

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

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Senate Chamber, Lansing, Wednesday, December 1, 2010.

10:00 a.m.

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

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

Allen—present  
Anderson—present  
Barcia—present  
Basham—present  
Birkholz—present  
Bishop—present  
Brater—present  
Brown—present  
Cassis—present  
Clark-Coleman—present  
Clarke—present  
Cropsey—present  
Garcia—present

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

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

Pastor Kent Clark of Grace Centers of Hope of Pontiac offered the following invocation:

Our Father, our God, Creator of heaven and earth, Redeemer of mankind, in less than 24 days, 2,000 years ago, the infinite God came to earth in the form of an infant. You condescended to this earth and stooped to our level. You were Immanuel, God with us. Are You still with us? Many of us in this solemn assembly clearly understand why You are not speaking to us. You, as in the days of the weeping prophet Jeremiah, are like a man who has turned to stone. Our President has said that we are not a Christian nation, and some of us here this morning do not wear that badge of honor but of shame.

Lord, since You have been banned from America, things just haven't been the same. Since You have been gone and without Your forming hand, we have degenerated into chaos. We know that You know that since You have been gone, life has lost its sacredness.

Lord, since You have been gone, the institution of marriage, the family, the building block of a solid society, the social glue that holds society together has disintegrated. We know that God in the family is its brightest ornament and its best security.

Lord, since You have been gone, men and women have lost their sense of parenthood, and we have 800,000 children in America without a mother and a father. Since You have been gone, the state has been attempting to be a parent, and it's not working.

Lord, since You have been gone, we have taught our children that there is no Creator, that they are nothing but the accidental formation of gas and dust, and that they have no real purpose in life. While You have been gone, we have tried to substitute the multiplicity of material things for You, and it seems our children no longer have a point of reference and cannot cope with the pains of life and are killing themselves and one another.

Lord, since You have been gone, our prisons have filled and our churches have emptied.

Dear God, many here this morning in this Senate would like to invite You back. Please keep us from ruin. We know that a sparrow does not fall to the ground without Your notice. We know that a nation cannot rise without Your aid. We know this morning that the spiritual weapons of this great nation are our most powerful resource in peace and war. We know that neither the wisest constitution nor the wisest laws will secure the liberty and happiness of a people who refuse to acknowledge the existence of God. Our confidence this morning is not in big government, but in a big God.

If You will accept our invitation to revisit America, we promise we will never discharge ourselves from the culture in which we live. We have learned our lesson that entitlement programs do not work, and big government passing out checks has failed to solve the social ills that plague us.

Guide the thoughts and decisions that are made in these chambers today and in the days to come. Bless and protect our men and women in the armed forces around the world to hold back the enemies of liberty.

God bless America, stand beside her, and guide her through this night with a light from above.

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

### Motions and Communications

Senators Kuipers, Allen, George, Birkholz, Hunter, Cassis, Barcia and Brown entered the Senate Chamber.

Senator Cropsey moved that consideration of the motion to discharge the Committee on Government Operations from further consideration of the following resolutions be postponed for today:

**Senate Resolution No. 15**

**Senate Resolution No. 172**

The motion prevailed.

Senator Cropsey moved that consideration of the motion to discharge the Committee on Transportation from further consideration of the following bill be postponed for today:

**House Bill No. 4961**

The motion prevailed.

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

The motion prevailed.

Senator Garcia's statement is as follows:

This morning, I have mixed emotions, the combination of pleasure and sadness. I recognize my longtime chief of staff as she leaves this body for retirement. I will be chased out due to term limits, and she will be retiring. I just want to recognize some of the things that she has done for my office and also for this body.

It was some time many years ago, during the last century, that Helen Freeman first joined this body. She went to work for then-State Representative John Pridnia—some of you may remember that name—who then went on to become a State Senator way Up North. Then somewhere during the last decade, the late-Senator Glenn Steil, one of our colleagues, stole her away from him. If I remember correctly, if the story serves me well, he called her up and asked her if she would come work for him and she said no. But Glenn, as many of you know, doesn't take no lightly, and he persisted and eventually convinced her to come and work on his staff.

Some of the things that Helen is known for are her thoroughness, her efficiency, and her no-nonsense approach to the job. She cares about what she does, she has a passion for it, and she has worked hard. I know that for many, many years I have worked hard in this chamber, but right there next to me working just as hard, if not harder, was Helen. All the work that she did to get me ready to come in here and introduce bills, speak on bills, those in committee, budget, she was my, if you will excuse the expression, right-hand man. Of course, today, it's right-hand person.

She is the only staff member who has survived my ten years in the Senate. She was actually—and she will dispute this—the first one to come work for me in the Senate. But unbeknown to probably many of you, we were colleagues together in the '90s when I was the chief of staff for Mike Rogers and administrative assistant for Doug Carl. She was also a chief of staff with John Pridnia. So when I did interviews, I already had someone in mind for the job, but Helen came and interviewed with me. I had some hesitation because we were colleagues at one point, and now she would be working for me. I asked her that question, and her answer was very profound and, in my opinion, very professional and the reason I hired her. I won't tell you what that response was, but I have to tell you it impressed me and was just a foretelling of what was to come.

When she joined the Legislature, she had two daughters. Today, she has two daughters, five grandchildren, and five great-grandchildren. Her two daughters are up in the east Gallery, Crystal and Cathleen. I am sure they are very proud of their mother, as I am as well.

I am not going to read the tribute I have here. It covers many of the things that I just mentioned. I do want to say that I am very grateful and appreciative in more ways than one because more than once she has saved my neck from doing something really stupid. Sometimes she didn't save me, but what can I say?

So, Helen, on behalf of myself and this body and all the people of the state of Michigan, I want to thank you for your work, dedication, commitment to service, and for all you have done for me. I really appreciate it and will miss you, but we still have 21 days left, so a little more work to do. Thank you, Helen, and God bless.

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

By unanimous consent the Senate proceeded to the order of

### **Resolutions**

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

**Senate Resolution No. 41**

**Senate Resolution No. 75**

**Senate Resolution No. 88**

**Senate Resolution No. 168**

**Senate Resolution No. 169**

**Senate Concurrent Resolution No. 48**

The motion prevailed.

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

**Senate Resolution No. 188**

**Senate Resolution No. 189**

**Senate Resolution No. 190**

**Senate Resolution No. 191**

**Senate Resolution No. 192**

**Senate Resolution No. 193**

**Senate Resolution No. 194**

**Senate Resolution No. 195**

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**Senate Resolution No. 215**  
**Senate Resolution No. 216**

The resolution consent calendar was adopted.

Senator Gilbert offered the following resolution:

**Senate Resolution No. 188.**

A resolution for the Honorable Michael Bishop.

Whereas, In honor and recognition of his distinguished term as Senator of the 12th Senate District, the members of this legislative body pay tribute to Senator Michael Bishop. Throughout his legislative career, he has been a steadfast leader and tireless advocate for fiscal efficiency and responsibility in state government; and

Whereas, A man of strong conviction and dedication to the commonweal, Michael Bishop's diverse public and private sector experience has been a great asset to the Michigan Legislature. His expansive educational pursuits include a bachelor's degree in history from the University of Michigan and a juris doctorate from the Detroit College of Law, as well as a studies abroad at Cambridge University in England and the University of Paris-Sorbonne in France. Moreover, his career endeavors include his accomplishments in real estate, as a local prosecuting attorney, and private law practice; and

Whereas, Michael Bishop's tenure as a lawmaker began with his election to the House of Representatives in 1998, where he served until his election to the Senate in 2002. Throughout his legislative service, he has been an agent for change, seeking to reform state spending and governmental restructuring and public employee health care reform, as well as the structure of the Legislature. He sponsored the measure to create the nation's first Michigan child protection registry, and in 2003, legislation that established identity theft as a felony in Michigan; and

Whereas, During his tenure, Michael Bishop has served on several important committees and has been chair of the Senate Banking and Financial Institutions Committee and vice chair of the Senate Judiciary Committee. He held the distinguished position of Senate Majority Leader from 2007 to 2010 and chair of the Government Operations Committee, which has the role of providing advice and consent of the Governor's appointments to state agencies and commissions. His work in leadership during an era of exceptional challenge in our state has been marked by unwavering dedication. He has served his constituents and the entire state with distinction; now, therefore, be it

Resolved by the Senate, That we offer this expression of tribute to commend and thank Michael Bishop for his many contributions to the Michigan Senate; and be it further

Resolved, That copies of this resolution be transmitted to Senator Bishop as evidence of our gratitude and best wishes.

Senator Cropsey moved that rule 3.204 be suspended to name the entire membership of the Senate and the Lieutenant Governor as co-sponsors of the resolution.

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

Senator Bishop offered the following resolution:

**Senate Resolution No. 189.**

A resolution of tribute for the Honorable Bruce Patterson.

Whereas, It is with gratitude for his dedication over the last 12 years as a state lawmaker and member of this legislative body that we salute Bruce Patterson. His vision, leadership, and talents have contributed to the development of sound policies in Michigan. His commitment to his Canton area district is evidenced by the many community organizations with which he has been involved in service over the last 30 years; and

Whereas, Senator Patterson has contributed his insights and ideas into the wide-ranging policy debates in the full Senate and in his committee responsibilities. During his Senate tenure, Senator Patterson has served honorably as chairman of the Committee on Energy Policy and Public Utilities, while also sitting on the Health Policy, Judiciary, and Natural Resources and Environmental Affairs Committees, as well as the Legislative Council. He has led the charge on significant public acts to protect consumers from utility shut-offs, provide tax credits to encourage hybrid vehicle research and development, protect students from criminal sexual conduct by school employees, and create watershed alliances to protect the environment; and

Whereas, Bruce Patterson has been recognized for his work over the last ten years by a bevy of state professional organizations and associations, including the Telecommunications Association of Michigan, the Michigan Association of Health Plans, the Michigan Psychological Association, the Michigan Education Association, the Michigan Municipal League, the Michigan League of Conservation Voters, ABATE of Michigan, the Michigan Manufacturers Association, the Michigan Nursing Association, the Michigan Chamber of Commerce, and the Michigan Court Officers, Deputy Sheriffs and Process Servers Association; now, therefore, be it

Resolved by the Senate, That we offer this expression of tribute to commend and thank the Honorable Bruce Patterson for his notable contributions to this legislative body and to our entire state; and be it further

Resolved, That copies of this resolution be transmitted to Senator Patterson as evidence of our gratitude and best wishes.

Senator Cropsey moved that rule 3.204 be suspended to name the entire membership of the Senate and the Lieutenant Governor as co-sponsors of the resolution.

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

Senator Bishop offered the following resolution:

**Senate Resolution No. 190.**

A resolution of tribute for the Honorable Tom George.

Whereas, As Senator Tom George brings to a close his tenure of service in the Michigan Senate, the members of this legislative body are privileged to acknowledge and honor his many contributions on behalf of the citizens of Michigan, especially the constituents in the 20th Senate District. Tom George has pursued his role as a legislator with passion and a deep concern for the health and well-being of the residents of this state; and

Whereas, Tom George parlayed his career in medicine into the role of an advocate for improved access to health care in Michigan. He was elected to the House of Representatives in 2000, where he served for one term before his election to the Senate in 2002. As chair of the Senate Health Policy Committee, he fought for health care reform in Michigan and promoted healthy lifestyles as a means of reducing health care costs; and

Whereas, A native of Flint, Michigan, Tom George attended the University of Michigan for his undergraduate studies and medical school and earned distinctions as a James B. Angell Scholar and member of Phi Beta Kappa. As a board certified anesthesiologist, he has practiced in the Kalamazoo area since 1985. Furthermore, he served as the medical director for Hospice of Greater Kalamazoo from 1996 to 2001; and

Whereas, Tom George has been widely recognized as an effective lawmaker throughout his legislative career. He received Legislator of the Year awards from the Michigan Hospice and Palliative Care Organization, the Michigan Association of Health Plans, and Scenic Michigan, as well as the Friend of Diabetes and Kidney Health Care award from the American Diabetes Association. A noted and published student of Michigan history, he has brought an invaluable sense of perspective to all of his responsibilities; now, therefore, be it

Resolved by the Senate, That we hereby offer this expression of tribute of appreciation to honor Senator Tom George for his contributions to both the House and Senate and the people of the state of Michigan; and be it further

Resolved, That copies of this resolution be transmitted to Senator George as evidence of our best wishes.

Senator Cropsey moved that rule 3.204 be suspended to name the entire membership of the Senate and the Lieutenant Governor as co-sponsors of the resolution.

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

Senator Bishop offered the following resolution:

**Senate Resolution No. 191.**

A resolution of tribute to Senator Cameron Brown.

Whereas, It is most fitting for the members of this legislative body to pay tribute to our colleague, Senator Cameron Brown, as he brings to a close his tenure as a member of the Senate; and

Whereas, Cameron Brown brought to the Capitol invaluable private sector experience that has been an asset to the Michigan Legislature. He came equipped with a keen business acumen coupled with a desire to actively engage in public service through the legislative process. He earned a bachelor's degree from the University of Missouri-Kansas City and a master's degree in public administration from Western Michigan University. Prior to coming to the Senate, he distinguished himself throughout his two terms in the House of Representatives, ten years as a St. Joseph County commissioner, and service as a member of the Sturgis City Commission; and

Whereas, In the Senate, Cameron Brown distinguished himself as the chair of the Homeland Security and Emerging Technologies Committee. He was also vice chair of the Campaign and Election Oversight Committee and the Energy Policy and Public Utilities Committee. Senator Brown also has been heavily engaged in the process of crafting the state's budget during very difficult economic times as a member of the Appropriations Committee and served as chair of the Subcommittee on Agriculture; and

Whereas, Cameron Brown's entire career has embodied his heartfelt commitment to public service and to the state of Michigan. Senator Brown has a strong sense of Michigan's heritage, being the sixth generation of his family to live in southern Michigan. He has carried out his legislative duties with compassion and integrity modeled after his hero, President Abraham Lincoln; now, therefore, be it

Resolved by the Senate, That we hereby extend this expression of gratitude to the Honorable Cameron Brown as he brings to a close his service in the Senate; and be it further

Resolved, That copies of this resolution be transmitted to Senator Brown as evidence of our esteem.

Senator Cropsy moved that rule 3.204 be suspended to name the entire membership of the Senate and the Lieutenant Governor as co-sponsors of the resolution.

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

Senator Bishop offered the following resolution:

**Senate Resolution No. 192.**

A resolution of tribute for the Honorable Nancy Cassis.

Whereas, In recognition of her distinguished career of service to the Senate and to the entire state, we take this opportunity to express our gratitude and admiration for the legislative tenure of Senator Nancy Cassis. As she brings to a close a legislative career filled with various contributions and achievements, it is appropriate to highlight the many ways that she has worked toward the betterment of the lives of her constituents and the residents of Michigan; and

Whereas, As a member of the Senate, Nancy Cassis has worked tirelessly through the legislative process to effectuate change in the state's business climate and the individual lives of Michigan citizens. From working to reform tax policy by eliminating the single business tax to sponsoring laws to bring reform, transparency, and accountability to MEGA tax credits, Senator Cassis has made fiscal responsibility her overriding goal. She sponsored landmark legislation developing and implementing early intervention programs to help improve academic performance of struggling students. Furthermore, as a consumer advocate, she sponsored legislation to protect the Social Security numbers of citizens, thus helping to fight against identity theft; and

Whereas, A native of Long Island, New York, Nancy Cassis attended Ohio University, where she earned a bachelor's degree, and the University of Michigan, where she earned a master's degree and an education specialist degree. Prior to her legislative career, she taught school in Ohio and later was a school psychologist for Novi Community Schools. Moreover, she has served the community in a host of civic and community organizations and has been the recipient of numerous accolades for excellence and dedication of service; now, therefore, be it

Resolved by the Senate, That we express our gratitude to the Honorable Nancy Cassis as she brings to a close her term in the Michigan Senate; and be it further

Resolved, That copies of this resolution be transmitted to Senator Cassis as a token of our esteem.

Senator Cropsy moved that rule 3.204 be suspended to name the entire membership of the Senate and the Lieutenant Governor as co-sponsors of the resolution.

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

Senator Bishop offered the following resolution:

**Senate Resolution No. 193.**

A resolution for the Honorable Alan Sanborn.

Whereas, As the 95th Legislature comes to a close, it is most fitting for the members of this legislative body to pay tribute to the Honorable Alan Sanborn for his years of service to the Michigan Senate. As President pro tempore, he has played a notable role in navigating the state through the turbulent waters of one of the most severe economic crises in recent history; and

Whereas, Alan Sanborn has a long and distinguished career in public service that includes 20 years of service as a Macomb County probation officer. In 1998, he was elected to the House of Representatives and to the Senate by special election in 2001. In 2002, he was re-elected to the Senate, and has, throughout his tenure, served with high integrity, commitment to public service, and hard work; and

Whereas, In addition to his leadership role as President pro tempore, Alan Sanborn served as chair of the Committee on Economic Development, Small Business and Regulatory Reform. He has also sponsored legislation in a host of subject areas, including economic development, financial institutions, insurance, and higher education; and

Whereas, We applaud Senator Sanborn for his service to the citizens of this state in all the responsibilities entrusted to him and for his overall contributions to the Michigan Legislature. We extend to him our best wishes for success in his future endeavors; now, therefore, be it

Resolved by the Senate, That we hereby express gratitude to Senator Alan Sanborn for his tenure of dedicated service to this legislative body; and be it further

Resolved, That copies of this resolution be transmitted to Senator Sanborn as evidence of our esteem.

Senator Cropsy moved that rule 3.204 be suspended to name the entire membership of the Senate and the Lieutenant Governor as co-sponsors of the resolution.

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

Senator Bishop offered the following resolution:

**Senate Resolution No. 194.**

A resolution of tribute for the Honorable Ron Jelinek.

Whereas, It is with gratitude and appreciation that we recognize and commend the longstanding service of Ron Jelinek to the state of Michigan. He has served the state tirelessly and admirably as a lawmaker for 14 years. His colleagues will always remember his integrity, honesty, and fairness as he worked to strengthen Michigan and the legislative process; and

Whereas, Hailing from Three Oaks, Ron Jelinek earned his bachelor's degree from Michigan State University and his master's degree from Western Michigan University. As a teacher and farmer, he has taken on two of the tasks of greatest importance to our state. Those who have benefited from his mentorship include his three children, the children in the Berrien County River Valley School District, and young adults interested in agriculture and science. He has been an advisor to the Future Farmers of America, a 4-H leader, and the President of the Region of Three Oaks Museum Board. After his election to the Michigan House of Representatives in 1996, Mr. Jelinek brought his mentorship and work ethic to the Michigan Legislature; and

Whereas, In his 14 years of service to the residents of his area and our entire state, Senator Jelinek earned a reputation as a fair-minded legislator who could solve difficult problems. It was with this in mind that he was appointed to work on the state's budget and served as the chair of the Senate Appropriations Committee from 2007 to 2010. Senator Jelinek's numerous legislative accomplishments include balancing the 2011 budget with no tax or fee increases, sponsoring and passing bills to protect private property owners, championing funding for early childhood programs and public schools, providing college scholarships in the 21st Senate District, and helping craft legislation to protect the health of all Michigan residents by making the state smoke-free; now, therefore, be it

Resolved by the Senate, That we offer this expression of our appreciation and respect for Senator Ron Jelinek as he brings to a close his distinguished 14 years of service to the people of this state as a legislator; and be it further

Resolved, That copies of this resolution be transmitted to Senator Jelinek as evidence of our esteem and best wishes.

Senator Cropsy moved that rule 3.204 be suspended to name the entire membership of the Senate and the Lieutenant Governor as co-sponsors of the resolution.

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

Senator Bishop offered the following resolution:

**Senate Resolution No. 195.**

A resolution of tribute for the Honorable Valde Garcia.

Whereas, It is with gratitude for his service to the 22nd Senate District and to the entire state that we commend and thank Valde Garcia. He leaves the Michigan Senate with the respect and admiration of his colleagues for his commitment and dedication to public service; and

Whereas, Valde Garcia grew up in Clinton County, the son of migrant workers who instilled in him a love of country and the desire to act in its service. After earning a bachelor's degree in political science and history from Cedarville College in Ohio, Valde Garcia was commissioned as an officer in the United States Army. He actively served his country for more than nine years, including during Operation Desert Storm, and continues to serve in the Reserve Forces. The Army has recognized his honorable service, promoting him to the rank of colonel and decorating him with the Meritorious Service Medal, four Army Commendation Medals, four Army Achievement Medals, and two joint service medals; and

Whereas, With the same sense of duty, Valde Garcia has taken on many tasks through the Michigan Legislature. He served as a legislative aide and chief of staff for several members of the Michigan Senate before his election to the House of Representatives in 1999. A few short years later, in a 2001 special election, he made history by becoming the first Hispanic elected to the Michigan Senate. Since then, Senator Garcia has applied his no-nonsense, get-things-done approach to strengthening and protecting Michigan and its people. His accomplishments include sponsoring legislation that supported Michigan's military families, made Michigan's schools stronger, helped law enforcement personnel do their jobs, and spurred economic development. His distinguished legislative career also includes service on the Senate Appropriations Committee, the Homeland Security and Emerging Technologies Committee, and the Senior Citizens and Veterans Affairs Committee; now, therefore, be it

Resolved by the Senate, That we commend and thank Senator Valde Garcia for his dedication and commitment to serving our country and our state; and be it further

Resolved, That copies of this resolution be transmitted to Senator Garcia as a testament of our respect and admiration.

Senator Cropsey moved that rule 3.204 be suspended to name the entire membership of the Senate and the Lieutenant Governor as co-sponsors of the resolution.

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

Senator Bishop offered the following resolution:

**Senate Resolution No. 196.**

A resolution of tribute for the Honorable Patricia Birkholz.

Whereas, It is a pleasure for the members of the Michigan Senate to commend and thank Patty Birkholz as she brings her distinguished legislative tenure to a close. We deeply appreciate her commitment to the residents of the 24th Senate District and the entire state; and

Whereas, Patty Birkholz's commitment to our state, and in particular our natural resources, began three decades ago, when she became the first park commissioner for Saugatuck Township. Under her leadership and tireless work, the township established the beautiful River Bluff Park on the Kalamazoo River. Afterwards, Patty Birkholz continued working for the residents of Saugatuck Township as a trustee and then as the Allegan County treasurer; and

Whereas, In 1997, Patty Birkholz brought her leadership skills and experiences to the Capitol. During her three terms in the House of Representatives and two terms in the Senate, she was committed to protecting the Great Lakes and our state's natural resources. Senator Birkholz championed the adoption of the Great Lakes-St. Lawrence River Basin Water Resources Compact, was instrumental in the passage of the nation's first scientifically-based water withdrawal legislation, and sponsored the legislation creating the State Parks Passport program. As the chair of the Senate's Natural Resources and Environmental Affairs Committee, she earned the respect and admiration of business leaders, environmentalists, hunters, and conservationists alike; and

Whereas, Michigan has benefited from Patty Birkholz's ability to work with others and see the big picture. Her involvement was critical in advancing funding for early childhood education, enacting the safe haven for abandoned babies law, passing historic renewable energy and energy efficiency legislation, and creating programs to fight the clandestine manufacture of methamphetamine. The entire state has benefited immensely from her leadership, and we are grateful for her service; now, therefore, be it

Resolved by the Senate, That we offer this expression of gratitude and commendation to Senator Patricia Birkholz for her outstanding service and commitment to Michigan; and be it further

Resolved, That copies of this resolution be transmitted to Senator Birkholz as evidence of our esteem and best wishes.

Senator Cropsey moved that rule 3.204 be suspended to name the entire membership of the Senate and the Lieutenant Governor as co-sponsors of the resolution.

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

Senator Bishop offered the following resolution:

**Senate Resolution No. 197.**

A resolution of tribute for the Honorable Judson Gilbert II.

Whereas, It is with great respect and gratitude for his service to the people of the 25th Senate District, as well as the entire state, that we honor Senator Judson Gilbert as he ends his tenure in the Senate. His dedication and strength of character have helped to steer Michigan during a difficult time in our history; and

Whereas, Jud Gilbert is a proud son and lifelong resident of Algonac. He attended Algonac High School and St. Clair County Community College. From there, he studied mortuary science at Wayne State University. After his graduation, he spent several years as a funeral director, a position requiring a deep well of compassion and dignity. Public service and the desire to give back to his community are ingrained in Jud Gilbert. Organizations such as the Algonac Rotary Club, the Optimist Club, and Youth for Christ have benefited from his service. Other groups fortunate to have his service include the E911 Citizen's Advisory Committee, the Clay Township Planning Commission, the Downriver Recreation Committee, and the Clay Township Downtown Development Authority; and

Whereas, Jud Gilbert was elected to the Michigan House of Representatives in 1998 and the Michigan Senate in 2002. During his tenure in the Senate, he served on committees shaping finance, agriculture, commerce, and economic development laws. As chair of the Senate Transportation Committee, he presided over the Detroit River International Crossing hearings and worked to protect Michigan's infrastructure needs in an era of financial challenge. Knowing the importance of honoring lost loved ones, Senator Gilbert also took a leadership role on legislation creating the new Office of Cemetery Regulation and the new position of cemetery commissioner; now, therefore, be it

Resolved by the Senate, That we offer this expression of our gratitude to honor and thank Senator Judson Gilbert as he completes his service in the Michigan Senate; and be it further

Resolved, That copies of this resolution be transmitted to Senator Gilbert as a testament of our respect and good wishes. Senator Cropsy moved that rule 3.204 be suspended to name the entire membership of the Senate and the Lieutenant Governor as co-sponsors of the resolution.

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

Senator Bishop offered the following resolution:

**Senate Resolution No. 198.**

A resolution of tribute for the Honorable Bill Hardiman.

Whereas, We extend our thanks and gratitude to Bill Hardiman for his outstanding service to the 29th Senate District and the entire state. His integrity, commitment, and leadership will be sorely missed by his Senate colleagues and the Michigan Legislature; and

Whereas, A Grand Rapids resident almost his entire life and a graduate of Grand Rapids South High School, Bill Hardiman attended Grand Valley State University and Western Michigan University, where he obtained a master's degree in public administration. The hardships he endured and the lessons he learned as a child provided Senator Hardiman with an unwavering faith and strength of character that have guided him throughout his life. He is a Vietnam veteran who has served his community in innumerable ways. For ten years, from 1992 to 2002, he served as the mayor of the city of Kentwood. He has also served on the board of directors for the Grand Rapids Transit Authority, the Gerald R. Ford Council of the Boy Scouts of America, Grand Rapids Housing Center, Michigan Municipal League, United Way of Kent County, and myriad other organizations. He gained national attention as one of the founders of Healthy Marriages Grand Rapids, a program to promote strong marriages and family life; and

Whereas, Following his election to the Michigan Senate in 2002, Senator Hardiman applied his strong values and leadership skills to help strengthen the state of Michigan. His ability to be fair and yet able to make tough decisions were critical for the operation of several appropriations subcommittees during difficult economic times. As the chair of the Department of Human Services Appropriations Subcommittee and vice chair of the Families and Human Services Committee, Bill Hardiman advocated for Michigan's children and families. His many legislative accomplishments include amendments to the child protection law and the child care licensing act to protect children from abuse and neglect. Senator Hardiman sponsored legislation creating an early intervening model program for children in kindergarten through third grade and making it harder for criminals to use electronic gadgets to stalk their victims; now, therefore, be it

Resolved by the Senate, That we commend and thank Bill Hardiman for his dedicated service to the Michigan Senate and the state of Michigan; and be it further

Resolved, That copies of this resolution be transmitted to Senator Hardiman as evidence of our high esteem and our best wishes for his future success.

Senator Cropsy moved that rule 3.204 be suspended to name the entire membership of the Senate and the Lieutenant Governor as co-sponsors of the resolution.

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

Senator Bishop offered the following resolution:

**Senate Resolution No. 199.**

A resolution of tribute for the Honorable Wayne Kuipers.

Whereas, It is with great respect for his distinguished service to the 30th Senate District and the entire state of Michigan that we commend and thank Wayne Kuipers. He is ending his legislative tenure having earned the admiration and deep respect of his colleagues in the Senate and the entire Michigan Legislature; and

Whereas, Wayne Kuipers is a proud son of Michigan's west coast and a lifelong resident of the Holland area. After earning a bachelor's degree from Calvin College and a master's degree from Aquinas College, he put his management skills to work in the landscape industry. His deep personal faith and civic dedication guided him as he raised his family. He became a member of the Holland Area Chamber of Commerce, the Holland Kiwanis, and the Holland Area Right to Life and is involved in numerous civic and business groups; and

Whereas, Recognizing his leadership and his dedication, the residents of Ottawa and Kent Counties elected Wayne Kuipers to the Michigan House of Representatives in 1998. He served his district and the entire state with integrity and honesty as a State Representative from 1999 until his election to the Michigan Senate in 2002. Always trying to do a better job for his constituents and the state, he attended and graduated from the Michigan Political Leadership Program and the Bowhay Institute for Legislative Leadership Development; and

Whereas, While in the House of Representatives, Senator Kuipers was appointed to chair the Education Committee, the House Republican Task Force on Government Waste, and the select committee on Strategies to Reduce Teen Pregnancy. In recognition of Senator Kuipers' strong leadership skills, upon his election to the Senate, he was appointed to chair the Senate Education Committee. During his second Senate term, he was given the rare opportunity to chair both the Education and the Judiciary Committees, while still serving on other committees, such as Transportation, Government Operations, and

Energy Policy and Public Utilities. Throughout his legislative tenure, Senator Kuipers worked tirelessly to enhance the lives of Michigan's young people by seeking to strengthen Michigan's Revised School Code. He sponsored legislation to encourage parental involvement in a child's education, to increase the number of public school academies in the state, and to raise the bar for public schools; now, therefore, be it

Resolved by the Senate, That we commend and thank Senator Wayne Kuipers for his dedicated service to our great state; and be it further

Resolved, That copies of this resolution be transmitted to Senator Kuipers as a testament of our admiration, our esteem, and our good wishes for his future success.

Senator Cropsey moved that rule 3.204 be suspended to name the entire membership of the Senate and the Lieutenant Governor as co-sponsors of the resolution.

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

Senator Bishop offered the following resolution:

**Senate Resolution No. 200.**

A resolution of tribute for the Honorable Jason Allen.

Whereas, With the completion of his second term in the Michigan Senate, it is most appropriate for us to commend Senator Jason Allen and to express our gratitude for his contributions to this legislative body. His diligence in articulating and acting on the needs of his district and his thoughtful approach to the challenges facing our state have been deeply appreciated; and

Whereas, After earning a bachelor's degree in finance at Miami University in Ohio, Jason Allen returned to his beloved northern Michigan and his family's business. In addition to gaining insights into the challenges of the business world, he also demonstrated his community-mindedness through his efforts in the National Guard and his work with numerous civic organizations. In 1999, he brought these experiences and insights to Lansing and the Capitol following his election to the Michigan House of Representatives; and

Whereas, Elected to the Michigan Senate in 2002 and 2006, Senator Allen has distinguished himself as a strong fiscal conservative committed to policies that can strengthen Michigan's economy. He has been especially active in promoting the tourism industry. His work in the Senate has been highlighted by his leadership as the chair of the Commerce and Tourism Committee and the Senior Citizens and Veterans Affairs Committee, as well as in his dedication to policies to promote Michigan's outdoors heritage. His efforts promoting the Pure Michigan campaign; working on economic development initiatives, especially in the areas of energy development; supporting programs to develop downtowns and encourage investment; and sponsoring measures to support our military properly all reflect Senator Allen's impact; now, therefore, be it

Resolved by the Senate, That we offer this expression of our highest tribute to honor and thank Senator Jason Allen for his exemplary public service to the people of Michigan throughout his tenure as a lawmaker; and be it further

Resolved, That copies of this resolution be transmitted to Senator Allen and his family as evidence of our best wishes for health and happiness in the years to come.

Senator Cropsey moved that rule 3.204 be suspended to name the entire membership of the Senate and the Lieutenant Governor as co-sponsors of the resolution.

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

Senator Bishop offered the following resolution:

**Senate Resolution No. 201.**

A resolution of tribute for the honorable Tony Stamas.

Whereas, It is with great respect for his dedication to the people of his district and our entire state that we honor and thank Tony Stamas in acknowledgement of his service as a member of the Michigan Senate. As his tenure draws to a close, we commend him for his thoughtful contributions to the legislative process over the past eight years and his diligence in working for a stronger Michigan; and

Whereas, A graduate of Michigan State University and a lifelong Midland area resident, Tony Stamas came to Lansing and the Capitol following his election to the Michigan House of Representatives in 1998. His experience with his family's small business and his extensive involvement in county government and a variety of civic groups have proven invaluable throughout his exemplary legislative tenure; and

Whereas, Senator Stamas has been a notable contributor to the work of the Appropriations Committee during a period of exceptional financial difficulties for our state. He has exerted leadership in crafting key budgets, especially as the chair of the Subcommittee on Higher Education. He has shepherded several bills through the process of becoming law, including measures in the areas of economic and business development. Another highlight of his service was his sponsorship of the measure ultimately approved by voters in a statewide ballot proposal to provide greater protections for private property against abuses of the use of eminent domain; now, therefore, be it

Resolved by the Senate, That we offer this expression of our thanks to honor Senator Tony Stamas as he concludes his service to the people of this state as a member of this legislative body from 2003 to 2010; and be it further

Resolved, That copies of this resolution be transmitted to Senator Stamas and his family as evidence of our gratitude for his service to our state and this legislative body.

Senator Cropsey moved that rule 3.204 be suspended to name the entire membership of the Senate and the Lieutenant Governor as co-sponsors of the resolution.

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

Senator Bishop offered the following resolution:

**Senate Resolution No. 202.**

A resolution of tribute for the Honorable Michelle McManus.

Whereas, The members of this legislative body are proud to commend Senator Michelle McManus and thank her for her contributions to the legislative process throughout her tenure. With diligence and determination, she has been an effective advocate for her northern Michigan community and has advanced causes of concern across our entire state; and

Whereas, Michelle McManus came to her responsibilities as a lawmaker with considerable familiarity with the intricacies of public policy. Her prior experiences as an aide in the House of Representatives and the Senate blended well with her strong ties in her community to make her a steadfast voice for her district. A graduate of Central Michigan University, she served with distinction over the course of her three terms as State Representative and worked as director of Governor Engler's Northern Michigan Office; and

Whereas, Over the course of her two terms in the Senate since 2003, Michelle McManus has taken on numerous issues. These include her leadership in advancing legislation to allow the direct shipment of wine; to create an apprentice hunting program to advance Michigan's outdoors heritage; to mandate the use of booster seats to safeguard children; and to ban partial-birth abortions. She has also contributed notably to the legislative process as the chair of the Campaign and Election Oversight Committee and as a member of the Appropriations Committee, which included her service as the chair of both the Joint Subcommittee on Capital Outlay and the Subcommittee on Natural Resources and Environment; now, therefore, be it

Resolved by the Senate, That we extend this expression of our highest tribute to Senator Michelle McManus as she brings to a close her service as a lawmaker; and be it further

Resolved, That copies of this resolution be transmitted to Senator McManus and her family as evidence of our respect and best wishes.

Senator Cropsey moved that rule 3.204 be suspended to name the entire membership of the Senate and the Lieutenant Governor as co-sponsors of the resolution.

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

Senator Bishop offered the following resolution:

**Senate Resolution No. 203.**

A resolution of tribute for the Honorable Gerald Van Woerkom.

Whereas, It is with great respect for his commitment to the people of our state and his district that we offer this expression of our thanks and best wishes to Senator Gerald Van Woerkom as he brings to a close his outstanding service through this legislative body. His consistency, thoughtfulness, and commitment to working with his colleagues to find solutions to Michigan's problems have been deeply appreciated and have contributed a great deal to the legislative process during a time of great challenge to Michigan; and

Whereas, Gerald Van Woerkom came to Lansing with a wealth of experience in education. A graduate of Calvin College with a master's degree from the University of Michigan, this genial gentleman devoted 28 years to young people as a teacher, coach, principal, and superintendent in Christian schools. This background, as well as his involvement in Muskegon area organizations devoted to conservation and sportsmanship, has proven invaluable to the Michigan Legislature since he came to Lansing as a State Representative in 1999; and

Whereas, Over the course of the past eight years, Senator Van Woerkom has contributed a respected voice to Senate deliberations on a wide variety of issues. He has been especially effective in carrying out his responsibilities as chair of the Agriculture and Bioeconomy Committee and the Local, Urban and State Affairs Committee and as the vice chair of the Education Committee and the Natural Resources and Environmental Affairs Committee. Highlights of his tenure include his leadership in securing funding to clean up White Lake and Ruddiman Creek, in advancing agriculture as an economic strength as other industries struggled, and in spearheading legislation to provide scholarships for students to attend college. His steady commitment has been deeply appreciated by colleagues, staff, and the people of his western Michigan community; now, therefore, be it

Resolved by the Senate, That we honor and commend Senator Gerald Van Woerkom for his dedication over the past eight years as a member of the Michigan Senate; and be it further

Resolved, That copies of this resolution be transmitted to Senator Van Woerkom and his family as evidence of our best wishes for the future.

Senator Cropsey moved that rule 3.204 be suspended to name the entire membership of the Senate and the Lieutenant Governor as co-sponsors of the resolution.

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

Senator Bishop offered the following resolution:

**Senate Resolution No. 204.**

A resolution of tribute for the Honorable Alan Cropsey.

Whereas, With the conclusion of the 95th Legislature, Senator Alan Cropsey is bringing to a close an exemplary career working on behalf of his district and our state as a lawmaker. His lengthy tenure, especially valuable in our term-limited era, has been marked by his knowledge of the legislative process, his strong principles, and his unwavering concern for Michigan's future; and

Whereas, A native of Paw Paw and a graduate of Bob Jones University and Cooley Law School, Alan Cropsey has served as a legislator in distinctly different situations in state government and with ever-deepening challenges facing our state. First elected to the House of Representatives in 1978, he was a member of the Michigan Senate from 1983 to 1986, serving alongside his dad, Senator Harmon Cropsey. Following work in private law practice, he returned to the House of Representatives for three terms (1993-1998) before returning to the Michigan Senate in 2003; and

Whereas, Highlights of Senator Cropsey's distinguished efforts as a lawmaker include his staunch defense of Second Amendment rights, commitment to law enforcement, advocacy of crime victims' rights, and understanding of the complexities of the corrections and the judicial systems. In addition, his work on the budget during an age of serious economic difficulty, as well as his leadership as the Majority Floor Leader, have been essential to the work carried out by the Senate. His insights and integrity have clearly served Michigan well; now, therefore, be it

Resolved by the Senate, That we extend this expression of our highest tribute to commend and thank Senator Alan Cropsey upon the occasion of his retirement from his long and effective tenure as a lawmaker; and be it further

Resolved, That copies of this resolution be transmitted to Senator Cropsey and his family as evidence of our gratitude for his contributions to this legislative body and to our entire state.

Senator Cropsey moved that rule 3.204 be suspended to name the entire membership of the Senate and the Lieutenant Governor as co-sponsors of the resolution.

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

Senator Prusi offered the following resolution:

**Senate Resolution No. 206.**

A resolution of tribute for the Honorable Hansen Clarke.

Whereas, The members of the Michigan Senate extend our thanks and best wishes to Senator Hansen Clarke as he completes his tenure with this legislative body. Senator Clarke has been a valuable colleague and a champion for his constituents as evidenced by his faithful accountability to their needs; and

Whereas, A native of Detroit's lower east side, Hansen Clarke graduated from Cornell University with a degree in painting and went on to complete his juris doctorate degree at Georgetown University. He was elected three times to the Michigan House of Representatives and in 2002, was elected to represent the 1st District in the Michigan State Senate for the first of two terms; and

Whereas, Senator Clarke served with distinction on several Senate committees, including as Democratic vice chair for the Committee on Health Policy and the Committee on Commerce and Tourism. He also has served as treasurer of the Michigan Legislative Black Caucus. Senator Clarke has proposed legislation on a wide range of matters of importance to his constituents, including foreclosures and community benefits agreements. He has worked tirelessly to create jobs and provide affordable health care for all Michigan citizens. Furthermore, his concern for city youth led to the establishment of an educational scholarship fund in his mother's name for disadvantaged students; now, therefore, be it

Resolved by the Senate, That we offer this tribute to commend and thank the Honorable Hansen Clarke for his notable contributions to this legislative body; and be it further

Resolved, That copies of this resolution be transmitted to Senator Clarke as evidence of our gratitude and best wishes.

Senator Cropsey moved that rule 3.204 be suspended to name the entire membership of the Senate and the Lieutenant Governor as co-sponsors of the resolution.

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

Senator Prusi offered the following resolution:

**Senate Resolution No. 207.**

A resolution of tribute to the Honorable Gilda Jacobs.

Whereas, It is an honor and a distinct privilege to extend this expression of tribute and gratitude to Senator Gilda Jacobs as she brings to a close her tenure with this legislative body. Gilda Jacobs has been a champion for the commonweal, serving as a voice and presence for the disenfranchised; and

Whereas, Leadership and service strongly portray the essence of the commitment to public service that Gilda Jacobs has exercised both inside and outside of the legislative arena. She has a long and impressive list of civic and community contributions that include efforts through the South Oakland NAACP, the Anti-Defamation League, and the Women's Division of the Jewish Federation of Metropolitan Detroit. Furthermore, she has been the recipient of numerous honors, including the Wonder Woman Award from the Women's Survival Center, the Something Wonderful for Children Legislative Award from Michigan's Children, and the Michigan Fatherhood Coalition Public Service Award, to name a few. She also served as chair of the 12th Congressional District Democratic Committee and an Oakland County commissioner and was the first woman elected to the Huntington Woods City Commission. She also distinguished herself through her efforts as mayor pro tem of Huntington Woods; and

Whereas, Indeed, in her tenure in the Senate, Gilda Jacobs worked steadfastly on numerous public policy initiatives, including early childhood education, tax restructuring, and funding for the Detroit Zoo. In every endeavor, she displayed wisdom and expertise in the workings of the legislative process and sensitivity to the issues most pressing to the residents of this state. She has been an important asset to the Senate; now, therefore, be it

Resolved by the Senate, That we hereby offer this expression of tribute to salute the Honorable Gilda Jacobs for her notable contributions to the Michigan Senate; and be it further

Resolved, That copies of this resolution be transmitted to Senator Jacobs as evidence of our esteem and best wishes.

Senator Cropsey moved that rule 3.204 be suspended to name the entire membership of the Senate and the Lieutenant Governor as co-sponsors of the resolution.

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

Senator Prusi offered the following resolution:

**Senate Resolution No. 208.**

A resolution of tribute to the Honorable Liz Brater.

Whereas, In recognition of her years of dedicated service as a member of the Senate, the members of this legislative body consider it a privilege to laud the distinguished career of Liz Brater. During her tenure, she has represented the 18th Senate District with integrity, commitment, and excellence; and

Whereas, Commitment to public service is an innate quality in the character of Liz Brater. This has been evident throughout her tenure as a lawmaker. With knowledge and expertise, she tackled several issues with great passion, including protecting the environment and improving the treatment of the mentally ill in this state with dignity and compassion. Persistent in her cause and sense of purpose, she continues to be a champion for these and other issues. Indeed, just as she did in three terms in the House of Representatives from 1995 to 2000, she continued this record following her election to the Senate in 2002; and

Whereas, A resident of Ann Arbor since 1975, Liz Brater has compiled a long and impressive list of civic and community contributions, having served as a member of the Ann Arbor City Council and as the first woman to be elected as mayor. She made notable contributions during that time and led the way in the passage and implementation of the city's recycling program and the opening of the city's materials recovery facility. Clearly, Liz Brater has displayed a commitment to others and excellence in leadership and service that provide a sterling example to emulate; now, therefore, be it

Resolved by the Senate, That we hereby extend this expression of tribute to the Honorable Liz Brater for her contributions to the Senate; and be it further

Resolved, That copies of this resolution be transmitted to Senator Brater as evidence of our gratitude and best wishes.

Senator Cropsey moved that rule 3.204 be suspended to name the entire membership of the Senate and the Lieutenant Governor as co-sponsors of the resolution.

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

Senator Prusi offered the following resolution:

**Senate Resolution No. 209.**

A resolution for the Honorable Michael Switalski.

Whereas, It is an honor and distinct privilege to extend this expression of tribute to Michael Switalski as he brings to a close his tenure with the Michigan Senate. Indeed, his public service contributions and dedication to his constituents in the 10th Senate District, as well as the entire state of Michigan, have earned him the respect of all whom he has served; and

Whereas, Michael Switalski has distinguished himself as a conscientious lawmaker with a willingness to work in a bipartisan way to accomplish public policy for the good of the citizens of this state. Whether in the economic realm, promoting better health, or through his efforts to bring balance and equity in providing school aid through the appropriations process during extremely difficult budgetary times, Senator Switalski maintained a focus on the good of the state. Moreover,

his ardent support for fiscal responsibility is evidenced in his work to reform state spending through pay-as-you-go legislation; and

Whereas, A native of Roseville, Michigan, Senator Switalski returned to his home community to serve in a host of public offices after completing his education at Louisiana State University and later at the University of Aberdeen in Scotland. He was first elected to the Michigan Legislature as a member of the House after stints as Roseville city councilman, Macomb County commissioner, and as a Macomb County planning commissioner. In 2002, he was elected to the State Senate; and

Whereas, Senator Switalski brought valuable insight and pragmatism, as well as a finely-tuned sense of humor, to his role as a member of the Michigan Senate. His talents and rich experience will enable him to pursue his passions of writing and teaching. As an author, he has already published a book, entitled *Six*, about his grandfather. He has also helped to instill knowledge as an instructor to individuals incarcerated at the Ryan Correctional Facility in Detroit. We are confident of his success in future endeavors; now, therefore, be it

Resolved by the Senate, That we hereby offer this expression of tribute to the Honorable Michael Switalski for his distinguished service as a member of the Michigan Senate; and be it further

Resolved, That copies of this resolution be transmitted to Senator Switalski as evidence of our esteem and best wishes.

Senator Cropsy moved that rule 3.204 be suspended to name the entire membership of the Senate and the Lieutenant Governor as co-sponsors of the resolution.

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

Senator Prusi offered the following resolution:

**Senate Resolution No. 210.**

A resolution of tribute for the Honorable Samuel Buzz Thomas.

Whereas, It is with great appreciation for his hard work and dedication over the past eight years that we salute Buzz Thomas upon the completion of his duties as a member of the Michigan Senate. Senator Thomas, great-grand nephew of the first African-American legislator in Michigan, has proven to be a dynamic leader who has served his community and state with conviction and effectiveness. Serving in both the Michigan House and Senate, Buzz Thomas was elected by his colleagues to leadership positions in each: House Democratic Leader and Senate Democratic Floor Leader; and

Whereas, Senator Thomas is a recognized leader in the fields of energy and technology, health policy, and urban development. He has sponsored major legislation in these areas, where his vision, experience, and leadership have been invaluable assets. His was the first bill introduced in the Michigan Legislature on distracted driving. His perseverance and diligence were critical to the recent passage of a law banning texting while driving; and

Whereas, Senator Thomas has been an outspoken leader on issues that impact the lives of citizens in his district and across the state. He has utilized his skills and abilities as a member of the Energy Policy and Public Utilities and Homeland Security and Emerging Technologies Committees, as well as in the position of minority vice chair of the Economic Development and Regulatory Reform Committee; now, therefore, be it

Resolved by the Senate, That we offer this resolution as an expression of our gratitude to the Honorable Samuel Buzz Thomas for his many contributions to the people of Michigan; and be it further

Resolved, That copies of this resolution be transmitted to Senator Thomas as a token of our high regard for his efforts.

Senator Cropsy moved that rule 3.204 be suspended to name the entire membership of the Senate and the Lieutenant Governor as co-sponsors of the resolution.

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

Senator Prusi offered the following resolution:

**Senate Resolution No. 211.**

A resolution of tribute for the Honorable Martha Scott.

Whereas, As she completes her service with the Michigan Senate, it is most appropriate to salute Martha Scott and to thank her for her contributions to public service throughout her career of nearly 40 years. Beginning in 1972 as a precinct delegate, serving on the Wayne County Board of Commissioners, Civil Service Commission, and later as the president of the Highland Park City Council and as the first African-American woman elected mayor of a Michigan city, Martha Scott has dedicated her life to serving her community with passion and aplomb. Her dedication to public service expanded statewide as she served three terms in the Michigan House of Representatives and two terms in the Senate; and

Whereas, Senator Scott's commitment to the needs and concerns of her constituents has been evident throughout her long career in public service. She fought for restoration of the Davison Freeway and restoration of funding to Highland Park Community College. Most recently in the Senate, she has led the charge on lead poisoning testing, and she has been a tireless advocate calling for automobile insurance reform. She is the founder and president of the M.G. Scott Foundation, which provides support for health and education initiatives in her district; and

Whereas, Among her many distinctions and leadership accolades, Martha Scott is a recipient of Legislator of the Year Awards from DADS and MOMS of Michigan, Michigan NOW, and the Michigan Prevention Association. She serves as Michigan state director for the National Foundation for Women Legislators and Women in Government, as well as the executive vice chair of the Michigan Legislative Black Caucus; now, therefore, be it

Resolved by the Senate, That we offer this expression of gratitude and appreciation to the Honorable Martha Scott for her years of service and dedication to this legislative body, her district, and the entire state; and be it further

Resolved, That copies of this resolution be transmitted to Senator Scott as evidence of our esteem and best wishes.

Senator Cropsey moved that rule 3.204 be suspended to name the entire membership of the Senate and the Lieutenant Governor as co-sponsors of the resolution.

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

Senator Prusi offered the following resolution:

**Senate Resolution No. 212.**

A resolution of tribute to the Honorable Dennis Olshove.

Whereas, As he completes his service with the Michigan Senate, it is most appropriate to salute Dennis Olshove. Senator Olshove's contributions and concern for Michigan's future have been evident throughout his long career of public service, starting as a legislative staff member and later serving in the Michigan House of Representatives, on the Macomb County Board of Commissioners, and in the Michigan Senate; and

Whereas, During his eight-year Senate tenure, Senator Olshove has contributed his insights and ideas to the wide-ranging policy debates of the full Senate and of those committees to which he was assigned. He served with distinction as minority vice chair of the Energy Policy and Public Utilities and the Senior Citizens and Veterans Affairs Committees. Senator Olshove was instrumental in promoting legislation to create jobs and assist Michigan workers, improve state infrastructure, spur renewable energy production, and assist Michigan veterans. He helped address Michigan's foreclosure crisis by introducing successful legislation to require registration of financial loan officers for consumer financial service companies; and

Whereas, Dennis Olshove has ably served Macomb County and the state with distinction through his dedicated public service. His efforts have been recognized by various state and community groups, including the Michigan State Medical Society, which honored him with its 2009 Legislative Leadership Award in recognition of his work on health and medical issues; now, therefore, be it

Resolved by the Senate, That we offer this expression of gratitude to commend and thank the Honorable Dennis Olshove for his notable contribution to this legislative body and the entire state; and be it further

Resolved, That copies of this resolution be transmitted to Senator Olshove as evidence of our esteem and best wishes.

Senator Cropsey moved that rule 3.204 be suspended to name the entire membership of the Senate and the Lieutenant Governor as co-sponsors of the resolution.

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

Senator Prusi offered the following resolution:

**Senate Resolution No. 213.**

A resolution of tribute to the Honorable Irma Clark-Coleman.

Whereas, On the occasion of her retirement from the Michigan Senate, the members of this legislative body deem it a great honor to congratulate Senator Irma Clark-Coleman after eight years of service. Her long and distinguished career working for the people of Wayne County in numerous key posts included her diligent efforts on the Detroit Board of Education for seven years, three as president. She brought those experiences and insights to Lansing in 1999 following her election to the Michigan House of Representatives, where she was an effective advocate for her Detroit community for two terms prior to her tenure in the Senate; and

Whereas, Senator Clark-Coleman has been a lifelong education advocate. Her vision, experience, and leadership have been invaluable assets in the Legislature as she worked to make equal and effective education available to the masses. She has contributed to the legislative process through sponsorship of bills to limit K-3 class size, to implement higher standards of pupil promotion, and to allow students in religious programs to receive grant funds. Recognizing her strong conviction and dedication to education, Governor Granholm appointed Senator Clark-Coleman to the National Education Commission, where she has served for the last six years; and

Whereas, Senator Clark-Coleman has received several awards honoring her dedication to the city of Detroit and its children from civic organizations, business groups, and educational institutions. As testament to her leadership skills, Irma Clark-Coleman was named Michigan State Director of the National Foundation for Women Legislators; now, therefore, be it

Resolved by the Senate, That we offer this resolution as an expression of our gratitude to the Honorable Irma Clark-Coleman for her many contributions to the people of Michigan; and be it further

Resolved, That copies of this resolution be transmitted to Senator Clark-Coleman as evidence of our esteem and best wishes.

Senator Cropsy moved that rule 3.204 be suspended to name the entire membership of the Senate and the Lieutenant Governor as co-sponsors of the resolution.

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

Senator Prusi offered the following resolution:

**Senate Resolution No. 214.**

A resolution of tribute for the Honorable Raymond Basham.

Whereas, It is a great pleasure to commend and thank Senator Raymond Basham as he brings to a close his distinctive service in the Senate. His sense of commitment, dedication, and energy have benefited not only his Wayne County district, but our entire state and country; and

Whereas, Ray Basham's public service began with a stint in the U.S. Air Force, followed by positions in Taylor as constable and as a member of the Taylor Planning Commission, City Council, and Water Commission. His commitment to serve was also evident during his 30-year career with Ford Motor Company, where he held several leadership positions in the UAW Local 245; and

Whereas, Senator Basham has shown a great willingness and ability to work across the aisle during his tenure in the Michigan Legislature. He has contributed to the work of the Local, Urban, and State Affairs, Judiciary, and Senior Citizens and Veterans Affairs Committees and has provided leadership as minority vice chair of the Natural Resources and Environmental Affairs and Transportation Committees. He has contributed greatly to the legislative process and has been an outspoken leader on many issues, including efforts to increase the minimum wage and to address water withdrawal policies. His unswerving devotion to passing the Michigan nonsmoking bill attests to his determination and conviction on matters that impact the lives of citizens across this state. Ray Basham has been an able leader and visionary and has earned our respect for all that he has achieved; now, therefore, be it

Resolved by the Senate, That we offer this expression of our gratitude to the Honorable Raymond Basham as he brings to a close his tenure in this legislative body; and be it further

Resolved, That copies of this resolution be transmitted to Senator Basham as evidence of our thanks and best wishes.

Senator Cropsy moved that rule 3.204 be suspended to name the entire membership of the Senate and the Lieutenant Governor as co-sponsors of the resolution.

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

Senator Prusi offered the following resolution:

**Senate Resolution No. 215.**

A resolution of tribute for the Honorable Jim Barcia.

Whereas, It is with great respect for his commitment to the 31st Senate District and the entire state of Michigan that we offer this expression of thanks and commendation to Senator Jim Barcia as he brings to a close his distinguished service to this legislative body. His sensible approach to lawmaking and his sensitivity to the needs and concerns of Michiganders during a challenging time in our state's history have been deeply appreciated; and

Whereas, A native of Bay City and graduate of Saginaw Valley State University, Jim Barcia has been a dedicated public servant representing the Bay City and Saginaw areas for many years and in many different capacities. His legislative experience goes back several decades, when the young Jim Barcia worked as a staff assistant to the distinguished U.S. Senator Philip Hart. From 1979 to 1992, he served in the Michigan House of Representatives and Michigan Senate and held leadership positions in both chambers. In 1992, he was elected to the U.S. House of Representatives and sent to Washington, D.C., where he continued working on behalf of Michigan's Saginaw Bay and Thumb Areas for several more years; and

Whereas, In 2002, Jim Barcia returned to the Michigan Senate, bringing with him a deep well of legislative experience and a strong concern for the future of the state of Michigan. In recognition of his leadership abilities, Senator Barcia was elected to serve as the Associate President pro tempore of the Senate and was an assistant floor leader for a time. During his two terms in the Senate, he championed hunting and fishing legislation and worked to protect the state's rich agricultural and natural resource heritages. His leadership and insight were invaluable to the work of several Senate committees, including the Joint Committee on Administrative Rules, the State Police and Military Affairs Subcommittee, and the Hunting, Fishing and Outdoor Recreation Committee, which he chaired; now, therefore, be it

Resolved by the Senate, That we offer this accolade of tribute to salute the Honorable Jim Barcia as he brings to a close his distinguished tenure as a lawmaker; and be it further

Resolved, That copies of this resolution be transmitted to Senator Barcia as a testament of our deep respect and good wishes.

Senator Cropsey moved that rule 3.204 be suspended to name the entire membership of the Senate and the Lieutenant Governor as co-sponsors of the resolution.

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

Senator Thomas offered the following resolution:

**Senate Resolution No. 216.**

A resolution of tribute for the Honorable Michael Prusi.

Whereas, It is with deep appreciation for his dedication to our state and his district that we join in honoring and thanking Senator Michael Prusi as he brings to a close his tenure as a lawmaker. With passion, commitment, and a heartfelt concern for the struggles many people in our state face at a difficult juncture in Michigan's history, he has been an effective advocate of solutions rooted in compassion and an eye to the future; and

Whereas, Mike Prusi came to the Capitol following his election to the Michigan House of Representatives in a special election in 1995 with a deep and personal understanding of the challenges of working families. His more than 20 years as an iron ore miner in his native Upper Peninsula gave him insights on a host of key public policy issues. This background, as well as his years working as president of his local union, has proven invaluable not only in discussions of specific legislative proposals, but also in the ability to work with people representing all points of view on issues; and

Whereas, Since his election to the Senate in 2002, Senator Prusi has distinguished himself through his diligence and integrity. Over the past eight years, he has been especially active working to address such issues as the state budget, employment security, and education. As the Democratic Leader during the 95th Legislature, Senator Prusi has been tireless in bringing his caucus together to fight for policies that reflect his heartfelt concerns for the future of the people of this state; now, therefore, be it

Resolved by the Senate, That we offer this expression of tribute to honor and thank Senator Michael Prusi as he completes his service to this legislative body and brings to a close his work as a lawmaker; and be it further

Resolved, That copies of this resolution be transmitted to Senator Prusi and his family as a reflection of our gratitude for his outstanding efforts on behalf of his district and our entire state.

Senator Cropsey moved that rule 3.204 be suspended to name the entire membership of the Senate and the Lieutenant Governor as co-sponsors of the resolution.

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

By unanimous consent the Senate returned to the order of

**Motions and Communications**

Senator Bishop asked and was granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator Bishop's first statement is as follows:

It is that time of year when there are a lot of farewells and a lot of us who have the opportunity to stand up and speak on the floor to thank folks for so many things we have been blessed to have experienced in this environment and all the great people we have met and worked with. Some of our staff, however, who don't get the opportunity to get up and speak, I am sure, would love to.

We have several special people who will be leaving the Senate, and I would like to mention every single one of them and have an opportunity to speak to each of them. In my farewell speech, I would like to be able to point to folks around the room and take all day to talk about the good things I have seen and great people I have met.

Teresa Hagelberger with Human Resources, department of Senate Finance, who is standing at my side, is one of those special people we are honoring today with a Special Tribute. Many of you know of her, but may not have seen her before. She is one of those folks who get the job done behind the doors we don't see very often, but makes the Senate work with that industrial precision that we know and are so fond of.

She served in the Michigan State Senate, Office for the Secretary of the Senate for nearly ten years. She has helped the finance department maintain a high level of efficiency in the areas of benefits and payroll for the Senate members and employees. She has always performed her duties in a diligent manner, and we owe her a great debt of gratitude for all that she has done to keep us moving in the right direction. She takes great pride in assuring that the Senate members and employees have received the highest level of service possible, and that really is a characteristic of so many employees here in the Michigan Senate.

Her time in the Michigan Senate is coming to a close, and on behalf of my staff, myself, and my fellow colleagues in this chamber, we wish you the best of luck in what you do in the future. Thank you for all you have done in the Michigan Senate.

The Senate Finance staff and Teresia's family are in the east Gallery. The members of Teresia's family are Curtis Hagelberger, Sydney Hagelberger, Cole Hagelberger, Steve Hagelberger, Christa Hagelberger, Dorothy Fisher, Gerald Sieloff, Susan Sieloff, and Michelle Badgley.

Senator Bishop's second statement is as follows:

This is symptomatic of the end of session. Again, we have a Special Tribute, and this is another example of how often-times there are folks out there who just don't get enough thanks and respect for all that they do. The gentleman standing to my left, Mr. Joe Heckman, is one of those individuals. He is yet another one of the members of our Senate family who is so very important to this chamber and the integrity of it.

Joe is concluding his 21st year in service to the Office of the Secretary of the Senate as a specialized carpenter and over 30 years with the state of Michigan. As a specialized carpenter, Joe's expertise is in woodworking. He is directly involved in the reproduction of furniture, case work for the State Capitol and the Billie S. Farnum Building.

All of Joe's work has been done with accuracy and thoroughness befitting the high standards of the Michigan Senate and this beautiful building that all of us have the opportunity to work in every day. We just don't take the time to appreciate where we are today—this beautiful building and all who keep it that way. We take for granted oftentimes the fine and gifted people who make sure it stays that way. Joe is one of those people.

As his time with the Michigan Senate comes to a close, on behalf of my staff, myself, and all of our fellow colleagues, I want to extend best wishes to him and also to his family seated in the Gallery: his wife Ruth, son Craig, and daughter Sarah. To those folks up in the Gallery, the family, I want you to know how much we appreciate your father and what a gifted person he is. You must be very proud as we are.

Thank you, Joe Heckman, for all you have done, and good luck in your future endeavors.

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

**House Bill No. 5661**

**House Bill No. 5667**

**House Bill No. 6008**

**House Bill No. 6009**

**House Bill No. 6010**

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

Senator Cropsey moved that the following bill, now on the order of General Orders, be referred to the Committee on Judiciary:

**House Bill No. 4931, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16t of chapter XVII (MCL 777.16t), as amended by 2008 PA 565.

The motion prevailed.

Senator Cropsey moved that the following bills, now on the order of General Orders, be referred to the Committee on Health Policy:

**House Bill No. 6240, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending sections 3406f and 3539 (MCL 500.3406f and 500.3539), section 3406f as added by 1996 PA 517 and section 3539 as amended by 2005 PA 306.

**House Bill No. 6241, entitled**

A bill to amend 1980 PA 350, entitled "The nonprofit health care corporation reform act," by amending sections 401a and 402b (MCL 550.1401a and 550.1402b), section 401a as added by 1982 PA 290 and section 402b as amended by 1999 PA 7.

The motion prevailed.

### Recess

Senator Cropsey moved that the Senate recess subject to the call of the Chair.

The motion prevailed, the time being 10:27 a.m.

12:46 p.m.

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

During the recess, Senators Clarke and Jacobs entered the Senate Chamber.

Senator Cropsey moved that the Committee on Judiciary be discharged from further consideration of the following bills:

**House Bill No. 5575, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 462j.

**House Bill No. 5576, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16w of chapter XVII (MCL 777.16w), as amended by 2006 PA 156.

**House Bill No. 5577, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 159g (MCL 750.159g), as amended by 2009 PA 82.

**House Bill No. 5578, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 4701 (MCL 600.4701), as amended by 2009 PA 83.

**House Bill No. 5579, entitled**

A bill to amend 1985 PA 87, entitled "William Van Regenmorter crime victim's rights act," (MCL 780.751 to 780.834) by adding section 16b.

**House Bill No. 6053, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 224d (MCL 750.224d), as amended by 2006 PA 401.

**House Bill No. 6197, entitled**

A bill to amend 1998 PA 386, entitled "Estates and protected individuals code," by amending section 1213 (MCL 700.1213), as amended by 2000 PA 54, and by adding section 2723.

**House Bill No. 6389, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 14 of chapter XI (MCL 771.14), as amended by 2000 PA 279.

The motion prevailed, a majority of the members serving voting therefor, and the bills were placed on the order of General Orders.

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

**House Bill No. 5575**

**House Bill No. 5576**

**House Bill No. 5577**

**House Bill No. 5578**

**House Bill No. 5579**

**House Bill No. 6053**

**House Bill No. 6197**

**House Bill No. 6389**

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

Senator Cropsey moved that the Committee on Education be discharged from further consideration of the following bill:  
**House Bill No. 4410, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 1278a and 1278b (MCL 380.1278a and 380.1278b), section 1278a as amended by 2008 PA 316 and section 1278b as amended by 2007 PA 141.

The motion prevailed, a majority of the members serving voting therefor, and the bill was placed on the order of General Orders.

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

**House Bill No. 4410**

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

Senator Cropsey moved that the Committee on Appropriations be discharged from further consideration of the following bills:

**House Bill No. 5622, 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 206.

**House Bill No. 6153, entitled**

A bill to make, supplement, and adjust appropriations for the department of state police for the fiscal year ending September 30, 2010; to provide for the expenditure of the appropriations; and to prescribe certain conditions for the appropriations.

The motion prevailed, a majority of the members serving voting therefor, and the bills were placed on the order of General Orders.

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

**House Bill No. 5622**

**House Bill No. 6153**

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

Senator Cropsey moved that the Committee on Transportation be discharged from further consideration of the following bills:

**House Bill No. 5461, entitled**

A bill to provide for the establishment of a private source of funding for public infrastructure; to prescribe the powers and duties of certain public entities; to finance public infrastructure through public and private sources; to authorize the acquisition and disposal of interests in real and personal property; to authorize certain public and private entity partnerships; to authorize the creation and implementation of certain plans and negotiated benefit areas; to promote economic development; to authorize the use of tax increment financing; to prescribe powers and duties of certain state and local officials; to provide for rule promulgation; and to provide for enforcement of the act.

**House Bill No. 4493, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 310e (MCL 257.310e), as amended by 2004 PA 362.

The motion prevailed, a majority of the members serving voting therefor, and the bills were placed on the order of General Orders.

By unanimous consent the Senate proceeded to the order of

#### **Statements**

Senators Cropsey, Sanborn and Brater asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator Cropsey's statement is as follows:

Today, we have several people who will be giving their farewell addresses, and we have family members here for some of those addresses. I think the first address this afternoon will be given by one of our esteemed members, and this person comes from a very esteemed family who have proven themselves over and over again. In the Gallery, we have Senator Alan Sanborn's parents, Ken and Lois Sanborn.

I would just like to say this about the esteemed lineage that Alan Sanborn comes from. If you have ever read the book *To Strike at a King* by Mike Ranville, you will read in there about the starting of the McCarthy era and the lawsuit that came about because of a young serviceman, Milo Radulovich, who was accused of communist sympathies or being in the Communist Party, which was not true.

There was an attorney who handled that case, and this was also memorialized in a movie called "Good Night and Good Luck," starring Jeff Daniels and George Clooney. Alan Sanborn's father, Ken Sanborn, was the attorney who defended Milo Radulovich. We are so pleased to have Ken Sanborn and his wife here in the Gallery today.

Ken also served in the State House of Representatives, and he also served on the judicial bench in Macomb County. I would like the body to welcome Alan Sanborn's parents, Ken and Lois Sanborn.

Senator Sanborn's statement is as follows:

I wanted to say something fitting and appropriate for the august chamber for my farewell speech, but my staff said, "Why start now? You are the one who once banged your shoe on this very rostrum right here yelling 'nyet, neyt, comrades.'" I assure you there will be no props today. I can't possibly cite all the memories, but fortunately, I kept a journal, so I can hit some of the highlights.

Day 1 in the House of Representatives: I was sworn in today by my father in front of my mother, my wife, my kids, and my extended family. Who knows how long I will be here in Lansing, but what a great honor just to be here. Took my seat on the floor, and by coincidence, it was the same desk that my father sat at 40 years earlier.

My father reminded me that he spent 50 years making a name for himself in Macomb County. I remember his wisdom. He said, "Don't screw it up." I participated in my first caucus today. I was told, "Here is your seat in the caucus." It wasn't even at the table; it was out in the audience. "Sit down, be quiet, and we'll hear from you in one year."

One year later, Day 366 in the House: I spoke for the first time in caucus today. What good advice the old-timers gave me.

Day 460: Rooming with Representatives Ehardt, Richner, and Richardville. A real battle has broken out among us after Representative Richardville, unbeknown to him, had traveled around his district for the past three weeks with a very interesting bumper stick that was put on his car. I can now cleanse my conscience and tell you who the culprit was without naming names. I will tell you it was one of our roommates, Mr. President, who is a former legislator who went on to become a regent at the University of Michigan, now the chairman of the board. I won't say his name, and I don't want you to take that out on the University of Michigan, whom I feel very strongly about, Senator Bishop. Thanks for allowing me to do all those scores over the years too.

Day 525: Representative Gilbert paid me the kindest compliment today. He said that before he ran for the House, he wasn't sure that he was qualified to be a State Rep. Then after meeting me, he said that he was certain that he could do the job. How nice it is to be thought of as someone's mentor.

Day 526: Representative Mike Bishop explained to me what Jud Gilbert meant by that comment. He was taking a shot at me. He seemed so bright. After all, he was both the valedictorian of summer school and captain of the men's synchronized swim team at Algonac High School in 1969.

Day 600: My seatmate Mark Jansen and I have sat behind Harold and now, Joanne Vorhees, for two terms. With all those cookies they bring in, Representative Jansen and I have already surpassed our freshman 15 pounds, and we're on our way to bigger things.

September 11, 2001: Won the special election today. How miniscule it seems after the tragic events of this morning.

Day 1 in the Senate: So honored to have the opportunity to serve the people of Macomb here in the Senate. The old legislators were right when they told me to vote my conscience, my constituency, and then my caucus; and the elections would take care of themselves.

Day 775: Forgot to wear my sport coat today to preside as the Assistant President of the Senate. Had to borrow a coat from my friend Jud "The Undertaker" Gilbert. He asked me if I could speed the process up because he had to get back to the funeral home by 5:00 for a showing.

Day 776: I decided not to be unprepared while presiding. This time I wore a tuxedo, which caused some confusion on the floor, as Senator Gilda Jacobs asked me if I would get her a nice table away from the kitchen, and Senator Laura Toy asked me if I would be her prom date.

Day 975: I switched nametags with Dennis Olshove. Dennis, you remember this. It was at a Chamber of Commerce event. We walked around all evening and nobody noticed the difference. No wonder, though, he is such a handsome devil.

Day 1100: My former staffer, Matt Groen, announced that he was leaving our office. I joked you'll never work in this town again. He said, "I know; I'm becoming a lobbyist."

Day 1397: Spent the last dollar of my first communion money today when Senator Jansen fined me \$1 for coming late to caucus. I wonder if that is tax-deductible.

Day 1600: The Senate lost a truly amazing human being today. Charlie Thornhill went to heaven. Updated footnote to that, the Spartans have not lost a football or basketball game to the University of Michigan in the 1273 days since Charlie “Mad Dog” Thornhill went to heaven. Go Green, Go White, Go Charlie.

Day 1750: Senators Cropsy and Allen continue to assert that I represent a fleet of boats. For one last time, it’s Armada, not Armahda.

Day 2014: Andrew Doerr returned to our office today from the lobbying community. He’s our repeat offender.

Day 2100: Senator Gilbert and I had some fun at our neighbor on the floor’s expense, Senator Mark Jansen. Who would have known that he could turn so red?

Day 2101: Senator Jansen moved over to sit with the Democrats on the floor today, where he said, “Now I will be treated with respect.”

Day 2800: Hired a new staffer today, Andrea LaFontaine. I have a sneaking suspicion that she’ll go far.

Aside from my journal entries, some of the other memories I will take with me:

When Cameron Brown wanted to form a task force to recover my stolen tractor. When Jud Gilbert tried to have a statue built to commemorate me. He now has a prototype. How Senator Michelle McManus never got mad, never got angry with me when I tried to remove the age limit from her booster seat bill so she would have to ride in one.

How Lieutenant Governor Cherry showed me how little time it takes to get a workout at the YMCA. Senator Patty Birkholz always in purple. Dinners with friends on the other side of the aisle, like Chairman Jim Barcia, Vice Chair Buzz Thomas, our now-Congressman Hansen Clarke, and my counterpart over at the House for quite a while, Barb Farrah.

Senator Cropsy has already mentioned Mike Ranville’s book *To Strike at a King* and the case of Milo Radulovich and this chamber honoring my father some years back on the 50th anniversary of that case.

The memories that I have of my staff that did more cleanup duty than the wheelbarrow man on Mackinac Island. Being the former doorman at the Grand Hotel, I know of what I speak.

Andrew Doerr, my longest-serving employee, and Andrew I won’t cry this time. Pete Langley, who has left our office, but coined the phrase, “Senator, you have a seagull style of management.” I will have you ask Pete exactly what that means. It has something to do with flying into town, doing what it is you do, and then leaving town. The big man, Matt Groen, always upbeat. Kyle Kaminski who came to me as the kid with the mullet and is now one of the finest legislative aides in Lansing. You young men are like sons to me. Leta Howard and Amy Maxwell, I think I now know what Dorothy meant in “The Wizard of Oz” when she said to the scarecrow, “I think I’ll miss you most of all.”

People hear me boast about my staff. I say that they are the best staff in Lansing, and I have meant that every time. My committee staff, Jamie Clover Adams and Phil Hengdes, what a talented pair.

To Carol Viventi, Pam Nyquist, and Adam Reames, thanks for helping me look like I actually knew what I was doing up there when I presided. To the sergeants, Mike, Paul, Lisa, Rick, and others, thanks for your professionalism.

As my time in the Senate draws to a close, I’d like to thank some of the most important people to me. First of all, my wife Lori and our kids who have made the sacrifices that all of our families have to make during our careers; my mother and father who instilled in me a passion for public service and a keen sense of responsibility when it comes to our family and our community. Most importantly, I thank God for giving me this opportunity.

I would like to challenge those in this chamber whose work is not yet finished—Randy, Tupac, young Nofs, but now you will no longer be young Nofs, and others. You pass on the traditions that make this chamber great, and make it a better institution.

Finally, to Senate legal counsel Fred Hall, you can retire now. In the words of Detroit Tiger great, Ernie Harwell, “A man from Armada caught that one and he’s long gone!”

Thank you, I will miss you all.

Senator Brater’s statement is as follows:

I am proud, honored, and grateful for the privilege I have had to serve the people of the 18th District as their State Senator for the past eight years. I have been most fortunate to represent most of Washtenaw County, an area of the state that is home to a highly-educated, hardworking, and progressive population. From Ypsilanti to Ann Arbor to Dexter to Chelsea; from the skilled and hardworking autoworkers in the east to the academic community at Eastern Michigan University, the University of Michigan, and Washtenaw Community College; to the farmers of beautiful sheep pastures, grain fields, and dairy herds in the west. Washtenaw County represents all the best of what the great state of Michigan has to offer. I have learned so much in getting to know the people across my district. I have grown from and enjoyed this diversity.

My years of public service began in 1988, when I joined the Ann Arbor City Council. I am especially proud to have been elected the first woman to be mayor of Ann Arbor in 1991, and I thank the wonderful people of the city of Ann Arbor for giving me this opportunity to help pave the way for other women to enter higher office.

My constituents understand the need for investing in education, protecting the environment, and providing a safety net for our most vulnerable citizens. That is why it has been easy for me to represent them. I am blessed with constituents who are world-renowned experts in the myriad fields that we work on here in Lansing, from education to climate change

to health care to child welfare to transportation to public finance land use, to name just a few. I have tried to share the wisdom that I have garnered at home in Washtenaw County here in Lansing, and I hope it has done some good.

I have been so proud to be named numerous times by a Lansing pundit as the Senate's most liberal member. I wear this label with pride. Where I come from, it's a badge of honor, and my constituents share my pride in it. In Washtenaw County, we believe in government's ability to address problems and improve the lives of citizens. We tax ourselves generously, and we are rewarded with the most prosperous economy and some of the highest property values to be found in the state of Michigan.

In my years in Lansing, I have focused on the prevention of criminalization of people with mental illness. I know there will be those who come after me who will continue this work. Please don't ever abandon our most vulnerable citizens, and please remember that when we turned people out of the mental hospitals in the 1990s, the funding never followed them into the community. We need to rescue those who have ended up incarcerated for no other reason than having an untreated disability that led to an arrest. We need to continue to fund the police training that can prevent these arrests, and help direct people to the mental health system. And we need to fund the mental health system so people don't fall through the cracks to begin with.

We need to be vigilant in protecting the Michigan environment. As the only state surrounded by four of the five Great Lakes, we have a special responsibility to guard these precious and beautiful waters for future generations. We have taken some important steps in protecting the Great Lakes from water withdrawals. We need to strengthen these laws. We need to restore the polluter pay law enacted under the leadership of my predecessor Lana Pollack. This law was extensively amended in 1995 and the Part 201 that replaced it is weak, allowing a tenfold increase in cancer risk from exposure to toxics and permitting polluters to discharge toxic chemicals untreated into our rivers, lakes, and streams. We have some of the dirtiest air in the nation, causing the deaths and illness of tens of thousands of Michiganders every year. We need to clean up our air so it is safe to breathe. Continuation of clean energy policies and enactment of the recommendations of Governor Granholm's Land Use Council, on which I was honored to serve, would go a long way in cleaning up our air and water, by curbing suburban sprawl, reinvesting in our cities, and providing alternatives to single-occupancy vehicles.

We need to protect voting rights and make sure registration and voting is easy and accessible. My Democratic colleagues and I have repeatedly sponsored bills on no-reason absentee voting and same-day registration, early voting, and campaign finance reform. Enacting these bills into law is essential to making sure every Michigan citizen can fully participate in our democracy.

The U.S. Supreme Court *Citizens United* decision, which allows candidates to buy election victory with unlimited anonymous corporate dollars, even potentially of foreign origin, spells disaster for democracy. We need to reverse it and provide for publicly-funded elections with a level playing field for all candidates at the state and federal levels.

I want to thank my parents, my father Morton Joel Schussheim and my late mother Hanna Levine Schussheim, who brought me up to believe in social justice, in the ability of government to do good, and the responsibility of public service. My father is an expert in housing and urban affairs, who went to Washington with John F. Kennedy and helped write much of the housing legislation that was enacted in the 1960s and was later dismantled by Nixon and Reagan. We need to restore these affordable housing programs at the federal level. States and cities have never had the resources to provide adequate affordable housing, and the lack of adequate housing, as my father argues, is at the root of many social problems.

My mother was a passionate advocate for people in distress, including people with mental illness. From her, I inherited an ability to speak out and to articulate things that people don't always want to hear. She died just before I was elected to the Senate in 2002. She was an ardent fighter to the end, and I still miss her very much.

I want to thank my husband Enoch and my children Jessica and Jonathan, who have become successful adults during my tenure in the Legislature, for all of their help and support, good advice, love, and sacrifice of family time. Many, many friends helped me and encouraged me along the way. Among them, I owe a special gratitude to Lisa and Al Dengiz, Rena Soifer, and Lee and Bob Gunn.

I have been blessed with an excellent staff who have helped me to develop policy and who have attended patiently and graciously to the varied and complex needs of our constituents. They are Eilene Davis, Kathreen Francis, and Simone Strong, and in previous years Margaret Schulte and Tina Reynolds. In my years in the House from 1995 to 2000, I was fortunate to have the assistance of Pat Niemela and Dave Monforton. All of my office staff members have always been the backbone of what I have accomplished in Lansing. I also want to thank Nancy Green and Cindy Peruchietti and all of the Democratic Caucus policy and communications staff for your exceptionally hard work, excellence, and devotion.

Thanks also to the Secretary of the Senate and your staff, Information Services. We will really miss you and the sergeants. The bill drafters of LSB, the experts at Science and Tech, the analysts at Senate Fiscal—I want all of you to know how much I appreciate all of your professionalism and incredibly hard work, sometimes much too late into the night. We have truly asked a lot of you, and you have always cheerfully delivered.

I appreciate those of my colleagues whom I could always rely on for a vote to protect the environment—Martha G., Irma, Gilda, Gretchen; Mickey's mentoring in the budget process; Hansen's thorough and thoughtful preparation and passion; and Dennis' quiet but steady common sense and good humor. The ability to work across the aisle with Patty and the miraculous moments when Alan Cropsey and I saw eye to eye were truly highlights of my time in Lansing.

To those of you returning next session, I wish you strength, compassion, and wisdom as you continue to struggle with our budgetary challenges and move Michigan forward. To those of you who are leaving the Senate, I wish you well as we go our separate ways, and I hope our paths will often cross again in the future. Thank you very much for the opportunity to serve with all of you.

Senator Jacobs stated that had she been present on November 30 when the votes were taken on the passage of the following bills, she would have voted “yea”:

**House Bill No. 5241**

**House Bill No. 5921**

By unanimous consent the Senate returned to the order of  
**Messages from the Governor**

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

**Senate Bill No. 1163**

**Senate Bill No. 1152**

**Senate Bill No. 1153**

The motion prevailed.

The following message from the Governor was received:

Date: November 17, 2010

Time: 12:06 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 1302 (Public Act No. 212), being**

An act to amend 1939 PA 280, entitled “An act to protect the welfare of the people of this state; to provide general assistance, hospitalization, infirmary and medical care to poor or unfortunate persons; to provide for compliance by this state with the social security act; to provide protection, welfare and services to aged persons, dependent children, the blind, and the permanently and totally disabled; to administer programs and services for the prevention and treatment of delinquency, dependency and neglect of children; to create a state department of social services; to prescribe the powers and duties of the department; to provide for the interstate and intercounty transfer of dependents; to create county and district departments of social services; to create within certain county departments, bureaus of social aid and certain divisions and offices thereunder; to prescribe the powers and duties of the departments, bureaus and officers; to provide for appeals in certain cases; to prescribe the powers and duties of the state department with respect to county and district departments; to prescribe certain duties of certain other state departments, officers, and agencies; to make an appropriation; to prescribe penalties for the violation of the provisions of this act; and to repeal certain parts of this act on specific dates,” by amending section 48 (MCL 400.48), as amended by 1996 PA 423.

(Filed with the Secretary of State on November 17, 2010, at 1:22 p.m.)

Respectfully,  
Jennifer M. Granholm  
Governor

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

Senators Jansen, Van Woerkom and Jelinek introduced

**Senate Bill No. 1592, entitled**

A bill to amend 1933 PA 167, entitled “General sales tax act,” by amending section 4a (MCL 205.54a), as amended by 2008 PA 415.

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

Senators Jansen, Van Woerkom and Jelinek introduced

**Senate Bill No. 1593, entitled**

A bill to amend 1937 PA 94, entitled “Use tax act,” by amending section 4 (MCL 205.94), as amended by 2008 PA 314.

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

**Recess**

Senator Cropsey moved that the Senate recess subject to the call of the Chair.  
The motion prevailed, the time being 1:18 p.m.

1:24 p.m.

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

By unanimous consent the Senate returned to the order of

**Statements**

Senators Allen, Birkholz, Brown and Switalski asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator Allen's statement is as follows:

We would like to recognize the efforts of Mr. Martin. We are grateful for him and his service over the generation of legislators. That service of over 20 years has been invaluable to us, guiding us through the bureaucracies, making sure the legislation that moves forward is appropriate. I now yield to my friend Senator Birkholz.

Senator Birkholz's statement is as follows:

We have here Tom Martin who is retiring as director of the Office of Policy and Legislative Affairs in DELEG, after 20 years of serving us. He has worked with legislators to draft numerous pieces of legislation, and many of you in this room have received Tom's services. He has made recommendations to DELEG on policy issues and served as the liaison to the department. We all are so grateful for his hard work and his insight over the past 20 years. He has assisted us in policy development and constituent issues. His wealth of experience and knowledge will not be easy for us to replace.

Before serving in this position, he served the state in other various roles and also as a consultant to local governments with the Michigan Municipal League. His wide range of expertise on state and local governments has helped them adapt to the challenges of the 21st century. Tom's knowledge that he has passed on to all who have worked with him will continue to benefit the state as we continue to face the challenges of restoring our Michigan economy.

So we would like to say thank you very much to R. Thomas Martin on the occasion of his retirement from the state of Michigan and thank him for his numerous years of service and the great knowledge that he has given to all of us.

Senator Brown's statement is as follows:

It would be wrong to remain silent or seated; certainly, we need to shake Mr. Martin's hand. But I do want to say that he has been one of the most outstanding public servants to work with. He is an exceptional public servant, and I just want to join with the many others who applaud his years of service to the people of Michigan and the Legislature.

Mr. Martin, God bless you.

Senator Switalski's statement is as follows:

I have taken the liberty of distributing a collection of poems and songs. I was feeling guilty because back when I passed my first bill in the Senate, I never provided a gift or trinket or meal. As I say, in place of a box of clementines, I have put together this little booklet of poems.

I also apologize for the delay. We were waiting for the arrival of one of the Caucettes because this could be the final performance for them. We will be having a poem and a couple of songs so the Caucettes are ably assisted by the return of former Senator Deb Cherry.

Before I do that, let me begin with some thank you's to my staff who have been outstanding. Helen Heaney, who is also retiring, has served me faithfully in both the House and the Senate. I hired her. She is actually my sister-in-law, and I lured her away from Jacobson's, where she used to work, with a pay cut. I talked her into working for me because of her sense of social mission. She did that for me and my constituents and has been tremendous. It is almost like I have another wife up here watching over me. She is practically my wife and mother. She does everything for me and has been fantastic. I love her, and I don't know how she has put up with me really, but she has done it, and I thank her for it.

Also from my staff, Jeff Minore has been fantastic. He was the Approps lead, and he was really the brains behind the operations on policy and Approps in my office. He always made me look good, but I think what he represents is the relationship he had with Nancy Vreibel who was Senator Jelinek's lead for Approps over there. It was a tremendous benefit to me that they were able to communicate so well together and help policy. I listened to your remarks, Mr. President, and I think they represent the best in that tradition. I look forward to them continuing to serve this Legislature. Thank you, Jeff.

Marie Gordon had done a fantastic job for me. She started out as an intern. She was a law student, received her law degree, and was an intern for me and was so good that we decided we had to hire her. So we kept her, and she has done a great job. She has been with me in session every day. As a former intern, she took over the management of interns, and I have had many tremendous interns. She has done a beautiful job, and I must mention that she also hand-made literature drop bags for me when I was campaigning. That goes above and beyond.

I also have with me today my long-suffering district aide, Zvonko Blazeovski. I am from Roseville, and my district office was in the Roseville Theater building which doesn't have any heat or cooling. So Zvonko would freeze to death in the winter and then die of heat in the summer. He never complained. He was a total work horse and would never leave work one minute early. If he was out at some meeting until 4:30, he would rush back to the office to make sure he could be there before 5:00. He had just over-the-top dedication to the job, a tremendous worker.

I also have Ashley Morris, one of my interns and a law student and master's degree student. She is quite simply the best intern I have ever had. She has been fantastic and very capable. She will be running some major corporation some day. Ashley, you've done brilliant work; thank you.

Now to the frivolity:

We 64 Freshmen, Term Limits' First Class  
 Came to Lansing determined, to take names and kick back.  
 I was one among many, and to prominence rose  
 Caucus Chair in the House, Senate Vice of Approps.

Quite full of myself, when the Holidays came  
 Read poems and sang songs, though most were quite lame.  
 But now the hour has come, when I must depart  
 So in this my last message, let me speak from the heart.

It's been a great run, 12 years under the dome.  
 With term limits arrival, it's now time to go home.  
 Did I make the place better, with my hard work and wit?  
 Or was I less effective than a bucket of spit?

I'm the champion bill sponsor, and had lots of PA's.  
 I will now use my talents, getting people BA's.  
 Allow me to reflect, on the place when I'm gone  
 Will great scholars research me, o'er my legacy fawn?

Why sure that could happen, but in the meantime  
 My status has changed, I'm a cut below slime.  
 When I came late for meetings, back then everything stopped.  
 People jumped up to greet me, placing me at the top.

But now if I come late, they've locked up the door.  
 If I force my way in, they say "Sit on the floor!"  
 "Are you sure you're invited? Let me check the guest list.  
 There's space in the o-flow, or far back in the dist'."

When I walk in my office, my staff gives not a toss.  
 Their allegiance long transferred, to their incoming boss.  
 "But I brought you some donuts," they're unmoved by my bribe.  
 "Where's that letter of rec, that you promised to scribe?"

Was it so long ago, that they catered my whims?  
 Expounded my virtues, to my praises sang hymns?  
 I beg of my intern, "Going to Beaners by chance?"  
 "You'll get nothing from me, 'less you pay in advance."

"Here's a fiver," I say, "Get a latte that's frothered."  
 "You'd best get it yourself 'cuz I canny be bothered."  
 So I go down myself, but never before  
 I've got every aide's order, plus the temp from Mancorps.

It's worse in the lobby, as I sift thru the crowd.  
I'm a ghost, eyes go thru me, so I keep my head bowed.  
Wait! Yellow slip has my name, between votes I can come!  
But Kris Kraft only wants it, to wrap up her chewed gum.

I still get some emails, and constituent visits.  
I hear their long stories, and explain my term limits.  
The next thing I know, they've leapt up from the table  
And they're beating a path down the hall to N. Vreibel.

The week after I'm gone, a school comes for a tour.  
Stephanie takes them around, but the Chamber's secured.  
A student steps forward, and says he wants to hear  
Her recount the exploits of my Senate career.

"Swisstalski? You say? He does not ring a bell.  
Did he sweep up the floors? Or old magazines sell?  
He never was one of the famous anointed.  
Perhaps he was to Bean Commission appointed."

My gal pals meet for breakfast, District Judge Laura Baird  
Deb Cherry 'n Kat Wilbur, who all for me cared.  
"Have you heard from Switalski? The old fool is a wreck.  
We should find some new sap, who will pick up the check."

"Did I see some sad letter, from him belly-achin'.  
I forget what it was, can you please pass the bacon?"  
"I like having a man at our meals if he's cooking.  
Forget about Mickey. Find some guy better-looking."

"We can trade in Switalski. With Switalski replace.  
Get Rep Jon Switalski, whom the women all chase.  
Or his big brother Mark, the Circuit Court judge.  
I'd even settle for Matt. Have you tasted the Fudge?"

So my friends toss me over. But it's far worse at home  
Than it ever was under the Capitol Dome.  
"Did you take out the garbage? I've now told you three times.  
Just quit wasting your time with those moronic rhymes."

The indignities mount, so I dream of my end.  
I see through the mists, how my last hour is penned.  
Outside dropping insiders, a cold day in the 'ville,  
As I get near the porch, I trip on an ant hill.

Fall head-first into stone steps, which I hit on the side.  
After stars, all goes black, and I've quietly died.  
Wife Roma, son Liam give brief muffled sighs  
Then listen while others, my career eulogize.

There's a peck of detractors, who detail my warts  
And my failure to trim excess robes from the Courts.  
"A notorious skinflint. Why'd he get on Approps?  
The Leaders back then must have really been dopes."

"He ran up big debts, left us all unemployed.  
I won't shed any tears, now that he's been destroyed.  
Never fixed our economy, or repaired the Big Three  
When I think of useless, I spell Switalski."

A few bear my defense, as best as they can.  
 Since they lack ammunition, they describe my élan.  
 “He did lots of things, you wags fail to surmise  
 On him we depended, to wear Tartan Ties.”

So Damned by faint praise, I don't know what is worse.  
 Turns out my legacy's more of a curse.  
 So I wish you all well, as we head for our rest.  
 The most we can say, is we gave it our best.

*The Freshmen 64*

When we were 64  
 New Freshmen in the House,  
 It was a very good year for Supplemental Spending 'ppropriation Bills.  
 Cash stacked in mammoth hills  
 Spending was tops among our skills  
 For Freshmen 64.

But in our second term,  
 It wasn't such a good year.  
 The dot-com bubble fin'llly burst and Enron made things worse.  
 A deficit appeared.  
 Our Budget now looked weird  
 Last of our savings quickly cleared.  
 During our second term.

Into the Senate sworn,  
 It was a very good year.  
 It was a very good year for focusing debate with five minute rules.  
 No Filibuster Fools  
 Or “Clear the Board” Duels  
 With Royal Senate Rules.

Now it's our final Senate days.  
 We've had some very good years.  
 We've shared a laugh and a tear.  
 We've fought and jeered a Common Enemy we feared.  
 So one last time while we're still here  
 Quick let's Adjourn, the House is here.  
 Let's make them work while we Drink Beer.

So if I see you again  
 While selling pencils in the street,  
 Just pull your Limo to the side  
 I'll grab my Windex and clean the glass on your Ride.  
 You'll wink and let me slide  
 We're friends till we've died  
 We're Freshmen 64.

*Senate's Over (You Still Want It?)*

And so it's Sine Die  
 And what have you done?  
 Our last session is over  
 And a new one soon begun.  
 All your unpassed Legislation  
 Is buried in dust  
 Dreams of world domination  
 Are a Total Bust.

Senate's over  
You still want it?  
Lame duck quacker  
Bunch of slackers.

So clean out your desk now  
And ask Snyder for work  
Hope he gives you a good one  
If you ain't been a jerk.  
So say bye to your staffers  
Tell them no one's to blame  
But don't bother the lobby  
They've all forgotten your name.

Terms are over  
No one wants us  
No enjoyment  
Unemployment.

So go back to your district  
So long absent from home  
All you meet now are strangers  
Least you got this cool poem.

Merry Christmas, everybody!

By unanimous consent the Senate returned to the order of  
**Messages from the House**

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

**House Bill No. 4514**  
The motion prevailed.

**Senate Bill No. 713, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16t of chapter XVII (MCL 777.16t), as amended by 2008 PA 565.

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

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

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

The Senate agreed to the full title.

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

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

The motion prevailed.

Senator Birkholz's statement is as follows:

I have some guests in the Gallery I would like to introduce. They are a group of folks from my district in Holland representing a great Michigan company, a fourth-generation company, Tiara Yachts, and a new-economy company. Mary Slikkers, her daughter-in-law Ingrid, two grandchildren Cotter and Grayson, and their two friends Kasey and Isaac. All four children are home-schooled and have been visiting with us since this morning and have seen an unusual kind of session.

**Senate Bill No. 860, entitled**

A bill to amend 1978 PA 90, entitled "Youth employment standards act," by amending section 4 (MCL 409.104), as amended by 1996 PA 438.

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

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

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

The Senate agreed to the full title.

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

#### **Senate Bill No. 1443, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 5204a (MCL 324.5204a), as added by 2005 PA 254, and by adding section 5317.

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

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

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

Senator Cropsey 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. 570**

#### **Yeas—33**

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

#### **Nays—1**

Patterson

#### **Excused—0**

#### **Not Voting—3**

Basham

Clarke

McManus

In The Chair: Sanborn

Senator Thomas moved that Senator Clarke be excused from the balance of today's session.

The motion prevailed.

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.

**House Bill No. 5640, entitled**

A bill to authorize local units of government to adopt property assessed clean energy programs and to create districts to promote the use of renewable energy systems and energy efficiency improvements by owners of real property; to provide for the financing of such programs through voluntary property assessments and other means; to authorize a local unit of government to issue bonds, notes, and other evidences of indebtedness and to pay the cost of renewable energy systems and energy efficiency improvements from the proceeds thereof; to provide for the repayment of bonds, notes, and other evidences of indebtedness; to authorize certain fees; to prescribe the powers and duties of certain governmental officers and entities; and to provide for remedies.

The House of Representatives has amended the Senate substitute (S-1) as follows:

1. Amend page 11, line 20, after “Sec. 17.” by striking out “An” and inserting “A commercial or industrial”.

The House of Representatives has concurred in the Senate substitute (S-1) as amended and amended the title to read as follows:

A bill to authorize local units of government to adopt property assessed clean energy programs and to create districts to promote the use of renewable energy systems and energy efficiency improvements by owners of certain real property; to provide for the financing of such programs through voluntary property assessments, commercial lending, and other means; to authorize a local unit of government to issue bonds, notes, and other evidences of indebtedness and to pay the cost of renewable energy systems and energy efficiency improvements from the proceeds thereof; to provide for the repayment of bonds, notes, and other evidences of indebtedness; to authorize certain fees; to prescribe the powers and duties of certain governmental officers and entities; and to provide for remedies.

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

Senator Cropsey moved that the rule be suspended.

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

The question being on concurring in the House amendment made to the Senate substitute,

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

**Roll Call No. 571****Yeas—31**

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

**Nays—5**

Allen	Jansen	Kuipers	Patterson
Cropsey			

**Excused—1**

Clarke

**Not Voting—0**

In The Chair: Sanborn

The Senate agreed to the title as amended.

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

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

The motion prevailed, and the Assistant President pro tempore, Senator Sanborn, designated Senator Garcia as Chairperson.

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

**House Bill No. 5756, entitled**

A bill to amend 1936 (Ex Sess) PA 1, entitled "Michigan employment security act," by amending section 27 (MCL 421.27), as amended by 2002 PA 192.

**House Bill No. 5211, entitled**

A bill to amend 2006 PA 110, entitled "Michigan zoning enabling act," by amending section 203 (MCL 125.3203).

**House Bill No. 4169, entitled**

A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending section 13a of chapter XIIA (MCL 712A.13a), as amended by 2004 PA 475.

**House Bill No. 5958, entitled**

A bill to amend 1967 PA 270, entitled "An act to provide for the collection, reporting, and release of certain information or data relating to health care research or education, patient safety, health care entities, practitioners, or professions, or certain governmentally funded programs; to limit the liability with respect to the collection, reporting, and release of certain information or data; and to safeguard the confidential character of certain information or data," by amending section 2 (MCL 331.532), as amended by 1993 PA 86.

**House Bill No. 5959, entitled**

A bill to amend 1975 PA 46, entitled "An act to create the office of the legislative corrections ombudsman; to prescribe the powers and duties of the office, the ombudsman, the legislative council, and the department of corrections; and to provide remedies from administrative acts," by amending section 5 (MCL 4.355).

**House Bill No. 5977, entitled**

A bill to amend 1957 PA 200, entitled "An act to provide for the creation by 2 or more municipalities of an intermunicipality committee for the purpose of studying area problems; and to provide authority for the committee to receive gifts and grants," by amending section 2 (MCL 123.632).

**House Bill No. 5979, entitled**

A bill to amend 2004 PA 530, entitled "Historical neighborhood tax increment finance authority act," by amending section 3 (MCL 125.2843).

**House Bill No. 5988, entitled**

A bill to amend 1987 PA 231, entitled "An act to create a transportation economic development fund in the state treasury; to prescribe the uses of and distributions from this fund; to create the office of economic development and to prescribe its powers and duties; to prescribe the powers and duties of the state transportation department, state transportation commission, and certain other bodies; and to permit the issuance of certain bonds," by amending section 1 (MCL 247.901), as amended by 1991 PA 188.

**House Bill No. 5989, entitled**

A bill to amend 1986 PA 281, entitled "The local development financing act," by amending section 2 (MCL 125.2152), as amended by 2009 PA 162.

**House Bill No. 5998, entitled**

A bill to amend 1974 PA 338, entitled "Economic development corporations act," by amending section 3 (MCL 125.1603), as amended by 1985 PA 154.

**House Bill No. 6232, entitled**

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 642a (MCL 168.642a), as amended by 2005 PA 71.

**House Bill No. 6168, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 9928 (MCL 600.9928).

**House Bill No. 6169, entitled**

A bill to amend 1956 PA 5, entitled "Michigan uniform municipal court act," (MCL 730.501 to 730.534) by adding section 8a.

**House Bill No. 6170, entitled**

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 10, 11, and 492 (MCL 168.10, 168.11, and 168.492), section 492 as amended by 1989 PA 142.

**House Bill No. 6206, entitled**

A bill relating to the promotion of convention business and tourism in this state; to provide for regional tourism and convention marketing and promotion programs in certain areas; to provide for imposition and collection of assessments on the owners of transient facilities to support tourism and convention marketing and promotion programs; to provide for the disbursement of the assessments; to establish the functions and duties of certain state departments and employees; and to prescribe penalties and remedies.

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

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

**House Bill No. 5212, entitled**

A bill to amend 2008 PA 33, entitled "Michigan planning enabling act," by amending sections 3, 31, 33, 39, and 41 (MCL 125.3803, 125.3831, 125.3833, 125.3839, and 125.3841), sections 3 and 33 as amended by 2010 PA 134.

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. 4118, entitled**

A bill to amend 1994 PA 203, entitled "Foster care and adoption services act," by amending section 4a (MCL 722.954a), as added by 1997 PA 172.

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. 5368, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 8501, 8517, and 8520 (MCL 324.8501, 324.8517, and 324.8520), section 8501 as amended by 2008 PA 13, section 8517 as amended by 2008 PA 14, and section 8520 as added by 2006 PA 503, and by adding sections 8512b, 8512f, and 8512g.

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 amendment, the following bill:

**House Bill No. 6389, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 14 of chapter XI (MCL 771.14), as amended by 2000 PA 279.

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

1. Amend page 6, line 3, after "unless" by striking out "House Bill No. 6390" and inserting "Senate Bill No. 1491".

The Senate agreed to the amendment recommended by the Committee of the Whole, and the bill as amended 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. 5887, entitled**

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 11, 11d, 11m, 11p, 22a, 51a, and 56 (MCL 388.1611, 388.1611d, 388.1611m, 388.1611p, 388.1622a, 388.1651a, and 388.1656), section 11 as amended by 2010 PA 204, sections 11d, 11m, 22a, 51a, and 56 as amended by 2010 PA 110, and section 11p as added by 2010 PA 205, and by adding section 152a.

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. 4410, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 1278a and 1278b (MCL 380.1278a and 380.1278b), section 1278a as amended by 2008 PA 316 and section 1278b as amended by 2007 PA 141.

Substitute (S-2).

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

By unanimous consent the Senate returned to the order of

**Motions and Communications**

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

**House Bill No. 5461**

**House Bill No. 4493**

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

Senator Cropsey moved that the Committee on Finance be discharged from further consideration of the following bills:

**House Bill No. 4119, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 59 (MCL 211.59), as amended by 2006 PA 626.

**House Bill No. 5327, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 9f (MCL 211.9f), as amended by 2008 PA 573.

The motion prevailed, a majority of the members serving voting therefor, and the bills were placed on the order of General Orders.

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

**House Bill No. 4119**

**House Bill No. 5327**

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

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

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

**House Bill No. 5887**

**House Bill No. 4410**

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

Senator Cropsey moved that the following bills be placed at the head of the Third Reading of Bills calendar:

**House Bill No. 5887**

**House Bill No. 4410**

**House Bill No. 4583**

**House Bill No. 6359**

**House Bill No. 6360**

**House Bill No. 6363**

**House Bill No. 6416**

The motion prevailed.

The following bill was read a third time:

**House Bill No. 5887, entitled**

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 11, 11d, 11m, 11p, 22a, 51a, and 56 (MCL 388.1611, 388.1611d, 388.1611m, 388.1611p, 388.1622a, 388.1651a, and 388.1656), section 11 as amended by 2010 PA 204, sections 11d, 11m, 22a, 51a, and 56 as amended by 2010 PA 110, and section 11p as added by 2010 PA 205, and by adding section 152a.

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. 572**

**Yeas—35**

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

**Nays—1**

Patterson

**Excused—1**

Clarke

**Not Voting—0**

In The Chair: Richardville

Senator Cropsey moved that the bill be given immediate effect.

The motion prevailed, 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 make appropriations to aid in the support of the public schools and the intermediate school districts of the state; to make appropriations for certain other purposes relating to education; to provide for the disbursement of the appropriations; to supplement the school aid fund by the levy and collection of certain taxes; to authorize the issuance of certain bonds and provide for the security of those bonds; to prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to create certain funds and provide for their expenditure; to prescribe penalties; 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. 4410, entitled**

A bill to amend 1976 PA 451, entitled “The revised school code,” by amending sections 1249, 1278a, and 1278b (MCL 380.1249, 380.1278a, and 380.1278b), section 1249 as added and section 1278a as amended by 2009 PA 205 and section 1278b as amended by 2010 PA 80.

The question being on the passage of the bill,

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

The motion prevailed.

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

The motion prevailed.

Senator Garcia’s statement is as follows:

It is my extreme pleasure to introduce to the body my daughter and three grandchildren, as we say “three under three.” This is Zach, here. We share the same birthday; he is three years old. This is Karah; she is about 18 months old; and this is baby Matthew who is nine months old; and, of course, my daughter Kristy; she is my oldest. I am happy to have them all here today. It makes the day very special.

The following bill was read a third time:

**House Bill No. 4583, entitled**

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

The 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. 573**

**Yeas—36**

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

**Nays—0**

**Excused—1**

**Not Voting—0**

In The Chair: Richardville

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. 6359, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 20126 and 20126a (MCL 324.20126 and 324.20126a), section 20126 as amended by 1999 PA 196 and section 20126a as added by 1995 PA 71, and by adding section 20114e.

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. 574**

**Yeas—30**

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

**Nays—6**

Anderson	Clark-Coleman	Scott	Whitmer
Brater	Jacobs		

**Excused—1**

Clarke

**Not Voting—0**

In The Chair: Richardville

Senator Cropsey moved that the bill be given immediate effect.

The motion prevailed, 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 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;”.

The Senate agreed to the full title.

The following bill was read a third time:

**House Bill No. 6360, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 20107a and 20108b (MCL 324.20107a and 324.20108b), section 20107a as amended and section 20108b as added by 1996 PA 383.

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. 575****Yeas—29**

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

**Nays—6**

Anderson	Clark-Coleman	Scott	Whitmer
Brater	Jacobs		

**Excused—1**

Clarke

**Not Voting—1**

Thomas

In The Chair: Richardville

Senator Cropsey moved that the bill be given immediate effect.  
 The motion prevailed, 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 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;”.

The Senate agreed to the full title.

The following bill was read a third time:

**House Bill No. 6363, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 20112a, 20113, and 20114 (MCL 324.20112a, 324.20113, and 324.20114), section 20112a as added and section 20114 as amended by 1995 PA 71 and section 20113 as amended by 1996 PA 383.

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. 576**

**Yeas—29**

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

**Nays—6**

Anderson	Clark-Coleman	Scott	Whitmer
Brater	Jacobs		

**Excused—1**

Clarke

**Not Voting—1**

Thomas

In The Chair: Richardville

Senator Cropsey moved that Senator Thomas be temporarily excused from the balance of today’s session.  
 The motion prevailed.

Senator Thomas entered the Senate Chamber.

Senator Cropsey moved that the bill be given immediate effect.

The motion prevailed, 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 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.”.

The Senate agreed to the full title.

### Protests

Senators Brater, Clark-Coleman, Scott and Jacobs, under their constitutional right of protest (Art. 4, Sec. 18), protested against the passage of House Bill Nos. 6359, 6360, and 6363.

Senator Brater’s statement, in which Senators Clark-Coleman, Scott and Jacobs concurred, is as follows:

I rise to give my “no” vote explanation for House Bill No. 6363, but there are also two other bills in the package, House Bill Nos. 6359 and 6360, that I would like to address at the same time. The proponents of these bills argue that this package of bills will make it easier for those responsible for Part 201 facilities, otherwise known as sites of toxic pollution, for them to do a cleanup. Unfortunately, what it is making it easier for them to do is an insufficient cleanup which will not result in returning the site to conditions that are sufficiently protective of our environment.

Back in 1995, the polluter pay law, Act 307, was repealed or vastly weakened through amendment which resulted in the Part 201 process. What Part 201 does is allow a tenfold increase in cancer risk that we tolerate in citizens here in the state of Michigan. So instead of a 1-in-1-million cancer risk tolerance that we used to have, we now allow 1-in-100,000 as a cancer risk standard. Also this Part 201 allows mixing zones which allow untreated pollution to migrate into our surface waters in the state of Michigan. The theory behind that is the solution to pollution is dilution. I do not subscribe to that approach. I think these polluted groundwaters must be cleaned up before they are allowed to migrate and should be remediated before they are allowed to migrate to our surface waters.

There are also discrepancies in the standards, depending on use—residential use versus industrial use versus commercial use—in Part 201. I think that these are misguided because groundwater, migrating water doesn’t know a boundary between residential zoning and commercial or industrial zoning. It continues to migrate underground and move from one section of property to another. So we can’t really say how we are affecting residential property which has a higher standard of cleanup than a budding or nearby industrial property.

I think in all these ways that I would like to go on record to say that I hope at some time a future Legislature will see fit to restore these standards that we used to have to truly clean up our waters when necessary when they become polluted.

The following bill was read a third time:

#### **House Bill No. 6416, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 5204 and 19708 (MCL 324.5204 and 324.19708), section 5204 as amended by 2005 PA 253 and section 19708 as amended by 2005 PA 256, and by adding sections 5204b, 5204c, and 19703a.

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. 577**

#### **Yeas—34**

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

**Nays—1**

Patterson

**Excused—1**

Clarke

**Not Voting—1**

Bishop

In The Chair: Richardville

Senator Cropsey moved to reconsider the vote by which the bill was passed.  
The motion prevailed, a majority of the members serving having voted therefor.  
The question being on the passage of the bill,  
The bill was passed, a majority of the members serving voting therefor, as follows:

**Roll Call No. 578**

**Yeas—35**

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

**Nays—1**

Patterson

**Excused—1**

Clarke

**Not Voting—0**

In The Chair: Richardville

Senator Cropsey moved that the bill be given immediate effect.

The motion prevailed, 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 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.”.

The Senate agreed to the full title.

By unanimous consent the Senate returned to the order of

### **Statements**

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

The motion prevailed.

Senator Pappageorge’s statement is as follows:

Colleagues, today is Josi Blackwell’s last day interning with my office, and I would like to take a moment to recognize her. She has been with my office since August and has been a great asset to our team. Josi received her B.S. in political science from Florida State University in 2008 and is now studying law at Cooley Law School.

Over the course of the internship, Josi has proven to be a dedicated, hardworking, and intelligent young woman. Her strong research skills and positive attitude have made her an invaluable addition to our office.

Senator Garcia’s statement is as follows:

As I prepare to leave this body, I am extremely pleased to have my daughter, my three grandchildren, and one of my brothers, Alex, to be with me here on this day. This month ends nearly 20 years being associated with this body. As you may recall, I first came to the Senate right after active duty in 1990 and went to work for former Senator Harmon Cropsey. After he retired, I went back into the Army for a short stint during Operation Desert Storm. I returned to civilian life and eventually worked for the late Senator Doug Carl and then Senator-turned-Congressman Mike Rogers before returning to the private sector.

I eventually wound up back in the Senate after serving in the House for a little over two years, and I still remember the day I first took my seat. It was April 17, 2001, and it was my 19th wedding anniversary. I was so excited and full of enthusiasm. It was Martha Scott’s first day as well, and the future was bright and exciting. I went back into the Senate Journal to see what I had said. It was so memorable that I didn’t even remember what I had said, but I do remember a burning desire to serve our state.

Nine and a half years later, the desire to serve is still there. But after nearly ten years of a brutal recession, no more anniversaries, and many long days and short nights, that enthusiasm has dampened a bit. I leave a bit sad that we couldn’t accomplish more, but for all that, I can still count my blessings.

My blessings include two wonderful children, both of whom I am very proud, three adorable grandchildren, and a great son-in-law. I have my health. I have a job through the end of the month anyway. I still have my house, again, as long as I have a job, and I have been blessed to be able to realize two lifelong dreams. The first to be able to serve our great country in uniform, and the second to be able to serve the great state of Michigan as an elected official.

As was said earlier, we who serve in this chamber have been given a tremendous opportunity and privilege, and I am most grateful to have had this opportunity. As I look back now, I know that I haven’t been a perfect Senator. I know that I didn’t please everyone. That’s impossible, and we all know that. But I did care for the people I represented. When I ran for office, I only made two promises to the public and one commitment to myself. I promised to work hard and to be accessible to everyone. The last two years has been harder to keep that last promise, but I did my best. As for the commitment, I promised myself I would try to be a statesman. As we all know, politicians rank right up there with lawyers and used car salesmen. My apologies to my Senate attorney colleagues. I don’t make the polls; I just read them.

As I have learned over the last 12 years, being an elected official, like being a soldier, is an honorable profession; for politics, like war, is an ugly business. I did my best to try and stay out of political games both sides played. It was frustrating, but unfortunately, too much of the landscape. I am encouraged, however, by the Governor-elect’s bipartisan approach to solving Michigan’s problems. We need more of that approach. I was so frustrated by the lack of trust both sides exhibited at times and by the bickering between us.

I was also disappointed by some groups who refused to accept reality and could not do the math. I often felt like I was watching an argument of who was at fault while Rome burned. In the meantime, people were losing their jobs, their homes, their dreams, and most importantly, their hope. Having said that, I don’t blame any of us or the Governor for the economic condition of this state. No one could have foreseen or prevented the worldwide economic conditions which devastated Michigan’s automobile industry. I am sure we could have done more to soften the blow, but unfortunately, we couldn’t agree often enough.

But for all those subtle criticisms I have laid out, let us not forget all the good things we have done to try and make people's lives better. They may not be earth-shattering, but they have made a positive difference in the lives of many Michiganders. You each have reasons to be proud of those accomplishments. While the media and political pundits may not always have nice things to say about us, we know that we are making a difference because of the letters, e-mails, and phone calls we have received from each of our constituents thanking us for the job that we have done for them.

Let me also take this moment to thank the leadership of both sides for the work they did. While I did not always agree with some of the things that were said and done, I know that each of you, Senators Bishop and Cropsy as well as Senators Prusi, Thomas, Switalski, and Jelinek, you had a tough job, and I want to thank you for doing it.

But I am also proud of all you for taking the time for recognizing our fellow Michiganders who have fallen in defense of our nation. The genuine respect you have afforded these heroes and their families through the Senate Memorial Day Service speaks volumes to the appreciation you feel for their sacrifice and the freedom they have allowed us to enjoy. I can't tell you how often a parent or a spouse has come to me with tears in their eyes thanking me that the Senate cared enough to remember their loved ones. Thank you for caring.

Recently, some of my constituents have shared with me their appreciation for my service. I certainly appreciated those kind words, especially now as I look back to examine what I have accomplished. While my record here may not make me famous, as a student and former teacher of history, I was under no illusions that any fame I found here would last. All fame is fleeting at best, especially here. The best I can hope for is that some day someone will say to me, probably in a committee hearing, "Didn't you used to work here as a staffer?" At least Ken Sikkema will have had it better.

As I remember back to some of the things accomplished, I used to go to schools, and one of the questions the students would ask me was what my favorite bill was. I would tell them each and every time that as a staffer, I helped in the process to place the blue information signs on our highways as a pilot project. They are the signs that have gas stations, restaurants, and hotels on them. I did that when I worked for Senator Doug Carl. As a State Representative, I sponsored the bills that made them permanent. I didn't make the blue signs, but like BASF says, I made them better here in Michigan.

There will be lots of things I remember about my Senate experience. I will remember the genuine concern that Bill Hardiman had for others. I will remember the fiery passion of my friend Al Cropsy and the oratory of my colleague and friend Bruce Patterson and many others. There will be other things I miss as well when I leave the Senate. One will be the poetic talent of my friend Mickey Switalski. His rendition of "The Night Before Sine Die" was one of my favorites, or maybe it was "The Night Before Christmas," I'm not sure. Anyway, I will miss it, and I will miss him. History and others may not remember, but I will remember all of your efforts to cross the aisle to work toward finding solutions for our budget problems. I will remember the courage and pragmatism that you demonstrated in working with the other side of the aisle. Thank you, Mickey, for your efforts.

As I close, I want to say thank you to the people who made it all possible—the people who supported me in all of my elections in Clinton, Ionia, Livingston, Shiawassee, and Ingham Counties. Thank you for believing in me and for all of your support. I tried to do my best. If I have failed you, I am sorry, but at least I tried. The best compliment I ever received from my constituents was that I am just a regular guy. The most cutting comment I ever read was that I had become just another Lansing politician. The last one hurt because it was exactly what I was trying to avoid. My hope is that more people will remember me for being just a regular guy than being a politician.

I want to personally thank the Senate staff—Carol, you and your staff, the sergeants, the clerks, the carpenters, the sound squad, and all the rest of the team. Thank you for doing a fantastic job. You, the Senate Fiscal Agency, and the policy offices are really the unsung heroes of public policy, and I thank you sincerely.

As I traveled throughout the district, I used to love to hear the words, "Thank you so much for helping me with my problem." I had no clue as to what they were talking about, but I knew that someone back in my office on my staff had made the difference in someone's life, and I got the credit for it. So to my staff, thank you all. Some of them have come back and are up in the east Gallery. If you would, wave, thank you. Not all of them could be back here, but, of course, Helen is sitting here by my desk. You all have done a great job, and there is no way I could have done it without you. I am very proud of all of you. Thank you so much. There is so much more I want to say, but I don't want to be here all night either.

Finally, I want to thank my kids, brothers and sisters, mom and dad, and, of course, my former spouse for all of their support and being here for me as I worked for others. Thank you for making my dream come true. I could not have done it without you as well.

Before I go onto my next appreciation, I want to take a moment to thank three people: Chris Horrock, Colleen McNamara, and Kevin McKinney. Some of you know them. They are three friends who encouraged me at the very beginning and got me started. We didn't always share the same political philosophy, but they believed in me, and I would not have gotten my start without them and wanted to specifically speak to them and thank them.

For all the things I have done here in the chamber, I think the one thing I am most proud of is the opportunity to introduce my son, Second Lieutenant Garcia, to the rest of you. I can't tell you how proud I am that my children will continue to serve others and make life better for their fellow Americans.

As for the future, I know not what it brings, but I know that my Father in heaven, who knows when a sparrow falls to the ground and knows the ever-decreasing numbers of hairs on my head, He will provide for me. Besides, as someone

who as a teenager picked pickles in the fields, I am sure that as a middle-aged man I can push pizza if I have to. My only fear is that I may eat the profits, so, Tony, I may be coming to see you.

So friends and colleagues, I wish you well in all your future endeavors. I have learned much from all of you. I came into this chamber as a conservative, and I leave as a conservative. But I have learned from people like Liz Brater and others that there can be more than one good answer to a problem. May God bless you each at least as much as He has blessed me. Even though today is a sad day not because it is time to go, but because there is so much more to do that I won't get to do, I consider myself among all men very blessed for the opportunity to serve. To those of you who tell me that they are not happy with term limits because we lose good people, I say to you, term limits brought me into this world and term limits will take me out.

Senator Hardiman's statement is as follows:

It is my pleasure and honor to come before this body and make this farewell statement. As I approach the end of my term, I thought back to the beginning. My mind went back eight years to when I came in for an orientation session, and I walked for the first time on the Senate floor. I sat where Senator Kahn was sitting. I looked around this incredible chamber. I looked at the beauty, the magnificent colors, the architecture, and I sensed the feeling of history here. I thought about the important decisions that had been made and the important decisions that would be made, and I thought, my goodness, I am in the Michigan Senate.

Then my mind went back even further to my childhood. I came from a large family. We had eight kids, and we grew up poor in the inner city of Grand Rapids. I don't remember this, but I am told by my sister that at one point in time, we lived in a Michigan basement. For those of you who are too young to know what a Michigan basement is, it is a dirt floor, basically a hole in the ground. So I came from a hole in the ground to the Michigan Senate. As I sat there, I didn't beat my chest and say, "Look what I have done," but I thought about the incredible blessing that I had and was so very thankful to my God for this opportunity and to those who supported me. You see, nothing truly significant is done by oneself, and I realize that and have continued to realize that throughout this term. So I owe a debt of gratitude.

I would first like to mention my wife Clova, who is my soul mate, my playmate, my best friend on the earth. She is my confidant, and she has my back, as my kids would say. She is my biggest cheerleader, and she made those cookies, so I know you all love her too. I thought about my dear daughter whose words still ring in my ears as she said, "Dad, I believe in you."

There are so many who gave so much—the people of the 29th District and even beyond. Sometimes I was just overwhelmed. I had people who, good grief, said they have never given to a campaign before. One woman would turn in her gold to give money to the campaign. It is just overwhelming, and I have a heart of gratitude.

I appreciate the people right here, the Secretary of the Senate and her staff and how well they take care of us; Mike Ferland and the sergeants and how they provide that cover and protection; and those who care for our facilities. I think about you, my Senate colleagues. I am tempted to start to mention little things about each and every one of you, but I don't know where I could stop, and Jennifer on my staff told me to hold it to five minutes. The look on people's faces when I say Patty Birkholz is my sister and she says he's my brother and they have a look like, OK.

The caring that I share with Senator Scott, even though we don't agree on policy, we care about people. She makes these great apple pies as well; Senator Irma Clark-Coleman, as we sit around and brag about our children and grandchildren; the wit of Senator Sanborn and Senator Jud Gilbert, as they trade barbs; Senator Switalski; Senator Barcia who kept his word and took heat for it. I think about all of you. I think about those times when we've had the memorial services and Senator Garcia has led that. That means a lot to me because I am still a soldier, and we ought to honor soldiers.

I think about folks on both sides of the aisle. I think about how you stood with me when we brought forth controversial issues and took tough votes. I think about folks in the House who have done the same, and I am thankful. I am thankful to our policy staff and fiscal staff, and if I start running through them again, I will miss someone. Karyn Ferrick has been with me on the DHS for almost as long as I have been there. We have developed a rapport. We almost know what each other think before we say it. Kara Butters who works in Communications. I have to admit that I have worked and worked to figure out which twin is which, and I remember thinking I had it down and walked up to one and said great job on the press release. The young lady smiled sweetly and said, "Thank you, Senator Hardiman, I will tell my sister."

My office staff, some of which are here today: Alan Bolter, I believe, is somewhere in the Gallery; Claire used to be Khouri Allard, who is now working for Senator Bishop; my current staff, they are right here. When you have been through the wars together, you care about people. Catherine Coultres came this year when one of my staff left for a better job. She handles constituent issues and has done a such a good job. I have people coming up to me all the time telling me thank you for what you've done, and I know she did the work. Derek Sova, yes, a University of Michigan grad, but he has done a wonderful job; always eager to learn. Jennifer McClelland, incredible leadership she has shown and willingness to work hard and be called anytime to do what's needed. Kelly Bartlett, this humble man, so intelligent, so bright, always wanting to please and never far away. I am a man who works all the time. If I have thoughts, I may be on the computer at 10:00 at night, so I e-mail them in just to get them off my mind. I get an e-mail right back, sometimes that has happened even after midnight, and I have to say, Kelly, go home.

I won't attempt to rehearse or convince you of the benefits of our legislative accomplishments. I do believe we have had some. I believe we have made some progress in some areas in a difficult time in Michigan. But I will say that we pushed hard because we wanted to make a difference. I still have a passion for Michigan. I am by no means perfect, but I will say this: I have tried to operate with honor, integrity, honesty, and respect for others, even those who have disagreed with me. So it is because of that that I stand before you today in the words of Paul the Apostle, not that I have accomplished anything close to what he did and not that I am at the end of my life; I am at the end of this term. I have fought a good fight. I have kept the faith and finished this part of my course.

Finally, there is one more quote I would like to give to you. It is a word of encouragement and admonition. You see, there are some here today who will continue on, and we are in a difficult time in Michigan. It is those of you who are term-limited and will go on to do something else as I will. But if you are like me, you are still in the fight, and you want to do things to improve Michigan and the lives of people here, and there are others who are coming over from the House. I say to all of us, one of our Founding Fathers, Dr. Joseph Warren, was president of the Massachusetts Legislature and not very well-known because he was killed at Bunker Hill. He did, however, make a very profound statement that echoes down the corridors of time, and it is very appropriate for us even now. He said, "Our country is in danger, but not to be despaired of. On you depend the fortunes of America. You are to decide the important questions upon which rest the happiness and liberty of millions yet unborn. Act worthy of yourselves." And I say to you that our state is in danger. I say to those who will continue to serve in this great assembly, those new Senators coming in and those of us who will continue to fight to move Michigan forward, let us act worthy of the great calling that is set before us. Act worthy.

Thank you for your friendship, thank you for giving into my life, and thank you for your examples. May God bless each of you and your families, the state of Michigan, and America.

The Assistant President pro tempore, Senator Sanborn, resumed the Chair.

By unanimous consent the Senate returned to the order of

#### **Resolutions**

Senator McManus offered the following concurrent resolution:

#### **Senate Concurrent Resolution No. 54.**

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease among the State of Michigan, the State Building Authority, and Charles Stewart Mott Community College relative to the Charles Stewart Mott Community College Library Consolidation and Renovations project.

Whereas, Section 5 of 1964 PA 183, as amended, being MCL § 830.415, requires the approval of the Board of Trustees of Charles Stewart Mott Community College (the "Educational Institution"), the State Administrative Board, and the Michigan Legislature by concurrent resolution concurred in by a majority of the members elected to and serving in each house, with the votes and names of the members voting thereon entered in the journal, before land owned by the Educational Institution may be conveyed to the State Building Authority (the "Authority"); and

Whereas, The site for the Charles Stewart Mott Community College Library Consolidation and Renovations (the "Facility") is currently owned by the Educational Institution; and

Whereas, Section 7 of 1964 PA 183, as amended, being MCL § 830.417, requires the approval of the State Administrative Board and the Michigan Legislature by concurrent resolution concurred in by a majority of the members elected to and serving in each house, with the votes and names of the members voting thereon entered in the journal, before the State of Michigan (the "State") may enter into a lease with the Authority upon a showing of a public purpose; and

Whereas, Providing additional space to be used by the Educational Institution pursuant to the lease for the Facility is a recognized public purpose; and

Whereas, A lease among the Authority, the State, and the Educational Institution has been prepared providing for the leasing of the Facility by the Authority to the State and the Educational Institution (the "Lease"); and

Whereas, The Executive Director of the Authority has furnished the Joint Capital Outlay Subcommittee of the Legislature with information and documents relative to the Lease; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That the Total Facility Cost for the Charles Stewart Mott Community College Library Consolidation and Renovations shall not exceed \$8,156,000 (the Authority share is \$4,077,800, the State General Fund/General Purpose share is \$200, and the Educational Institution share is \$4,078,000), plus interest charges on monies advanced by the State to meet the construction cash flow requirements of the Facility, if any, of which not more than \$4,077,800, plus interest charges on monies advanced by the State to meet the construction cash flow requirements of the Facility, if any, shall be financed from bonds issued by the Authority, exclusive of amounts necessary for reserves, interest, or other nonconstruction costs; and be it further

Resolved, That the Legislature hereby approves the necessary conveyances of property to the Authority as more particularly described in the Lease and attachments thereto; and be it further

Resolved, That the Legislature hereby approves the Authority acquiring the Facility and leasing it to the State and the Educational Institution and hereby determines that the leasing of the Facility from the Authority is for a public purpose as authorized by 1964 PA 183, as amended; and be it further

Resolved, That the annual amounts of "True Rental" for the Facility shall be within or below the range of \$280,000 and \$370,000, as shall reflect variations that may occur in the components upon which the appraisal of True Rental was based, which amounts shall be certified by the appraiser and thereafter approved by the State Administrative Board and the Authority as authorized by 1964 PA 183, as amended; and be it further

Resolved, That the Lease is hereby approved by this concurrent resolution, and the Governor and the Secretary of State are authorized and directed to execute the Lease for and on behalf of the State; and be it further

Resolved, That, by hereby approving the Lease among the State, the Educational Institution, and the Authority, the Legislature agrees to appropriate annually sufficient amounts to pay the rent as obligated pursuant to the Lease; and be it further

Resolved, That copies of this concurrent resolution be transmitted to the Governor, the Secretary of State, the Authority, the Board of Trustees of Charles Stewart Mott Community College, and the State Budget Director.

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

Senator Cropsey moved that the rule be suspended.

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

The Assistant Secretary of the Senate made the following statement:

Mr. President and members of the Senate, the lease and exhibits are attached to the resolution and are available for review by the membership now at the rostrum or after session in the offices of the Session Staff in the Boji Tower.

The question being on the adoption of the concurrent resolution,

The concurrent resolution was adopted, a majority of the members serving voting therefor, as follows:

**Roll Call No. 579**

**Yeas—36**

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

**Nays—0**

**Excused—1**

Clarke

**Not Voting—0**

In The Chair: Sanborn

Senators Barcia, Birkholz, Gleason, Nofs and Pappageorge were named co-sponsors of the concurrent resolution.

Senator Nofs offered the following concurrent resolution:

**Senate Concurrent Resolution No. 57.**

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease among the State of Michigan, the State Building Authority, and Jackson Community College relative to the Jackson Community College Whiting Hall Renovation.

Whereas, Section 5 of 1964 PA 183, as amended, being MCL § 830.415, requires the approval of the Board of Trustees of Jackson Community College (the "Educational Institution"), the State Administrative Board, and the Michigan Legislature by concurrent resolution concurred in by a majority of the members elected to and serving in each house, with the votes and names of the members voting thereon entered in the journal, before land owned by the Educational Institution may be conveyed to the State Building Authority (the "Authority"); and

Whereas, The site for the Jackson Community College Whiting Hall Renovation (the "Facility") is currently owned by the Educational Institution; and

Whereas, Section 7 of 1964 PA 183, as amended, being MCL § 830.417, requires the approval of the State Administrative Board and the Michigan Legislature by concurrent resolution concurred in by a majority of the members elected to and serving in each house, with the votes and names of the members voting thereon entered in the journal, before the State of Michigan (the "State") may enter into a lease with the Authority upon a showing of a public purpose; and

Whereas, Providing additional space to be used by the Educational Institution pursuant to the lease for the Facility is a recognized public purpose; and

Whereas, A lease among the Authority, the State, and the Educational Institution has been prepared providing for the leasing of the Facility by the Authority to the State and the Educational Institution (the "Lease"); and

Whereas, The Executive Director of the Authority has furnished the Joint Capital Outlay Subcommittee of the Legislature with information and documents relative to the Lease; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That the Total Facility Cost for the Jackson Community College Whiting Hall Renovation project shall not exceed \$21,900,000 (the Authority share is \$10,949,800, the State General Fund/General Purpose share is \$200, and the Educational Institution share is \$10,950,000), plus interest charges on monies advanced by the State to meet the construction cash flow requirements of the Facility, if any, of which not more than \$10,949,800, plus interest charges on monies advanced by the State to meet the construction cash flow requirements of the Facility, if any, shall be financed from bonds issued by the Authority, exclusive of amounts necessary for reserves, interest, or other nonconstruction costs; and be it further

Resolved, That the Legislature hereby approves the necessary conveyances of property to the Authority as more particularly described in the Lease and attachments thereto; and be it further

Resolved, That the Legislature hereby approves the Authority acquiring the Facility and leasing it to the State and the Educational Institution and hereby determines that the leasing of the Facility from the Authority is for a public purpose as authorized by 1964 PA 183, as amended; and be it further

Resolved, That the annual amounts of "True Rental" for the Facility shall be within or below the range of \$751,000 and \$982,000, as shall reflect variations that may occur in the components upon which the appraisal of True Rental was based, which amounts shall be certified by the appraiser and thereafter approved by the State Administrative Board and the Authority as authorized by 1964 PA 183, as amended; and be it further

Resolved, That the Lease is hereby approved by this concurrent resolution, and the Governor and the Secretary of State are authorized and directed to execute the Lease for and on behalf of the State; and be it further

Resolved, That, by hereby approving the Lease among the State, the Educational Institution, and the Authority, the Legislature agrees to appropriate annually sufficient amounts to pay the rent as obligated pursuant to the Lease; and be it further

Resolved, That copies of this concurrent resolution be transmitted to the Governor, the Secretary of State, the Authority, the Board of Trustees of Jackson Community College, and the State Budget Director.

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

Senator Cropsey moved that the rule be suspended.

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

The Assistant Secretary of the Senate made the following statement:

Mr. President and members of the Senate, the lease and exhibits are attached to the resolution and are available for review by the membership now at the rostrum or after session in the offices of the Session Staff in the Boji Tower.

The question being on the adoption of the concurrent resolution,

The concurrent resolution was adopted, a majority of the members serving voting therefor, as follows:

**Roll Call No. 580****Yeas—34**

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

**Nays—0****Excused—1**

Clarke

**Not Voting—2**

Garcia

Jelinek

In The Chair: Sanborn

Senators Birkholz, Gleason, Pappageorge and Richardville were named co-sponsors of the concurrent resolution.

Senator Cropsey moved that Senators Jelinek and Garcia be temporarily excused from the balance of today's session. The motion prevailed.

Senator Birkholz offered the following resolution:

**Senate Resolution No. 205.**

A resolution to urge the Michigan Department of Natural Resources and Environment, the Michigan Department of Agriculture, the United States Forest Service, and the United States Department of Agriculture to use caution when considering proposals that would limit the amount of sustainably-managed forests in the state of Michigan.

Whereas, Timber harvesting has a long and rich tradition in this state and is a key component of Michigan's economy and job creation. Michigan's 4-million-acre dedicated state forest system is the largest in the country. A large amount of this forest land is protected by designations, such as natural areas, state parks, wilderness areas, old growth, and other classifications. Each year, about 63,000 acres of the state's forests are actively managed for timber, producing an average of 12.5 cords per acre and providing over \$35 million to the state's forest development fund. Managed forests and the wood products industry support 150,000 jobs and \$12 billion in economic activity in Michigan; and

Whereas, The Department of Natural Resources and Environment (DNRE) is considering the necessity of reducing the number of acres that can be harvested for timber in order to preserve species diversity. The DNRE is seeking recommendations of areas with high-quality native plant and animal communities for inclusion in a statewide network of Biodiversity Stewardship Areas. These areas may be off limits to timber harvesting; and

Whereas, Species diversity and timber harvesting are not mutually exclusive. There is little evidence to show that timber harvesting impacts species diversity. In fact, scientific studies have shown that unmanaged forest land can lead to declines in plant and animal species. Managed forests can supply both timber and enhanced wildlife habitat. Timber harvesting also provides for road access, hiking, horseback riding, hunting, fishing, and many other recreational activities, which generate \$3 billion in tourism revenue; and

Whereas, Tax incentives that promote forestry and sustainable forest management are a better choice than limiting timber harvests. Incentives, such as those provided by the Commercial Forest Program or the Forest Legacy Program, can prevent the development or conversion of forest land into other uses that do not provide wildlife habitat. When forest land is converted into shopping malls or parking lots, wildlife habitat is lost forever. Clearly, the financial incentive approach can be an effective tool to protect threatened habitat and species throughout Michigan; now, therefore, be it

Resolved by the Senate, That we urge the Michigan Department of Natural Resources and Environment, the Michigan Department of Agriculture, the United States Forest Service, and the United States Department of Agriculture to exercise extra diligence and explore all options in considering the proposal to create Biodiversity Stewardship Area designations in order to minimize the adverse impact on forest health and job loss in the state of Michigan; and be it further

Resolved, That copies of this resolution be transmitted to the Michigan Department of Natural Resources and Environment, the Michigan Department of Agriculture, the United States Forest Service, and the United States Department of Agriculture.

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

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

The resolution was adopted.

Senators Anderson, McManus, Nofs and Pappageorge were named co-sponsors of the resolution.

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

The motion prevailed.

Senator Birkholz's statement is as follows:

In Michigan, timber harvesting has a very long and rich tradition and is a key component of Michigan's economy and job creation. Our state forest system is literally the largest in the country. Reducing the number of acres that can be harvested for timber in order to preserve species diversity is something that is being considered now by the Department of Natural Resources and Environment.

All of you know that biodiversity is critical; however, species diversity and timber harvesting are not mutually exclusive. If decreases are created in one area, we firmly believe they should be increased in others and still maintain the sustainability. Requesting extra diligence and exploration of all options in considering the proposal to create biodiversity stewardship area designations in order to minimize the adverse impact on forest health and job loss in Michigan should be considered further. We are urging that in the resolution before you, and we urge its adoption.

Senators Jelinek and Garcia entered the Senate Chamber.

By unanimous consent the Senate returned to the order of

### **General Orders**

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

The motion prevailed, and the Assistant President pro tempore, Senator Sanborn, designated Senator Garcia as Chairperson.

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

#### **House Bill No. 5850, entitled**

A bill to amend 1998 PA 386, entitled "Estates and protected individuals code," by amending sections 3206 and 3209 (MCL 700.3206 and 700.3209), section 3206 as amended by 2008 PA 41 and section 3209 as added by 2006 PA 299.

#### **House Bill No. 5735, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 7333a (MCL 333.7333a), as added by 2001 PA 231.

#### **House Bill No. 6374, entitled**

A bill to amend 1980 PA 299, entitled "Occupational code," by amending section 2009 (MCL 339.2009), as amended by 1988 PA 463.

**House Bill No. 6270, entitled**

A bill to amend 1967 PA 150, entitled "Michigan military act," by amending section 306 (MCL 32.706).

**House Bill No. 6271, entitled**

A bill to amend 1943 PA 240, entitled "State employees' retirement act," by amending section 55 (MCL 38.55), as amended by 2004 PA 33.

**House Bill No. 6261, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 82101, 82106, and 82118 (MCL 324.82101, 324.82106, and 324.82118), section 82101 as amended by 2008 PA 145, section 82106 as amended by 2008 PA 399, and section 82118 as amended by 2008 PA 400, and by adding section 82105c.

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

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

**House Bill No. 4503, entitled**

A bill to amend 1915 PA 123, entitled "An act to provide for the recording and use in evidence of affidavits affecting real property; and to provide a penalty for the making of false affidavits," (MCL 565.451a to 565.453) by adding section 1d.

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. 5198, entitled**

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 701 (MCL 436.1701), as amended by 2006 PA 682.

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. 5199, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 319 (MCL 257.319), as amended by 2010 PA 155.

Substitute (S-2).

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

1. Amend page 8, line 20, after "**DAYS.**" by inserting "**THE SECRETARY OF STATE MAY ISSUE A PERSON A RESTRICTED LICENSE DURING ALL OR A SPECIFIED PORTION OF THE SUSPENSION.**".

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

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

**House Bill No. 4459, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 13805, 13807, 13809, 13810, 13811, 13813, 13817, 13819, 13821, 13823, 13825, 13827, 13829, 13830, and 13831 (MCL 333.13805, 333.13807, 333.13809, 333.13810, 333.13811, 333.13813, 333.13817, 333.13819, 333.13821, 333.13823, 333.13825, 333.13827, 333.13829, 333.13830, and 333.13831), sections 13805, 13807, 13809, 13810, and 13811 as added by 1990 PA 21, sections 13813, 13817, 13819, 13823, 13825, 13827, 13829, 13830, and 13831 as added by 1990 PA 18, and section 13821 as amended by 1996 PA 67, and by adding sections 13812, 13820, 13832, and 13833.

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. 5566, entitled**

A bill to amend 1996 PA 381, entitled “Brownfield redevelopment financing act,” by amending sections 2 and 13 (MCL 125.2652 and 125.2663), section 2 as amended by 2007 PA 204 and section 13 as amended by 2007 PA 202.

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. 5808, entitled**

A bill to amend 1984 PA 270, entitled “Michigan strategic fund act,” by amending section 88a (MCL 125.2088a), as amended by 2006 PA 639.

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**

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

**House Bill No. 4410, entitled**

A bill to amend 1976 PA 451, entitled “The revised school code,” by amending sections 1249, 1278a, and 1278b (MCL 380.1249, 380.1278a, and 380.1278b), section 1249 as added and section 1278a as amended by 2009 PA 205 and section 1278b as amended by 2010 PA 80.

(This bill was read a third time earlier today and consideration postponed. See p. 2012.)

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. 581**

**Yeas—21**

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

**Nays—14**

Anderson	Clark-Coleman	Jelinek	Scott
Barcia	Gleason	Olshove	Switalski
Basham	Hunter	Prusi	Whitmer
Brater	Jacobs		

**Excused—1**

Clarke

**Not Voting—1**

Thomas

In The Chair: Sanborn

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

“An act to provide a system of public instruction and elementary and secondary schools; to revise, consolidate, and clarify the laws relating to elementary and secondary education; to provide for the organization, regulation, and maintenance of schools, school districts, public school academies, intermediate school districts, and other public school entities; to prescribe rights, powers, duties, and privileges of schools, school districts, public school academies, intermediate school districts, and other public school entities; to provide for the regulation of school teachers and certain other school employees; to provide for school elections and to prescribe powers and duties with respect thereto; to provide for the levy and collection of taxes; to provide for the borrowing of money and issuance of bonds and other evidences of indebtedness; to establish a fund and provide for expenditures from that fund; to provide for and prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to provide for licensure of boarding schools; to prescribe penalties; and to repeal acts and parts of acts.”

The Senate agreed to the full title.

Senator Cropsey moved that rule 3.902 be suspended to allow the guests of Senator Allen admittance to the Senate floor. The motion prevailed, a majority of the members serving voting therefor.

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

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

The motion prevailed, and the Assistant President pro tempore, Senator Sanborn, designated Senator Garcia as Chairperson.

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

**House Bill No. 4917, entitled**

A bill to amend 1947 PA 336, entitled “An act to prohibit strikes by certain public employees; to provide review from disciplinary action with respect thereto; to provide for the mediation of grievances and the holding of elections; to declare and protect the rights and privileges of public employees; and to prescribe means of enforcement and penalties for the violation of the provisions of this act,” by amending section 15 (MCL 423.215), as amended by 2009 PA 201.

**House Bill No. 5926, entitled**

A bill to amend 2006 PA 110, entitled “Michigan zoning enabling act,” by amending sections 208, 601, and 606 (MCL 125.3208, 125.3601, and 125.3606), as amended by 2008 PA 12.

**House Bill No. 5579, entitled**

A bill to amend 1985 PA 87, entitled “William Van Regenmorter crime victim’s rights act,” (MCL 780.751 to 780.834) by adding section 16b.

**House Bill No. 6053, entitled**

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending section 224d (MCL 750.224d), as amended by 2006 PA 401.

**House Bill No. 6197, entitled**

A bill to amend 1998 PA 386, entitled “Estates and protected individuals code,” by amending section 1213 (MCL 700.1213), as amended by 2000 PA 54, and by adding section 2723.

**House Bill No. 6008, entitled**

A bill to amend 1978 PA 566, entitled “An act to encourage the faithful performance of official duties by certain public officers and public employees; to prescribe standards of conduct for certain public officers and public employees; to prohibit the holding of incompatible public offices; and to provide certain judicial remedies,” by amending section 3 (MCL 15.183), as amended by 2009 PA 210.

**House Bill No. 6009, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1229 (MCL 380.1229), as added by 1995 PA 289.

**House Bill No. 6010, entitled**

A bill to amend 1968 PA 317, entitled "An act relating to the conduct of public servants in respect to governmental decisions and contracts with public entities; to provide penalties for the violation of this act; to repeal certain acts and parts of acts; and to validate certain contracts," by amending section 3a (MCL 15.323a), as amended by 1996 PA 203.

**House Bill No. 5461, entitled**

A bill to provide for the establishment of a private source of funding for public infrastructure; to prescribe the powers and duties of certain public entities; to finance public infrastructure through public and private sources; to authorize the acquisition and disposal of interests in real and personal property; to authorize certain public and private entity partnerships; to authorize the creation and implementation of certain plans and negotiated benefit areas; to promote economic development; to authorize the use of tax increment financing; to prescribe powers and duties of certain state and local officials; to provide for rule promulgation; and to provide for enforcement of the act.

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

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

**House Bill No. 5550, entitled**

A bill to amend 2001 PA 34, entitled "Revised municipal finance act," by amending section 611 (MCL 141.2611), as amended by 2002 PA 500.

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 amendment, the following bill:

**House Bill No. 5575, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 462j.

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

1. Amend page 5, line 2, by striking out "2010" and inserting "2011".

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

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

**House Bill No. 5576, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16w of chapter XVII (MCL 777.16w), as amended by 2006 PA 156.

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

1. Amend page 5, line 5, after "March 1," by striking out "2010" and inserting "2011".

The Senate agreed to the amendment recommended by the Committee of the Whole, and the bill as amended 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. 5577, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 159g (MCL 750.159g), as amended by 2010 PA 176.

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 amendment, the following bill:

**House Bill No. 5578, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 4701 (MCL 600.4701), as amended by 2009 PA 83.

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

1. Amend page 3, line 23, by striking out "2010" and inserting "2011".

The Senate agreed to the amendment recommended by the Committee of the Whole, and the bill as amended 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. 5661, entitled**

A bill to amend 1989 PA 196, entitled "An act to abolish the criminal assessments commission; to prescribe certain duties of the crime victim services commission; to create the crime victim's rights fund; to provide for expenditures from the fund; to provide for assessments against criminal defendants and certain juvenile offenders; to provide for payment of crime victim's rights services; and to prescribe the powers and duties of certain state and local agencies and departments," by amending section 5 (MCL 780.905), as amended by 2005 PA 315.

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. 5667, entitled**

A bill to amend 1976 PA 223, entitled "An act to create an agency concerned with crime victim services; to prescribe its powers and duties; to provide compensation to certain victims of crimes; to provide for the promulgation of rules; and to provide for penalties," by amending section 11 (MCL 18.361), as amended by 2008 PA 390.

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. 5614, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 16231 and 16233 (MCL 333.16231 and 333.16233), section 16231 as amended by 1993 PA 79 and section 16233 as amended by 1995 PA 196.

Substitute (S-2).

The following are the amendments to the substitute recommended by the Committee of the Whole:

1. Amend page 2, following line 1, by inserting:  
"(3) THIS SECTION SHALL BE KNOWN AND MAY BE CITED AS "JENNA'S LAW"."
2. Amend page 6, following line 12, by inserting:

"SEC. 16413. THIS PART DOES NOT PROHIBIT AN INDIVIDUAL LICENSED, REGISTERED, OR OTHERWISE AUTHORIZED TO ENGAGE IN A HEALTH PROFESSION UNDER ANY OTHER PART OR ANY OTHER ACT FROM PERFORMING ACTIVITIES THAT ARE CONSIDERED THE PRACTICE OF CHIROPRACTIC SO LONG AS THOSE ACTIVITIES ARE WITHIN THE INDIVIDUAL'S SCOPE OF PRACTICE AND THE INDIVIDUAL DOES NOT USE THE WORDS, TITLES, OR LETTERS PROTECTED UNDER SECTION 16411.

SEC. 17819. THIS PART DOES NOT PROHIBIT AN INDIVIDUAL LICENSED, REGISTERED, OR OTHERWISE AUTHORIZED TO ENGAGE IN A HEALTH PROFESSION UNDER ANY OTHER PART OR ANY OTHER ACT FROM PERFORMING ACTIVITIES THAT ARE CONSIDERED THE PRACTICE OF PHYSICAL THERAPY OR THE PRACTICE AS A PHYSICAL THERAPIST ASSISTANT SO LONG AS THOSE ACTIVITIES ARE WITHIN THE INDIVIDUAL'S SCOPE OF PRACTICE AND THE INDIVIDUAL DOES NOT USE THE WORDS, TITLES, OR LETTERS PROTECTED UNDER SECTION 17820."

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

By unanimous consent the Senate returned to the order of

**Motions and Communications**

Senator Cropsey moved that the Committee on Banking and Financial Institutions be discharged from further consideration of the following bill:

**House Bill No. 5267, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 3240 (MCL 600.3240), as amended by 2006 PA 579.

The motion prevailed, a majority of the members serving voting therefor, and the bill was placed on the order of General Orders.

Senator Cropsey moved that the Committee on Judiciary be discharged from further consideration of the following bill:  
**House Bill No. 4431, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending sections 239 and 239a (MCL 750.239 and 750.239a), section 239a as added by 1996 PA 496.

The motion prevailed, a majority of the members serving voting therefor, and the bill was placed on the order of General Orders.

Senator Cropsey moved that the Committee on Transportation be discharged from further consideration of the following bill:

**House Bill No. 6462, entitled**

A bill to amend 1951 PA 51, entitled "An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to promote safe and efficient travel for motor vehicle drivers, bicyclists, pedestrians, and other legal users of roads, streets, and highways; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, local bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts," by amending sections 9a, 10c, and 20a (MCL 247.659a, 247.660c, and 247.670a), section 9a as amended by 2007 PA 199, section 10c as amended by 2008 PA 485, and section 20a as amended by 2005 PA 5.

The motion prevailed, a majority of the members serving voting therefor, and the bill was placed on the order of General Orders.

### Committee Reports

The Committee on Appropriations reported

**House Bill No. 5661, entitled**

A bill to amend 1989 PA 196, entitled "An act to abolish the criminal assessments commission; to prescribe certain duties of the crime victim services commission; to create the crime victim's rights fund; to provide for expenditures from the fund; to provide for assessments against criminal defendants and certain juvenile offenders; to provide for payment of crime victim's rights services; and to prescribe the powers and duties of certain state and local agencies and departments," by amending section 5 (MCL 780.905), as amended by 2005 PA 315.

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

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

Ron Jelinek  
Chairperson

To Report Out:

Yeas: Senators Jelinek, Pappageorge, Hardiman, Kahn, Garcia, George, Jansen, Brown, McManus, Switalski, Anderson and Barcia

Nays: Senators Brater and Clark-Coleman

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. 5667, entitled**

A bill to amend 1976 PA 223, entitled "An act to create an agency concerned with crime victim services; to prescribe its powers and duties; to provide compensation to certain victims of crimes; to provide for the promulgation of rules; and to provide for penalties," by amending section 11 (MCL 18.361), as amended by 2008 PA 390.

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

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

Ron Jelinek  
Chairperson

To Report Out:

Yeas: Senators Jelinek, Hardiman, Kahn, Garcia, George, Jansen, Brown, McManus, Switalski, Anderson, Barcia, Brater and Clark-Coleman

Nays: None

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, November 30, 2010, at 2:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building

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

Excused: Senators Cropsey, Stamas and Scott

The Committee on Education reported

**House Bill No. 6008, entitled**

A bill to amend 1978 PA 566, entitled "An act to encourage the faithful performance of official duties by certain public officers and public employees; to prescribe standards of conduct for certain public officers and public employees; to prohibit the holding of incompatible public offices; and to provide certain judicial remedies," by amending section 3 (MCL 15.183), as amended by 2009 PA 210.

With the recommendation that the bill pass.

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

Wayne Kuipers  
Chairperson

To Report Out:

Yeas: Senators Kuipers, Van Woerkom and Cassis

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Education reported

**House Bill No. 6009, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1229 (MCL 380.1229), as added by 1995 PA 289.

With the recommendation that the bill pass.

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

Wayne Kuipers  
Chairperson

To Report Out:

Yeas: Senators Kuipers, Van Woerkom and Cassis

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Education reported

**House Bill No. 6010, entitled**

A bill to amend 1968 PA 317, entitled "An act relating to the conduct of public servants in respect to governmental decisions and contracts with public entities; to provide penalties for the violation of this act; to repeal certain acts and parts of acts; and to validate certain contracts," by amending section 3a (MCL 15.323a), as amended by 1996 PA 203.

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

Wayne Kuipers  
Chairperson

To Report Out:

Yeas: Senators Kuipers, Van Woerkom and Cassis  
Nays: None  
The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Education submitted the following:  
Meeting held on Tuesday, November 30, 2010, at 2:30 p.m., Room 110, Farnum Building  
Present: Senators Kuipers (C), Van Woerkom and Cassis  
Excused: Senators Whitmer and Gleason

COMMITTEE ATTENDANCE REPORT

The Joint Subcommittee on Capital Outlay submitted the following:  
Meeting held on Tuesday, November 30, 2010, 8:45 a.m., Senate Hearing Room, Ground Floor, Boji Tower  
Present: Senators McManus (C), Brown, Cropsey, Hardiman, Pappageorge, Switalski and Clark-Coleman  
Excused: Senators Jelinek and Scott

COMMITTEE ATTENDANCE REPORT

The Committee on Judiciary submitted the following:  
Meeting held on Tuesday, November 30, 2010, at 12:00 noon, Room 110, Farnum Building  
Present: Senators Kuipers (C), Cropsey, Whitmer and Basham  
Excused: Senators Sanborn, Patterson, Stamas and Clarke

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Retirement submitted the following:  
Meeting held on Wednesday, December 1, 2010, at 9:00 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building  
Present: Senator Jansen (C) and Gilbert

**Scheduled Meetings**

**Commerce and Tourism** - Thursday, December 2, 9:00 a.m., Room 100, Farnum Building (373-2413)

Senator Cropsey moved that the Senate adjourn.  
The motion prevailed, the time being 5:23 p.m.

The Assistant President pro tempore, Senator Sanborn, declared the Senate adjourned until Thursday, December 2, 2010, at 10:00 a.m.

CAROL MOREY VIVENTI  
Secretary of the Senate

