

No. 43
STATE OF MICHIGAN
Journal of the Senate
96th Legislature
REGULAR SESSION OF 2011

Senate Chamber, Lansing, Wednesday, May 18, 2011.

10:00 a.m.

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

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

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

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

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

Reverend Randy J. Bennett of Westland Free Methodist Church of Westland offered the following invocation:

Heavenly Father, we thank You for this time that we can make a difference in this great commonwealth, Michigan, of the United States. We thank You that as Senators, they have powers that have been granted to them in previous elections so that they can help our people be better people.

So I pray for our Governor, Rick Snyder, for the Lieutenant Governor, and for all of the Senators here today, and I specially lift up Glenn Anderson upon this invitation. I ask You to bless him and all of these Senators as we gather to make a difference in our great land. Lord, I pray that even as I stand before this delegation in an extraordinary way and as they lead an ordinary day, so to speak, I pray that You will use them to do extraordinary things.

I thank You, Lord, for all these things You have blessed us with. Help us not to forget to be thankful for the many ways in which You bless us.

Lord, I thank You that my story is capsulized in the word "rescue." Lord, I did many things to try to rescue myself early in life, but I thank You that after all of those things failed, You finally rescued me. I thank You, Lord, for rescuing me. I pray that every one of us would find our faith in a way that would be meaningful. So this day we thank You and praise You as our Lord and our God. We pray this in Jesus' name. Amen.

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

Motions and Communications

Senator Gleason entered the Senate Chamber.

Senator Meekhof moved that Senators Kahn and Marleau be temporarily excused from today's session. The motion prevailed.

Senator Hopgood moved that Senators Hood and Hunter be temporarily excused from today's session. The motion prevailed.

Senator Marleau entered the Senate Chamber.

The following communication was received and read:

Office of the Auditor General

May 13, 2011

Enclosed is a copy of the following audit report:

Performance audit of the Recreational Watercraft Access and Harbor Development Activities, Department of Natural Resources.

Auditor General

The audit report was referred to the Committee on Government Operations.

The Secretary announced that the following House bills were received in the Senate and filed on Tuesday, May 17:

House Bill Nos. 4360 4411 4412 4413 4456

The Secretary announced that the following official bills were printed on Tuesday, May 17, and are available at the legislative website:

Senate Bill Nos. 380 381 382

Messages from the Governor

The following message from the Governor was received on May 17, 2011, and read:

EXECUTIVE ORDER

No. 2011-6

Department of Licensing and Regulatory Affairs

**Michigan Compensation Appellate Commission
Michigan Administrative Hearing System**

**Workers' Compensation Appellate Commission
Michigan Employment Security Board of Review**

Executive Reorganization

WHEREAS, Section 1 of Article V of the Michigan Constitution of 1963 vests the executive power of the state of Michigan in the Governor; and

WHEREAS, Section 2 of Article V of the Michigan Constitution of 1963 empowers the Governor to make changes in the organization of the executive branch or in the assignment of functions among its units that the Governor considers necessary for efficient administration; and

WHEREAS, Section 8 of Article V of the Michigan Constitution of 1963 provides that each principal department shall be under the supervision of the Governor, unless otherwise provided by the Constitution; and

WHEREAS, there is a continued need to reorganize functions among state departments to ensure efficient administration; and

WHEREAS, the centralization of administrative hearing appellate functions will promote efficient and timely delivery of necessary services;

NOW, THEREFORE, I, Richard D. Snyder, Governor of the state of Michigan, by virtue of the power and authority vested in the Governor by the Michigan Constitution of 1963 and Michigan law, order the following:

I. MICHIGAN COMPENSATION APPELLATE COMMISSION

A. The Michigan Compensation Appellate Commission (Commission) is created within the Michigan Administrative Hearing System.

B. All authority, powers, duties, functions, and responsibilities of the following entities transferred to the Michigan Administrative Hearing System pursuant to Executive Order 2011-4 are transferred to the Michigan Compensation Appellate Commission:

1. The Workers' Compensation Appellate Commission and the Chairperson of the Workers' Compensation Appellate Commission created under Executive Order 2003-18, MCL 445.2011, including but not limited to all authority, powers, duties, functions, and responsibilities assigned to the Appellate Commission under the Worker's Disability Compensation Act, 1969 PA 317, MCL 418.101 to 418.941. Any and all statutory references to the Workers' Compensation Appellate Commission not inconsistent with this Order shall be deemed references to the Michigan Compensation Appellate Commission.

2. The Michigan Employment Security Board of Review and the Chairperson of the Michigan Employment Security Board of Review created under the Michigan Employment Security Act, 1936 PA 1, as amended, MCL 421.1 to 421.75, including but not limited to all authority, powers, duties, functions, and responsibilities assigned to the Board of Review under the Michigan Employment Security Act. Any and all statutory references to the Michigan Employment Security Board of Review not inconsistent with this Order shall be deemed references to the Michigan Compensation Appellate Commission.

C. Upon the appointment of nine Appellate Commissions under Section I, D., the Workers' Compensation Appellate Commission and the Michigan Employment Security Board of Review are abolished.

D. The Commission shall consist of nine members appointed by the Governor with the advice and consent of the Senate. Of the nine members initially appointed, three members shall be appointed for a term expiring on July 31, 2013, three members shall be appointed for a term expiring on July 31, 2014, and three members shall be appointed for a term expiring on July 31, 2015.

E. Except as provided in Section I, D., Appellate Commissioners shall be appointed for terms of four years. An Appellate Commissioner may be reappointed. A vacancy caused by the expiration of a term shall be filled in the same manner as the original appointment. An Appellate Commissioner appointed to fill a vacancy created other than by expiration of a term shall be appointed for the balance of the unexpired term.

F. To be eligible for appointment as an Appellate Commissioner a person shall be a member in good standing of the State Bar of Michigan.

G. The Governor shall designate a member of the Commission as its Chairperson, to serve as Chairperson at the pleasure of the Governor.

H. A matter to be heard by the Appellate Commission shall be assigned to a panel of three members of the Commission. If the Commission is operating with a full contingent of nine members, the Chair shall appoint three panels. A decision reached by a panel shall be the final decision of the Commission, unless six members of the Commission request that the matter be brought for a full review by the entire Commission. The request shall be made within five working days after the decision of the panel.

I. Each Appellate Commissioner shall devote full time to the functions of the Commission and shall perform the functions of the office during the hours generally worked by officers and employees of the executive departments of this state. An Appellate Commissioner shall not participate in a case in which the Commissioner is an interested party.

J. Any matter before the Commission that is a matter of first impression with regard to worker's compensation or unemployment compensation in this state as determined by the Chairperson of the Commission, or any matter that six or

more members of the Commission request be reviewed by the entire Commission, shall be reviewed and decided by the entire Commission.

K. In consultation with the Chairperson of the Commission, the Executive Director of the Michigan Administrative Hearing System (Executive Director) shall have general supervisory control of and be in charge of the assignment and scheduling of the work of the Michigan Compensation Appellate Commission. The Executive Director may also establish productivity standards that are to be adhered to by the new Workers' Compensation Appellate Commission, its members, and its panels.

L. In consultation with the Chairperson, the Executive Director shall annually evaluate the performance of each Appellate Commissioner. The evaluation shall be based upon at least the following criteria:

- Productivity including reasonable time deadlines for disposing of cases and adherence to established productivity standards.
- Manner in conducting hearings.
- Knowledge of rules of evidence as demonstrated by transcripts of proceedings in which the Appellate Commissioner participated as an Appellate Commissioner.
- Knowledge of the law.
- Evidence of any demonstrable bias against particular defendants, claimants, or attorneys.
- Written surveys or comments of all interested parties.

M. After completing an evaluation under Section I, L., the Executive Director shall submit a written report, including any supporting documentation, to the Director of the Department of Licensing and Regulatory Affairs regarding that evaluation, which may include but not be limited to recommendations with regard to one or more of the following:

- Retention
- Suspension
- Removal
- Additional training or education

N. An Appellate Commissioner may be removed by the Governor upon recommendation by the Director of the Department of Licensing and Regulatory Affairs, based upon recommendations under Section I. M. or other neglect of duties.

O. The Department of Licensing and Regulatory Affairs shall provide suitable office space for the Commission and its functions.

P. The Michigan Administrative Hearing System shall provide the Commission the staff necessary for the Commission to perform its duties under the Worker's Disability Compensation Act of 1969, the Michigan Employment Security Act, and this Order, which may include legal assistants for the purpose of legal research and otherwise assisting the Commission and the Appellate Commissioners.

Q. Opinions issued by the Commission shall be in writing and shall clearly define the legal principles being applied. The Commission shall provide for public distribution of its opinions regarding workers' compensation, including but not limited to distribution by electronic means such as the internet.

II. MISCELLANEOUS

A. All rules, orders, opinions, contracts, and agreements relating to the functions of the Workers' Compensation Appellate Commission and the Michigan Employment Security Board of Review that are transferred to the Michigan Compensation Appellate Commission under this Order and lawfully adopted prior to the issuance of this Order, shall continue to be effective until revised, amended, or rescinded.

B. All records, property, and unexpended balances of appropriations, allocations, and other funds used, held, employed, available, or to be made available to the Workers' Compensation Appellate Commission and the Michigan Employment Security Board of Review for the activities, powers, duties, functions, and responsibilities transferred under this Order, are transferred to the new Michigan Compensation Appellate Commission.

C. Any suit, action or other proceeding lawfully commenced by, against or before any entity affected by this Order, shall not abate by reason of the taking effect of this Order. Any suit, action or other proceeding may be maintained by, against, or before the appropriate successor of any entity affected by this Order.

D. The invalidity of any portion of this Order shall not affect the validity of the remainder of the Order, which may be given effect without any invalid portion. Any portion of this Order found invalid by a court or other entity with proper jurisdiction shall be severable from the remaining portions of this Order.

This Executive Order shall become effective on August 1, 2011, consistent with Section 2 of Article V of the Michigan Constitution of 1963.

[SEAL]

Given under my hand and the Great Seal of the state of Michigan this 17th day of May in the Year of our Lord, two thousand eleven.

Richard D. Snyder
Governor

By the Governor:
Ruth A. Johnson
Secretary of State

The executive order was referred to the Committee on Government Operations.

Recess

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

11:17 a.m.

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

During the recess, Senators Hood, Hunter and Kahn entered the Senate Chamber.

By unanimous consent the Senate proceeded to the order of

General Orders

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

The motion prevailed, and the Assistant President pro tempore, Senator Hansen, designated Senator Hopgood as Chairperson.

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

House Bill No. 4152, 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," (MCL 423.201 to 423.217) by adding section 15b.

Senate Bill No. 228, entitled

A bill to amend 1975 PA 238, entitled "Child protection law," by amending section 7 (MCL 722.627), as amended by 2008 PA 300.

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

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

Senate Bill No. 226, entitled

A bill to amend 1975 PA 238, entitled "Child protection law," by amending section 7b (MCL 722.627b), as added by 1997 PA 167.

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. 227, entitled

A bill to amend 1975 PA 238, entitled "Child protection law," (MCL 722.621 to 722.638) by adding section 7k.

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. 229, entitled

A bill to amend 1975 PA 238, entitled "Child protection law," by amending section 7b (MCL 722.627b), as added by 1997 PA 167.

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 proceeded to the order of

Introduction and Referral of Bills

Senator Marleau introduced

Senate Bill No. 384, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 17048, 17049, 17050, 17076, 17078, 17548, 17549, 17550, 17745, 17757, 18048, 18049, 18050, and 20201 (MCL 333.17048, 333.17049, 333.17050, 333.17076, 333.17078, 333.17548, 333.17549, 333.17550, 333.17745, 333.17757, 333.18048, 333.18049, 333.18050, and 333.20201), section 17048 as amended by 2010 PA 124, sections 17049 and 17549 as amended by 2004 PA 512, sections 17050 and 17550 as amended by 1990 PA 247, sections 17076 and 17548 as amended by 1996 PA 355, section 17078 as amended and sections 18048, 18049, and 18050 as added by 2006 PA 161, section 17745 as amended by 2006 PA 672, section 17757 as amended by 1986 PA 304, and section 20201 as amended by 2006 PA 38.

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

House Bill No. 4360, entitled

A bill to amend 1963 PA 181, entitled "Motor carrier safety act of 1963," by amending section 5 (MCL 480.15), as amended by 2006 PA 595.

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 Transportation.

House Bill No. 4411, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 16245 (MCL 333.16245), as amended by 2006 PA 26.

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

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

House Bill No. 4412, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 16226 (MCL 333.16226), as amended by 2004 PA 214.

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

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

House Bill No. 4413, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 16221 (MCL 333.16221), as amended by 2004 PA 214.

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

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

House Bill No. 4456, entitled

A bill to amend 1915 PA 58, entitled "An act to provide for the incorporation of cremation companies and associations; and to impose certain duties upon the department of commerce," by amending section 6 (MCL 456.206); and to repeal acts and parts of acts.

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

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

By unanimous consent the Senate returned to the order of

Third Reading of Bills

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

House Bill No. 4152

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

Senator Meekhof moved that the following bills and joint resolution be placed at the head of the Third Reading of Bills calendar:

Senate Bill No. 334

Senate Bill No. 275

House Bill No. 4152

Senate Bill No. 7

Senate Joint Resolution C

The motion prevailed.

The following bill was read a third time:

Senate Bill No. 334, entitled

A bill to amend 1961 PA 120, entitled "An act to authorize the development or redevelopment of principal shopping districts and business improvement districts; to permit the creation of certain boards; to provide for the operation of principal shopping districts and business improvement districts; to provide for the creation, operation, and dissolution of business improvement zones; and to authorize the collection of revenue and the bonding of certain local governmental units for the development or redevelopment projects," by amending sections 10, 10a, 10b, 10c, 10d, 10e, 10f, 10g, 10h, 10i, 10j, 10k, 10l, and 10m (MCL 125.990, 125.990a, 125.990b, 125.990c, 125.990d, 125.990e, 125.990f, 125.990g, 125.990h, 125.990i, 125.990j, 125.990k, 125.990l, and 125.990m), as added by 2001 PA 260.

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. 200

Yeas—35

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

Nays—3

Caswell	Colbeck	Kahn
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Excused—0

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 275, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 1303, 1305, 1307, and 1311 (MCL 324.1303, 324.1305, 324.1307, and 324.1311), as added by 2004 PA 325.

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. 201**Yeas—26**

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

Nays—12

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

Excused—0**Not Voting—0**

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

House Bill No. 4152, 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," (MCL 423.201 to 423.217) by adding section 15b.

The question being on the passage of the bill,

Senator Hopgood offered the following amendment:

1. Amend page 2, following line 26, by inserting:

"Enacting section 1. This section is repealed effective June 1, 2013."

The amendment was not adopted, a majority of the members serving not voting therefor.

Senator Hunter requested the yeas and nays.

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

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

Roll Call No. 202**Yeas—12**

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

Nays—26

Booher	Hansen	Marleau	Proos
Brandenburg	Hildenbrand	Meekhof	Richardville

Casperson
Caswell
Colbeck
Emmons
Green

Hune
Jansen
Jones
Kahn
Kowall

Moolenaar
Nofs
Pappageorge
Pavlov

Robertson
Rocca
Schuitmaker
Walker

Excused—0

Not Voting—0

In The Chair: President

Senator Hopgood offered the following amendment:

1. Amend page 2, line 6, after “**BENEFITS.**” by inserting “**THESE PROVISIONS SHALL APPLY TO ALL MEMBERS OF THE COLLECTIVE BARGAINING UNIT AND ALL PERSONNEL WHO HAVE RESPONSIBILITIES FOR CONCLUDING COLLECTIVE BARGAINING AGREEMENTS ON BEHALF OF THE PUBLIC EMPLOYER.**”.

The amendment was not adopted, a majority of the members serving not voting therefor.

Senator Hunter requested the yeas and nays.

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

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

Roll Call No. 203

Yeas—12

Anderson
Bieda
Gleason

Gregory
Hood
Hopgood

Hunter
Johnson
Smith

Warren
Whitmer
Young

Nays—26

Booher
Brandenburg
Casperson
Caswell
Colbeck
Emmons
Green

Hansen
Hildenbrand
Hune
Jansen
Jones
Kahn
Kowall

Marleau
Meekhof
Moolenaar
Nofs
Pappageorge
Pavlov

Proos
Richardville
Robertson
Rocca
Schuitmaker
Walker

Excused—0

Not Voting—0

In The Chair: President

Senator Hopgood offered the following amendment:

1. Amend page 2, following line 26, by inserting:

“Enacting section 1. This amendatory act does not take effect unless Senate Joint Resolution I of the 96th Legislature becomes a part of the State Constitution of 1963 as provided in Section 1 of Article XII of the State Constitution of 1963.”.

The amendment was not adopted, a majority of the members serving not voting therefor.

Senator Hunter requested the yeas and nays.

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

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

Roll Call No. 204**Yeas—13**

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

Nays—25

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

Excused—0**Not Voting—0**

In The Chair: President

Senator Gregory offered the following amendment:

1. Amend page 2, line 7, by striking out all of line 7 through “(3)” on line 12 and inserting:

“(2) THE PARTIES TO A COLLECTIVE BARGAINING AGREEMENT MAY AGREE TO, OR AN ARBITRATION PANEL MAY ORDER, A RETROACTIVE WAGE OR BENEFIT LEVEL OR AMOUNT, INCLUDING STEP INCREASES, THAT ARE GREATER THAN THOSE IN EFFECT ON THE EXPIRATION DATE OF THE COLLECTIVE BARGAINING AGREEMENT.

(3) EXCEPT AS PROVIDED IN SUBSECTION (2),”.

The amendment was not adopted, a majority of the members serving not voting therefor.

Senator Hunter requested the yeas and nays.

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

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

Roll Call No. 205**Yeas—20**

Anderson	Green	Hunter	Rocca
Bieda	Gregory	Johnson	Smith
Casperson	Hansen	Jones	Warren
Caswell	Hood	Kowall	Whitmer
Gleason	Hopgood	Nofs	Young

Nays—18

Booher	Hune	Moolenaar	Richardville
Brandenburg	Jansen	Pappageorge	Robertson
Colbeck	Kahn	Pavlov	Schuitmaker
Emmons	Marleau	Proos	Walker
Hildenbrand	Meekhof		

Excused—0**Not Voting—0**

In The Chair: President

Senator Meekhof moved to reconsider the vote by which the amendment was adopted. The question being on the motion to reconsider, Senator Meekhof moved that further consideration of the bill be postponed temporarily. The motion prevailed.

Recess

Senator Meekhof moved that the Senate recess subject to the call of the Chair. The motion prevailed, the time being 11:59 a.m.

12:04 p.m.

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

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

House Bill No. 4152, entitled

An act 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; to require certain provisions in collective bargaining agreements; and to prescribe means of enforcement and penalties for the violation of the provisions of this act," (MCL 423.201 to 423.217) by adding section 15b.

(This bill was read a third time earlier today, amendment adopted and the motion to reconsider the vote postponed. See p. 736.)

The question being on the motion to reconsider the vote by which the amendment offered by Senator Gregory was adopted,

The motion did not prevail, a majority of the members serving not voting therefor,

Senator Whitmer requested the yeas and nays.

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

The motion prevailed, a majority of the members serving voting therefor, as follows:

Roll Call No. 206**Yeas—26**

Booher	Hansen	Marleau	Proos
Brandenburg	Hildenbrand	Meekhof	Richardville
Casperson	Hune	Moolenaar	Robertson
Caswell	Jansen	Nofs	Rocca
Colbeck	Jones	Pappageorge	Schuitmaker

Emmons
Green

Kahn
Kowall

Pavlov

Walker

Nays—12

Anderson
Bieda
Gleason

Gregory
Hood
Hopgood

Hunter
Johnson
Smith

Warren
Whitmer
Young

Excused—0

Not Voting—0

In The Chair: President

The question being on the adoption of the amendment,

The amendment was not adopted, a majority of the members serving not voting therefor.

Senator Hunter requested the yeas and nays.

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

The Senators being equally divided (yeas 19; nays 19), the Lieutenant Governor voted “nay.”

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

Roll Call No. 207

Yeas—19

Anderson
Bieda
Casperson
Caswell
Gleason

Green
Gregory
Hansen
Hood
Hopgood

Hunter
Johnson
Jones
Nofs
Rocca

Smith
Warren
Whitmer
Young

Nays—19

Booher
Brandenburg
Colbeck
Emmons
Hildenbrand

Hune
Jansen
Kahn
Kowall
Marleau

Meekhof
Moolenaar
Pappageorge
Pavlov
Proos

Richardville
Robertson
Schuitmaker
Walker

Excused—0

Not Voting—0

In The Chair: President

The question being on the passage of the bill,

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

Roll Call No. 208**Yeas—21**

Booher	Hildenbrand	Marleau	Proos
Brandenburg	Hune	Meekhof	Richardville
Colbeck	Jansen	Moolenaar	Robertson
Emmons	Kahn	Pappageorge	Schuitmaker
Green	Kowall	Pavlov	Walker
Hansen			

Nays—17

Anderson	Gregory	Johnson	Smith
Bieda	Hood	Jones	Warren
Casperson	Hopgood	Nofs	Whitmer
Caswell	Hunter	Rocca	Young
Gleason			

Excused—0**Not Voting—0**

In The Chair: President

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

Protests

Senators Gregory, Whitmer, Hopgood, Hood, Anderson, Hunter, Smith, Young and Gleason, under their constitutional right of protest (Art. 4, Sec. 18), protested against the passage of House Bill No. 4152.

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

The motion prevailed.

Senator Gregory’s statement, in which Senators Whitmer, Hopgood, Hood, Anderson, Hunter, Smith, Young and Gleason concurred, is as follows:

I rise in opposition to this bill. This is a big issue to me, and it affects all public employees across this great state of Michigan. I would like to start out by reading a quote that I saw in an editorial from the *Spinal Column*, a newspaper in northern Oakland County. It says: “What ruffles our feathers is the notion that the large arm of state government should not go anywhere near what needs to be a decision between collective bargaining units and the local school districts, particularly when local districts already have the authority to freeze the step increases during contract negotiations. Lawmakers in Lansing don’t know the budget situation of each of more than 550 school districts in this state nor will we ever expect them to. The budgets of Huron Valley and Waterford schools, for example, are not in the same shape as that of the Detroit Public Schools or districts in the Upper Peninsula or those situated in the western part of the state. While one district may not be able to afford the step increases, another one may. But they will be prohibited from doling out the pay increases under state law. This strikes us as an overreach of state government.” I think this summarizes what a lot of us feel about state government and how we are overreaching with stepping into boundaries that we never have before.

So, again, I rise in opposition to House Bill No. 4152. These step increases cover increases in the cost of living and other fluid factors, and freezing these during contract negotiations under collective bargaining efforts is unfair to employees and gives undue leverage to one party at the table.

This bill also prohibits wage and benefits under a new contract from being made retroactive to the expiration date of the former contract. It requires that any increase in the cost of maintaining insurance benefits at the level in an unsigned contract be borne by the employee.

I have more notes, but I am going to just cut to the chase here. As someone who has bargained contracts for law enforcement agencies, public servants, those police officers who put their lives on the line every single day, what we did was we bargained for step increases so that it would be less of an impact on the employee. We would then be able to, in some cases, get more law enforcement put on the street, firefighters included, for the public safety of the state of Michigan. What this bill will do, and I know I have heard it said that this will not stop pay increases—yes, it will. At the end of a contract, if you have two years on the job and a contract is bargained for two years and now it is four years later, you pick up where you have left off. In essence, there is no contract step; you are just starting at a new pay scale. For each contract, it will be a new pay scale. There will be no more step increases.

What this does is say that state government is taking over the bargaining process. In this particular instance, they have taken away this part of collective bargaining. The administration can no longer bargain these because the state has stepped in and taken that ability away from them. I think this is a grave injustice. I think the local municipalities and school districts need every tool they can get in order to bargain and get good contracts to get good teachers. The more you take away, the less there is to bargain. So the only thing left to bargain will be finances or classroom sizes.

The whole crux of being able to bargain things that have been called bargaining—health care, pay raises, all those things—should stay a part of that. The state should not have a role in that; yet, what we are doing here is eroding what we have done for over 20 years. We are moving the clock back to a point that this state will now, I believe, be going backward as opposed to going forward.

So with this, I would ask my colleagues to reconsider their positions on these amendments and reconsider their position on this bill.

The following bill was read a third time:

Senate Bill No. 7, entitled

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

The question being on the passage of the bill,

Senator Hopgood offered the following amendment:

1. Amend page 1, line 5, after "plans" by striking out the balance of the subdivision and inserting "shall be determined using the costs contained in the annual rate renewal of the plan reduced by:

(i) Co-payments, coinsurance, deductibles, other out-of-pocket expenses, or other service-related fees assessed to the coverage beneficiary;

(ii) Savings achieved in the past 2 years by benefit plan changes;

(iii) Prescription drug, medical, and any other rebates received;

(iv) Cost of stop loss insurance, if applicable; and

(v) Cost of catastrophic claims of \$15,000.00 or more for individual beneficiary."

The question being on the adoption of the amendment,

Senator Meekhof moved that further consideration of the amendment be postponed temporarily.

The motion prevailed.

Senator Meekhof moved that the Senate proceed to consideration of the following substitute offered by Senator Jansen: Substitute (S-10).

The question being on the adoption of the substitute,

Senator Warren offered the following amendment to the substitute:

1. Amend page 4, following line 15, by inserting:

"Enacting section 1. This act does not take effect unless Senate Joint Resolution M of the 96th Legislature becomes a part of the State Constitution of 1963 as provided in Section 1 of Article XII of the State Constitution of 1963."

The amendment to the substitute was not adopted.

Senator Hunter requested the yeas and nays.

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

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

Roll Call No. 209

Yeas—12

Anderson
Bieda
Gleason

Gregory
Hood
Hopgood

Hunter
Johnson
Smith

Warren
Whitmer
Young

Nays—26

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

Excused—0**Not Voting—0**

In The Chair: President

Senator Hopgood offered the following amendment to the substitute:

1. Amend page 1, line 5, after “plans” by striking out the balance of the subdivision and inserting “shall be determined using the costs contained in the annual rate renewal of the plan reduced by:

(i) Co-payments, coinsurance, deductibles, other out-of-pocket expenses, or other service-related fees assessed to the coverage beneficiary;

(ii) Savings achieved in the past 2 years by benefit plan changes;

(iii) Prescription drug, medical, and any other rebates received;

(iv) Cost of stop loss insurance, if applicable; and

(v) Cost of catastrophic claims of \$15,000.00 or more for individual beneficiary.”.

The amendment to the substitute was not adopted.

Senator Hunter requested the yeas and nays.

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

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

Roll Call No. 210**Yeas—12**

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

Nays—26

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

Excused—0

Not Voting—0

In The Chair: President

Senator Warren offered the following amendments to the substitute:

1. Amend page 4, line 9, after the second “a” by striking out the balance of the line through “government” on line 10 and inserting “public employer”.

2. Amend page 4, line 12, after the second “the” by striking out the balance of the line through “government” on line 13 and inserting “public employer”.

The amendments to the substitute were not adopted.

Senator Hunter requested the yeas and nays.

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

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

Roll Call No. 211**Yeas—15**

Anderson	Gleason	Hunter	Warren
Bieda	Gregory	Johnson	Whitmer
Casperson	Hood	Nofs	Young
Caswell	Hopgood	Smith	

Nays—23

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

Excused—0**Not Voting—0**

In The Chair: President

Senator Gleason offered the following amendment to the substitute:

1. Amend page 2, line 25, after “fit.” by inserting “A public employer shall pay 100% of the cost of all medical benefits for employees who have an adjusted gross income below 175% of the poverty level.”.

The amendment to the substitute was not adopted.

Senator Hunter requested the yeas and nays.

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

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

Roll Call No. 212**Yeas—12**

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

Nays—26

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

Excused—0**Not Voting—0**

In The Chair: President

Senator Anderson offered the following amendment to the substitute:

1. Amend page 4, following line 15, by inserting:

“Enacting section 1. This amendatory act does not take effect unless House Bill No. 4081 of the 96th Legislature is enacted into law.”.

The amendment to the substitute was not adopted.

Senator Hunter requested the yeas and nays.

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

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

Roll Call No. 213**Yeas—17**

Anderson	Gregory	Hopgood	Rocca
Bieda	Hansen	Hunter	Schuitmaker
Caswell	Hildenbrand	Johnson	Warren
Gleason	Hood	Nofs	Whitmer
Green			

Nays—20

Booher	Hune	Marleau	Proos
Brandenburg	Jansen	Meekhof	Richardville
Casperson	Jones	Moolenaar	Robertson
Colbeck	Kahn	Pappageorge	Smith
Emmons	Kowall	Pavlov	Walker

Excused—0**Not Voting—1**

Young

In The Chair: President

Protests

Senators Jones, Casperson, Pappageorge, Meekhof, Moolenaar, Walker, Marleau, Colbeck, Kowall, Pavlov, Richardville, Emmons and Proos, under their constitutional right of protest (Art. 4, Sec. 18), protested against the adoption of the amendment to the substitute offered by Senator Anderson to Senate Bill No. 7.

Senator Jones' statement, in which Senators Casperson, Pappageorge, Meekhof, Moolenaar, Walker, Marleau, Colbeck, Kowall, Pavlov, Richardville, Emmons and Proos concurred, is as follows:

We should have voted "no" on this because Senate Bill No. 26 is already going through the process, which will complete the same thing of getting rid of the lifetime benefit. The other bill has not yet started through the process.

Senator Walker offered the following amendment to the substitute:

1. Amend page 2, line 21, after "officials" by inserting "or not more than an average of \$13,000.00 per employee or elected official, adjusted annually according to the increase in the consumer price index for medical care according to the United States bureau of labor statistics, whichever would result in a lower total cost to the public employer".

The amendment to the substitute was not adopted.

Recess

Senator Meekhof moved that the Senate recess subject to the call of the Chair.
The motion prevailed, the time being 1:00 p.m.

1:17 p.m.

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

Senator Emmons offered the following amendments to the substitute:

1. Amend page 2, line 17, after "Sec. 5." by inserting "(1)".
2. Amend page 2, line 17, after "act," by striking out the balance of the line through "2011," on line 18 and inserting "subject to the implementation dates prescribed in subsection (2)".
3. Amend page 3, following line 7, by inserting:
 "(2) This subsection shall be implemented on the following dates:
 (a) Any collective bargaining agreement or other contract settled on or after the effective date of this act, on July 1, 2011, shall comply with the requirements of this section. However, the limitation imposed by this section on the employer shall not become operative until January 1, 2012.
 (b) Except as provided in section 11, for any collective bargaining agreement or other contract in effect on the effective date of this act and for all other public employees subject to the provisions of this act, on January 1, 2012."

The amendments to the substitute were adopted.

The substitute, as amended, was adopted, a majority of the members serving voting therefor.

Protest

Senator Young, under his constitutional right of protest (Art. 4, Sec. 18), protested against the adoption of the substitute offered by Senator Jansen and moved that the statement he made during the discussion of the substitute be printed as his reasons for voting "no."

The motion prevailed.

Senator Young's statement is as follows:

I would like to start with a quote: "The rule of law is a solution to a problem. And as the classical liberal tradition has always recognized, the problem is tyranny." My concern with this legislation is that it infringes on the rights of local units of government. This is a mayor-to-collective-bargaining issue, not a state issue. The state has no right or business getting involved in this. I feel we are overstepping our power and our bounds here.

When we don't recognize the supreme legal document of this country, we don't recognize the contract clause, Article 1, Section 10 of both the State and United States Constitutions, which clearly says that contracts cannot be impaired. Where

are we going as a state? What is a state, Mr. President, without its sovereignty? It's tyranny; it's anarchy. It is leading toward a road to ruin, a path of perdition. This is wrong. We should not be doing this.

In my community, I have city employees who work full-time and live in homeless shelters. I have a 20 percent unemployment rate, probably higher than that. I have teachers who, because only 30 percent of the books show up, run across the street to Kinko's to make copies of the books so children can have them. I have teachers who give money out of their pockets so that these kids can actually have science experiments or lunch. I have some teachers who even go so far as to pay the parents' bills because they know the family of the child is on hard times.

With all of this going on, Mr. President, I feel this policy is misguided. I feel that we have forgotten that it is not just about cutting costs. It is also about the people and their rights constitutionally, and they deserve better than this. These are your next-door neighbors, your friends, and family members. They are members of mankind. For us to impoverish them in this way, for us to go for the jugular, so to speak, when we know the man is on the ground or kick a guy when he is down or, as I like to say, give a little atomic elbow drop. No, it is not the right thing to do. For us to violate the same source of power that we receive our existence from, which is the people, in this fashion is leading us down a path legally that will be very detrimental in the future.

What is the purpose of collective bargaining, labor, and organization if all the municipalities, mayors, and school board presidents have to do is come up here to Lansing and get what they want? Why negotiate? Why bargain? Why talk at all? That is not what we are here to do. I thought we were here to create jobs. I thought we were here to respect individual rights but also enjoy shared prosperity. I thought we were here to create dynamic, dimensional change. That's what I was elected to do. I wasn't elected to tell my municipality what to do. I have enough issues as it is in the city of Detroit. I don't need to be telling my mayor how to do his job. That is not what I was elected to do. I always thought that if they had problems with that issue or problems with how the government was being managed, that is what the voters were for.

I also don't understand, in conclusion, why the cities that are already negotiating and trying to get concessions from labor for workers and public employees for 20 percent of the health care costs, why are they not exempted? That makes no sense to me. You know, Thomas Paine said whatever rights I enjoy as a man are the rights of another, and it is my duty to guarantee and to possess. I thought as legislators we were all up here with a duty to defend the Constitution of this state and this nation.

Let us not let the torch of liberty be extinguished today. Let us not forget the solemn oath we all swore—to defend this Constitution in the great state of Michigan. Let us vote this bill down.

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. 214

Yeas—25

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

Nays—13

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

Excused—0

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

Protests

Senators Whitmer, Hood, Gregory, Hoppood, Hunter, Anderson and Young, under their constitutional right of protest (Art. 4, Sec. 18), protested against the passage of Senate Bill No. 7.

Senator Whitmer moved that the statement she made during the discussion of the bill be printed as her reasons for voting “no.”

The motion prevailed.

Senator Whitmer’s statement, in which Senators Hood, Gregory, Hoppood, Hunter, Anderson and Young concurred, is as follows:

The biggest group penalized in this bill is teachers in the state of Michigan. The hardest hit of that group will be the young teachers. I don’t know how long it’s been since many of you have been in the public schools, but last night I was. I was there for the Donnelly Elementary School Spring Sing. I saw all of these teachers who were there on their own time, after hours, many of whom printed some of the music sheets at their own expense.

No one goes into teaching because it is lucrative. In fact, I would suggest that the No. 1 reason people go into teaching—at least it was the reason for my mother, grandmother, and brother—is because they love kids. I am willing to bet that many of you, when you look back on your lives, have people in your lives who made a difference. Hopefully, it was your parents, and in many cases, I bet there was a teacher along the way. Mine was a teacher named Sylvia Boeey, in the second grade. It was a year of tremendous change in my young life, and Sylvia Boeey was the one who helped me learn to love reading and writing and helped me when I struggled. She is the one whom I look back on over my educational career who really made a difference. I am willing to bet that many of you have a similar story.

This bill disproportionately hurts young teachers who, aside from parents and grandparents, are the people who are raising kids in Michigan; are the most important people in children’s daily lives. I heard Governor Snyder defend the \$250,000 price tag for his budget director by saying you get what you pay for. Well, isn’t that true for the most important people for our kids’ success as well? Why is that rationale sufficient for the Governor spending a quarter of a million dollars of taxpayer dollars for the budget director and not true for the people working every day to help our kids?

Now we conducted a number of town hall meetings across the state of Michigan. At one in East Lansing, one of the teachers stood up teary-eyed and asked about this bill. She said she was a young teacher who hasn’t been in the system very long, but when she adds up her rent, food, student loans, and now this—a disproportionate share—she will not be able to make it. Many of these teachers incurred a great amount of debt to go into the profession where they love to help kids. These are the same people who often use their own resources to supplement cuts that we have imposed on the classroom.

This bill is an arbitrary threshold that disproportionately hits young teachers and takes local control away in a manner that won’t necessarily promote good decision making and certainly not good public policy when it comes to our kids. For these reasons, I oppose this bill and ask that you do as well.

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

The motion prevailed.

Senator Anderson’s statement is as follows:

This amendment would essentially tie-bar this bill to House Bill No. 4081. For several years now, we have talked about ending the so-called lifetime health care for legislators. This gives us that opportunity. We can tie that bill to this bill and take care of both problems. So I urge members to support this amendment.

The following joint resolution was read a third time:

Senate Joint Resolution C, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by adding section 9 to article XI, to provide for establishing uniform cost allocation requirements for health benefits for public employers.

The question being on the adoption of the joint resolution,

The joint resolution was adopted, 2/3 of the members serving voting therefor, as follows:

Roll Call No. 215**Yeas—26**

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

Nays—12

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

Excused—0**Not Voting—0**

In The Chair: President

By unanimous consent the Senate proceeded to the order of
Statements

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

The motion prevailed.

Senator Jansen's statement is as follows:

I just want to commend my colleagues today for the courageous votes that they are taking, changing the way we do business in Michigan. Senate Bill No. 7, what people are calling 80/20, not all of us are all that excited all the time about doing these things. In fact, we know people that this impacts. If you look in the mirror, it will impact each one of you who are sitting here today.

We know these are the right things to do, and I know that is very subjective. I think the opponents have been saying things that are not true. The local school boards have the power to choose whether or not they are going to distribute it, graduate it among their employees based on their incomes. So to say that it somehow falls heavier on one group than another, that will be a decision by the local school board and that superintendent.

Let's also not forget that this 80/20 allows all of that money—let me say that again: all of that money—stays in that school system. So for those young teachers, who I think many times are the first to go, those savings will keep their jobs. So I would urge those who are quickly eager to say bad things that this allows the money to stay at the local level. The school or whoever else is being impacted gets to choose if they will do other services, keep the teachers, make the class sizes smaller, keep fire services, or whatever the case may be. We are doing what I think are things that will help our local officials make some decisions and for this decision today will allow them to keep the dollars locally, and they will be able to choose how to spend those dollars.

So, again, I just thank my colleagues who were willing to vote for this today, and I look forward to how this will impact the state of Michigan.

Committee Reports**COMMITTEE ATTENDANCE REPORT**

The Committee on Transportation submitted the following:
Meeting held on Tuesday, May 17, 2011, at 12:30 p.m., Room 100, Farnum Building
Present: Senators Casperson (C), Kowall, Pavlov, Gleason and Hood
Excused: Senator Brandenburg

COMMITTEE ATTENDANCE REPORT

The Committee on Energy and Technology submitted the following:

Meeting held on Tuesday, May 17, 2011, at 1:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower
Present: Senators Nofs (C), Proos, Jones, Marleau, Schuitmaker, Walker, Hopgood, Bieda and Young

Scheduled Meetings

Agriculture - Thursday, May 19, 9:00 a.m., Room 110, Farnum Building (373-5312)

Conference Committees -

Agriculture and Rural Development (SB 169) - Thursday, May 19, 2:00 p.m., Room 405, Capitol Building (373-2768)

Community Colleges (SB 171) - Thursday, May 19, 12:00 noon, Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

Education (SB 174) - Thursday, May 19, 1:15 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

Environmental Quality (SB 176) - Thursday, May 19, 1:30 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

General Government (SB 177) - Thursday, May 19, 3:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

Higher Education (SB 178) - Thursday, May 19, 3:30 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

Licensing and Regulatory Affairs (SB 175) - Thursday, May 19, 11:30 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

Military and Veterans Affairs (SB 181) - Thursday, May 19, 4:00 p.m., Rooms 402 and 403, Capitol Building (373-2768)

Natural Resources (SB 182) - Thursday, May 19, 11:00 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

School Aid (SB 183) - Thursday, May 19, 1:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

State Police (SB 184) - Thursday, May 19, 4:30 p.m., Rooms 402 and 403, Capitol Building (373-2768)

Transportation (SB 185) - Thursday, May 19, 2:30 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

Health Policy - Thursday, May 19, 2:30 p.m., Senate Hearing Room, Ground Floor, Boji Tower (373-5314)

Natural Resources, Environment and Great Lakes - Thursday, May 19, 9:00 a.m., Room 210, Farnum Building (373-5323)

Regulatory Reform - Thursday, May 19, 12:30 p.m., Room 110, Farnum Building (373-5307)

State Drug Treatment Court Advisory Committee - Tuesday, May 24, 9:00 a.m., Legislative Council Conference Room, 3rd Floor, Boji Tower (373-0212)

Senator Meekhof moved that the Senate adjourn.
The motion prevailed, the time being 1:41 p.m.

The President, Lieutenant Governor Calley, declared the Senate adjourned until Thursday, May 19, 2011, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate