

No. 45
STATE OF MICHIGAN
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REGULAR SESSION OF 2009

Senate Chamber, Lansing, Wednesday, May 27, 2009.

10:00 a.m.

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

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

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

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

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

Pastor Ray Babcock of Three Oaks Free Methodist Church of Three Oaks offered the following invocation:

Dear gracious and everlasting God, we bow our hearts before You to acknowledge Your presence and our need of Your guidance. We thank You that You urge us to pray and to seek You. Because You invite us, we are so bold as to ask Your blessing and guidance upon our lives, upon this state of Michigan, and upon this nation which we are blessed to call our home.

O God, through the voices and the votes of the people of Michigan, You have called these men and women to serve here as Senators. May Your power, guidance, and grace rest upon them for the fulfillment of this calling. These are difficult days, O God, and theirs is a difficult task. We would not fail to seek Your aid and do humbly pray for Your favor and mercy. Amen.

The President pro tempore, Senator Richardville, led the members of the Senate in recital of the *Pledge of Allegiance*.

Motions and Communications

Senators Whitmer, Garcia, Birkholz, Hardiman and Brater entered the Senate Chamber.

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

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

Senate Bill No. 585

Senate Bill No. 586

Senate Bill No. 587

Senate Bill No. 588

House Bill No. 4308

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

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

The motion prevailed.

Senator Pappageorge's statement is as follows:

I want to ask the members to join me in bidding a fond farewell to my legislative director, Jeff Cassidy. He is leaving the Senate to work with the MEDC to help Michigan businesses procure contracts with the federal government. He will not be far away, but his presence in my office will be missed. He is truly a remarkable individual. For the past 15 years, Jeff has risked his life to serve his country as a soldier in the U.S. Army. A born leader, he was quickly promoted to sergeant and has been serving in that capacity for 11 years.

Jeff's legislative experience began in 2003 as an aide to Speaker of the House Rick Johnson. He went on to work for Senator Jason Allen while he finished his degree at MSU. Following a yearlong stint in Baghdad, Jeff came back to the Legislature, first as a member of Senator Allen's staff and then as a member of Senator Gilbert's staff. I was fortunate to have him join my staff in April 2008. By the way, each case was a promotion; people were not trying to move him along.

Jeff Cassidy has proven to be a hardworking and dedicated staff member. He is bright, quick-witted, and full of integrity. It has truly been an honor having Jeff on my team. While I am sad to see him go, I know he will continue his good work serving the people of this state in his new role.

Jeff has a bright future ahead of him, and I wish him all the best.

Senator Cropsey moved that when the Senate adjourns today, it stand adjourned until Tuesday, June 2, at 10:00 a.m.
The motion prevailed.

Recess

Senator Cropsey moved that the Senate recess subject to the call of the Chair.
The motion prevailed, the time being 10:09 a.m.

10:52 a.m.

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

During the recess, Senator Barcia entered the Senate Chamber.

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

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

The motion prevailed, and the President pro tempore, Senator Richardville, designated Senator Pappageorge 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 with a substitute therefor, the following bill:

Senate Bill No. 142, entitled

A bill to amend 1956 PA 217, entitled "Electrical administrative act," by amending section 5 (MCL 338.885), as amended by 1998 PA 302, and by adding section 4.

Substitute (S-1).

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

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

Senate Bill No. 585, entitled

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

Substitute (S-1).

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

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

Senate Bill No. 586, entitled

A bill to amend 1987 PA 264, entitled "Health and safety fund act," by amending section 5 (MCL 141.475), as amended by 2008 PA 586.

Substitute (S-1).

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

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

Senate Bill No. 587, entitled

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

Substitute (S-1).

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

1. Amend page 8, line 6, after "**DEVELOPMENT**" by inserting "**FUND**".

2. Amend page 17, line 1, after "**EXCEEDS**" by striking out "**\$135,000,000.00**" and inserting "**\$154,000,000.00**".

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:

Senate Bill No. 588, entitled

A bill to amend 2000 PA 489, entitled "Michigan trust fund act," by amending section 7 (MCL 12.257), as amended by 2008 PA 256.

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. 4308, entitled

A bill to make, supplement, and adjust appropriations for various state departments and agencies and capital outlay for the fiscal year ending September 30, 2009; and to provide for the expenditure of the appropriations.

Substitute (S-1).

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

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

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

Senate Bill No. 585

Senate Bill No. 586

Senate Bill No. 587

Senate Bill No. 588

House Bill No. 4308

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

The following bill was read a third time:

Senate Bill No. 585, entitled

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

The question being on the passage of the bill,

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

Roll Call No. 206

Yeas—20

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

Nays—16

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

Excused—1

George

Not Voting—0

In The Chair: Richardville

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 586, entitled

A bill to amend 1987 PA 264, entitled "Health and safety fund act," by amending section 5 (MCL 141.475), as amended by 2008 PA 586.

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. 207

Yeas—20

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

Nays—16

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

Excused—1

George

Not Voting—0

In The Chair: Richardville

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 587, entitled

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

The 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. 208

Yeas—20

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

Nays—16

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

Excused—1

George

Not Voting—0

In The Chair: Richardville

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 588, entitled

A bill to amend 2000 PA 489, entitled "Michigan trust fund act," by amending section 7 (MCL 12.257), as amended by 2008 PA 256.

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. 209**Yeas—20**

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

Nays—16

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

Excused—1

George

Not Voting—0

In The Chair: Richardville

The Senate agreed to the title of the bill.

Protest

Senator Clark-Coleman, under her constitutional right of protest (Art. 4, Sec. 18), protested against the passage of Senate Bill Nos. 585, 586, 587, and 588.

Senator Clark-Coleman's statement is as follows:

This is my "no" vote explanation on the Cobo Hall deal. You know why we all believe in and want to be part of regional cooperation. We cannot support—I could not support that legislation—that whole package. These bills were solely written by the other side of the aisle.

Now we have Democrats here. We have Detroiters here and this affects the folks in southeastern Michigan in Wayne, Oakland, and Macomb Counties. It appears to me that there should have been some reaching out to find out what it is that we could present that folks would support and appreciate. So because there was no effort made by the other side of the aisle to reach out to craft legislation that would be bipartisan that we could all support, it gives me pause but to wonder if this was done in hopes that you—then you attach to it, too, some bullying-type of legislation—so this gives me pause to wonder whether or not you really wanted to get this legislation passed. Is this really something that you wanted to have done, or is this something that you wanted to do to send a message to Detroit and to the City Council that we want to move this thing, and this is the best way to do it? We will insult the people in Detroit, and we will insult the council members so that even the ones who supported it last time can't even vote for it.

So if your intentions were to make sure that this legislation was passed, it appears that there would have been collaboration, and that is what we are all about. We should be about collaboration, but, in fact, what this does is it deepens the pit of mistrust and the one-upmanship that has dogged southeast Michigan for decades.

Lawmakers must choose to lead by positive example and not by these bullying tactics. The Detroit Senators have made themselves available for negotiations. We did it last time. We would have done it this time. We would work hard, and we will continue to do so. The Cobo deal must not be a stopping point but the beginning of reshaping this part of our world. In these challenging financial times, legislators need not pit one part of our state against the other. We need for our state to act as one healthy body, not like a body that has turned against itself. Cooperation is the answer, and it must begin with us. There are too many other important issues, such as mass transit and economic revitalization, which need our undivided attention.

What we do now lays the groundwork for the future of Michigan. Our future must be greater than our past, or we will be stuck in separatism, hatred, mistrust, and likewise, failure. Let's not forget that as Detroit goes, so goes Michigan. Let's work together, and let's move this state forward. Let's put aside childish antics, and let's act like mature, responsible adults.

The following bill was read a third time:

House Bill No. 4308, entitled

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

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. 210**Yeas—32**

Allen	Cassis	Hardiman	Pappageorge
Anderson	Cherry	Hunter	Prusi
Barcia	Clark-Coleman	Jacobs	Richardville
Basham	Clarke	Jansen	Scott
Birkholz	Cropsey	Jelinek	Stamas

Bishop
Brater
Brown

Garcia
Gilbert
Gleason

Kahn
Kuipers
McManus

Thomas
Van Woerkom
Whitmer

Nays—4

Olshove

Patterson

Sanborn

Switalski

Excused—1

George

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.
The Senate agreed to the title of the bill.

Protests

Senators Switalski and Sanborn, under their constitutional right of protest (Art. 4, Sec. 18), protested against the passage of House Bill No. 4308.

Senator Switalski moved that the statement he made during the discussion of the bill be printed as his reasons for voting “no.”

The motion prevailed.

Senator Switalski’s statement, in which Senator Sanborn concurred, is as follows:

I rise to speak and give a “no” vote explanation on this important bill. This supplemental is a very important bill. It has a lot of good things in it, but, for me, it has one fatal flaw. That is a federal formula that establishes the distribution for the energy-efficiency community block grants. We had a lot of discussions about this in committee, and as it turns out, the way the formula works, the county that I hail from, Macomb County, suffers grievously under this distribution formula.

Let me just outline how it suffers. In monies to counties, Wayne County gets \$4.9 million, Oakland gets \$4.9 million, Ottawa County gets \$2 million, Genesee gets \$2.6 million, and Kent County \$2.7 million. As the third-largest county, you would expect Macomb to come in at around \$4 million, maybe \$3.8 million—some high threes somewhere in there. But Macomb comes in at \$746,000. How can this be? I share the same reaction as you, Mr. President. How can that be? How can Macomb be the third-largest county and get \$700,000 while five other entities—three of whom are far lower in population than Macomb—get over \$2 million.

Well, there are vague reasons, the formula, such that if you have some significantly-sized cities in your county, those are subtracted out. But let me just say to you that looking at the dollars that go directly to cities in Wayne County, the cities are getting \$13.7 million; the cities of Oakland County are getting \$6.4 million; and the cities of Macomb County are getting \$5.5 million. It’s a fair and equitable distribution, in my opinion. But when you put the two together, how can the counties of Oakland, Wayne, Kent, Genesee, and Ottawa be getting \$2 million and \$4 million and Macomb only gets \$700,000?

Well, Macomb happens to have some large cities that get subtracted out, and it turns out to negatively impact the county amount. Now is that fair? Is that equitable? I would say it is random and makes no sense at all and is completely unfair; just because Macomb has two of the largest cities in the state—Sterling and Warren. Is it better that other counties like Wayne and Oakland have a larger number of medium-sized cities? They are still getting more than us in city distribution. So it is random and unfair and arbitrary. That is not how a federal formula should work.

If it were in my power, Mr. President, I would change the federal formula by an amendment, but it is federal formula; we can't change it. So I would only ask that the federal formula be changed to something more equitable; that if they are using it on anything else, they stop using it and that they come up with a better formula.

So as a protest to this unfair distribution, I must vote "no."

By unanimous consent the Senate proceeded to the order of

Introduction and Referral of Bills

Senators Allen, Richardville and Pappageorge introduced

Senate Bill No. 610, entitled

A bill to create a lien against real property for unpaid commercial real estate broker's commissions and services; and to provide remedies.

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

Senator Thomas introduced

Senate Bill No. 611, entitled

A bill to amend 1991 PA 179, entitled "Michigan telecommunications act," by amending section 310 (MCL 484.2310), as amended by 2005 PA 235.

The bill was read a first and second time by title and referred to the Committee on Energy Policy and Public Utilities.

Senators Allen, Patterson, Birkholz, Pappageorge, Brown, Jansen, Cropsey, Van Woerkom, Kahn and Sanborn introduced

Senate Bill No. 612, entitled

A bill to amend 1936 (Ex Sess) PA 1, entitled "Michigan employment security act," by amending section 62 (MCL 421.62), as amended by 1995 PA 125.

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

Senators Richardville, Patterson, Birkholz, Pappageorge, Brown, Jansen, Cropsey, Van Woerkom, Sanborn and Kahn introduced

Senate Bill No. 613, entitled

A bill to amend 1936 (Ex Sess) PA 1, entitled "Michigan employment security act," by amending section 54 (MCL 421.54), as amended by 2002 PA 192.

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

Senators Gilbert, Patterson, Birkholz, Allen, Pappageorge, Brown, Jansen, Cropsey, Van Woerkom, Sanborn and Kahn introduced

Senate Bill No. 614, entitled

A bill to amend 1936 (Ex Sess) PA 1, entitled "Michigan employment security act," by amending section 15 (MCL 421.15), as amended by 1996 PA 498.

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

Senators Kahn, Patterson, Birkholz, Allen, Pappageorge, Brown, Jansen, Cropsey, Van Woerkom and Sanborn introduced

Senate Bill No. 615, entitled

A bill to amend 1936 (Ex Sess) PA 1, entitled "Michigan employment security act," by amending section 10 (MCL 421.10), as amended by 2003 PA 84.

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

House Bill No. 4929, entitled

A bill to amend 1937 PA 94, entitled "Use tax act," by amending section 4k (MCL 205.94k), as amended by 2006 PA 18. The House of Representatives has passed the bill and ordered that it be given immediate effect.

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

House Bill No. 4930, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 4x (MCL 205.54x), as amended by 2006 PA 17.

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

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

Statements

Senators Scott, Kahn, Cassis, Basham and Bishop asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator Scott's statement is as follows:

As elected officials, we have the remarkable ability to do great things for the people we serve. Gilbert Ware wrote, "Greatness is one part character, and is measured by its possessors not so much by what they achieve for themselves, as by what they achieve for others." We will be remembered for what we have done to make life better for the people we serve. Our constituents are all facing challenges right now as they try to weather this tough economic storm affecting not just Michigan, but the country as well. One of the best things that we can do for them right now, today, is to give them relief from high insurance rates. Imagine how good all of our constituents would feel if they got a break on their auto and home insurance bills.

If everyone paid reasonable and accurate rates, they would have more money to spend on other necessities of life. They might even have enough money to take a vacation right here in Michigan this summer. By enacting rate reform, we can help our constituents and maybe even help the state's economy by freeing up some money that they will pump into Michigan's tourism industry.

Reforming auto insurance rates would be one of our greatest achievements because it would affect and help everyone in Michigan. It would help the drivers on the road today, and it would help our young people as they learn to drive and eventually buy their own cars.

Join me and do this one thing that will have a great impact in our state.

Senator Kahn's statement is as follows:

Thank you for recognizing me to speak on an issue that is important to all of us—public safety, gang crime, and our ability to protect our citizens. I know that this is a priority for us regardless of location within this state, regardless of party. I have before me just a small throw-away article published yesterday in the *Saginaw News*. I say a small throw-away article because so often in our community—my community—there are shootings that they don't even warrant the front page anymore.

This article goes, "Saginaw police are investigating two shootings that sent two Saginaw men to the hospital.

In a 12:25 a.m. Friday shooting, Tyrell L. Thomas, 18, was at Club Envy, 2510 E. Genesee, when bullets began flying and he was shot in his chest, Saginaw police say.

'It appears that everybody was shooting at everybody in the parking lot. There were shell casings everywhere,' said Saginaw Police Detective Sgt. Joseph Dutoi.

Thomas this morning was in critical condition at St. Mary's of Michigan hospital, Dutoi said.

At 10:30 p.m. Sunday, police were at Porter and Cleveland in Saginaw within one minute of someone calling 911 and found a 32-year-old Saginaw man on the sidewalk in front of his home on the northwest corner of the intersection.

Police say bullets struck his chest, elbow, shoulder, leg, and groin.

Rescue staff took him to Covenant Medical Center for treatment."

I want to emphasize that this occurs every day, and when we have bullet casings, shell casings, everywhere in a parking lot, that isn't just the person who was shot or who shot him. Guns are everywhere and inappropriately held, owned, and used.

I ask that my remarks be printed in the Journal and make them to remind this chamber of our need to deal with gun and gang violence.

Senator Cassis' statement is as follows:

I was absent from Senate session yesterday due to the very sad passing of a very great man, Dr. Nabil Tawile from Grosse Pointe. As a physician, husband, father, and brother, his healing grace, patience, and enormous caring for all whose lives he touched will be greatly missed. May our cousin's memory be eternal.

My voting intentions yesterday would have been these: On Senate Bill No. 164, Roll Call No. 204, I would have voted "yes." On House Bill No. 4145, Roll Call No. 205, I would have voted "yes."

I would like to add this statement regarding the International Auto Show's home. Detroit, the nation's Motown; Detroit, the legacy as our Car Capital of the World. Detroit has been, is, and should be the long-term home of the International Auto Show. Today we move this opportunity forward. Detroit is the first and best site. In fact, I recognized this almost one year ago to the day on May 28, 2008, when I offered legislation that should the parties regarding Cobo Hall reach

agreement, \$2 million each over two years from the 21st Century Jobs Fund would be appropriated to jump-start the innovation and expansion of the convention facility in Detroit.

As the process moves forward over to the House now, we are confident that an agreement will be reached. We are also confident that negotiations will continue to recognize all aspects of the four bills. In the end, what is good for Detroit is good for the whole state.

Senator Basham's statement is as follows:

I just received an e-mail this morning that says another state, Nebraska, has made the move to ban smoking at all workplaces, which is spelled a-l-l, beginning June 1, 2009. Again, that is all—a-l-l—workplaces. Oversight for compliance will be conducted by the health department. As I count it, that is 38 states that have gone smoke-free. Again, in Nebraska that was all—a-l-l—workplaces that have gone smoke-free.

Senator Bishop's statement is as follows

I wanted to congratulate members of this body for moving forward with something that I think is good for not just the city of Detroit, but good for the state of Michigan. You know, for years—the past century, in fact—Detroit has been known as the Motor Capital of the World. We are known by that across the world, wherever we go as Michiganders. If we tell them we are from Michigan or from Detroit, that is the Motor Capital of the World. We have enjoyed that designation, and it has given us great benefits over the years. It has employed our workers and kept our families with a roof over their heads and food on the table. It is so important to the state of Michigan.

Perhaps, over the years, I think we may have taken it for granted because today we find ourselves at a crossroad. Certainly, with the auto industry being in the state of crisis, we now see that the North American International Auto Show, which has found its home here in Detroit for so many years, it is now on the edge of whether or not to take it somewhere else. To most of us in this room and to this state, it seems like a real crime that any other state beside the state of Michigan and the city of Detroit would ever host the North American International Auto Show.

But, ladies and gentlemen, it is a fact: The autos are not what they used to be. The industry is not what it used to be; the environment is not what it used to be, and for us to think otherwise is living in denial. It is very dangerous, especially in this state where we have our own economic crisis. We now see that this North American International Auto Show, which, by the way, brings some \$500 million a year to the state of Michigan, is not only important because we are the Motor Capital of the World, but because we are in a state that can't afford to lose further revenues.

You have cities like Chicago, Los Angeles, and New York City who are begging for the opportunity to host this auto show. It is our responsibility at this point in time to stand up on behalf of the citizens of this state to ensure that this auto show doesn't go to a different city. I think it is entirely different. It is egregious enough that we lose the auto show, if we do, to a different city because they presented a better offer or a better facility or are more accommodating for the show.

It is entirely different, however, if we give the show away. Sitting on our hands right now and debating the politics of why or how or what we should do is exactly the wrong thing to do because while we are debating and we are putting politics in the way, we are giving away this auto show. So I would encourage all those who think that somehow the legislation passed today is somehow a gun to the head, as I have heard it—pardon the expression—to understand that it is not anybody individually, any city individually that has a gun to their head. The state of Michigan is in a crisis situation. All of us have the same threat upon us.

It is our responsibility as fiduciaries of this state to ensure that we put this state on a path to return it back to what it was—to its greatness. This is a start in an area of where we have control. We have control of our destiny here, and we stepped up and took control. Now this process continues across the Capitol in the coming days. We will be expected to continue and engage in this process. I am going to be traveling to Mackinac this weekend for the specific purpose of talking to Mayor Bing and those of the City Council of Detroit to figure out how we can best move forward.

But I want you to know, and I want the citizens of Detroit to know, the members of council, and the mayor of the city of Detroit that the members of this caucus are prepared to work with them to make this happen; to move Detroit forward and to ensure that we do everything in our power—our physical power—to keep that auto show here in Michigan. To do otherwise would be to turn our backs on the people we represent.

So I encourage you all to stay involved, to stay engaged, and stay positive. Do the right thing.

Committee Reports

The Committee on Commerce and Tourism reported

Senate Bill No. 585, entitled

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

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.

Jason E. Allen
Chairperson

To Report Out:

Yeas: Senators Allen, Gilbert and Stamas

Nays: Senator Clarke

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

The Committee on Commerce and Tourism reported

Senate Bill No. 586, entitled

A bill to amend 1987 PA 264, entitled "Health and safety fund act," by amending section 5 (MCL 141.475), as amended by 2008 PA 586.

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.

Jason E. Allen

Chairperson

To Report Out:

Yeas: Senators Allen, Gilbert and Stamas

Nays: Senator Clarke

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

The Committee on Commerce and Tourism reported

Senate Bill No. 587, entitled

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

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.

Jason E. Allen

Chairperson

To Report Out:

Yeas: Senators Allen, Gilbert and Stamas

Nays: Senator Clarke

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

The Committee on Commerce and Tourism reported

Senate Bill No. 588, entitled

A bill to amend 2000 PA 489, entitled "Michigan trust fund act," by amending section 7 (MCL 12.257), as amended by 2008 PA 256.

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.

Jason E. Allen

Chairperson

To Report Out:

Yeas: Senators Allen, Gilbert and Stamas

Nays: Senator Clarke

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

COMMITTEE ATTENDANCE REPORT

The Committee on Commerce and Tourism submitted the following:

Meeting held on Tuesday, May 26, 2009, at 8:30 a.m., Room 100, Farnum Building

Present: Senators Allen (C), Gilbert, Stamas and Clarke

Excused: Senator Hunter

The Committee on Judiciary reported

Senate Bill No. 325, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 539I.

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, Patterson, Stamas, Whitmer, Clarke and Basham

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Judiciary submitted the following:

Meeting held on Tuesday, May 26, 2009, at 1:00 p.m., Room 210, Farnum Building

Present: Senators Kuipers (C), Cropsey, Sanborn, Patterson, Stamas, Whitmer, Clarke and Basham

The Committee on Appropriations reported

House Bill No. 4308, entitled

A bill to make, supplement, and adjust appropriations for various state departments and agencies and capital outlay for the fiscal year ending September 30, 2009; and to provide for the expenditure of the appropriations.

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

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

Ron Jelinek
Chairperson

To Report Out:

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

Nays: None

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

COMMITTEE ATTENDANCE REPORT

The Committee on Appropriations submitted the following:

Meeting held on Tuesday, May 26, 2009, at 2:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building

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

Excused: Senator George

Scheduled Meetings

Appropriations -

Subcommittees -

Capital Outlay - Thursday, June 4, 9:00 a.m., Senate Hearing Room, Ground Floor, Boji Tower (373-2768)

Environmental Quality Department - Wednesday, June 3, 3:00 p.m., Rooms 402 and 403, Capitol Building (373-2768)

Retirement - Tuesday, June 2, 12:00 noon, Rooms 402 and 403, Capitol Building (373-2768)

Homeland Security and Emerging Technologies - Tuesday, June 2, 1:00 p.m., Room 100, Farnum Building (373-5932)

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

Legislative Retirement Board of Trustees - Thursdays, June 4, September 10 and December 3, 2:00 p.m., Room H-252, Capitol Building (373-0575)

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

Transportation and House Transportation - Tuesday, June 2, 3:00 p.m., Room 519, South Tower, House Office Building (373-7708)

Senator Cropsey moved that the Senate adjourn.
The motion prevailed, the time being 11:55 a.m.

In pursuance of the order previously made, the President pro tempore, Senator Richardville, declared the Senate adjourned until Tuesday, June 2, 2009, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate