

No. 59  
STATE OF MICHIGAN  
**Journal of the Senate**  
94th Legislature  
REGULAR SESSION OF 2008

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Senate Chamber, Lansing, Thursday, June 12, 2008.

10:00 a.m.

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

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

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

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

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

Senator Hansen Clarke of the 1st District offered the following invocation;

My friends, we have all been blessed with the wonderful gift of life. For a few precious moments, let us bow our heads, reflect, and give thanks for this great blessing (moment of silence). Amen.

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

### Motions and Communications

Senators Basham and Cropsey entered the Senate Chamber.

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

**House Bill No. 4817**

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

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

**Senate Concurrent Resolution No. 29**

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

Senator Thomas moved that Senators Cherry and Brater be temporarily excused from today's session.

The motion prevailed.

The following communications were received:

Michigan Certificate of Need Commission

April 30, 2008

(Received May 1, 2008)

In accordance with Section 22215(4) of the Public Health Code, PA 368 of 1978, as amended, I am forwarding a copy of the Michigan CON Commission's revisions to the CON Review Standards for MRT Services/Units for your review. Listed below is the required "concise summary of the expected impact of the proposed final action."

The proposed language changes include the following:

1. Added a definition for proton beam therapy (PBT) for purposes of Section 10.
2. Added language that provides requirements to initiate an MRT service providing proton beam therapy. The provisions include:
  - The applicant shall be a single legal entity authorized to do business in Michigan.
  - The applicant shall be a statewide collaborative consisting of a majority of all Michigan hospital owned MRT services with more than 30,000 equivalent treatment visits (ETVs), and more than one planning area shall be represented as a part of the collaborative. The ETVs shall be those from the list published by the Department on April 30, 2008.
  - The applicant shall provide documentation of its process, policy, and procedures that allows any other interested entities to participate in the statewide collaborative and the PBT services it offers.
  - The applicant shall provide an implementation plan for financing and operating the proposed PBT service which includes how physician staff privileges, patient review, patient selection, and patient care management shall be determined.
  - PBT services shall be provided to adult and pediatric patients.
  - The PBT service shall have simulation capabilities available for use in treatment planning.
  - An MRT service shall not participate in more than one statewide collaborative to provide PVT.
  - PBT services shall be exempt from certain sections of the standards.
  - Additional project delivery requirements for PBT services have been included: 1) All patients treated at the approved PBT service shall be evaluated for potential enrollment in research studies focusing on the applicability and efficacy of using proton beam therapy to treat site specific cancer tumors. The reports shall be shared with the CON commission. 2) The PBT service will provide, on an annual basis, the CON Commission with reports designed to assess the affordability, quality, and accessibility of PBT services in Michigan. 3) An applicant shall be required to report to the Department, on an annual basis, volume related data for its PBT unit.

3. Updated the following project delivery requirement as shown: “All MRT treatments shall be performed ~~under the supervision of PURSUANT TO~~ a radiation oncologist and at least one radiation oncologist will be IMMEDIATELY AVAILABLE on-site at the geographic location of the unit during the operation of the unit(s).” Immediately available is already defined in the standards as “continuous availability of direct communication with the MRT unit in person or by radio, telephone, or telecommunication.”

4. Other technical changes.

The Commission took final action to approve the revisions at its April 30, 2008 meeting.

The law provides that the Commission is to submit any final standard to the Joint Legislative Committee on CON, as well as to the Governor, for them to consider potential disapproval of the final standards. Legislative disapproval is to be expressed by concurrent resolution, adopted by each house of the Legislature. The statute provides that the Legislature and Governor shall have 45 calendar days to act on any disapproval, provided the 45 days shall include not less than 9 legislative session days. This review period is to start on the day after submission, provided that is a day when there is legislative session in at least one house of the Legislature. If legislative or gubernatorial disapproval does not occur within that time, then this final CON Review Standards for MRT Services/Units will take effect.

If you have any questions, please feel free to contact me at 734-764-2178, or the Commission’s staff person, Brenda Rogers at 517-241-3349 or email rogersbre@michigan.gov.

April 30, 2008

(Received May 1, 2008)

In accordance with Section 22215(4) of the Public Health Code, PA 368 of 1978, as amended, I am forwarding a copy of the Michigan CON Commission’s revisions to the CON Review Standards for NH/HLTCU Beds for your review. Listed below is the required “concise summary of the expected impact of the proposed final action.”

The proposed language change exempts HLTCUs from the recently approved 50% limitation for relocation of beds within a planning area from an existing HLTCU to another NH/HLTCU.

The Commission took final action to approve the revisions at its April 30, 2008 meeting.

The law provides that the Commission is to submit any final standard to the Joint Legislative Committee on CON, as well as to the Governor, for them to consider potential disapproval of the final standards. Legislative disapproval is to be expressed by concurrent resolution, adopted by each house of the Legislature. The statute provides that the Legislature and Governor shall have 45 calendar days to act on any disapproval, provided the 45 days shall include not less than 9 legislative session days. This review period is to start on the day after submission, provided that is a day when there is legislative session in at least one house of the Legislature. If legislative or gubernatorial disapproval does not occur within that time, then this final CON Review Standard for NH-HLTCU Beds will take effect.

If you have any questions, please feel free to contact me at 734-764-2178, or the Commission’s staff person, Brenda Rogers at 517-241-3349 or email rogersbre@michigan.gov.

April 30, 2003

(Received May 1, 2008)

In accordance with Section 22215(4) of the Public Health Code, PA 368 of 1978, as amended, I am forwarding a copy of the Michigan CON Commission’s revisions to the CON Review Standards for Surgical Services for your review. Listed below is the required “concise summary of the expected impact of the proposed final action.”

The proposed language changes include the following:

1. Added language under Section 7 that would exempt an existing service with one or two operating rooms which is located in a rural or micropolitan statistical area county from the volume requirements.
2. Clarified language under Section 11, Documentation of Projections.
3. Other technical changes.

The Commission took final action to approve the revisions at its April 30, 2008 meeting.

The law provides that the Commission is to submit any final standard to the Joint Legislative Committee on CON, as well as to the Governor, for them to consider potential disapproval of the final standards. Legislative disapproval is to be expressed by concurrent resolution, adopted by each house of the Legislature. The statute provides that the Legislature and Governor shall have 45 calendar days to act on any disapproval, provided the 45 days shall include not less than 9 legislative session days. This review period is to start on the day after submission, provided that is a day when there is legislative session in at least one house of the Legislature. If legislative or gubernatorial disapproval does not occur within that time, then this final CON Review Standards for Surgical Services will take effect.

If you have any questions, please feel free to contact me at 734-764-2178, or Commission’s staff person, Brenda Rogers at 517-241-3349 or email rogersbre@michigan.gov.

Sincerely,  
Ed Goldman  
Chairperson

The communications were referred to the Secretary for record.

The Secretary announced that the following House bills were received in the Senate and filed on Wednesday, June 11:  
**House Bill Nos. 4521 4522 4523 4859 4934 5323 5335 5336 5694 5833 5834 6003 6031 6121**  
**6181 6187 6188 6189**

The Secretary announced that the following official bills were printed on Wednesday, June 11, and are available at the legislative website:

**House Bill Nos. 6229 6230 6231 6232 6233 6234**

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

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

**Senate Bill No. 436**

**Senate Bill No. 222**

**Senate Bill No. 229**

**Senate Bill No. 232**

**Senate Bill No. 238**

**Senate Bill No. 240**

The motion prevailed.

The following messages from the Governor were received and read:

June 11, 2008

I respectfully submit to the Senate pursuant to Article V, Section 6 of the Michigan Constitution of 1963, the following reappointment to office under Section 2 of 1968 PA 191, MCL 123.1002:

**State Boundary Commission**

Ms. Ruth Ann Jamnick of 7776 Lake Crest Drive, Ypsilanti, Michigan 48197, county of Washtenaw, reappointed as a state member, for a term expiring November 15, 2010.

June 11, 2008

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following reappointments to state office under Section 3a of the Stille-DeRossett Single State Construction Code Act, 1972 PA 230, MCL 125.1503a:

**State Construction Code Commission**

Mr. Clifton Jack Lewis of 5600 Clear Lake Road, North Branch, Michigan 48461, county of Lapeer, reappointed to represent the general public, for a term expiring January 31, 2012.

Mr. Nelson C. McMath of 1685 Miller Road, Ann Arbor, Michigan 48103, county of Washtenaw, reappointed to represent organized labor, for a term expiring January 31, 2012.

Mr. Sean P. O'Neil of 26181 Great Plains Drive, South Lyon, Michigan 48178, county of Wayne, reappointed to represent the general public, for a term expiring January 31, 2012.

June 11, 2008

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following appointment to office under Section 3 of The Mobile Home Commission Act, 1987 PA 96, MCL 125.2303 and Executive Order 1997-13, MCL 445.2002:

**Manufactured Housing Commission**

Mr. Pete L. Hennard of 4605 Cranberry Lake Drive, Prescott, Michigan 48756, county of Ogemaw, succeeding Kevin M. Gillette, whose term has expired, representing elected officials of a local government, for a term commencing June 11, 2008 and expiring May 9, 2010.

June 11, 2008

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following appointment to state office under Section 20 of the Michigan Boxing Regulatory Act, 2004 PA 403, MCL 338.3620:

**Unarmed Combat Commission**

Mr. Joe W. Byrd of 1368 Autumn Drive, Flint, Michigan 48532, county of Genesee, appointed to represent boxing licensees, for a term commencing June 11, 2008 and expiring June 5, 2010.

June 11, 2008

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following reappointment to state office under Section 2 of the Michigan Veterans' Facility, 1885 PA 152, MCL 36.2:

**Michigan Veterans' Facilities Board of Managers**

Mr. Richard E. LaFave of P.O. Box 1104, Gwinn, Michigan 49841, county of Marquette, reappointed to represent Veterans of Foreign Wars, for a term expiring February 28, 2014.

Sincerely,  
Jennifer M. Granholm  
Governor

The appointments were referred to the Committee on Government Operations and Reform.

### Messages from the House

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

**Senate Bill No. 53**

**House Bill No. 4120**

**House Bill No. 4507**

**Senate Bill No. 388**

**Senate Bill No. 868**

The motion prevailed.

Senators Van Woerkom, Pappageorge, Kahn, Jansen, Richardville, Gilbert, Garcia and Sanborn entered the Senate Chamber.

**Senate Bill No. 239, entitled**

A bill to make appropriations for the Michigan strategic fund and certain other state purposes for the fiscal year ending September 30, 2008; to provide for the expenditure of the appropriations; to provide certain conditions on appropriations; and to provide for the disposition of fees and other income received by certain state agencies.

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

The House of Representatives has passed the bill as substituted (H-2), ordered that it be given immediate effect and amended the title to read as follows:

A bill to make appropriations for capital outlay and certain other purposes; to provide for a capital outlay program; to set forth the provisions for its implementation within the budgetary process; to make appropriations for planning and construction at state institutions and the acquisition of land; to provide for the elimination of fire hazards at the institutions; to provide for certain special maintenance, remodeling, alteration, renovation, or demolition of and additions to projects at state institutions; to provide for elimination of occupational safety and health hazards at state agencies and institutions; to provide for the award of contracts; to provide for expenditures under the supervision of the director of the department of management and budget and the state administrative board; to provide for certain advances from the general fund; to prescribe powers and duties of certain state officers and agencies; to require certain reports, plans, and agreements; to provide for leases; to prescribe standards and conditions relating to the appropriations; to make appropriations for the fiscal year ending September 30, 2008; and to provide for the expenditure of the appropriations.

Pursuant to rule 3.202, the bill was laid over one day.

**Senate Bill No. 511, entitled**

A bill to make, supplement, and adjust appropriations for various state departments and agencies, capital outlay, the legislative branch, and the judicial branch for the fiscal year ending September 30, 2008; and to provide for the expenditure of the appropriations.

The House of Representatives has nonconcurrent in the Senate amendments to the House substitute (H-9) and appointed Reps. Hood, Lahti and Acciavatti as conferees.

The message was referred to the Secretary for record.

Senators Allen and Cherry entered the Senate Chamber.

**Senate Bill No. 776, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 90h.

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

The question being on concurring in the committee recommendation to give the bill immediate effect, The recommendation was not concurred in, 2/3 of the members serving not voting therefor.

Senator Cropsey requested the yeas and nays.

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

The recommendation was not concurred in, 2/3 of the members serving not voting therefor, as follows:

**Roll Call No. 397****Yeas—23**

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

**Nays—12**

Anderson	Clark-Coleman	Prusi	Switalski
Basham	Hunter	Schauer	Thomas
Cherry	Jacobs	Scott	Whitmer

**Excused—1**

Brater

**Not Voting—2**

Brown

Clarke

In The Chair: President

Senator Cropsey moved that the bill be given immediate effect.

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

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

The motion prevailed.

Senators Brown and Brater entered the Senate Chamber.

**Senate Bill No. 1099, entitled**

A bill to make appropriations for certain state institutions of higher education and certain state purposes related to education for the fiscal year ending September 30, 2009; to provide for the expenditures of those appropriations; and to prescribe the powers and duties of certain state departments, institutions, agencies, employees, and officers.

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

The House of Representatives has passed the bill as substituted (H-2), ordered that it be given immediate effect and amended the title to read as follows:

A bill to make appropriations for the state institutions of higher education and certain state purposes related to education for the fiscal year ending September 30, 2009; to provide for the expenditures of those appropriations; and to prescribe the powers and duties of certain state departments, institutions, agencies, employees, and officers.

Pending the order that, under rule 3.202, the bill be laid over one day,  
 Senator Cropsey moved that the rule be suspended.  
 The motion prevailed, a majority of the members serving voting therefor.  
 The question being on concurring in the substitute made to the bill by the House,  
 The substitute was not concurred in, a majority of the members serving not voting therefor, as follows:

**Roll Call No. 398****Yeas—9**

Anderson	Clarke	Hunter	Scott
Basham	Gleason	Prusi	Thomas
Brater			

**Nays—29**

Allen	Cropsey	Jelinek	Richardville
Barcia	Garcia	Kahn	Sanborn
Birkholz	George	Kuipers	Schauer
Bishop	Gilbert	McManus	Stamas
Brown	Hardiman	Olshove	Switalski
Cassis	Jacobs	Pappageorge	Van Woerkom
Cherry	Jansen	Patterson	Whitmer
Clark-Coleman			

**Excused—0****Not Voting—0**

In The Chair: President

**Senate Bill No. 1256, entitled**

A bill to amend 2006 PA 152, entitled “An act to allow the requiring of a permit before demonstrating outside of locations in which a funeral service is being held; to allow local units of government to prohibit certain conduct at or near the locations in which a funeral service is being held; to prescribe the powers and duties of certain local governments and officials; and to provide for penalties,” by amending section 3 (MCL 123.1113).

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

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

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

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

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

**Senate Bill No. 776, entitled**

An act to amend 1931 PA 328, entitled “An act to revise, consolidate, codify, and add to the statutes relating to crimes; to define crimes and prescribe the penalties and remedies; to provide for restitution under certain circumstances; to provide for the competency of evidence at the trial of persons accused of crime; to provide immunity from prosecution for certain witnesses appearing at such trials; and to repeal certain acts and parts of acts inconsistent with or contravening any of the provisions of this act,” (MCL 750.1 to 750.568) by adding section 90h.

(This bill was returned from the House without amendment earlier today and the motion for immediate effect postponed. See p. 1165.)

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

Senator Cropsey requested the yeas and nays.

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

The motion did not prevail, 2/3 of the members serving not voting therefor, as follows:

**Roll Call No. 399****Yeas—24**

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

**Nays—12**

Anderson	Clark-Coleman	Prusi	Switalski
Basham	Hunter	Schauer	Thomas
Cherry	Jacobs	Scott	Whitmer

**Excused—0****Not Voting—2**

Brater	Clarke
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In The Chair: President

The Senate agreed to the full title.

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

**Third Reading of Bills**

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

**House Bill No. 5383****Senate Bill No. 886**

The motion prevailed.

The following bill was read a third time:

**House Bill No. 5383, entitled**

A bill to provide for the member-regulation of electric cooperatives; to prescribe the powers and duties of certain state agencies and officials; and to provide for certain penalties and remedies.

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. 400****Yeas—38**

Allen	Clark-Coleman	Jansen	Richardville
Anderson	Clarke	Jelinek	Sanborn
Barcia	Cropsey	Kahn	Schauer
Basham	Garcia	Kuipers	Scott



Birkholz  
Bishop  
Brater  
Brown  
Cassis  
Cherry

George  
Gilbert  
Gleason  
Hardiman  
Hunter  
Jacobs

McManus  
Olshove  
Pappageorge  
Patterson  
Prusi

Stamas  
Switalski  
Thomas  
Van Woerkom  
Whitmer

**Nays—0**

**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.

The following bill was read a third time:

**Senate Bill No. 886, entitled**

A bill to amend 1893 PA 206, entitled “The general property tax act,” by amending section 7dd (MCL 211.7dd), as amended by 2006 PA 114.

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. 401**

**Yeas—38**

Allen  
Anderson  
Barcia  
Basham  
Birkholz  
Bishop  
Brater  
Brown  
Cassis  
Cherry

Clark-Coleman  
Clarke  
Cropsey  
Garcia  
George  
Gilbert  
Gleason  
Hardiman  
Hunter  
Jacobs

Jansen  
Jelinek  
Kahn  
Kuipers  
McManus  
Olshove  
Pappageorge  
Patterson  
Prusi

Richardville  
Sanborn  
Schauer  
Scott  
Stamas  
Switalski  
Thomas  
Van Woerkom  
Whitmer

**Nays—0**

**Excused—0**

**Not Voting—0**

In The Chair: President

The Senate agreed to the title of the bill.

By unanimous consent the Senate proceeded to the order of  
**Resolutions**

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

**Senate Resolution No. 181**

**Senate Resolution No. 177**

**Senate Resolution No. 194**

**Senate Concurrent Resolution No. 22**

The motion prevailed.

**Senate Concurrent Resolution No. 29.**

A concurrent resolution relative to secondary road patrol funds for certain communities in Oakland and Wayne counties.

The question being on the adoption of the following committee substitute:

Substitute (S-1).

The substitute was adopted.

The concurrent resolution, as substituted, was adopted.

**House Concurrent Resolution No. 86.**

A concurrent resolution relative to secondary road patrol funds for cities and villages in all of Michigan's counties.

Whereas, Section 76 of Chapter 14 of the Revised Statutes of 1846, being MCL § 51.76, as added by 1978 PA 416, permits secondary road patrol services to be provided by county sheriff departments to cities and villages. This section also provides that a secondary road patrol agreement is void if the city or village reduces the number of sworn law enforcement officers below the highest number employed at any time within the immediately preceding 36 months, unless the Michigan Legislature, by concurrent resolution, recognizes that the reduction was due to cuts in general services due to economic conditions; and

Whereas, Indeed, subsection (3) of MCL § 51.76 specifically provides, in part, that: "A concurrent resolution adopted by a majority vote of the Senate and the House of Representatives which states that the city or village is required to reduce general services because of economic conditions and is not reducing law enforcement services shall be presumptive that the city or village has not violated the strictures of this subsection"; and

Whereas, In all of Michigan's counties, city and village general services have been reduced as a result of serious economic difficulties. These reductions in services have occurred in direct reaction to economic conditions; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That cities and villages in all of Michigan's counties have been required to reduce general services because of economic conditions and are not reducing law enforcement services as stipulated in section 76 of Chapter 14 of the Revised Statutes of 1846, as added by 1978 PA 416; and be it further

Resolved, That cities and villages in all of Michigan's counties have met the necessary terms of their agreements for secondary road patrol services.

The House of Representatives has adopted the concurrent resolution.

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

Senator Cropsey moved that the rule be suspended.

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

The question being on the adoption of the concurrent resolution,

Senator Cropsey moved that the concurrent resolution be referred to the Committee on Local, Urban and State Affairs.

The motion prevailed.

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

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

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

The motion prevailed, and the President, Lieutenant Governor Cherry, designated Senator Switalski as Chairperson.

After some time spent therein, the Committee arose; and, the President, Lieutenant Governor Cherry, having resumed the Chair, the Committee reported back to the Senate, favorably and with a substitute therefor, the following bill:

**Senate Bill No. 370, entitled**

A bill to amend 1927 PA 372, entitled "An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms and gas ejecting devices; to prohibit the buying, selling, or carrying of certain firearms and gas ejecting devices without a license or other authorization; to provide for the forfeiture of firearms under certain circumstances; to provide for penalties and remedies; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; to prohibit certain conduct against individuals who apply for or receive a license to carry a concealed pistol; to make appropriations; to prescribe certain conditions for the appropriations; and to repeal all acts and parts of acts inconsistent with this act," by amending sections 12 and 12b (MCL 28.432 and 28.432b), section 12 as amended by 2006 PA 75 and section 12b as added by 1982 PA 182, and by adding section 9d; and to repeal acts and parts of acts.

Substitute (S-2).

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

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

**Senate Bill No. 371, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending sections 224b and 231a (MCL 750.224b and 750.231a), section 231a as amended by 2002 PA 82; and to repeal acts and parts of acts.

Substitute (S-1).

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

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

**House Bill No. 4817, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 675d and 742 (MCL 257.675d and 257.742), section 675d as amended by 2004 PA 49 and section 742 as amended by 2000 PA 268.

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

1. Amend page 3, line 16, after "section." by inserting "**THE PROGRAM SHALL CONTAIN AT LEAST 40 HOURS OF INSTRUCTION IN PARKING ENFORCEMENT CONDUCTED BY THAT LAW ENFORCEMENT AGENCY OR THE LAW ENFORCEMENT AGENCY FOR THAT LOCAL UNIT OF GOVERNMENT OR, IF THE LOCAL UNIT OF GOVERNMENT DOES NOT HAVE A LAW ENFORCEMENT AGENCY, BY THE COUNTY SHERIFF.**".

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

### **Introduction and Referral of Bills**

Senators Clarke, Switalski, Jacobs, Basham, Hunter, Barcia, Gleason, Scott and Cherry introduced

**Senate Bill No. 1371, entitled**

A bill to create an Asian Pacific American affairs commission, an office of Asian Pacific American affairs, and an interagency council on Asian Pacific American affairs; to prescribe their powers and duties; and to prescribe the powers and duties of certain agencies, departments, and officials.

The bill was read a first and second time by title and referred to the Committee on Local, Urban and State Affairs.

Senator Garcia introduced

**Senate Bill No. 1372, entitled**

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

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

Senator Thomas introduced

**Senate Bill No. 1373, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 435 (MCL 206.435), as amended by 2008 PA 143.

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

Senator Thomas introduced

**Senate Bill No. 1374, entitled**

A bill to amend 2001 PA 63, entitled "History, arts, and libraries act," by amending the title and section 2 (MCL 399.702), section 2 as amended by 2008 PA 85, and by adding section 9.

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

Senators Barcia, Allen, Kahn and Gleason introduced

**Senate Bill No. 1375, entitled**

A bill to amend 1951 PA 51, entitled "An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, local bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts," by amending sections 10 and 11 (MCL 247.660 and 247.661), section 10 as amended by 2007 PA 210 and section 11 as amended by 2002 PA 639.

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

Senators Sanborn, Olshove, Switalski, Gilbert, Richardville and Allen introduced

**Senate Bill No. 1376, entitled**

A bill to amend 1974 PA 198, entitled "An act to provide for the establishment of plant rehabilitation districts and industrial development districts in local governmental units; to provide for the exemption from certain taxes; to levy and collect a specific tax upon the owners of certain facilities; to impose and provide for the disposition of an administrative fee; to provide for the disposition of the tax; to provide for the obtaining and transferring of an exemption certificate and to prescribe the contents of those certificates; to prescribe the powers and duties of the state tax commission and certain officers of local governmental units; and to provide penalties," by amending section 2 (MCL 207.552), as amended by 2007 PA 146.

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

Senator Schauer introduced

**Senate Bill No. 1377, entitled**

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending section 433 (MCL 208.1433), as amended by 2007 PA 215.

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

Senator Allen introduced

**Senate Bill No. 1378, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 266 (MCL 206.266), as amended by 2007 PA 94.

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

Senators Brown, Jacobs, Jansen and Birkholz introduced

**Senate Bill No. 1379, entitled**

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 809 and 821 (MCL 168.809 and 168.821), section 809 as amended by 1995 PA 261 and section 821 as amended by 2003 PA 302, and by adding section 806b.

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

Senators Allen, Pappageorge and Stamas introduced

**Senate Bill No. 1380, entitled**

A bill to amend 1984 PA 270, entitled "Michigan strategic fund act," by amending section 88b (MCL 125.2088b), as added by 2005 PA 225, and by adding section 88q.

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

Senator Cherry introduced

**Senate Bill No. 1381, entitled**

A bill to amend 1984 PA 270, entitled "Michigan strategic fund act," by amending section 88f (MCL 125.2088f), as added by 2005 PA 225.

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

Senator Clarke introduced

**Senate Bill No. 1382, entitled**

A bill to amend 1984 PA 270, entitled "Michigan strategic fund act," by amending section 88e (MCL 125.2088e), as added by 2005 PA 225.

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

**House Bill No. 4521, entitled**

A bill to amend 1846 RS 84, entitled "Of divorce," (MCL 552.1 to 552.45) by adding section 40.

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. 4522, entitled**

A bill to amend 1956 PA 205, entitled "The paternity act," by amending section 2 (MCL 722.712), as amended by 2004 PA 253.

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. 4523, entitled**

A bill to amend 1966 PA 138, entitled "The family support act," by amending section 2 (MCL 552.452), as amended by 2002 PA 574.

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. 4859, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 1304, 1312, 1321, and 1344 (MCL 600.1304, 600.1312, 600.1321, and 600.1344), sections 1304 and 1321 as amended by 2004 PA 12, section 1312 as amended by 2005 PA 6, and section 1344 as amended by 2002 PA 739, and by adding sections 1301c, 1310a, and 1310b.

The House of Representatives has passed the bill.

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

**House Bill No. 4934, entitled**

A bill to amend 1941 PA 122, entitled "An act to establish the revenue collection duties of the department of treasury; to prescribe its powers and duties as the revenue collection agency of this state; to prescribe certain powers and duties of the state treasurer; to establish the collection duties of certain other state departments for money or accounts owed to this state; to regulate the importation, stamping, and disposition of certain tobacco products; to provide for the transfer of powers and duties now vested in certain other state boards, commissions, departments, and offices; to prescribe certain duties of and require certain reports from the department of treasury; to provide procedures for the payment, administration, audit, assessment, levy of interests or penalties on, and appeals of taxes and tax liability; to prescribe its powers and duties if an agreement to act as agent for a city to administer, collect, and enforce the city income tax act on behalf of a city is entered into with any city; to provide an appropriation; to abolish the state board of tax administration; to prescribe penalties and provide remedies; and to declare the effect of this act," by amending section 28 (MCL 205.28), as amended by 2003 PA 114.

The House of Representatives has passed the bill.

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

**House Bill No. 5323, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 1701, 1702, 1703, 1704, 1711, 1741, 1751, and 1761 (MCL 380.1701, 380.1702, 380.1703, 380.1704, 380.1711, 380.1741, 380.1751, and 380.1761), sections 1701, 1711, 1751, and 1761 as amended by 2008 PA 1, section 1703 as amended by 1995 PA 289, and section 1704 as added by 2000 PA 129.

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 Education.

**House Bill No. 5335, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 357c.

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. 5336, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16r of chapter XVII (MCL 777.16r), as amended by 2002 PA 279.

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. 5694, entitled**

A bill to amend 1917 PA 350, entitled "An act to regulate and license second hand dealers and junk dealers; and to prescribe penalties for the violation of the provisions of this act," by amending sections 4, 5, and 8 (MCL 445.404, 445.405, and 445.408), as amended by 2006 PA 675.

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 Economic Development and Regulatory Reform.

**House Bill No. 5833, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 151d (MCL 600.151d), as amended by 2004 PA 465.

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.

**House Bill No. 5834, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 20161 (MCL 333.20161), as amended by 2007 PA 85.

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.

**House Bill No. 6003, entitled**

A bill to amend 1917 PA 350, entitled "An act to regulate and license second hand dealers and junk dealers; and to prescribe penalties for the violation of the provisions of this act," by amending the title and section 1 (MCL 445.401), section 1 as amended by 2006 PA 675.

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 Economic Development and Regulatory Reform.

**House Bill No. 6031, entitled**

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending section 113 (MCL 208.1113), as amended by 2008 PA 97.

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

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

**House Bill No. 6121, entitled**

A bill to amend 1955 PA 233, entitled "An act to provide for the incorporation of certain municipal authorities to acquire, own, extend, improve, and operate sewage disposal systems, water supply systems, and solid waste management systems; to prescribe the rights, powers, and duties thereof; to authorize contracts between such authorities and public corporations; to provide for the issuance of bonds to acquire, construct, extend, or improve the systems; and to prescribe penalties and provide remedies," by amending section 4a (MCL 124.284a), as added by 1985 PA 178.

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 Local, Urban and State Affairs.

**House Bill No. 6181, entitled**

A bill to regulate the purchase and sale of certain nonferrous metals; to provide for certain disclosures by certain persons regarding certain transactions; to require the creation of certain records for certain purposes and for the use of certain databases by certain persons; and to provide for penalties and remedies.

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 Economic Development and Regulatory Reform.

**House Bill No. 6187, entitled**

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," (MCL 436.1101 to 436.2303) by adding section 413.

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 Economic Development and Regulatory Reform.

**House Bill No. 6188, entitled**

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," (MCL 436.1101 to 436.2303) by adding section 526.

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 Economic Development and Regulatory Reform.

**House Bill No. 6189, entitled**

A bill to amend 1991 PA 46, entitled "Eligible domestic relations order act," by amending section 2 (MCL 38.1702).

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.

### Statements

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

The motion prevailed.

Senator Scott's statement is as follows:

Booker T. Washington, that well-respected scholar, spokesman, and former slave, once observed, "Character, not circumstances, makes the man"—and the woman, I might add. The current circumstances are that today the insurance industry in Michigan is broken. Rate-setting is unjust, unfair, and based on factors that have nothing to do with whether one is a good risk for individual insurance. It is a discriminatory and biased system. Those are the circumstances.

But it will take people of character to fix this broken system. It will take people of character to recognize the unfairness of mandating a product that many can ill-afford. And it will take people of character to propose solutions to this longstanding problem to make insurance affordable and accessible to everyone.

I am counting on you, my colleagues, to demonstrate your character and move my bills.

### Committee Reports

The Committee on Commerce and Tourism reported

**Senate Bill No. 971, entitled**

A bill to amend 1996 PA 376, entitled "Michigan renaissance zone act," by amending sections 3, 9, and 10 (MCL 125.2683, 125.2689, and 125.2690), section 3 as amended by 2006 PA 304 and section 10 as amended by 2005 PA 164, and by adding section 8g.

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.

Jason E. Allen  
Chairperson

To Report Out:

Yeas: Senators Allen, Gilbert, Stamas, Clarke and Hunter

Nays: None

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

The Committee on Commerce and Tourism reported

**Senate Bill No. 1277, entitled**

A bill to amend 1969 PA 317, entitled "Worker's disability compensation act of 1969," by amending section 209 (MCL 418.209), as added by 1985 PA 103.

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

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

Jason E. Allen  
Chairperson

To Report Out:

Yeas: Senators Allen, Gilbert and Stamas

Nays: Senators Clarke and Hunter

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

The Committee on Commerce and Tourism reported

**House Bill No. 4658, entitled**

A bill to amend 1966 PA 346, entitled "State housing development authority act of 1966," by amending sections 22, 58, 58a, 58b, and 58c (MCL 125.1422, 125.1458, 125.1458a, 125.1458b, and 125.1458c), section 22 as amended by 2002 PA 385 and sections 58, 58a, 58b, and 58c as added by 2004 PA 480, and by adding sections 58e and 58f.

With the recommendation that the bill be referred to the Committee on Economic Development and Regulatory Reform.

Jason E. Allen  
Chairperson



## To Report Out:

Yeas: Senators Allen, Gilbert, Stamas, Clarke and Hunter

Nays: None

The bill was referred to the Committee on Economic Development and Regulatory Reform.

## COMMITTEE ATTENDANCE REPORT

The Committee on Commerce and Tourism submitted the following:

Meeting held on Tuesday, June 10, 2008, at 2:30 p.m., Room 100, Farnum Building

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

The Committee on Local, Urban and State Affairs reported

**Senate Concurrent Resolution No. 29.**

A concurrent resolution relative to secondary road patrol funds for certain communities in Oakland and Wayne counties. (For text of resolution, see Senate Journal No. 56, p. 1125.)

With the recommendation that the following substitute (S-1) be adopted and that the concurrent resolution then be adopted:

A concurrent resolution relative to secondary road patrol funds for cities and villages in all of Michigan's counties.

Whereas, Section 76 of Chapter 14 of the Revised Statutes of 1846, being MCL § 51.76, as added by 1978 PA 416, permits secondary road patrol services to be provided by county sheriff departments to cities and villages. This section also provides that a secondary road patrol agreement is void if the city or village reduces the number of sworn law enforcement officers below the highest number employed at any time within the immediately preceding 36 months, unless the Michigan Legislature, by concurrent resolution, recognizes that the reduction was due to cuts in general services due to economic conditions; and

Whereas, Indeed, subsection (3) of MCL § 51.76 specifically provides, in part, that: "A concurrent resolution adopted by a majority vote of the Senate and the House of Representatives which states that the city or village is required to reduce general services because of economic conditions and is not reducing law enforcement services shall be presumptive that the city or village has not violated the strictures of this subsection"; and

Whereas, In all of Michigan's counties, city and village general services have been reduced as a result of serious economic difficulties. These reductions in services have occurred in direct reaction to economic conditions; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That cities and villages in all of Michigan's counties have been required to reduce general services because of economic conditions and are not reducing law enforcement services as stipulated in section 76 of Chapter 14 of the Revised Statutes of 1846, as added by 1978 PA 416; and be it further

Resolved, That cities and villages in all of Michigan's counties have met the necessary terms of their agreements for secondary road patrol services.

Gerald Van Woerkom  
Chairperson

## To Report Out:

Yeas: Senators Van Woerkom, Allen, Gleason and Basham

Nays: None

The concurrent resolution and the substitute recommended by the committee were placed on the order of Resolutions.

The Committee on Local, Urban and State Affairs reported

**Senate Bill No. 1253, entitled**

A bill to amend 1943 PA 20, entitled "An act relative to the investment of funds of public corporations of the state; and to validate certain investments," (MCL 129.91 to 129.96) by adding section 7.

With the recommendation that the bill pass.

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

Gerald Van Woerkom  
Chairperson

## To Report Out:

Yeas: Senators Van Woerkom, Allen, Gleason and Basham

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Local, Urban and State Affairs reported

**House Bill No. 4817, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 675d and 742 (MCL 257.675d and 257.742), section 675d as amended by 2004 PA 49 and section 742 as amended by 2000 PA 268.

With the recommendation that the bill pass.

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

Gerald Van Woerkom  
Chairperson

To Report Out:

Yeas: Senators Van Woerkom, Allen, Gleason and Basham

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Local, Urban and State Affairs submitted the following:

Meeting held on Tuesday, June 10, 2008, at 3:00 p.m., Room 110, Farnum Building

Present: Senators Van Woerkom (C), Allen, Gleason and Basham

Excused: Senator Birkholz

The Committee on Families and Human Services reported

**Senate Bill No. 1163, entitled**

A bill to amend 1979 PA 218, entitled "Adult foster care facility licensing act," by amending section 3 (MCL 400.703), as amended by 1998 PA 442.

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

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

Mark C. Jansen  
Chairperson

To Report Out:

Yeas: Senators Jansen, Hardiman and Jacobs

Nays: None

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

The Committee on Families and Human Services reported

**Senate Bill No. 1300, entitled**

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending section 44 (MCL 400.44), as amended by 1990 PA 270.

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, Hardiman and Jacobs

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Families and Human Services submitted the following:

Meeting held on Tuesday, June 10, 2008, at 2:00 p.m., Room 405, Capitol Building

Present: Senators Jansen (C), Hardiman and Jacobs

The Committee on Education reported

**Senate Bill No. 1252, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 1230, 1230a, and 1230g (MCL 380.1230, 380.1230a, and 380.1230g), as amended by 2006 PA 680.

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

Wayne Kuipers  
Chairperson

To Report Out:

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

The Committee on Education reported

**Senate Bill No. 1349, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 13p of chapter XVII (MCL 777.13p), as amended by 2005 PA 279.

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

Wayne Kuipers  
Chairperson

To Report Out:

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

The Committee on Education reported

**Senate Bill No. 1350, entitled**

A bill to require certain background checks for certain public school employees, applicants for employment, and contractors; to provide for disclosure of certain records and reports; to provide for certain powers and duties of certain state and local officials; and to require certain reports and disclosures and prescribe penalties.

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

Wayne Kuipers  
Chairperson

To Report Out:

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

#### COMMITTEE ATTENDANCE REPORT

The Committee on Education submitted the following:

Meeting held on Wednesday, June 11, 2008, at 2:30 p.m., Room 100, Farnum Building  
Present: Senators Kuipers (C), Van Woerkom, Cassis, Whitmer and Gleason

#### COMMITTEE ATTENDANCE REPORT

The Committee on Energy Policy and Public Utilities submitted the following:

Meeting held on Tuesday, June 10, 2008, at 2:30 p.m., Senate Hearing Room, Ground Floor, Boji Tower  
Present: Senators Patterson (C), Brown, Birkholz, Kuipers, Richardville, Olshove, Prusi and Thomas

#### COMMITTEE ATTENDANCE REPORT

The Subcommittee on Michigan Business Tax Impact Assessment submitted the following:

Meeting held on Wednesday, June 11, 2008, at 9:30 a.m., Room 110, Farnum Building  
Present: Senators Jansen (C) and Gilbert  
Excused: Senator Prusi

**Scheduled Meetings****Appropriations -****Subcommittee -**

**Higher Education** - Wednesday, June 25, 9:00 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

**Campaign and Election Oversight** - Wednesday, June 18, 12:30 p.m., Room 405, Capitol Building (373-1725)

**Legislative Commission on Government Efficiency** - Friday, June 27, 9:00 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-0212)

**Legislative Commission on Statutory Mandates** - Wednesday, June 25, 2:00 p.m., Room 327, South Tower, House Office Building (373-0212)

**Local, Urban and State Affairs** - Tuesday, June 17, 3:00 p.m., Room 110, Farnum Building (373-1635)

**Michigan Capitol Committee** - Thursday, June 19, 8:00 a.m., Room 426, Capitol Building (373-5527)

**Natural Resources and Environmental Affairs** - Wednesday, June 18, 1:00 p.m., Room 110, Farnum Building (373-3447)

Senator Cropsey moved that the Senate adjourn.  
The motion prevailed, the time being 10:54 a.m.

The President, Lieutenant Governor Cherry, declared the Senate adjourned until Tuesday, June 17, 2008, at 10:00 a.m.

CAROL MOREY VIVENTI  
Secretary of the Senate