogation of privileged communications; to provide civil and criminal immunity for certain persons; to provide rules of evidence in certain cases; to provide for confidentiality of records; to provide for the expungement of certain records; to prescribe penalties; and to repeal certain acts and parts of acts,” by amending section 7b (MCL 722.627b), as added by 1997 PA 167.

(Filed with the Secretary of State on July 15, 2011, at 2:22 p.m.)

Date: July 15, 2011
Time: 9:28 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 422 (Public Act No. 90), being

An act to amend 1994 PA 451, entitled “An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the

discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, assessments, and donations; to provide certain appropriations; to prescribe penalties and provide remedies; and to repeal acts and parts of acts,” by amending sections 3104, 3118, 3120, 3122, 3306, 11135, 11153, 12103, 12109, 12112, 30104, 30109, 32312, 32513, 80130, 80315, 81114, and 82156 (MCL 324.3104, 324.3118, 324.3120, 324.3122, 324.3306, 324.11135, 324.11153, 324.12103, 324.12109, 324.12112, 324.30104, 324.30109, 324.32312, 324.32513, 324.80130, 324.80315, 324.81114, and 324.82156), sections 3104, 3306, 30109, and 32312 as amended by 2008 PA 276, sections 3118 and 3120 as amended by 2009 PA 102, sections 3122 and 12109 as amended by 2007 PA 75, section 11135 as amended by 2008 PA 403, section 11153 as amended by 2010 PA 357, sections 12103 and 12112 as amended by 2008 PA 8, section 30104 as amended by 2009 PA 139, section 32513 as amended by 2009 PA 120, and sections 80130, 80315, 81114, and 82156 as amended by 2009 PA 100.

(Filed with the Secretary of State on July 15, 2011, at 2:24 p.m.)

Date: July 15, 2011

Time: 9:30 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 441 (Public Act No. 91), being

An act to amend 1956 PA 218, entitled “An act to revise, consolidate, and classify the laws relating to the insurance and surety business; to regulate the incorporation or formation of domestic insurance and surety companies and associations and the admission of foreign and alien companies and associations; to provide their rights, powers, and immunities and to prescribe the conditions on which companies and associations organized, existing, or authorized under this act may exercise their powers; to provide the rights, powers, and immunities and to prescribe the conditions on which other persons, firms, corporations, associations, risk retention groups, and purchasing groups engaged in an insurance or surety business may exercise their powers; to provide for the imposition of a privilege fee on domestic insurance companies and associations and the state accident fund; to provide for the imposition of a tax on the business of foreign and alien companies and associations; to provide for the imposition of a tax on risk retention groups and purchasing groups; to provide for the imposition of a tax on the business of surplus line agents; to provide for the imposition of regulatory fees on certain insurers; to provide for assessment fees on certain health maintenance organizations; to modify tort liability arising out of certain accidents; to provide for limited actions with respect to that modified tort liability and to prescribe certain procedures for maintaining those actions; to require security for losses arising out of certain accidents; to provide for the continued availability and affordability of automobile insurance and homeowners insurance in this state and to facilitate the purchase of that insurance by all residents of this state at fair and reasonable rates; to provide for certain reporting with respect to insurance and with respect to certain claims against uninsured or self-insured persons; to prescribe duties for certain state departments and officers with respect to that reporting; to provide for certain assessments; to establish and continue certain state insurance funds; to modify and clarify the status, rights, powers, duties, and operations of the nonprofit malpractice insurance fund; to provide for the departmental supervision and regulation of the insurance and surety business within this state; to provide for regulation over worker’s compensation self-insurers; to provide for the conservation, rehabilitation, or liquidation of unsound or insolvent insurers; to provide for the protection of policyholders, claimants, and creditors of unsound or insolvent insurers; to provide for associations of insurers to protect policyholders and claimants in the event of insurer insolvencies; to prescribe educational requirements for insurance agents and solicitors; to provide for the regulation of multiple employer welfare arrangements; to create an automobile theft prevention authority to reduce the number of automobile thefts in this state; to prescribe the powers and duties of the automobile theft prevention authority; to provide certain powers and duties upon certain officials, departments, and authorities of this state; to provide for an appropriation; to repeal acts and parts of acts; and to provide penalties for the violation of this act,” by amending section 3101a (MCL 500.3101a), as amended by 1996 PA 456; and to repeal acts and parts of acts.

(Filed with the Secretary of State on July 15, 2011, at 2:26 p.m.)

Date: July 15, 2011

Time: 9:32 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 442 (Public Act No. 92), being

An act to amend 1949 PA 300, entitled “An act to provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or generally accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the examination,

licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways; to create certain funds; to provide penalties and sanctions for a violation of this act; to provide for civil liability of owners and operators of vehicles and service of process on residents and nonresidents; to regulate the introduction and use of certain evidence; to provide for the levy of certain assessments; to provide for the enforcement of this act; to provide for the creation of and to prescribe the powers and duties of certain state and local agencies; to impose liability upon the state or local agencies; to provide appropriations for certain purposes; to repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date," by amending section 227 (MCL 257.227), as amended by 1995 PA 287; and to repeal acts and parts of acts.

(Filed with the Secretary of State on July 15, 2011, at 2:28 p.m.)

Date: July 15, 2011

Time: 9:34 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 446 (Public Act No. 93), being

An act to amend 2007 PA 106, entitled "An act to prescribe the conditions upon which public employers may provide certain benefits; to require the compilation and release of certain information and data; to provide certain powers and duties to certain state officials, departments, agencies, and authorities; and to provide for appropriations," by amending sections 5 and 15 (MCL 124.75 and 124.85).

(Filed with the Secretary of State on July 15, 2011, at 2:30 p.m.)

Date: July 15, 2011

Time: 1:29 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 333 (Public Act No. 84), being

An act to amend 1978 PA 368, entitled "An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to provide for the levy of taxes against certain health facilities or agencies; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for the implementation of federal law; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to provide for an appropriation and supplements; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates," (MCL 333.1101 to 333.25211) by adding section 7340a.

(Filed with the Secretary of State on July 15, 2011, at 2:12 p.m.)

Date: July 19, 2011

Time: 11:41 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 46 (Public Act No. 97), being

An act to amend 2006 PA 110, entitled "An act to codify the laws regarding local units of government regulating the development and use of land; to provide for the adoption of zoning ordinances; to provide for the establishment in counties, townships, cities, and villages of zoning districts; to prescribe the powers and duties of certain officials; to provide for the assessment and collection of fees; to authorize the issuance of bonds and notes; to prescribe penalties and provide remedies; and to repeal acts and parts of acts," (MCL 125.3101 to 125.3702) by adding section 513.

(Filed with the Secretary of State on July 19, 2011, at 4:14 p.m.)

Date: July 19, 2011
Time: 11:43 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 371 (Public Act No. 107), being

An act to amend 1994 PA 451, entitled “An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, assessments, and donations; to provide certain appropriations; to prescribe penalties and provide remedies; and to repeal acts and parts of acts,” by amending section 81131 (MCL 324.81131), as amended by 2009 PA 175. (Filed with the Secretary of State on July 19, 2011, at 4:34 p.m.)

Date: July 19, 2011
Time: 3:47 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 165 (Public Act No. 98), being

An act to provide for fair and open competition in governmental construction contracts, grants, tax abatements, and tax credits; to prohibit requirements for certain terms in government contracts and contracts supported through government grants and tax subsidies and abatements; to prohibit expenditure of public funds under certain conditions; to prohibit certain terms in procurement documents for certain expenditures involving public facilities; and to provide for powers and duties of certain public officers, employees, and contractors.

(Filed with the Secretary of State on July 19, 2011, at 4:16 p.m.)

Date: July 20, 2011
Time: 9:58 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 207 (Public Act No. 109), being

An act to amend 1994 PA 451, entitled “An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, assessments, and donations; to provide certain appropriations; to prescribe penalties and provide remedies; and to repeal acts and parts of acts,” by amending section 43517 (MCL 324.43517), as amended by 2006 PA 282.

(Filed with the Secretary of State on July 20, 2011, at 1:10 p.m.)

Date: July 20, 2011
Time: 10:00 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 215 (Public Act No. 110), being

An act to amend 1957 PA 185, entitled “An act to authorize the establishing of a department and board of public works in counties; to prescribe the powers and duties of any municipality subject to the provisions of this act; to authorize the incurring of contract obligations and the issuance and payment of bonds or notes; to provide for a pledge by a municipality of its full faith and credit and the levy of taxes without limitation as to rate or amount to the extent necessary; to validate obligations issued; and to prescribe a procedure for special assessments and condemnation,” by amending section 2 (MCL 123.732), as amended by 1987 PA 214.

(Filed with the Secretary of State on July 20, 2011, at 1:12 p.m.)

Date: July 20, 2011
Time: 11:32 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 287 (Public Act No. 111), being

An act to amend 1933 PA 254, entitled “An act to promote safety upon and conserve the use of public highways of the state; to provide for the supervision, regulation, and control of the use of such highways by all motor vehicles operated

by carriers of property for hire upon or over such highways; to preserve, foster, and regulate transportation and permit the coordination of motor vehicle transportation facilities; to provide for the supervision, regulation, and control of the use of such highways by all motor vehicles for hire for such purposes; to classify and regulate carriers of property by motor vehicles for hire upon such public highways for such purposes; to give the Michigan Public Service Commission jurisdiction and authority to prevent evasion of this act through any device or arrangement; to insure adequate transportation service; to give the commission jurisdiction and authority to fix, alter, regulate, and determine rates, fares, charges, classifications, and practices of common motor carriers for such purposes; to give the commission jurisdiction and authority to require registration, conduct audits, and assess fees for motor carriers for unified carrier registration; to require filing with the commission of rates, fares, and charges of contract carriers and to authorize the commission to prescribe minimum rates, fares, and charges, and to require the observance thereof; to prevent unjust discrimination; to prescribe the powers and duties of said commission with reference thereto; to provide for appeals from the orders of such commission; to confer jurisdiction upon the circuit court for the county of Ingham for such appeals; to provide for the levy and collection of certain privilege fees and taxes for such carriers for such purposes and the disposition of such fees and taxes; and to provide for the enforcement of this act; and to prescribe penalties for its violations," by amending section 2 of article V (MCL 479.2), as amended by 2008 PA 584.

(Filed with the Secretary of State on July 20, 2011, at 1:14 p.m.)

Date: July 20, 2011

Time: 11:34 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 346 (Public Act No. 127), being

An act to amend 1953 PA 232, entitled "An act to revise, consolidate, and codify the laws relating to probationers and probation officers, to pardons, reprieves, commutations, and paroles, to the administration of correctional institutions, correctional farms, and probation recovery camps, to prisoner labor and correctional industries, and to the supervision and inspection of local jails and houses of correction; to provide for the siting of correctional facilities; to create a state department of corrections, and to prescribe its powers and duties; to provide for the transfer to and vesting in said department of powers and duties vested by law in certain other state boards, commissions, and officers, and to abolish certain boards, commissions, and offices the powers and duties of which are transferred by this act; to allow for the operation of certain facilities by private entities; to prescribe the powers and duties of certain other state departments and agencies; to provide for the creation of a local lockup advisory board; to provide for a lifetime electronic monitoring program; to prescribe penalties for the violation of the provisions of this act; to make certain appropriations; to repeal certain parts of this act on specific dates; and to repeal all acts and parts of acts inconsistent with the provisions of this act," by amending section 33d (MCL 791.233d), as amended by 2001 PA 86.

(Filed with the Secretary of State on July 21, 2011, at 8:54 a.m.)

Date: August 9, 2011

Time: 11:09 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 498 (Public Act No. 129), being

An act to amend 2001 PA 116, entitled "An act to divide this state into 110 representative and 38 senatorial districts; and to prescribe the powers and duties of certain state departments and officers," by amending the title and sections 3 and 6 (MCL 4.2003 and 4.2006) and by adding sections 1a, 2a, and 5a.

(Filed with the Secretary of State on August 9, 2011, at 1:33 p.m.)

Respectfully,
Rick Snyder
Governor

The following message from the Governor was received:

July 12, 2011

Today I have signed Enrolled Senate Bill 138, which makes supplemental appropriations for various departments and agencies for the fiscal year ending September 30, 2011.

In providing direction to departments in implementing appropriations contained in Enrolled Senate Bill 138, I note the following:

- Section 271 attempts to impose conditions on appropriations not contained in Enrolled Senate Bill 138. The conditions purportedly imposed by this section cannot be valid conditions on appropriations as they are outside the scope of the title and object of the bill and may violate Const 1963, art IV, section 24.

- Section 272 is enforceable only to the extent that funding in Enrolled Senate Bill 138 will be used for any contract for prisoner telephone services.

I thank the Legislature for completing this bill.

Respectfully,
Rick Snyder
Governor

The following messages from the Governor were received and read:

June 23, 2011

I respectfully submit to the Senate the following appointment to office:

Michigan Public School Employees Retirement System Board

Scott M. Koenigsknecht of 4334 North Wacousta Road, Fowler, Michigan 48835, county of Clinton, representing school superintendents, succeeding Susan Meston, is appointed for a term expiring March 30, 2013.

June 27, 2011

I respectfully submit to the Senate the following appointment to office:

State Teacher Tenure Commission

David J. Campbell of 4219 Marshall Road, Charlotte, Michigan 48813, county of Eaton, representing superintendents of schools, succeeding Patricia A. Cole, is appointed for a term commencing July 1, 2011 and expiring August 31, 2013.

June 28, 2011

I respectfully submit to the Senate the following appointment to office:

Huron-Clinton Metropolitan Authority Board of Commissioners

Timothy J. McCarthy of 319 Lincoln Road, Grosse Pointe, Michigan 48230, county of Wayne, succeeding Warren C. Evans, is appointed for a term expiring May 2, 2015.

June 30, 2011

I respectfully submit to the Senate the following appointment to office:

Michigan Education Trust Fund Board of Directors

Eliya (Louie) Boji of 3752 Erie Drive, Orchard Lake, Michigan 48324, county of Oakland, representing persons with knowledge, skills, and experience in the academic, business, or financial fields, succeeding Barbara A. Klocko, is appointed for a term expiring December 31, 2013

June 30, 2011

I respectfully submit to the Senate the following appointments to office:

Michigan Freedom Trail Commission

Ronald E. Brown of 3731 Oak Drive, Ypsilanti, Michigan 48202, county of Washtenaw, representing members-at-large, succeeding Rochelle E. Danquah, is appointed for a term expiring February 1, 2015.

Veta S. Tucker of 3537 Whispering Brook Drive, S.E., Grand Rapids, Michigan 49508, county of Kent, representing members of academic community specializing in African-American history, succeeding herself, is reappointed for a term expiring February 1, 2015.

Juanita Moore of 200 Riverplace #49, Detroit, Michigan 48207, county of Wayne, representing the Museum of African American History in Detroit, succeeding herself, is reappointed for a term expiring February 1, 2015.

July 7, 2011

I respectfully submit to the Senate the following appointment to office:

Board of Law Examiners

The Honorable Christopher M. Murray of 365 McKinley, Grosse Pointe Farms, Michigan 48236, county of Wayne, succeeding himself, is reappointed for a term expiring June 30, 2016.

July 7, 2011

I respectfully submit to the Senate the following appointments to office:

Michigan Board of Podiatric Medicine and Surgery

Kevan R. Kreitman of 1409 Pierce Street, Birmingham, Michigan 48009, county of Oakland, representing podiatrists, succeeding Tara L. Scott, is appointed for a term expiring June 30, 2015.

Shane E. Drozdowski of 1052 Arbroak Way, Lake Orion, Michigan 48362, county of Oakland, representing the general public, succeeding Christine L. Blackledge, is appointed for a term expiring June 30, 2015.

July 7, 2011

I respectfully submit to the Senate the following appointment to office:

State Board of Professional Surveyors

Gilbert M. Barish of 10739 Bond Road, DeWitt, Michigan 48820, county of Clinton, representing professional surveyors, succeeding Ronnie M. Lester, is appointed for a term expiring March 31, 2013.

July 8, 2011

I respectfully submit to the Senate the following appointments to office:

Michigan Board of Audiology

Paul R. Kileny of 2344 Dundee Drive, Ann Arbor, Michigan 48103, county of Washtenaw, representing audiologists, succeeding Gyl Ann Kasewun, is appointed for a term expiring June 30, 2015.

Thomas E. O'Connor of 1518 Drexel Road, Lansing, Michigan 48915, county of Ingham, representing audiologists, succeeding Karen A. Jacobs, is appointed for a term expiring June 30, 2015.

July 8, 2011

I respectfully submit to the Senate the following appointment to office:

Michigan Historical Commission

Brian James Egen of 720 O'Brien Street, Monroe, Michigan 48161, county of Monroe, succeeding James A. McConnell, is appointed for a term expiring May 21, 2015.

July 12, 2011

I respectfully submit to the Senate the following appointment to office:

Michigan Commission on Disability Concerns

Andrew D. Brandt of 43592 Abbey Circle, Canton, Michigan 48187, county of Wayne, succeeding Jane P. MacFarlane, is appointed for a term expiring November 30, 2014.

July 13, 2011

I respectfully submit to the Senate the following appointments to office:

Collection Practices Board

Jennifer Willis Dietrich of 2248 Pleasant Valley Drive, Brighton, Michigan 48114, county of Livingston, representing professionals, succeeding George R. Badeen, is appointed for a term expiring June 30, 2015.

Thomas J. Oldani of 1618 Harbal Drive, Ann Arbor, Michigan 48105, county of Washtenaw, representing professionals, is appointed for a term expiring June 30, 2013.

July 18, 2011

I respectfully submit to the Senate the following appointments to office:

Chair, Workers' Compensation Board of Magistrates

Lisa A. Klaeren of 6248 Valley Forge Drive, Kalamazoo, Michigan 49009, county of Kalamazoo, succeeding G. Jay Quist, is appointed for a term expiring at the pleasure of the Governor.

Workers' Compensation Board of Magistrates

Robert C. Timmons of 1451 Sandy Pointe, S.E., Grand Rapids, Michigan 49546, county of Kent, succeeding G. Jay Quist, is appointed for a term expiring January 26, 2015.

July 19, 2011

I respectfully submit to the Senate the following appointments to office:

Saginaw Valley State University Board of Control

Jenee L. Velasquez of 208 Sylvan Lane, Midland, Michigan 48640, county of Midland, succeeding K.P. Karunakaran, is appointed for a term expiring July 21, 2019.

Scott L. Carmona of 5757 S. Two Mile Road, Bay City, Michigan 48706, county of Bay, succeeding Lawrence E. Sedrowski, is appointed for a term expiring July 21, 2019.

July 20, 2011

I respectfully submit to the Senate the following appointments to office:

Michigan Board of Counseling

Kathryn A. Hoover of 1327 Lake Valley Drive, Fenton, Michigan 48430, county of Genesee, representing engaged primarily in providing counseling techniques, behavior modification techniques, or preventive techniques to clients, succeeding Stuart George Itzkowitz, is appointed for a term expiring June 30, 2015.

Patrick Munley of 5262 Whippoorwill Drive, Kalamazoo, Michigan 49009, county of Kalamazoo, representing engaged primarily in teaching, training, or research in counseling, succeeding Delila Lashelle Owens, is appointed for a term expiring June 30, 2015.

July 20, 2011

I respectfully submit to the Senate the following appointments to office:

Executive Director, Michigan Land Bank Fast Track Authority Board of Directors

Kim A. Linthorst-Homan of 13879 Arlene Lane, Van Buren Township, Michigan 48111, county of Wayne, is appointed for a term expiring at the pleasure of the Governor.

Michigan Land Bank Fast Track Authority Board of Directors

Deborah A. Muchmore of 8822 W. Lake Pointe Drive, Laingsburg, Michigan 48848, county of Shiawassee, representing residents of the state of Michigan, succeeding George W. Jackson, is appointed for a term expiring May 31, 2015.

July 22, 2011

I respectfully submit to the Senate the following appointment to office:

Ski Area Safety Board

Ronald W. Edwards of 5035 Crystal Drive, Beulah, Michigan 49617, county of Benzie, representing an engineer with ski experience, succeeding William C. Topham, is appointed for a term expiring June 8, 2015.

July 25, 2011

I respectfully submit to the Senate the following appointments to office:

Michigan Board of Dietetics and Nutrition

Ann F. Jay of 1066 E. Pinconning Road, Pinconning, Michigan 48650, county of Bay, representing dieticians or nutritionists, succeeding Eileen F. Mikus, is appointed for a term expiring June 30, 2015.

Kathryn E. Brogan, Ph.D., of 467 West Hancock Road, Detroit, Michigan 48201, county of Wayne, representing dieticians or nutritionists, succeeding Mohey A. Mowafy, is appointed for a term expiring June 30, 2015.

Louise A. Doak Whitney of 2927 Audrey's Way, East Lansing, Michigan 48823, county of Ingham, representing dieticians or nutritionists, succeeding Carl Stanley Christoph, is appointed for a term expiring June 30, 2015.

Lorraine J. Weatherspoon, Ph.D., of 2332 Haslett Road, Williamston, Michigan 48895, county of Ingham, representing dieticians or nutritionists, is reappointed for a term expiring June 30, 2015.

Coco K. Newton of 3672 Prospect Road, Ann Arbor, Michigan 48105, county of Washtenaw, representing dieticians or nutritionists, is reappointed for a term expiring June 30, 2015.

Celina G. Wille, Ph.D., of 1811 Cricket Lane, East Lansing, Michigan 48823, county of Ingham, representing the general public, succeeding Eugene Wayne Magnuson, is appointed for a term expiring June 30, 2015.

William S. Prout of 1537 E. Shagbark Drive, Mt. Pleasant, Michigan 48858, county of Isabella, representing the general public, is reappointed for a term expiring June 30, 2015.

July 25, 2011

I respectfully submit to the Senate the following appointments to office:

Michigan Board of Nursing

Kathy A. Bouchard-Wyant of 614 Camelot Drive, East Lansing, Michigan 48823, county of Ingham, representing professional registered nurses without a baccalaureate degree engaged in nursing practice or nursing administration, succeeding Linda S. Taft, is appointed for a term expiring June 30, 2015.

Leah C. Cohen of 472 E. Jefferson Street, Dimondale, Michigan 48821, county of Eaton, representing registered professional nurses with a master's degree from an accredited college with a major in nursing engaged in nursing education in less than a baccalaureate program, succeeding Margherita P. Clark, is appointed for a term expiring June 30, 2015.

Teresa L. Thompson of 32478 W. 11 Mile Road, Farmington Hills, Michigan 48336, county of Oakland, representing registered professional nurses with a master's degree engaged in nursing education in a baccalaureate or higher program, succeeding herself, is reappointed for a term expiring June 30, 2015.

Mary E. Corrado of 6143 Porteridge Lane, Canton, Michigan 48187, county of Wayne, representing the general public, succeeding Jody Weissler, is appointed for a term expiring June 30, 2015.

Mary J. Brown of 6067 Limestone Lane, Dimondale, Michigan 48821, county of Eaton, representing registered professional nurses without a baccalaureate engaged in professional nursing practice or nursing administration, succeeding herself, is reappointed for a term expiring June 30, 2015.

July 25, 2011

I respectfully submit to the Senate the following appointments to office:

Michigan Board of Respiratory Care

John Hyka of 7855 24 Mile Road, Shelby Township, Michigan 48316, county of Macomb, representing respiratory therapists, is appointed for a term expiring December 31, 2014.

Patrick C. Monks of 17599 Brill Road, Clinton Township, Michigan 48035, county of Macomb, representing the general public, is appointed for a term expiring December 31, 2014.

July 26, 2011

I respectfully submit to the Senate the following appointment to office:

Data Collection Agency Governing Board

John W. Schrock of 1042 W. Colonial Park Drive, Grand Ledge, Michigan 48837, county of Eaton, representing the executive branch of state government, is appointed for a term expiring December 31, 2011.

July 26, 2011

I respectfully submit to the Senate the following appointment to office:

Michigan State Board of Accountancy

Kathleen A. Post of 11431 Auburndale Street, Livonia, Michigan 48150, county of Wayne, representing certified public accountants, succeeding Neil Frederick De Boer, is appointed for a term expiring June 30, 2015.

July 26, 2011

I respectfully submit to the Senate the following appointments to office:

Advisory Committee on Pain and Symptom Management

Jody B. Kohn of 2643 Pittsfield Boulevard, Ann Arbor, Michigan 48104, county of Washtenaw, representing the general public, succeeding Mildred Jean Friend, is appointed for a term expiring July 1, 2013.

Dorothy E. Deremo of 37844 Meadowhill Drive, Northville, Michigan 48167, county of Wayne, representing the Michigan Hospice & Palliative Care Association, succeeding Maria Jose Silveira, is appointed for a term expiring July 1, 2013.

Carmen R. Green of 3742 Tanglewood Court, Ann Arbor, Michigan 48105, county of Washtenaw, representing the University of Michigan School of Medicine, succeeding Daniel J. Clauw, is appointed for a term expiring July 1, 2013.

Lisa K. Gigliotti of 2926 Marfitt Road, East Lansing, Michigan 48823, county of Ingham, representing an individual who has been diagnosed as a chronic pain sufferer, succeeding Frenchie D. McCall, is appointed for a term expiring July 1, 2013.

Sunitha Santhakumar of 1422 Burhaven Drive, Rochester Hills, Michigan 48306, county of Oakland, representing Wayne State University School of Medicine, succeeding Michael A. Stellini, is appointed for a term expiring July 1, 2013.

Steven E. Roskos of 935 Longfellow Drive, East Lansing, Michigan 48823, county of Ingham, representing the MSU College of Human Medicine, is reappointed for a term expiring July 1, 2013.

Lawrence L. Prokop of 5154 Curtice Road, Mason, Michigan 48854, county of Ingham, representing the MSU College of Osteopathic Medicine, is reappointed for a term expiring July 1, 2013.

July 27, 2011

I respectfully submit to the Senate the following appointments to office:

State Plumbing Board

David M. Jones of 8413 Thames Court, Ypsilanti, Michigan 48198, county of Washtenaw, representing licensed plumbing contractors who hold a master's license, is reappointed for a term expiring June 30, 2014.

Curt A. McNitt of 7351 W. 18 Road, Mesick, Michigan 49668, county of Wexford, representing licensed plumbing contractors who hold a master's license, succeeding Anthony Michael Buday, is appointed for a term expiring June 30, 2014.

Walter P. Maner, III, of 300 S. Rath Road, #47, Ludington, Michigan 49431, county of Mason, representing the general public, succeeding Ronald Marion Krochmalny, is appointed for a term expiring June 30, 2014.

July 28, 2011

I respectfully submit to the Senate the following appointment to office:

Board of Real Estate Brokers and Salespersons

Lauren A. Eisbrenner of 1234 S. Timberview Trail, Bloomfield Township, Michigan 48304, county of Oakland, representing the general public, succeeding Mark John Wehner, is appointed for a term expiring June 30, 2013.

August 8, 2011

I respectfully submit to the Senate the following appointments to office:

Vice Chair, Michigan Women's Commission

Anne (Brook) K. Thompson of 1513 Downing Street, Haslett, Michigan 48840, county of Ingham, succeeding Sheryl L. Mitchell, is appointed for a term expiring July 15, 2014.

Michigan Women's Commission

Cathleen M. Knauf of 2699 Lake Bluff Terrace, St. Joseph, Michigan 49085, county of Berrien, succeeding Emily Stoddard Furrow, is appointed for a term expiring July 15, 2012.

Christine L. Etienne of 860 Evergreen Court, Petoskey, Michigan 49770, county of Emmet, succeeding Thomas Wilson, is appointed for a term expiring July 15, 2014.

Susan L. Dobrich of 314 McPhil Drive, Dowagiac, Michigan 49047, county of Cass, succeeding Pamela M. Faris, is appointed for a term expiring July 15, 2014.

Krista L. Haroutunian of 41 Burroughs, Apt. #304, Detroit, Michigan 48202, county of Wayne, succeeding Rana A. Abbas, is appointed for a term expiring July 15, 2014.

August 9, 2011

I respectfully submit to the Senate the following appointment to office:

Michigan Tax Tribunal

Preeti P. Gadola of 5959 Buttonwood Drive, Haslett, Michigan 48840, county of Ingham, representing attorneys, succeeding Patricia L. Halm, for a term commencing September 6, 2011 and expiring June 30, 2013.

August 10, 2011

I respectfully submit to the Senate the following appointment to office:

Asian Pacific American Affairs Commission

Nasim H. Ansari of 5689 New Haven Drive, Portage, Michigan 49024, county of Kalamazoo, succeeding Marie-Ange Weng, is appointed for a term expiring November 30, 2013.

August 10, 2011

I respectfully submit to the Senate the following appointments to office:

Michigan Collection Practices Board

Jeanne M. Roth of 5082 Birchtree Court, Grand Blanc, Michigan 48439, county of Genesee, representing the general public, succeeding Sharon McWhorter, is appointed for a term expiring June 30, 2015.

Scott C. Prince of 6165 Standing Stone Drive, Holland, Michigan 49423, county of Allegan, representing professionals, succeeding Daire Rendon, is appointed for a term expiring June 30, 2014.

August 10, 2011

I respectfully submit to the Senate the following appointments to office:

Michigan Travel Commission

Roger A. Curtis of 8528 Slee Road, Onsted, Michigan 49265, county of Lenawee, succeeding himself, is reappointed for a term expiring August 20, 2015.

Mike M. Busley of 3549 Lookout Point, Traverse City, Michigan 49686, county of Grand Traverse, succeeding Frank Taylor, is appointed for a term expiring August 20, 2015.

Jon R. Nunn of 143 Lafayette, N.E., Grand Rapids, Michigan 49503, county of Kent, succeeding Sam Wendling, is appointed for a term expiring August 20, 2015.

August 11, 2011

I respectfully submit to the Senate the following appointments to office:

Michigan Board of Acupuncture

David L. Krofcheck of 7622 Gull Creek Drive, Richland, Michigan 49083, county of Kalamazoo, representing acupuncturists, succeeding Jason Troy Pettet, is appointed for a term expiring June 30, 2015.

Xiaohong Tan of 5361 Wild Oak Drive, East Lansing, Michigan 48823, county of Ingham, representing acupuncturists, succeeding Craig Houchen, is appointed for a term expiring June 30, 2015.

William H. Sullivan of 307 Windyrush Drive, DeWitt, Michigan 48820, county of Clinton, representing the general public, succeeding Matthew T. Steigenga, is appointed for a term expiring June 30, 2015.

August 12, 2011

I respectfully submit to the Senate the following appointments to office:

Board of Boiler Rules

Robert D. Hutsell of 3336 Gertrude Street, Dearborn, Michigan 48124, county of Wayne, representing organized labor in the state and engaged in the design, erection, fabrication, installation, operation, repair, or inspection of boilers, is reappointed for a term expiring June 30, 2015.

James B. Lewis of 7130 N. Foxmoore Court, Jackson, Michigan 49201, county of Jackson, representing the general public, succeeding Steven Craig Spurlock, is appointed for a term expiring June 30, 2015.

R. James Federighe of 1801 Fenner Road, Muskegon, Michigan 49445, county of Muskegon, representing mechanical contractors in the state with experience in installation, piping, operations, or repair of boilers, succeeding Robert G. Caraway, is appointed for a term expiring June 30, 2015.

August 12, 2011

I respectfully submit to the Senate the following appointment to office:

Michigan Early Stage Venture Investment Corporation Board of Directors

Peter T. Cracchiolo of 64 Belle Meade Street, Grosse Pointe Shores, Michigan 48236, county of Wayne, representing the general public with the requisite knowledge and experience in finance and business investment, succeeding Gerry William Boylan, is appointed for a term expiring June 13, 2014.

August 12, 2011

I respectfully submit to the Senate the following appointments to office:

Elevator Safety Board

Donald J. Purdie, Jr., of 11495 Ember Street, Davisburg, Michigan 48350, county of Oakland, representing elevator manufacturers, succeeding Patrick J. Carroll, for a term expiring July 22, 2015.

Mark A. Smith of 132 Willow Wood Drive, Muskegon, Michigan 49442, county of Muskegon, representing insurance companies that are authorized to insure elevators, succeeding Steven C. Lindsay, for a term expiring July 22, 2015.

August 17, 2011

I respectfully submit to the Senate the following appointments to office:

Board of Marriage and Family Therapy

Richard S. Wampler of 6206 Oak Park Trail, Haslett, Michigan 48840, county of Ingham, representing licensed marriage and family therapists, succeeding Lori K. Edelson, is appointed for a term expiring June 30, 2015.

Concha K. Allen of 1365 Sanborn Drive, DeWitt, Michigan 48820, county of Clinton, representing the general public, succeeding Shawntain C. Watson, is appointed for a term expiring June 30, 2015.

Kathleen B. Jager of 482 Anhinga Street, East Lansing, Michigan 48823, county of Ingham, representing licensed marriage and family therapists, succeeding Marcia L. Royer, is appointed for a term expiring June 30, 2015.

Francesca M. Pernice-Duca of 24748 Highlands Drive, Novi, Michigan 48375, county of Oakland, representing licensed marriage and family therapists, succeeding Deborah U. Warsh, is appointed for a term expiring June 30, 2015.

August 18, 2011

I respectfully submit to the Senate the following appointment to office:

Michigan Board of Nursing Home Administrators

Pamela A. Ditre of 921 Walker Road, Dansville, Michigan 48819, county of Ingham, representing nursing home administrators, succeeding herself, is reappointed for a term expiring June 30, 2015.

August 19, 2011

I respectfully submit to the Senate the following appointment to office:

Governor's Traffic Safety Advisory Commission

Kevin L. McNeilly of 921 Ives Road, Mason, Michigan 48854, county of Ingham, representing the Governor's Office, succeeding Robert Morris, is appointed for a term expiring at the pleasure of the Governor.

August 19, 2011

I respectfully submit to the Senate the following appointment to office:

Hispanic/Latino Commission of Michigan

Norma L. Huizar of 1364 Berkshire Road, Grosse Pointe Park, Michigan 48230, county of Wayne, is appointed for a term expiring December 10, 2013.

Sincerely,
Rick Snyder
Governor

The appointments were referred to the Committee on Government Operations.

The following messages from the Governor were received and read:

July 19, 2011

Due to an error on the letter dated July 18, 2011 filed with your office, please be advised of the following correction appearing in **bold** print.

Chair, Workers' Compensation Board of Magistrates

Lisa A. Klaeren of 6248 Valley Forge Drive, Kalamazoo, Michigan 49009, county of Kalamazoo, succeeding G. Jay Quist, is appointed for a term expiring at the pleasure of the Governor.

Workers' Compensation Board of Magistrates

Robert C. Timmons of 1451 Sandy Pointe S.E., Grand Rapids, Michigan 49546, county of Kent, succeeding G. Jay Quist, is appointed for a term expiring January 26, **2013**.

August 9, 2011

Please be advised of the withdrawal of the appointment of Kathryn A. Hoover as a member of the Michigan Board of Counseling. The appointment was filed with the Secretary of the Senate on July 26, 2011 and transmitted to the Office of the Great Seal on the same day.

Sincerely,
Rick Snyder
Governor

The messages were referred to the Committee on Government Operations.

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

The motion prevailed.

Senator Jansen's statement is as follows:

Today is a good day for one of my employees because he gets to go somewhere else and enjoy a new part of life. It is a bad day for me and for my staff. Michael Zois has been with my office for going on a year and a half. He came to us from the military and has quite an exciting background, but I can't go into or he would have to kill me. I just want to let you know that he is a veteran. He is also a veteran in our constituent relations. He has done just a fantastic job. He is the kind of person who when people call, he calls them back personally. I know that some people do that, but some send a letter or an e-mail. He is relentless in making sure it is personal contact, and I hear nothing but good things in my office from my constituents. That is what I appreciate about him.

He has been hardworking and to top it all off, he is thinking he wants to be a doctor. I was joking with him and wondered if he had any rubber gloves with him, and he doesn't have any. Just so you know, he isn't ready yet, but he will be a doctor in a few years. He is going to Wayne State, and I am quite proud of him that he is heading off to do something that we need very badly here in the state of Michigan.

He comes from Troy and has lived here in the Lansing area for the last number of years. I just want to say thank you to him, and I have a tribute for him. I ask my colleagues here on the floor to say thank you to him, as one of our outstanding employees who give it all and oftentimes doesn't get thank yous. I would appreciate you helping me thank him for his service here.

Messages from the House

Senate Bill No. 7, entitled

A bill to limit a public employer's portion of the cost of health insurance benefits; and to provide for exceptions.

The House of Representatives has appointed Reps. McMillin, Johnson and Bledsoe as conferees to join with Sens. Jansen, Colbeck and Young.

The bill was referred to the Conference Committee on July 13, 2011.

By unanimous consent the Senate proceeded to the order of

Conference Reports

Senator Meekhof moved that joint rule 9 be suspended to permit immediate consideration of the conference report relative to the following bill:

Senate Bill No. 7

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

Senator Jansen submitted the following:

FIRST CONFERENCE REPORT

The Committee of Conference on the matters of difference between the two Houses concerning

Senate Bill No. 7, entitled

A bill to limit a public employer's portion of the cost of health insurance benefits; and to provide for exceptions.

Recommends:

First: That the Senate and House agree to the Substitute of the House as passed by the House, amended to read as follows:

A bill to limit a public employer's expenditures for employee medical benefit plans; to provide the power and duties of certain state agencies and officials; to provide for exceptions; and to provide for sanctions.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

Sec. 1. This act shall be known and may be cited as the "publicly funded health insurance contribution act".

Sec. 2. As used in this act:

(a) "Designated state official" means:

- (i) For an election affecting employees and officers in the judicial branch of state government, the state court administrator.
- (ii) For an election affecting senate employees and officers, the secretary of the senate.
- (iii) For an election affecting house of representative employees and officers, the clerk of the house.
- (iv) For an election affecting legislative council employees, the legislative council.

(v) For an election affecting employees in the state classified service, the civil service commission.

(vi) For an election affecting executive branch employees who are not in the state classified service, the state employer.

(b) "Flexible spending account" means a medical expense flexible spending account in conjunction with a cafeteria plan as permitted under the federal internal revenue code of 1986.

(c) "Health savings account" means an account as permitted under section 223 of the internal revenue code of 1986, 26 USC 223.

(d) "Local unit of government" means a city, village, township, or county, a municipal electric utility system as defined in section 4 of the Michigan energy employment act of 1976, 1976 PA 448, MCL 460.804, an authority created under chapter VIA of the aeronautics code of the state of Michigan, 1945 PA 327, MCL 259.108 to 259.125c, or an authority created under 1939 PA 147, MCL 119.51 to 119.62.

(e) "Medical benefit plan" means a plan established and maintained by a carrier, a voluntary employees' beneficiary association described in section 501(c)(9) of the internal revenue code of 1986, 26 USC 501, or by 1 or more public employers, that provides for the payment of medical benefits, including, but not limited to, hospital and physician services, prescription drugs, and related benefits, for public employees or elected public officials. Medical benefit plan does not include benefits provided to individuals retired from a public employer.

(f) "Public employer" means this state; a local unit of government or other political subdivision of this state; any inter-governmental, metropolitan, or local department, agency, or authority, or other local political subdivision; a school district, a public school academy, or an intermediate school district, as those terms are defined in sections 4 to 6 of the revised school code, 1976 PA 451, MCL 380.4 to 380.6; a community college or junior college described in section 7 of article VIII of the state constitution of 1963; or an institution of higher education described in section 4 of article VIII of the state constitution of 1963.

Sec. 3. Except as otherwise provided in this act, a public employer that offers or contributes to a medical benefit plan for its employees or elected public officials shall pay no more of the annual costs or illustrative rate and any payments for reimbursement of co-pays, deductibles, or payments into health savings accounts, flexible spending accounts, or similar accounts used for health care costs, than a total amount equal to \$5,500.00 times the number of employees with single person coverage, \$11,000.00 times the number of employees with individual and spouse coverage, plus \$15,000.00 times the number of employees with family coverage, for a medical benefit plan coverage year beginning on or after January 1, 2012. A public employer may allocate its payments for medical benefit plan costs among its employees and elected public officials as it sees fit. By October 1 of each year after 2011, the state treasurer shall adjust the maximum payment permitted under this section for each coverage category for medical benefit plan coverage years beginning the succeeding calendar year, based on the change in the medical care component of the United States consumer price index for the most recent 12-month period for which data are available from the United States department of labor, bureau of labor statistics.

Sec. 4. (1) By a majority vote of its governing body, a public employer, excluding this state, may elect to comply with this section for a medical benefit plan coverage year instead of the requirements in section 3. The designated state official may elect to comply with this section instead of section 3 as to medical benefit plans for state employees and state officers.

(2) For medical benefit plan coverage years beginning on or after January 1, 2012, a public employer shall pay not more than 80% of the total annual costs of all of the medical benefit plans it offers or contributes to for its employees and elected public officials. For purposes of this subsection, total annual costs includes the premium or illustrative rate of the medical benefit plan and all employer payments for reimbursement of co-pays, deductibles, and payments into health savings accounts, flexible spending accounts, or similar accounts used for health care but does not include beneficiary-paid copayments, coinsurance, deductibles, other out-of-pocket expenses, other service-related fees that are assessed to the coverage beneficiary, or beneficiary payments into health savings accounts, flexible spending accounts, or similar accounts used for health care. Each elected public official who participates in a medical benefit plan offered by a public employer shall be required to pay 20% or more of the total annual costs of that plan. The public employer may allocate the employees' share of total annual costs of the medical benefit plans among the employees of the public employer as it sees fit.

Sec. 5. (1) If a collective bargaining agreement or other contract that is inconsistent with sections 3 and 4 is in effect for a group of employees of a public employer on the effective date of this act, the requirements of section 3 or 4 do not apply to that group of employees until the contract expires. A public employer's expenditures for medical benefit plans under a collective bargaining agreement or other contract described in this subsection shall be excluded from calculation of the public employer's maximum payment under section 4. The requirements of sections 3 and 4 apply to any extension or renewal of the contract.

(2) A collective bargaining agreement or other contract that is executed on or after September 15, 2011 shall not include terms that are inconsistent with the requirements of sections 3 and 4.

Sec. 6. A public employer may deduct the covered employee's or elected public official's portion of the cost of a medical benefit plan from compensation due to the covered employee or elected public official. The employer may condition eligibility for the medical benefit plan on the employee's or elected public official's authorizing the public employer to make the deduction.

Sec. 7. (1) The requirements of this act apply to medical benefit plans of all public employees and elected public officials to the greatest extent consistent with constitutionally allocated powers, whether or not a public employee is a member of a collective bargaining unit.

(2) If a court finds the requirements of section 3 to be invalid, the expenditure limit in section 4 shall apply to a public employer that does not exempt itself under section 8, except that the requirement for a majority vote of the governing body of

the public employer in section 4 shall not apply. If a court finds section 4 to be invalid, the expenditure limit in section 3 shall apply to each public employer that does not exempt itself under section 8.

Sec. 8. (1) By a 2/3 vote of its governing body each year, a local unit of government may exempt itself from the requirements of this act for the next succeeding year.

(2) A 2/3 vote of the governing body of the local unit of government is required to extend an exemption under this section to a new year.

(3) An exemption under this section is not effective for a city with a mayor who is both the chief executive and chief administrator, unless the mayor also approves the exemption.

(4) An exemption under this section is not effective for a county with a county executive who is both the chief executive and chief administrator, unless the county executive also approves the exemption.

Sec. 9. If a public employer fails to comply with this act, the public employer shall permit the state treasurer to reduce by 10% each economic vitality incentive program payment received under 2011 PA 63 and the department of education shall assess the public employer a penalty equal to 10% of each payment of any funds for which the public employer qualifies under the state school aid act of 1979, 1979 PA 94, MCL 388.1601 to 388.1772, during the period that the public employer fails to comply with this act. Any reduction setoff or penalty amounts recovered shall be returned to the fund from which the reduction is assessed or upon which the penalty is determined. The department of education may also refer the penalty collection to the department of treasury for collection consistent with section 13 of 1941 PA 122, MCL 205.13.

Second: That the Senate and House agree to the title of the bill to read as follows:

A bill to limit a public employer's expenditures for employee medical benefit plans; to provide the power and duties of certain state agencies and officials; to provide for exceptions; and to provide for sanctions.

Mark C. Jansen
Patrick Colbeck
Conferees for the Senate

Tom McMillin
Joel Johnson
Conferees for the House

The question being on the adoption of the conference report,

The first conference report was adopted, a majority of the members serving voting therefor, as follows:

Roll Call No. 450

Yeas—25

| | | | |
|-------------|-------------|-------------|--------------|
| Booher | Hildenbrand | Marleau | Proos |
| Brandenburg | Hune | Meekhof | Richardville |
| Caswell | Jansen | Moolenaar | Robertson |
| Colbeck | Jones | Nofs | Rocca |
| Emmons | Kahn | Pappageorge | Schuitmaker |
| Green | Kowall | Pavlov | Walker |
| Hansen | | | |

Nays—13

| | | | |
|-----------|---------|---------|---------|
| Anderson | Gregory | Hunter | Warren |
| Bieda | Hood | Johnson | Whitmer |
| Casperson | Hopgood | Smith | Young |
| Gleason | | | |

Excused—0

Not Voting—0

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.

Senator Hunter requested the yeas and nays.

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

The recommendation was concurred in, 2/3 of the members serving voting therefor, as follows:

Roll Call No. 451**Yeas—26**

| | | | |
|-------------|-------------|-------------|--------------|
| Booher | Hansen | Marleau | Proos |
| Brandenburg | Hildenbrand | Meekhof | Richardville |
| Casperson | Hune | Moolenaar | Robertson |
| Caswell | Jansen | Nofs | Rocca |
| Colbeck | Jones | Pappageorge | Schuitmaker |
| Emmons | Kahn | Pavlov | Walker |
| Green | Kowall | | |

Nays—12

| | | | |
|----------|---------|---------|---------|
| Anderson | Gregory | Hunter | Warren |
| Bieda | Hood | Johnson | Whitmer |
| Gleason | Hopgood | Smith | Young |

Excused—0**Not Voting—0**

In The Chair: President

Senators Young, Colbeck, Gleason, Anderson 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 Young's statement is as follows:

I don't want to disappoint. I want to start with a quote: "The people are the only legitimate fountain of power and it is from them that the constitutional charter under which several branches of government hold their power is derived."

I rise in opposition to this bill. One, I think it has constitutional concerns. Article 11, Section 5 of the Constitution clearly states that these types of decisions involving employees health care should be decided by the Civil Service Commission. We are making a huge constitutional assumption that the constitutional amendments that passed previously in the Legislature will be voted on by the people and become law. You know what happens when you assume without the facts. If it does not pass, we are looking at a lawsuit. I think that is wrong. I think that is a usurpation of the people of the state of Michigan's rights and liberties, and more importantly, I think to violate the Constitution that we all swore an oath to support is a clear and present danger to our state's sovereignty.

I also rise in opposition to the conference report before us which would cap the health care coverage received by state employees. Many of my colleagues have stood in this very chamber and blasted the federal government for handing down new regulations to the states—complaining about the acts of big government. The legislation before use today isn't any different. It is an act of big government imposing its will on smaller governments. It is an act of state government getting involved in the business it has no business getting involved in, which is the affairs of local rights, whether it be school boards, municipalities, townships, or villages. In the city of Detroit, the last time I checked, we have home rule authority. Maybe we forgot about that. Maybe that's not important. Maybe some people in this chamber think that's overrated. I happen to think that it is not. It is in the Constitution for a reason. That means that we should allow the local units of government to handle their own affairs.

I got elected as a State Senator to take care of the state's issues, not dictate to my local government how to run their business. They got elected to do that. For crying out loud, can we once in this chamber talk about creating jobs and putting people back to work at some point in time? I'm going to get on my soapbox, Mr. President. This legislation is yet another step in the wrong direction of state government. Usurping local control is another example of Lansing trying to enforce a one-size-fits-all approach on our cities and local schools.

Many local governments are working to find savings that meet the needs of their communities. We should not interfere with this process by imposing these draconian measures. This bill stands against the long tradition of hometown rule and takes away the decision-making abilities of local employers and collective bargaining units. We should not be restricting the ability of cities and schools to negotiate contracts that will allow them to attract the best and brightest employees. We should allow local governments to seek concessions that make sense for their communities, and we should allow the collective bargaining process to take place. We should not be balancing the budget once again on the backs of middle-class families. This bill is making it harder for middle-class workers to afford health care for themselves and their children. With so many people living in Michigan without health insurance, we should be passing legislation to make health care more affordable.

I ask my colleagues to reject this conference report and refocus our energy on policies that will foster job growth and a better quality of life for our citizens. I think this legislation is making this state walk off the plank to perdition. I think it is wrong. I think it is unconstitutional. I think it is illegal. I think it is an abomination. I think we should vote this bill down.

Senator Colbeck's statement is as follows:

When I decided to run for this seat, one of the most frustrating things for me as a private citizen was noticing that there only seemed to be two solutions in Lansing to solve any budget crisis that we dealt with. No.1 was we raise taxes, and No. 2 was we go and lay off people. Senate Bill No. 7 is proof that there is another option. We can look at how we are actually spending the money and where the expenses are being derived.

There is no denying that anybody in private or public business that health care costs are a major driver, yet for too long, what has been happening in health care for a lot of public employees throughout the state is it is like going to the grocery store with your shopping cart, picking everything you want off the shelf and putting it in your shopping cart, going to the cashier, and when you get to the cashier, you say the guy behind you is going off and paying for it. Senate Bill No. 7 now introduces the idea that we have to be conscious about where these costs are going. We can't afford the \$30,000- or \$40,000-a-year health care policies that have been prevalent in a lot of public institutions. It is about time that we recalibrate.

I want to put in context how much this bill means in practical terms. We heard from a lot of my colleagues a lot of rhetoric from the other side of the aisle when we had to deal with the school aid budget recently. Roughly, we debited the state aid to schools by roughly 3 percent. To put this in context, we were told that was the end of public education as we know it, and it was devastating to public schools. I've got to tell you, take just one of my school districts, the Plymouth-Canton School District, where we debited their school aid by about \$4 million. If they would have adopted the practices that are adopted inside Senate Bill No. 7 when they put together their budgets, they would have had a cost savings of \$9.2 million. That is a net increase of \$5.2 million in that school district. We need to be looking at how we are spending that money and getting past this rhetoric. We need to have a balanced discussion of what is going on the revenue side of the equation, as well as the expense side.

I want to applaud the Senator from the 28th District for his leadership on this bill. I know that he has been working on it for quite a while, and I am just glad to be able to support him and the rest of my colleagues in moving this legislation forward. I urge adoption of this conference report. It is a game changer for Michigan, and we can finally get out of the only two solutions we have used in the past and start looking at how we are spending the money.

Senator Gleason's statement is as follows:

Mr. Lieutenant Governor, I hope your child is doing better as well as your family.

Once again, we are continuing a trend that I think is unhealthy for our state. I have a great deal of faith and confidence in my local school boards, and I have an equal amount of confidence in those who negotiate on behalf of the collective bargaining units and on behalf of teachers and staff in our local schools. I think this is one more attempt to usurp a fair and balanced process.

I don't believe our major concern is who pays for health care as much as how much it costs. Through this process, I haven't seen a singular effort to reduce the cost of health care. That should be our first priority. How do we control the cost regardless of whether the school district or the individual is picking up that responsibility? Eventually, the families and the school districts themselves, the way this is parsed out, will not have the ability to provide the health care that we need. We look at Michigan schools and our youth and the tremendous issue with obesity. We look at the very drastic rise in diabetic concerns. We see all of these issues that are leading up to high health care costs. That should be our purpose today, not deciding who is going to pay for what. We are saying that we can determine the parsing out of this cost. I think we should do better than that. I think we should address what is making that cost rise annually.

Many of us represent some really tough school districts. I think we have heard when we were talking about usurping local control through the emergency financial legislation that was passed earlier this year that we are going to have a hard time finding teachers who are going to want to teach in these school districts. We know that the average starting salary for a teacher in our state is about \$34,000. A lot of people have altered their career choices in recent times because of the job market. If your starting salary going into the education sector is about \$34,000, you have a family and now you are going to say that the family's obligation is going to be \$11,000, that puts you in the lower \$20,000 pay bracket. We are going to be paying our educators less; those whom many of us would hope would be the best people. We are going to reduce their take-home pay down to \$23,000 in many cases. That is not the best choice. I want our best teachers, and I want them compensated with worthwhile compensation.

We shouldn't be meddling in these local affairs. I think, once again, because we are overreaching our office obligations, we are really putting up some impediments to future decisions by our local communities. My "no" vote will be based on no cost-containment effort and once again usurping local control.

Senator Anderson's statement is as follows:

Hypocrisy, I just find it amazing that anyone would support this bill would get up and make statements about the federal government dictating to us at the state level what we must and must not do. Yet we are superimposing our will on a matter that has always been a local issue, a locally-negotiated issue between the employees of a community or a school district, and we are doing the very same thing if you vote for this bill.

This Legislature and every legislature have always provided funding through the mechanism of revenue sharing. Now we are trying to dictate decisions that they have always made when they negotiate with their employees. It is truly hypocrisy, and I am just amazed that we continue to go down that road of dictating those local decisions to our local school districts and our local communities and townships. It is just unbelievable that we are continuing to go down that road. I think we have more important things to do at hand, and we need to do what we can to create jobs in this state. We need to stop trying to micromanage and continue with the policy that Lansing knows everything and knows best. We will dictate to you what you can and cannot do.

For those on the other side who ran on less government, how can you say that with a straight face?

Senator Pappageorge's statement is as follows:

Thank you, colleagues, for recognizing my birthday. I was invited to an international conference in Greece, and therefore, I missed some votes on July 13. I'm sure you all feel sorry for me. On Roll Call Nos. 445 and 446, I would have voted "yes." On Roll Call No. 447, I would have voted "no." On Roll Call Nos. 448 and 449, I would have voted "yes."

Third Reading of Bills

The President pro tempore, Senator Schuitmaker, assumed the Chair.

The following bill was announced:

House Bill No. 4409, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending sections 57, 57a, 57b, 57c, 57d, 57e, 57g, 57i, 57l, 57p, 57q, 57r, and 57u (MCL 400.57, 400.57a, 400.57b, 400.57c, 400.57d, 400.57e, 400.57g, 400.57i, 400.57l, 400.57p, 400.57q, 400.57r, and 400.57u), section 57 as amended and section 57p as added by 2006 PA 471, section 57a as amended by 1999 PA 26, section 57b as amended and sections 57q and 57u as added by 2006 PA 468, section 57c as added by 1995 PA 223, sections 57d, 57g, and 57r as amended by 2007 PA 9, section 57e as amended by 2006 PA 469, section 57i as added by 2000 PA 478, and section 57l as added by 1999 PA 17; and to repeal acts and parts of acts.

(This bill was passed on July 13 and the motion for immediate effect postponed. See Senate Journal No. 62, p. 1992.)

The question being on the motion to give the bill immediate effect,

The motion prevailed, 2/3 of the members serving voting therefor.

Senator Hunter requested the yeas and nays.

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

The motion prevailed, 2/3 of the members serving voting therefor, as follows:

Roll Call No. 452

Yeas—26

Booher
Brandenburg
Casperson
Caswell

Hansen
Hildenbrand
Hune
Jansen

Marleau
Meekhof
Moolenaar
Nofs

Proos
Richardville
Robertson
Rocca

Colbeck
Emmons
Green

Jones
Kahn
Kowall

Pappageorge
Pavlov

Schuitmaker
Walker

Nays—12

Anderson
Bieda
Gleason

Gregory
Hood
Hopgood

Hunter
Johnson
Smith

Warren
Whitmer
Young

Excused—0

Not Voting—0

In The Chair: Schuitmaker

The following bill was announced:

House Bill No. 4410, entitled

A bill to amend 1939 PA 280, entitled “The social welfare act,” by amending section 57f (MCL 400.57f), as amended by 2006 PA 468.

(This bill was passed on July 13 and the motion for immediate effect postponed. See Senate Journal No. 62, p. 1995.)

The question being on the motion to give the bill immediate effect,

The motion prevailed, 2/3 of the members serving voting therefor.

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 pro tempore, Senator Schuitmaker, designated Senator Jansen as Chairperson.

After some time spent therein, the Committee arose; and the President pro tempore, Senator Schuitmaker, having resumed the Chair, the Committee reported back to the Senate, favorably and without amendment, the following bill:

House Bill No. 4731, entitled

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending section 321 (MCL 600.321), as amended by 2007 PA 64.

The bill 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. 393, entitled

A bill to amend 2006 PA 88, entitled “Inmate reimbursement to municipalities act,” by amending section 2 (MCL 801.312).

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. 4734, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 20161 (MCL 333.20161), as amended by 2008 PA 277.

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. 4787, entitled

A bill to amend 1986 PA 32, entitled "Emergency 9-1-1 service enabling act," by amending section 408 (MCL 484.1408), as amended by 2010 PA 284.

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.

By unanimous consent the Senate returned to the order of

Third Reading of Bills

Senator Meekhof 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. 4731

House Bill No. 4734

House Bill No. 4787

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

The following bill was read a third time:

House Bill No. 4731, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 321 (MCL 600.321), as amended by 2007 PA 64.

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. 453

Yeas—28

| | | | |
|-------------|-------------|-------------|--------------|
| Booher | Green | Kowall | Proos |
| Brandenburg | Hansen | Marleau | Richardville |
| Casperson | Hildenbrand | Meekhof | Robertson |
| Caswell | Jansen | Moolenaar | Rocca |
| Colbeck | Johnson | Nofs | Schuitmaker |
| Emmons | Jones | Pappageorge | Walker |
| Gleason | Kahn | Pavlov | Warren |

Nays—10

| | | | |
|----------|---------|--------|---------|
| Anderson | Hood | Hunter | Whitmer |
| Bieda | Hopgood | Smith | Young |
| Gregory | Hune | | |

Excused—0

Not Voting—0

In The Chair: Schuitmaker

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.

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

“An act to revise and consolidate the statutes relating to the organization and jurisdiction of the courts of this state; the powers and duties of the courts, and of the judges and other officers of the courts; the forms and attributes of civil claims and actions; the time within which civil actions and proceedings may be brought in the courts; pleading, evidence, practice, and procedure in civil and criminal actions and proceedings in the courts; to provide for the powers and duties of certain state governmental officers and entities; to provide remedies and penalties for the violation of certain provisions of this act; to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act; and to repeal acts and parts of acts.”.

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 4734, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 20161 (MCL 333.20161), as amended by 2008 PA 277.

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. 454

Yeas—37

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

Nays—1

Hune

Excused—0

Not Voting—0

In The Chair: Schuitmaker

The Assistant President pro tempore, Senator Hansen, assumed the Chair.

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.

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

“An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees,

task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to provide for the levy of taxes against certain health facilities or agencies; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for the implementation of federal law; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to provide for an appropriation and supplements; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates.”.

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 4787, entitled

A bill to amend 1986 PA 32, entitled “Emergency 9-1-1 service enabling act,” by amending section 408 (MCL 484.1408), as amended by 2010 PA 284.

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. 455

Yeas—26

| | | | |
|-------------|-------------|-------------|--------------|
| Booher | Hansen | Marleau | Proos |
| Brandenburg | Hildenbrand | Meekhof | Richardville |
| Casperson | Hune | Moolenaar | Robertson |
| Caswell | Jansen | Nofs | Rocca |
| Colbeck | Jones | Pappageorge | Schuitmaker |
| Emmons | Kahn | Pavlov | Walker |
| Green | Kowall | | |

Nays—12

| | | | |
|----------|---------|---------|---------|
| Anderson | Gregory | Hunter | Warren |
| Bieda | Hood | Johnson | Whitmer |
| Gleason | Hopgood | Smith | Young |

Excused—0

Not Voting—0

In The Chair: Hansen

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.

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

“An act to provide for the establishment of emergency 9-1-1 districts; to provide for the installation, operation, modification, and maintenance of universal emergency 9-1-1 service systems; to provide for the imposition and collection of certain charges; to provide the powers and duties of certain state agencies, local units of government, public officers, service suppliers, and others; to create an emergency 9-1-1 service committee; to provide remedies and penalties; and to repeal acts and parts of acts.”.

The Senate agreed to the full title.

By unanimous consent the Senate proceeded to the order of
Introduction and Referral of Bills

Senator Hunter introduced

Senate Bill No. 571, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 78m (MCL 211.78m), as amended by 2006 PA 498.

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

Senator Hunter introduced

Senate Bill No. 572, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 78m (MCL 211.78m), as amended by 2006 PA 498.

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

Senator Hunter introduced

Senate Bill No. 573, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 3204, 3205, 3205a, and 3205c (MCL 600.3204, 600.3205, 600.3205a, and 600.3205c), section 3204 as amended and section 3205 as added by 2009 PA 29, section 3205a as added by 2009 PA 30, and section 3205c as added by 2009 PA 31.

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

Senators Bieda, Rocca, Warren, Hopgood, Smith, Johnson, Hansen and Kowall introduced

Senate Bill No. 574, entitled

A bill to amend 1969 PA 287, entitled "An act to regulate pet shops, animal control shelters, and animal protection shelters; to establish uniform procedures and minimum requirements for adoption of dogs, cats, and ferrets; and to prescribe penalties and civil fines and to provide remedies," by amending the title and section 1 (MCL 287.331), as amended by 1997 PA 7, and by adding section 5b.

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

Senators Walker, Booher, Casperson, Kowall, Emmons, Hansen, Brandenburg, Colbeck and Moolenaar introduced

Senate Bill No. 575, entitled

A bill to amend 1990 PA 187, entitled "The pupil transportation act," by amending sections 5, 31, and 55 (MCL 257.1805, 257.1831, and 257.1855), sections 5 and 31 as amended by 2006 PA 107 and section 55 as amended by 2006 PA 320.

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

Senators Walker, Booher, Casperson, Kowall, Emmons, Hansen, Brandenburg, Colbeck and Moolenaar introduced

Senate Bill No. 576, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 682 (MCL 257.682), as amended by 1990 PA 188.

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

Senator Hune introduced

Senate Bill No. 577, entitled

A bill to amend 2004 PA 403, entitled "Michigan unarmed combat regulatory act," by amending sections 20 and 33 (MCL 338.3620 and 338.3633), as amended by 2007 PA 196, and by adding section 61a.

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

Senator Jansen introduced

Senate Bill No. 578, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 145e.

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

Senator Jansen introduced

Senate Bill No. 579, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16g of chapter XVII (MCL 777.16g), as amended by 2008 PA 521.

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

Senator Casperson introduced

Senate Bill No. 580, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 145e. The bill was read a first and second time by title and referred to the Committee on Judiciary.

Senator Casperson introduced

Senate Bill No. 581, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16g of chapter XVII (MCL 777.16g), as amended by 2008 PA 521.

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

Senator Casperson introduced

Senate Bill No. 582, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 719 (MCL 257.719), as amended by 2009 PA 37.

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

Senator Hune introduced

Senate Bill No. 583, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 30 (MCL 206.30), as amended by 2011 PA 38.

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

Senator Richardville introduced

Senate Bill No. 584, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 613a, 614a, 615a, 641, and 759a (MCL 168.613a, 168.614a, 168.615a, 168.641, and 168.759a), section 613a as amended by 2003 PA 13, sections 614a and 615a as amended by 1999 PA 72, section 641 as amended by 2005 PA 71, and section 759a as amended by 2010 PA 50, and by adding sections 615c and 759c; 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 Local Government and Elections.

By unanimous consent the Senate returned to the order of

Messages from the House

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

Senate Bill No. 485

Senate Bill No. 486

Senate Bill No. 487

Senate Bill No. 488

Senate Bill No. 489

Senate Bill No. 490

Senate Bill No. 491

Senate Bill No. 492

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

Senate Bill No. 485, entitled

A bill to amend 1909 PA 279, entitled "The home rule city act," by amending section 5 (MCL 117.5), as amended by 2002 PA 201.

The House of Representatives has amended the bill as follows:

1. Amend page 5, line 25, after "**CHARTER**" by striking out the balance of the line through "**RESOLUTION**" on line 26 and inserting "**OR ORDINANCE**".
2. Amend page 6, line 1, after "**CHARTER**" by striking out the balance of the line through "**RESOLUTION**" on line 2 and inserting "**OR ORDINANCE**".
3. Amend page 6, line 4, after "**UNENFORCEABLE.**" by striking out the balance of the subsection.

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

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

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

Roll Call No. 456**Yeas—26**

| | | | |
|-------------|-------------|-------------|--------------|
| Booher | Hansen | Marleau | Proos |
| Brandenburg | Hildenbrand | Meekhof | Richardville |
| Casperson | Hune | Moolenaar | Robertson |
| Caswell | Jansen | Nofs | Rocca |
| Colbeck | Jones | Pappageorge | Schuitmaker |
| Emmons | Kahn | Pavlov | Walker |
| Green | Kowall | | |

Nays—12

| | | | |
|----------|---------|---------|---------|
| Anderson | Gregory | Hunter | Warren |
| Bieda | Hood | Johnson | Whitmer |
| Gleason | Hopgood | Smith | Young |

Excused—0**Not Voting—0**

In The Chair: Hansen

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.

Senate Bill No. 486, entitled

A bill to amend 1851 PA 156, entitled "An act to define the powers and duties of the county boards of commissioners of the several counties, and to confer upon them certain local, administrative and legislative powers; and to prescribe penalties for the violation of the provisions of this act," (MCL 46.1 to 46.32) by adding section 11d.

The House of Representatives has amended the bill as follows:

1. Amend page 1, line 3, after "**ORDINANCE**" by striking out "**OR RESOLUTION**".
2. Amend page 1, line 5, after "**ORDINANCE**" by striking out the balance of the line through "**RESOLUTION**" on line 6.
3. Amend page 2, line 1, after "**UNENFORCEABLE.**" by striking out the balance of the section.

The House of Representatives has passed the bill as amended and ordered that it be given immediate effect. The question being on concurring in the amendments made to the bill by the House, The amendments were concurred in, a majority of the members serving voting therefor, as follows:

Roll Call No. 457**Yeas—26**

| | | | |
|-------------|-------------|-------------|--------------|
| Booher | Hansen | Marleau | Proos |
| Brandenburg | Hildenbrand | Meekhof | Richardville |
| Casperson | Hune | Moolenaar | Robertson |
| Caswell | Jansen | Nofs | Rocca |
| Colbeck | Jones | Pappageorge | Schuitmaker |
| Emmons | Kahn | Pavlov | Walker |
| Green | Kowall | | |

Nays—12

| | | | |
|----------|---------|---------|---------|
| Anderson | Gregory | Hunter | Warren |
| Bieda | Hood | Johnson | Whitmer |
| Gleason | Hopgood | Smith | Young |

Excused—0**Not Voting—0**

In The Chair: Hansen

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.

Senate Bill No. 487, entitled

A bill to amend 1966 PA 293, entitled "An act to provide for the establishment of charter counties; to provide for the election of charter commissioners; to prescribe their powers and duties; to prohibit certain acts of a county board of commissioners after the approval of the election of a charter commission; to prescribe the mandatory and permissive provisions of a charter; to provide for the exercise by a charter county of certain powers whether or not authorized by its charter; and to prescribe penalties and provide remedies," (MCL 45.501 to 45.521) by adding section 15b.

The House of Representatives has amended the bill as follows:

1. Amend page 1, line 3, after "CHARTER" by striking out the comma and "ORDINANCE, OR RESOLUTION" and inserting "OR ORDINANCE".
2. Amend page 1, line 5, after "CHARTER" by striking out the balance of the line through "RESOLUTION" on line 6 and inserting "OR ORDINANCE".
3. Amend page 2, line 3, after "UNENFORCEABLE." by striking out the balance of the section.

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

The question being on concurring in the amendments made to the bill by the House, The amendments were concurred in, a majority of the members serving voting therefor, as follows:

Roll Call No. 458**Yeas—26**

| | | | |
|-------------|-------------|---------|--------------|
| Booher | Hansen | Marleau | Proos |
| Brandenburg | Hildenbrand | Meekhof | Richardville |

| | | | |
|-----------|--------|-------------|-------------|
| Casperson | Hune | Moolenaar | Robertson |
| Caswell | Jansen | Nofs | Rocca |
| Colbeck | Jones | Pappageorge | Schuitmaker |
| Emmons | Kahn | Pavlov | Walker |
| Green | Kowall | | |

Nays—12

| | | | |
|----------|---------|---------|---------|
| Anderson | Gregory | Hunter | Warren |
| Bieda | Hood | Johnson | Whitmer |
| Gleason | Hopgood | Smith | Young |

Excused—0**Not Voting—0**

In The Chair: Hansen

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.

Senate Bill No. 488, entitled

A bill to amend 1973 PA 139, entitled “An act to provide forms of county government; to provide for county managers and county executives and to prescribe their powers and duties; to abolish certain departments, boards, commissions, and authorities; to provide for transfer of certain powers and functions; to prescribe powers of a board of county commissioners and elected officials; to provide organization of administrative functions; to transfer property; to retain ordinances and laws not inconsistent with this act; to provide methods for abolition of a unified form of county government; and to prescribe penalties and provide remedies,” (MCL 45.551 to 45.573) by adding section 6b.

The House of Representatives has amended the bill as follows:

1. Amend page 1, line 3, after “**ORDINANCE**” by striking out “**OR RESOLUTION**”.
2. Amend page 1, line 5, after “**ORDINANCE**” by striking out “**OR RESOLUTION**”.
3. Amend page 2, line 4, after “**UNENFORCEABLE.**” by striking out the balance of the section.

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

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

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

Roll Call No. 459**Yeas—26**

| | | | |
|-------------|-------------|-------------|--------------|
| Booher | Hansen | Marleau | Proos |
| Brandenburg | Hildenbrand | Meekhof | Richardville |
| Casperson | Hune | Moolenaar | Robertson |
| Caswell | Jansen | Nofs | Rocca |
| Colbeck | Jones | Pappageorge | Schuitmaker |
| Emmons | Kahn | Pavlov | Walker |
| Green | Kowall | | |

Nays—12

| | | | |
|----------|---------|---------|---------|
| Anderson | Gregory | Hunter | Warren |
| Bieda | Hood | Johnson | Whitmer |
| Gleason | Hopgood | Smith | Young |

Excused—0

Not Voting—0

In The Chair: Hansen

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.

Senate Bill No. 489, entitled

A bill to amend 1947 PA 359, entitled “The charter township act,” (MCL 42.1 to 42.34) by adding section 1b.
The House of Representatives has amended the bill as follows:

1. Amend page 1, line 3, after “**ORDINANCE**” by striking out “**OR RESOLUTION**”.
2. Amend page 1, line 5, after “**ORDINANCE**” by striking out the balance of the line through “**RESOLUTION**” on line 6.
3. Amend page 1, line 9, after “**UNENFORCEABLE.**” by striking out the balance of the section.

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

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

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

Roll Call No. 460

Yeas—26

| | | | |
|-------------|-------------|-------------|--------------|
| Booher | Hansen | Marleau | Proos |
| Brandenburg | Hildenbrand | Meekhof | Richardville |
| Casperson | Hune | Moolenaar | Robertson |
| Caswell | Jansen | Nofs | Rocca |
| Colbeck | Jones | Pappageorge | Schuitmaker |
| Emmons | Kahn | Pavlov | Walker |
| Green | Kowall | | |

Nays—12

| | | | |
|----------|---------|---------|---------|
| Anderson | Gregory | Hunter | Warren |
| Bieda | Hood | Johnson | Whitmer |
| Gleason | Hopgood | Smith | Young |

Excused—0

Not Voting—0

In The Chair: Hansen

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.

Senate Bill No. 490, entitled

A bill to amend 1846 RS 16, entitled “Of the powers and duties of townships, the election and duties of township officers, and the division of townships,” (MCL 41.1a to 41.110c) by adding section 3a.

The House of Representatives has amended the bill as follows:

1. Amend page 1, line 3, after “**ORDINANCE**” by striking out “**OR RESOLUTION**”.
2. Amend page 1, line 5, after “**ORDINANCE**” by striking out “**OR RESOLUTION**”.
3. Amend page 1, line 9, after “**UNENFORCEABLE.**” by striking out the balance of the section.

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

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

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

Roll Call No. 461**Yeas—26**

| | | | |
|-------------|-------------|-------------|--------------|
| Booher | Hansen | Marleau | Proos |
| Brandenburg | Hildenbrand | Meekhof | Richardville |
| Casperson | Hune | Moolenaar | Robertson |
| Caswell | Jansen | Nofs | Rocca |
| Colbeck | Jones | Pappageorge | Schuitmaker |
| Emmons | Kahn | Pavlov | Walker |
| Green | Kowall | | |

Nays—12

| | | | |
|----------|---------|---------|---------|
| Anderson | Gregory | Hunter | Warren |
| Bieda | Hood | Johnson | Whitmer |
| Gleason | Hopgood | Smith | Young |

Excused—0**Not Voting—0**

In The Chair: Hansen

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.

Senate Bill No. 491, entitled

A bill to amend 1909 PA 278, entitled “The home rule village act,” by amending section 26 (MCL 78.26), as amended by 1995 PA 211.

The House of Representatives has amended the bill as follows:

1. Amend page 5, line 21, after “**CHARTER**” by striking out the balance of the line through “**RESOLUTION**” on line 22 and inserting “**OR ORDINANCE**”.
2. Amend page 5, line 24, after “**CHARTER**” by striking out the balance of the line through “**RESOLUTION**” on line 25 and inserting “**OR ORDINANCE**”.
3. Amend page 5, line 27, after “**UNENFORCEABLE.**” by striking out the balance of the subsection.

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

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

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

Roll Call No. 462**Yeas—26**

| | | | |
|-------------|-------------|-------------|--------------|
| Booher | Hansen | Marleau | Proos |
| Brandenburg | Hildenbrand | Meekhof | Richardville |
| Casperson | Hune | Moolenaar | Robertson |
| Caswell | Jansen | Nofs | Rocca |
| Colbeck | Jones | Pappageorge | Schuitmaker |
| Emmons | Kahn | Pavlov | Walker |
| Green | Kowall | | |

Nays—12

| | | | |
|----------|---------|---------|---------|
| Anderson | Gregory | Hunter | Warren |
| Bieda | Hood | Johnson | Whitmer |
| Gleason | Hopgood | Smith | Young |

Excused—0**Not Voting—0**

In The Chair: Hansen

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.

Senate Bill No. 492, entitled

A bill to amend 1895 PA 3, entitled "The general law village act," (MCL 61.1 to 74.25) by adding section 1d to chapter I.

The House of Representatives has amended the bill as follows:

1. Amend page 1, line 4, after "**CHARTER**" by striking out the comma and "**ORDINANCE, OR RESOLUTION**" and inserting "**OR ORDINANCE**".
2. Amend page 1, line 6, after "**CHARTER**" by striking out the balance of the line through "**RESOLUTION**" on line 7 and inserting "**OR ORDINANCE**".
3. Amend page 1, line 10, after "**UNENFORCEABLE.**" by striking out the balance of the section.

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

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

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

Roll Call No. 463**Yeas—26**

| | | | |
|-------------|-------------|-------------|--------------|
| Booher | Hansen | Marleau | Proos |
| Brandenburg | Hildenbrand | Meekhof | Richardville |
| Casperson | Hune | Moolenaar | Robertson |
| Caswell | Jansen | Nofs | Rocca |
| Colbeck | Jones | Pappageorge | Schuitmaker |
| Emmons | Kahn | Pavlov | Walker |
| Green | Kowall | | |

Nays—12

Anderson
Bieda
Gleason

Gregory
Hood
Hopgood

Hunter
Johnson
Smith

Warren
Whitmer
Young

Excused—0**Not Voting—0**

In The Chair: Hansen

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

The motion prevailed.

Senator Pappageorge's statement is as follows:

I rise to recognize a young lady who has been working in our office and has to get back to school. Jessica Bashara came as an intern to my office in July after completing a study abroad in Germany. Today is her last day with us before she starts her sophomore year at the University of Michigan, where she is majoring in public policy. Jessica has proven to be a responsible and hardworking young woman. She has a bright future ahead, and we wish her the best.

Colleagues, please join me in recognizing Jessica Bashara for her many contributions to the constituents of the 13th Senate District.

Recess

Senator Meekhof moved that the Senate recess until 1:45 p.m.

The motion prevailed, the time being 1:11 p.m.

The Senate reconvened at the expiration of the recess and was called to order by the President, Lieutenant Governor Calley.

By unanimous consent the Senate returned 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 Jansen as Chairperson.

After some time spent therein, the Committee arose; and the Assistant President pro tempore, Senator Hansen, having resumed the Chair, the Committee reported back to the Senate, favorably and with a substitute therefor, the following bill:

Senate Bill No. 64, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 5714 (MCL 600.5714), as amended by 2004 PA 105.

Substitute (S-5).

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. 65, entitled

A bill to amend 1846 RS 66, entitled "Of estates in dower, by the curtesy, and general provisions concerning real estate," by amending section 34 (MCL 554.134), as amended by 2004 PA 106.

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.

Recess

Senator Meekhof moved that the Senate recess subject to the call of the Chair.
The motion prevailed, the time being 1:52 p.m.

1:57 p.m.

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

Senator Meekhof requested a quorum call.

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

By unanimous consent the Senate returned to the order of

Messages from the House

The President, Lieutenant Governor Calley, resumed the chair.

Senate Bill No. 347, entitled

A bill to amend 1937 PA 94, entitled "Use tax act," by amending section 3f (MCL 205.93f), as added by 2008 PA 440.

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.

Senator Meekhof moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

Senator Hunter requested the yeas and nays.

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

The motion prevailed, 2/3 of the members serving voting therefor, as follows:

Roll Call No. 464

Yeas—32

| | | | |
|-------------|-------------|-------------|--------------|
| Booher | Hansen | Kahn | Proos |
| Brandenburg | Hildenbrand | Kowall | Richardville |
| Casperson | Hopgood | Marleau | Robertson |
| Caswell | Hune | Meekhof | Rocca |
| Colbeck | Hunter | Moolenaar | Schuitmaker |
| Emmons | Jansen | Nofs | Smith |
| Gleason | Johnson | Pappageorge | Walker |
| Green | Jones | Pavlov | Warren |

Nays—2

| | |
|----------|-------|
| Anderson | Bieda |
|----------|-------|

Excused—0

Not Voting—4

Gregory

Hood

Whitmer

Young

In The Chair: President

The Senate agreed to the full title.

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

Senate Bill No. 348, entitled

A bill to impose an assessment on certain health care claims; to impose certain duties and obligations on certain insurance or health coverage providers; to impose certain duties on certain state departments, agencies, and officials; to create certain funds; to authorize certain expenditures; to impose certain remedies and penalties; to provide for an appropriation; and to repeal acts and parts of acts.

The House of Representatives has substituted (H-2) the bill.

The House of Representatives has passed the bill as substituted (H-2) and ordered that it be given immediate effect.

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. 465

Yeas—31

Anderson
Booher
Casperson
Caswell
Emmons
Gleason
Green
Gregory

Hansen
Hildenbrand
Hood
Hopgood
Hunter
Jansen
Johnson
Kahn

Kowall
Marleau
Meekhof
Moolenaar
Nofs
Pappageorge
Pavlov
Proos

Richardville
Robertson
Smith
Walker
Warren
Whitmer
Young

Nays—7

Bieda
Brandenburg

Colbeck
Hune

Jones
Rocca

Schuitmaker

Excused—0

Not Voting—0

In The Chair: President

Senator Meekhof moved that the bill be given immediate effect.
The motion prevailed, 2/3 of the members serving voting therefor.
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

Resolutions

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

Senate Resolution No. 34

Senate Concurrent Resolution No. 10

Senate Resolution No. 67

Senate Resolution No. 57

The motion prevailed.

Senators Schuitmaker, Jones, Hildenbrand, Brandenburg, Jansen and Nofs offered the following resolution:

Senate Resolution No. 74.

A resolution to urge school districts and communities to have automated external defibrillator devices present at all athletic and community-sponsored events.

Whereas, Michigan communities were saddened by the tragic sudden death of Wes Leonard, a young student athlete, after a high school basketball game in Fennville this past season. This young athlete was not the first victim of sudden cardiac arrest, and unfortunately, he will not be the last. This tragedy has, however, marshaled support for efforts to ensure that external defibrillators are more readily available; and

Whereas, Other young athletes, adult coaches, adult spectators, and even some young spectators may be at risk of sudden cardiac arrest. Often there are no warning signs or symptoms that someone may fall victim to sudden cardiac arrest. When sudden cardiac arrest occurs, intervention must be swift. The administration of CPR and restoration of the heart rhythm with an automated external defibrillator (AED) device in the first minutes after an arrest buys critical time for emergency responders to treat and transport a victim to a hospital where more lifesaving measures can be administered; and

Whereas, Across the state, our schools are gathering places for many people in our communities. The large crowds that attend events at our schools increase the likelihood that someone might be felled by sudden cardiac arrest. It makes sense to locate AED devices where large crowds gather to increase the prospect that this lifesaving technology will be nearby when an arrest occurs. Some schools and communities have already responded to this risk and acquired AED devices; and

Whereas, More communities need to work together to make AED devices available at sponsored events. Schools and communities can work creatively to acquire these devices and develop response plans for their use at athletic and other sponsored events. Training is not costly or time-consuming, and AEDs are easy to use. Response plans can outline essential training and procedures for making an AED device accessible at a site where the crowd is gathered. Planning need not be onerous, but is necessary to make sure the procedure is consistent with how community facilities are used and trained users are present and ready to use an AED at events; now, therefore, be it

Resolved by the Senate, That we urge school districts and communities to have automated external defibrillator devices present at all athletic and community-sponsored events; and be it further

Resolved, That copies of this resolution be transmitted to the Michigan Association of Intermediate School District Administrators, Michigan Association of School Administrators, Michigan Association of School Boards, Michigan Municipal League, Michigan Association of Counties, and Michigan Association of Townships.

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 Education.

The motion prevailed.

Statements

Senators Hood, Whitmer and Jansen asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator Hood's statement is as follows:

As I stand before you today and welcome everyone back from our summer break, it saddens my heart to come to you and those who have heard on August 9 that we lost what I consider an angel to not only the city of Detroit, but the state of Michigan, United States, and the world. We lost the co-founder of Focus: HOPE, Ms. Eleanor Josaitis. If you get a chance, look into the history and look at the things that she accomplished for Focus: HOPE not just for the folks in the city of Detroit, but for folks across this state in bringing out diversity, bringing out race relations, and bringing out a whole group of folks together through the Focus: HOPE administration.

She had done wonders. She was from the 4th District, and if you get a chance, I know the Senator from that area and myself will be glad to take you over there and show you the great work that they are doing through their jobs program and through their food program in which they are feeding thousands and thousands of people on a daily basis. We lost an angel on that day, and it would be remiss for me not to state that today and that we came in here to say read her biography and read what her and Father Cunningham's mission was when they started Focus: HOPE.

With her passing, it goes back to show us that tomorrow is not promised. She fought cancer for several years, and she made a valiant effort in fighting that, but it just took over and she passed away. It brings us to the fact that the Senator from the 34th District and I were talking about that tomorrow is not promised, and capture what is going on today. As we lose folks, lose people whom we know, and lose people who are doing valiant work, it is our job to pick up what they were doing and continue forth with that. Don't let that work that they were doing go away without us recognizing that and taking it to the next step.

Senator Whitmer's statement is as follows:

While we might be enjoying some residual summer weather today, it is very clear that fall is creeping upon us. That was evident to me last week as I went to Donley Elementary School in East Lansing to find out my daughters' classroom arrangements for next year. They were posted on the outside of the principal's office. Like so many parents across our state, parents who are getting their kids ready to start their next grade of school, I was saddened to see that for one of my girls, her class this next year is going to have 31 students. It was 21 students last year, and now it is 31 students.

I'm sure you will all remember that during the budget debate last spring, I spoke a lot about how these cuts that you implemented in your budget were going to affect our public schools. You may even recall that I rhetorically asked if class sizes would be increased to 35 students. Who knew? I find it so sad to find out that I am correct.

With the budget Governor Snyder signed into law, shockwaves were sent into our local school districts, and I know it wasn't just East Lansing Public Schools that were affected. It makes me wonder if any of you walked into your local elementary, middle, or high school to see how crippled they are by the cuts you gave them last year.

I am comfortable knowing that my daughter Sydney has a great teacher. We will make do with the cards that have been dealt. I can't help but wonder at what point did it become moving a teacher from a profession that we respected to one of just crowd control? I would be remiss not to point out that many of our schools are not making adequate yearly progress that the state requires of them due in large part to funding levels.

In total, 717 schools across our state failed to meet the goals of the federal program, a 41 percent increase from last year's results. Locally, 9 out of 32 schools in the Lansing School District did not make it either. Instead of recognizing the need for action to improve those results, Governor Snyder's administration chose to spin these latest results as a positive, saying that the fact that so many schools failed to make adequate progress shows that we are setting the bar high and expecting great results. Don't insult our intelligence. What they fail to recognize is that when you expect a new, higher result, you have got to give them the resources to meet that expectation.

Unfortunately, Governor Snyder has done the exact opposite. Instead of making the state a partner in improving our schools, the Governor raided hundreds of millions of dollars from Michigan's School Aid Fund this year alone. That fund was created to set aside money for our K-12 schools, apart from the rest of Michigan's annual budget. Yet the Governor and Republican leaders in the House and Senate chose to siphon that money away and use it to pay for their \$1.8 billion tax handout, a handout that has yet to yield a single job. In fact, unemployment has risen in our state.

You know, the result of that unnecessary cut to our K-12 schools means larger class sizes and fewer alternative academic programs to help our students succeed. In short, it will make an already-challenging situation even worse for every school district across our state. Our schools and, more importantly, our students deserve better than that.

We cannot begin to solve the host of issues facing our public schools if we aren't even willing to dedicate the minimal level of funding that would be required to do so. I hope you are listening when I say that K-12 education is not simply another line in the budget that you can take money from at will. So as we begin to discuss many important issues for this fall, like repealing the personal property tax, I implore you to keep the School Aid Fund for our kids' education. You can't move the state of Michigan forward if you leave our kids behind.

Senator Jansen's statement is as follows:

I just want to go on record today saying thank you to all those who have been an integral part of the discussions on Senate Bill No. 7. I know that some are vehemently against it, and some are very understanding and still against it. Many of my colleagues helped me out today and voted for this, but they really helped out the state of Michigan.

There are some folks I want to say a special thanks to. We had a tremendous House and Senate policy staff who have really worked for months and months. Phil Hedges has gone off to a department—again, the Governor keeps stealing all our policy folks. You can sit there and smile, but we have to continue to adapt according to what happens. We all have really good staff in many of our offices. There are folks in the House, Elizabeth Hertel and Brian Mills, Phil Hedges and Jamie Clover Adams.

I also want to thank the Governor's office. Sally was tremendous in the process. Representative McMillin was my co-leader on the Reforms, Restructuring and Reinventing Committee. From District 7, the good Senator has been a tremendous help in this process, as well as the conferees.

I look forward to this bill and this change to the way we do business in Michigan. It is not an easy thing to do for us, but it has to be done. I hope and pray that Michigan gets back on its feet stronger and better than it has ever been in its history. I think we have the opportunity to help it get there as a community. I just want to thank my colleagues for being part of that today.

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.

Committee Reports

The Committee on Regulatory Reform reported
Senate Bill No. 502, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," (MCL 436.1101 to 436.2303) by adding section 513a.

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.

Tory Rocca
 Chairperson

To Report Out:

Yeas: Senators Rocca, Jones, Hune, Meekhof, Pavlov, Johnson and Warren

Nays: None

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

The Committee on Regulatory Reform reported
House Bill No. 4061, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 1027 (MCL 436.2027), as amended by 2010 PA 213.

With the recommendation that the bill pass.

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

Tory Rocca
 Chairperson

To Report Out:

Yeas: Senators Rocca, Jones, Hune, Meekhof, Pavlov, Johnson and Warren

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Regulatory Reform submitted the following:

Meeting held on Wednesday, July 13, 2011, at 2:00 p.m., Room 110, Farnum Building

Present: Senators Rocca (C), Jones, Hune, Meekhof, Pavlov, Johnson and Warren

The Committee on Appropriations reported

House Bill No. 4731, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 321 (MCL 600.321), as amended by 2007 PA 64.

With the recommendation that the bill pass.

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

Roger Kahn, M.D.
Chairperson

To Report Out:

Yeas: Senators Kahn, Moolenaar, Jansen, Pappageorge, Booher, Caswell, Colbeck, Green, Proos, Schuitmaker and Walker

Nays: Senators Anderson, Gregory, Hood and Hopgood

The bill was referred to the Committee of the Whole.

The Committee on Appropriations reported

House Bill No. 4734, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 20161 (MCL 333.20161), as amended by 2008 PA 277.

With the recommendation that the substitute (S-2) be adopted and that the bill then pass.

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

Roger Kahn, M.D.
Chairperson

To Report Out:

Yeas: Senators Kahn, Moolenaar, Jansen, Pappageorge, Booher, Caswell, Colbeck, Green, Proos, Schuitmaker and Walker

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. 4787, entitled

A bill to amend 1986 PA 32, entitled "Emergency 9-1-1 service enabling act," by amending section 408 (MCL 484.1408), as amended by 2010 PA 284.

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.

Roger Kahn, M.D.
Chairperson

To Report Out:

Yeas: Senators Kahn, Moolenaar, Jansen, Pappageorge, Booher, Caswell, Colbeck, Green, Proos, Schuitmaker and Walker

Nays: Senators Anderson, Gregory and Hood

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 Tuesday, August 23, 2011, at 2:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building

Present: Senators Kahn (C), Moolenaar, Jansen, Pappageorge, Booher, Caswell, Colbeck, Green, Proos, Schuitmaker, Walker, Anderson, Gregory, Hood and Hopgood

Excused: Senator Johnson

COMMITTEE ATTENDANCE REPORT

The Committee on Local Government and Elections submitted the following:

Meeting held on Wednesday, July 13, 2011, at 2:00 p.m., Room 100, Farnum Building

Present: Senators Robertson (C), Hansen, Brandenburg and Young

COMMITTEE ATTENDANCE REPORT

The Committee on Health Policy submitted the following:

Joint meeting held on Wednesday, July 13, 2011, at 3:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower

Present: Senators Marleau (C), Robertson, Hune, Jones, Warren and Gleason

Excused: Senators Emmons and Schuitmaker

COMMITTEE ATTENDANCE REPORT

The Committee on Insurance submitted the following:

Joint meeting held on Wednesday, July 13, 2011, at 3:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower

Present: Senators Hune (C), Marleau, Brandenburg, Hansen, Robertson, Smith and Bieda

COMMITTEE ATTENDANCE REPORT

The Committee on Economic Development submitted the following:

Meeting held on Monday, August 15, 2011, at 9:57 a.m., Gloria Jeff Welcome Center, 2835 Bagley Street, Detroit

Present: Senators Kowall (C), Nofs, Emmons, Hansen and Smith

Excused: Senators Hildenbrand and Hunter

COMMITTEE ATTENDANCE REPORT

The Committee on Reforms, Restructuring and Reinventing submitted the following:

Meeting held on Thursday, August 18, 2011, at 10:00 a.m., Coleman A. Young Municipal Center, Erma L. Henderson Auditorium, 13th Floor, 2 Woodward Avenue, Detroit

Present: Senators Jansen (C), Robertson and Young

Excused: Senators Colbeck, Casperson, Kowall and Warren

COMMITTEE ATTENDANCE REPORT

The Committee on Reforms, Restructuring and Reinventing submitted the following:

Meeting held on Friday, August 19, 2011, at 11:15 a.m., Community Dental Clinic, 115 N. 8th Street, Escanaba

Present: Senators Jansen (C) and Casperson

Excused: Senators Colbeck, Kowall, Robertson, Young and Warren

COMMITTEE ATTENDANCE REPORT

The Committee on Reforms, Restructuring and Reinventing submitted the following:

Meeting held on Monday, August 22, 2011, at 2:00 p.m., Davison Township Hall, 1280 Irish Road, Davison

Present: Senators Jansen (C) and Robertson

Excused: Senators Colbeck, Casperson, Kowall, Young and Warren

COMMITTEE ATTENDANCE REPORT

The Conference Committee on Public Employee Health Care Contribution (SB 7) submitted the following:

Meeting held on Tuesday, August 23, 2011, at 11:00 a.m., Rooms 402 and 403, Capitol Building

Present: Senators Jansen (C), Colbeck and Young

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Department of Corrections submitted the following:

Meeting held on Wednesday, August 24, 2011, at 9:00 a.m., Senate Hearing Room, Ground Floor, Boji Tower

Present: Senators Proos (C), Walker and Anderson

Scheduled Meetings

Reforms, Restructuring and Reinventing - Thursday, August 25, 1:00 p.m., Wyoming City Hall, 1155 28th Street S.W., Wyoming; and Thursday, September 1, 9:00 a.m., Automation Alley, 2675 Bellingham Drive, Troy (373-5324)

Senate Fiscal Agency Board of Governors - Thursday, September 8, 9:00 a.m., Senate Majority Leader's Conference Room, Room S-101, Capitol Building (373-2768)

Senator Meekhof moved that the Senate adjourn.
The motion prevailed, the time being 2:22 p.m.

Pursuant to Senate Concurrent Resolution No. 16, the President, Lieutenant Governor Calley, declared the Senate adjourned until Wednesday, September 7, 2011, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate

