

No. 82  
STATE OF MICHIGAN  
**Journal of the Senate**  
96th Legislature  
REGULAR SESSION OF 2011

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Senate Chamber, Lansing, Thursday, October 20, 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

Senator Patrick J. Colbeck of the 7th District offered the following invocation:

Dear God, we do rely on Your guidance for our deliberations. We ask for Your protection, and we ask for You to help us discern what the truth is. There are so many competing claims for our time, our opinions, our words, and our votes. It can be a challenge sometimes to sort out Your will. You know how to get our attention, God, and it may be unique for each and every one of us in this august assembly. We ask that You do get our attention and that we do seek Your will on a regular basis. Help us to truly discern Your will in every vote that we cast. Lord Jesus, we ask this in Your most holy name. Amen.

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

### Motions and Communications

Senators Brandenburg, Hunter and Hood entered the Senate Chamber.

Senator Meekhof moved that Senators Emmons, Green, Robertson, Schuitmaker and Casperson be temporarily excused from today's session.

The motion prevailed.

Senator Hunter moved that Senator Johnson be temporarily excused from today's session.

The motion prevailed.

Senator Meekhof moved that the following bills, now on the order of General Orders, be referred to the Committee on Finance:

**Senate Bill No. 653, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 607 (MCL 206.607), as added by 2011 PA 38.

**Senate Bill No. 666, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 605 (MCL 206.605), as added by 2011 PA 38.

The motion prevailed.

The following communication was received and read:  
Office of the Senate Majority Leader

October 20, 2011

Pursuant to Senate Rule 3.203, I am hereby re-referring Senate Bill 759 from the Senate Committee on Judiciary to the Senate Committee on Appropriations.

Should you have any questions regarding this matter, please do not hesitate to contact me.

Sincerely,  
Randy Richardville  
Senate Majority Leader

The communication was referred to the Secretary for record.

The following communications were received:  
State Budget Office

June 27, 2011

Transmitted under this cover is a schedule entitled "Statement of Revenue Subject to Constitutional Limitation - Legal Basis." The statement is submitted pursuant to Sections 18.1350(a) through 18.1350(e) of the Michigan Compiled Laws for the purpose of demonstrating compliance with Article 9, Section 26 of the Michigan Constitution for the fiscal year 2010.

The statement has been reviewed by the Office of the Auditor General and a copy of the independent accountant's review is enclosed.

If you have questions regarding this report, please contact Mr. Michael J. Moody, Director, Office of Financial Management, at 373-1010.

June 27, 2011

This letter transmits the "Statement of the Proportion of Total State Spending From State Sources Paid to Units of Local Government - Legal Basis" for fiscal year 2010, which has been prepared in accordance with Sections 18.1115(5), 18.1303-18.1305, 18.1349, 18.1350, 18.1497, and 18.1498 of the Michigan Compiled Laws for the purpose of demonstrating compliance with Article 9, Section 30 of the Michigan Constitution.

The computed percentage of total state spending from state sources paid to local governments for fiscal year 2010 is 56.32%, which is \$1.9 billion more than the minimum required.

The statement has been reviewed by the Office of the Auditor General and a copy of the independent accountant's review letter is enclosed.

If you have questions regarding this report, please contact Mr. Michael J. Moody, Director, Office of Financial Management, at 373-1010.

Sincerely,  
John E. Nixon, C.P.A.  
State Budget Director

The communications were referred to the Secretary for record.

The following communication was received:  
Department of State

Administrative Rules  
Notice of Filing

October 13, 2011

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Administrative Hearings and Rules filed Administrative Rule #2005-078-HS (Secretary of State Filing #11-10-01) on this date at 4:32 p.m. for the Department of Human Services, entitled "Child Development and Care Program."

These rules take effect 180 days after filing with the Secretary of State.

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

The communication was referred to the Secretary for record.

Senators Robertson, Schuitmaker, Emmons, Casperson, Johnson and Green entered the Senate Chamber.

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

The motion prevailed.

Senator Kahn's statement is as follows:

Today, visiting the Senate we have members of the Hispanic/Latino Commission of Michigan. We are greatly honored. The commissioners are in the Capitol today because of Hispanic Advocacy Day in Michigan, October 20, 2011.

The Hispanic communities' contributions to various aspects of our state, including law, religion, agriculture, art, music, education, technology, architecture, cuisine (one of my personal favorites), and theater have enhanced Michigan and helped to make it the state we are proud of today. Their influence also extends further than Michigan, as Hispanic Americans have helped establish America as a place of freedom and opportunity, and their contributions have illustrated what is best about our great nation.

Mr. President, in fostering this, the Hispanic/Latino Commission works to increase awareness and support of Hispanic issues, encourages economic growth and stability of Hispanics, and promotes better education and achievement in the academic community and throughout their community.

Please join me in welcoming our special guests and recognizing today as Hispanic Advocacy Day in Michigan.

**Recess**

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

The motion prevailed, the time being 10:16 a.m.



The following bill was read a third time:

**Senate Bill No. 25, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 2803, 2804, and 2834 (MCL 333.2803, 333.2804, and 333.2834), sections 2803 and 2834 as amended by 2002 PA 562 and section 2804 as amended by 1990 PA 149.

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. 584**

**Yeas—33**

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

**Nays—5**

Hopgood	Warren	Whitmer	Young
Johnson			

**Excused—0**

**Not Voting—0**

In The Chair: Hansen

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 54, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 2848 and 13807 (MCL 333.2848 and 333.13807), section 2848 as amended by 2002 PA 562 and section 13807 as added by 1990 PA 21, and by adding sections 2836 and 2854.

The question being on the passage of the bill,

Senator Warren offered the following amendment:

1. Amend page 1, line 2, after "**BODIES**" by striking out the balance of the sentence and inserting "**OR MEDICAL WASTE.**".

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

The question being on the passage of the bill,

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

**Roll Call No. 585**

**Yeas—33**

Anderson	Green	Jones	Pavlov
Bieda	Gregory	Kahn	Proos
Booher	Hansen	Kowall	Richardville

Brandenburg	Hildenbrand	Marleau	Robertson
Casperson	Hood	Meekhof	Rocca
Caswell	Hune	Moolenaar	Schuitmaker
Colbeck	Hunter	Nofs	Smith
Emmons	Jansen	Pappageorge	Walker
Gleason			

**Nays—5**

Hopgood	Warren	Whitmer	Young
Johnson			

**Excused—0**

**Not Voting—0**

In The Chair: Hansen

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 611, entitled**

A bill to amend 1939 PA 280, entitled “The social welfare act,” by amending section 109 (MCL 400.109), as amended by 2011 PA 53.

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. 586**

**Yeas—38**

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

**Nays—0**

**Excused—0**

**Not Voting—0**

In The Chair: Hansen

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 691, entitled**

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending section 25 (MCL 388.1625), as amended by 2005 PA 155.

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. 587**

**Yeas—38**

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

**Nays—0**

**Excused—0**

**Not Voting—0**

In The Chair: Hansen

The Senate agreed to the title of the bill.

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

The following messages from the Governor were received:

Date: October 17, 2011  
Time: 1:50 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 650 (Public Act No. 183), being**

An act to amend 1967 PA 281, entitled "An act to meet deficiencies in state funds by providing for the imposition, levy, computation, collection, assessment, and enforcement by lien and otherwise of taxes on or measured by net income; to prescribe the manner and time of making reports and paying the taxes, and the functions of public officers and others as to the taxes; to permit the inspection of the records of taxpayers; to provide for interest and penalties on unpaid taxes; to provide exemptions, credits and refunds of the taxes; to prescribe penalties for the violation of this act; to provide an appropriation; and to repeal certain acts and parts of acts," by amending section 653 (MCL 206.653), as added by 2011 PA 38.

(Filed with the Secretary of State on October 18, 2011, at 4:12 p.m.)

Date: October 17, 2011  
Time: 1:52 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 654 (Public Act No. 184), being**

An act to amend 1967 PA 281, entitled "An act to meet deficiencies in state funds by providing for the imposition, levy, computation, collection, assessment, and enforcement by lien and otherwise of taxes on or measured by net income;

to prescribe the manner and time of making reports and paying the taxes, and the functions of public officers and others as to the taxes; to permit the inspection of the records of taxpayers; to provide for interest and penalties on unpaid taxes; to provide exemptions, credits and refunds of the taxes; to prescribe penalties for the violation of this act; to provide an appropriation; and to repeal certain acts and parts of acts,” by amending section 685 (MCL 206.685), as added by 2011 PA 38.

(Filed with the Secretary of State on October 18, 2011, at 4:14 p.m.)

Date: October 17, 2011

Time: 1:54 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 655 (Public Act No. 185), being**

An act to amend 1967 PA 281, entitled “An act to meet deficiencies in state funds by providing for the imposition, levy, computation, collection, assessment, and enforcement by lien and otherwise of taxes on or measured by net income; to prescribe the manner and time of making reports and paying the taxes, and the functions of public officers and others as to the taxes; to permit the inspection of the records of taxpayers; to provide for interest and penalties on unpaid taxes; to provide exemptions, credits and refunds of the taxes; to prescribe penalties for the violation of this act; to provide an appropriation; and to repeal certain acts and parts of acts,” by amending section 671 (MCL 206.671), as added by 2011 PA 38.

(Filed with the Secretary of State on October 18, 2011, at 4:16 p.m.)

Date: October 17, 2011

Time: 1:56 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 660 (Public Act No. 186), being**

An act to amend 1967 PA 281, entitled “An act to meet deficiencies in state funds by providing for the imposition, levy, computation, collection, assessment, and enforcement by lien and otherwise of taxes on or measured by net income; to prescribe the manner and time of making reports and paying the taxes, and the functions of public officers and others as to the taxes; to permit the inspection of the records of taxpayers; to provide for interest and penalties on unpaid taxes; to provide exemptions, credits and refunds of the taxes; to prescribe penalties for the violation of this act; to provide an appropriation; and to repeal certain acts and parts of acts,” by amending section 681 (MCL 206.681), as added by 2011 PA 38.

(Filed with the Secretary of State on October 18, 2011, at 4:18 p.m.)

Date: October 17, 2011

Time: 1:58 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 669 (Public Act No. 187), being**

An act to amend 1967 PA 281, entitled “An act to meet deficiencies in state funds by providing for the imposition, levy, computation, collection, assessment, and enforcement by lien and otherwise of taxes on or measured by net income; to prescribe the manner and time of making reports and paying the taxes, and the functions of public officers and others as to the taxes; to permit the inspection of the records of taxpayers; to provide for interest and penalties on unpaid taxes; to provide exemptions, credits and refunds of the taxes; to prescribe penalties for the violation of this act; to provide an appropriation; and to repeal certain acts and parts of acts,” by amending section 621 (MCL 206.621), as added by 2011 PA 38.

(Filed with the Secretary of State on October 18, 2011, at 4:20 p.m.)

Date: October 17, 2011

Time: 2:00 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 670 (Public Act No. 188), being**

An act to amend 1967 PA 281, entitled “An act to meet deficiencies in state funds by providing for the imposition, levy, computation, collection, assessment, and enforcement by lien and otherwise of taxes on or measured by net income;



to prescribe the manner and time of making reports and paying the taxes, and the functions of public officers and others as to the taxes; to permit the inspection of the records of taxpayers; to provide for interest and penalties on unpaid taxes; to provide exemptions, credits and refunds of the taxes; to prescribe penalties for the violation of this act; to provide an appropriation; and to repeal certain acts and parts of acts,” by amending section 703 (MCL 206.703), as added by 2011 PA 38.

(Filed with the Secretary of State on October 18, 2011, at 4:22 p.m.)

Date: October 17, 2011

Time: 2:42 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 671 (Public Act No. 189), being**

An act to amend 1967 PA 281, entitled “An act to meet deficiencies in state funds by providing for the imposition, levy, computation, collection, assessment, and enforcement by lien and otherwise of taxes on or measured by net income; to prescribe the manner and time of making reports and paying the taxes, and the functions of public officers and others as to the taxes; to permit the inspection of the records of taxpayers; to provide for interest and penalties on unpaid taxes; to provide exemptions, credits and refunds of the taxes; to prescribe penalties for the violation of this act; to provide an appropriation; and to repeal certain acts and parts of acts,” by amending section 667 (MCL 206.667), as added by 2011 PA 38.

(Filed with the Secretary of State on October 18, 2011, at 4:24 p.m.)

Date: October 17, 2011

Time: 2:44 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 672 (Public Act No. 190), being**

An act to amend 1967 PA 281, entitled “An act to meet deficiencies in state funds by providing for the imposition, levy, computation, collection, assessment, and enforcement by lien and otherwise of taxes on or measured by net income; to prescribe the manner and time of making reports and paying the taxes, and the functions of public officers and others as to the taxes; to permit the inspection of the records of taxpayers; to provide for interest and penalties on unpaid taxes; to provide exemptions, credits and refunds of the taxes; to prescribe penalties for the violation of this act; to provide an appropriation; and to repeal certain acts and parts of acts,” by amending section 683 (MCL 206.683), as added by 2011 PA 38.

(Filed with the Secretary of State on October 18, 2011, at 4:26 p.m.)

Date: October 17, 2011

Time: 2:46 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 674 (Public Act No. 191), being**

An act to amend 1967 PA 281, entitled “An act to meet deficiencies in state funds by providing for the imposition, levy, computation, collection, assessment, and enforcement by lien and otherwise of taxes on or measured by net income; to prescribe the manner and time of making reports and paying the taxes, and the functions of public officers and others as to the taxes; to permit the inspection of the records of taxpayers; to provide for interest and penalties on unpaid taxes; to provide exemptions, credits and refunds of the taxes; to prescribe penalties for the violation of this act; to provide an appropriation; and to repeal certain acts and parts of acts,” by amending section 661 (MCL 206.661), as added by 2011 PA 38.

(Filed with the Secretary of State on October 18, 2011, at 4:28 p.m.)

Date: October 17, 2011

Time: 2:48 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 677 (Public Act No. 192), being**

An act to amend 1967 PA 281, entitled “An act to meet deficiencies in state funds by providing for the imposition, levy, computation, collection, assessment, and enforcement by lien and otherwise of taxes on or measured by net income;

to prescribe the manner and time of making reports and paying the taxes, and the functions of public officers and others as to the taxes; to permit the inspection of the records of taxpayers; to provide for interest and penalties on unpaid taxes; to provide exemptions, credits and refunds of the taxes; to prescribe penalties for the violation of this act; to provide an appropriation; and to repeal certain acts and parts of acts,” by amending section 705 (MCL 206.705), as added by 2011 PA 38.

(Filed with the Secretary of State on October 18, 2011, at 4:30 p.m.)

Date: October 17, 2011  
Time: 2:50 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 679 (Public Act No. 193), being**

An act to amend 1967 PA 281, entitled “An act to meet deficiencies in state funds by providing for the imposition, levy, computation, collection, assessment, and enforcement by lien and otherwise of taxes on or measured by net income; to prescribe the manner and time of making reports and paying the taxes, and the functions of public officers and others as to the taxes; to permit the inspection of the records of taxpayers; to provide for interest and penalties on unpaid taxes; to provide exemptions, credits and refunds of the taxes; to prescribe penalties for the violation of this act; to provide an appropriation; and to repeal certain acts and parts of acts,” by amending section 711 (MCL 206.711), as added by 2011 PA 38.

(Filed with the Secretary of State on October 18, 2011, at 4:32 p.m.)

Date: October 17, 2011  
Time: 2:52 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 680 (Public Act No. 194), being**

An act to amend 1967 PA 281, entitled “An act to meet deficiencies in state funds by providing for the imposition, levy, computation, collection, assessment, and enforcement by lien and otherwise of taxes on or measured by net income; to prescribe the manner and time of making reports and paying the taxes, and the functions of public officers and others as to the taxes; to permit the inspection of the records of taxpayers; to provide for interest and penalties on unpaid taxes; to provide exemptions, credits and refunds of the taxes; to prescribe penalties for the violation of this act; to provide an appropriation; and to repeal certain acts and parts of acts,” by amending section 701 (MCL 206.701), as added by 2011 PA 38.

(Filed with the Secretary of State on October 18, 2011, at 4:34 p.m.)

Date: October 17, 2011  
Time: 2:56 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 374 (Public Act No. 195), being**

An act to amend 1987 PA 230, entitled “An act to authorize certain local governmental units to incorporate municipal health facilities corporations and subsidiary municipal health facilities corporations for establishing, modifying, operating, and managing health services and acquiring, constructing, adding to, repairing, remodeling, renovating, equipping, and re-equipping hospitals and other health care facilities and related purposes; to provide for the application of this act to existing municipal hospitals and for the transfer of ownership of hospital funds and personal property; to validate and ratify the existence, organization, actions, proceedings, and board membership of existing organizations acting as county public hospitals; to provide for the appointment of trustees; to grant certain powers of a public body corporate to health facilities corporations and subsidiary health facilities corporations; to empower certain local governmental units to encumber property for the benefit of, transfer or make property available to, issue bonds to construct facilities to be used by, appropriate funds for, and levy a tax for, municipal health facilities corporations and subsidiary municipal health facilities corporations; to empower certain local governmental units to guarantee obligations of municipal health facilities corporations and subsidiary municipal health facilities corporations and to permit certain local governmental units to pledge their full faith and credit to pay such guaranties; to provide for transfer of ownership or operation of health care facilities and health services to nonprofit health care organizations; to authorize municipal health facilities corporations and subsidiary municipal health facilities corporations to borrow money and issue notes for the purposes of meeting

expenses of operation and to issue corporation obligations for the purpose of acquisition, construction, repair, remodeling, equipping or re-equipping of health care facilities and for the refinancing, refunding, or refunding in advance of indebtedness of the municipal health facilities corporations or the subsidiary municipal health facilities corporations or of indebtedness of certain local governmental units undertaken on their behalf; to authorize municipal health facilities corporations and subsidiary municipal health facilities corporations to enter into mortgages, deeds of trust, and other agreements for security which may include provisions for the appointment of receivers; to exempt obligations and property of municipal health facilities corporations and subsidiary municipal health facilities corporations from taxation; and to provide other rights, powers, and duties of municipal health facilities corporations and subsidiary municipal health facilities corporations,” by amending sections 209 and 258 (MCL 331.1209 and 331.1258), section 209 as amended by 1994 PA 398 and section 258 as amended by 1990 PA 273.

(Filed with the Secretary of State on October 18, 2011, at 4:36 p.m.)

Date: October 17, 2011

Time: 2:58 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 522 (Public Act No. 199), being**

An act to amend 1974 PA 163, entitled “An act to provide for the creation of a criminal justice information systems policy council; to provide for the establishment of policy and promulgation of rules governing access, use, and disclosure of information in criminal justice information systems; to provide for the reimbursement of expenses of council members; and to provide for penalties,” by amending section 4 (MCL 28.214), as amended by 2005 PA 311.

(Filed with the Secretary of State on October 18, 2011, at 4:44 p.m.)

Respectfully,  
Rick Snyder  
Governor

By unanimous consent the Senate proceeded to the order of

**Resolutions**

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

**Senate Resolution No. 91**

The resolution consent calendar was adopted.

Senators Gregory, Hildenbrand, Hood, Anderson, Johnson, Young, Warren, Hopgood, Booher, Proos, Pavlov, Bieda, Hune, Kowall, Emmons, Gleason, Jansen, Nofs, Kahn, Colbeck, Pappageorge, Caswell, Walker, Moolenaar, Meekhof, Hunter, Richardville, Smith, Schuitmaker, Marleau, Hansen, Brandenburg, Robertson, Green, Rocca, Jones, Whitmer and Casperson offered the following resolution:

**Senate Resolution No. 91.**

A resolution proclaiming November 2011 as Epilepsy Awareness Month in the state of Michigan.

Whereas, Epilepsy is a medical condition characterized by seizures that can affect a variety of physical and mental functions. Epilepsy and seizures affect more than 100,000 individuals in Michigan, including 30,000 children; and

Whereas, When seizures persist and become intractable, epilepsy is a devastating disorder; and

Whereas, Since 1948, the Epilepsy Foundation of Michigan is the only statewide nonprofit organization focusing on epilepsy. Its mission is to lead the fight to stop seizures, find a cure, and overcome the challenges created by epilepsy; and

Whereas, The Epilepsy Foundation of Michigan helps people with epilepsy and their families overcome the challenges presented by seizures through its education and consultation hotline, advocacy programs, annual Wellness & Epilepsy Conference, Camp Discovery, retreats, and social programs; and

Whereas, The Epilepsy Foundation of Michigan makes the community a better place by providing seizure first-aid training for schools, law enforcement, and emergency medical staff. The Foundation also funds research through the national Epilepsy Foundation of America; now, therefore, be it

Resolved by the Senate, That the members of this legislative body proclaim November 2011 as Epilepsy Awareness Month in the state of Michigan. We recognize all people in Michigan living with epilepsy, express gratitude to their family and friends who are a source of love and encouragement to them, and salute the health care professionals and medical researchers who provide assistance to those so afflicted and continue to work to find cures and improve treatments; and be it further

Resolved, That copies of this resolution be transmitted to the Epilepsy Foundation of Michigan as a token of our esteem.

By unanimous consent the Senate proceeded to the order of

**Introduction and Referral of Bills**

Senators Kahn, Anderson, Warren, Pappageorge and Bieda introduced

**Senate Bill No. 764, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 5491 (MCL 333.5491), as added by 2007 PA 159.

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

Senators Kahn, Anderson, Pappageorge and Bieda introduced

**Senate Bill No. 765, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 5491 (MCL 333.5491), as added by 2007 PA 159, and by adding section 5494.

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

Senators Brandenburg, Jansen, Green, Robertson, Marleau, Kowall, Hune and Nofs introduced

**Senate Bill No. 766, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," (MCL 211.1 to 211.155) by adding section 9l.

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

Senators Jones, Schuitmaker, Proos, Booher, Nofs, Marleau, Rocca, Pappageorge, Anderson, Jansen, Emmons, Hood and Meekhof introduced

**Senate Bill No. 767, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1531d (MCL 380.1531d), as added by 2003 PA 18.

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

Senators Pappageorge, Schuitmaker, Meekhof, Nofs, Hopgood, Colbeck, Jones, Caswell, Marleau, Proos, Green, Bieda and Brandenburg introduced

**Senate Bill No. 768, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 411w.

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

Senators Pappageorge, Schuitmaker, Meekhof, Nofs, Hopgood, Jones, Caswell, Marleau, Proos, Green, Bieda and Brandenburg introduced

**Senate Bill No. 769, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16t of chapter XVII (MCL 777.16t), as amended by 2010 PA 278.

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

Senators Pappageorge, Walker, Pavlov, Kahn, Schuitmaker, Colbeck, Booher, Marleau and Proos introduced

**Senate Bill No. 770, entitled**

A bill to amend 2005 PA 92, entitled "School bond qualification, approval, and loan act," by amending sections 3, 4, 5, 6, 7, 8, 9, 11, 13, 16, and 18 (MCL 388.1923, 388.1924, 388.1925, 388.1926, 388.1927, 388.1928, 388.1929, 388.1931, 388.1933, 388.1936, and 388.1938), section 9 as amended by 2009 PA 50.

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

Senators Pavlov, Pappageorge, Walker, Kahn, Schuitmaker, Colbeck, Booher, Marleau and Proos introduced

**Senate Bill No. 771, entitled**

A bill to amend 1961 PA 112, entitled "An act to authorize and provide for the issuance, sale, and refunding of bonds, notes, or commercial paper of the state; to provide funds for making loans to school districts for payment of principal and

interest on certain school bonds; to provide for use of moneys repaid to the state by school districts; and to make an appropriation,” by amending sections 1, 2, and 4 (MCL 388.981, 388.982, and 388.984), section 1 as amended by 2000 PA 245 and sections 2 and 4 as amended by 2005 PA 94.

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

Senators Walker, Pappageorge, Pavlov, Kahn, Schuitmaker, Colbeck, Booher, Marleau and Proos introduced  
**Senate Bill No. 772, entitled**

A bill to amend 1985 PA 227, entitled “Shared credit rating act,” by amending sections 7 and 8 (MCL 141.1057 and 141.1058), as amended by 2005 PA 93.

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

Senator Hune introduced

**Senate Bill No. 773, entitled**

A bill to amend 1954 PA 116, entitled “Michigan election law,” by amending sections 302 and 310 (MCL 168.302 and 168.310), section 302 as amended by 2005 PA 71 and section 310 as added by 2003 PA 302.

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

**House Bill No. 4293, entitled**

A bill to revise, consolidate, and codify the laws relating to certain fireworks; to regulate the purchase, possession, sale, and use of certain fireworks; to establish a fireworks safety fund; to establish a fireworks safety fee; to provide for the transfer and expenditure of funds; to prescribe the powers and duties of certain state agencies; to provide for penalties and remedies; 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.

**House Bill No. 4294, entitled**

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 11b of chapter XVII (MCL 777.11b), as amended by 2011 PA 19.

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.

**House Bill No. 5014, entitled**

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2012; and to provide for the expenditure of the appropriations.

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 Appropriations.

### Committee Reports

The Committee on Reforms, Restructuring and Reinventing reported

**House Bill No. 4770, entitled**

A bill to prohibit public employers from providing certain benefits to public employees.

With the recommendation that the bill pass.

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

Mark C. Jansen  
Chairperson

To Report Out:

Yeas: Senators Jansen, Colbeck, Casperson, Kowall and Robertson

Nays: Senators Young and Warren

The bill was referred to the Committee of the Whole.

The Committee on Reforms, Restructuring and Reinventing reported

**House Bill No. 4771, 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; 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," by amending section 15 (MCL 423.215), as amended by 2011 PA 103.

With the recommendation that the bill pass.

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

Mark C. Jansen  
Chairperson

To Report Out:

Yeas: Senators Jansen, Colbeck, Casperson, Kowall and Robertson

Nays: Senators Young and Warren

The bill was referred to the Committee of the Whole.

#### COMMITTEE ATTENDANCE REPORT

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

Meeting held on Wednesday, October 19, 2011, at 8:30 a.m., Rooms 402 and 403, Capitol Building

Present: Senators Jansen (C), Colbeck, Casperson, Kowall, Robertson, Young and Warren

The Committee on Education reported

**Senate Bill No. 622, entitled**

A bill to amend 1996 PA 160, entitled "Postsecondary enrollment options act," by amending section 3 (MCL 388.513), as amended by 2005 PA 180; and to repeal acts and parts of acts.

With the recommendation that the substitute (S-4) be adopted and that the bill then pass.

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

Phillip J. Pavlov  
Chairperson

To Report Out:

Yeas: Senators Pavlov, Emmons and Colbeck

Nays: Senator Young

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

The Committee on Education reported

**Senate Bill No. 623, entitled**

A bill to amend 2000 PA 258, entitled "Career and technical preparation act," by amending section 3 (MCL 388.1903), as amended by 2005 PA 181; and to repeal acts and parts of acts.

With the recommendation that the substitute (S-4) be adopted and that the bill then pass.

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

Phillip J. Pavlov  
Chairperson

To Report Out:

Yeas: Senators Pavlov, Emmons and Colbeck

Nays: Senator Young

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

The Committee on Education reported

**Senate Bill No. 709, entitled**

A bill to amend 2000 PA 258, entitled "Career and technical preparation act," by amending the title and sections 4, 7, 9, 10, and 11 (MCL 388.1904, 388.1907, 388.1909, 388.1910, and 388.1911), section 9 as amended by 2004 PA 592.

With the recommendation that the substitute (S-3) be adopted and that the bill then pass.

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

Phillip J. Pavlov  
Chairperson



## To Report Out:

Yeas: Senators Pavlov, Emmons and Colbeck

Nays: Senator Young

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

The Committee on Education reported

**Senate Bill No. 710, entitled**

A bill to amend 1996 PA 160, entitled "Postsecondary enrollment options act," by amending the title and sections 4, 7, 9, 10, and 11 (MCL 388.514, 388.517, 388.519, 388.520, and 388.521), section 9 as amended by 2004 PA 594.

With the recommendation that the substitute (S-3) be adopted and that the bill then pass.

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

Phillip J. Pavlov  
Chairperson

## To Report Out:

Yeas: Senators Pavlov, Emmons and Colbeck

Nays: Senator Young

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

## COMMITTEE ATTENDANCE REPORT

The Committee on Education submitted the following:

Meeting held on Wednesday, October 19, 2011, at 12:00 noon, Senate Hearing Room, Ground Floor, Boji Tower

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

**Scheduled Meetings****Appropriations -****Subcommittees -****Corrections Department and House Corrections Appropriations Subcommittee** - Wednesday, October 26, 3:00 p.m., House Appropriations Room, 3rd Floor, Capitol Building (373-2768)**General Government** - Tuesday, October 25, 1:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)**Human Services Department; Families, Seniors and Human Services; House Families, Children, and Seniors; and House Human Services Appropriations Subcommittee** - Thursday, October 27, 8:00 a.m., Senate Hearing Room, Ground Floor, Boji Tower (373-2768)**Economic Development and Transportation** - Tuesday, October 25, 12:30 p.m., Room 100, Farnum Building (373-5312)**Families, Seniors and Human Services; Human Services Department Appropriations Subcommittee; House Families, Children, and Seniors; and House Human Services Appropriations Subcommittee** - Thursday, October 27, 8:00 a.m., Senate Hearing Room, Ground Floor, Boji Tower (373-5312)**Transportation and Economic Development** - Tuesday, October 25, 12:30 p.m., Room 100, Farnum Building (373-5314)

Senator Meekhof moved that the Senate adjourn.

The motion prevailed, the time being 11:45 a.m.

The Assistant President pro tempore, Senator Hansen, declared the Senate adjourned until Tuesday, October 25, 2011, at 10:00 a.m.

CAROL MOREY VIVENTI  
Secretary of the Senate

