

No. 76  
STATE OF MICHIGAN  
**Journal of the Senate**  
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REGULAR SESSION OF 2011

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Senate Chamber, Lansing, Thursday, October 6, 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 Coleman A. Young II of the 1st District offered the following invocation:

Father God, You said in Your word that all we need to have is the faith of a mustard seed, and we can move mountains. As our state goes through trials and tribulations that it goes through, we hold fast to that belief that if we have the faith of a mustard seed, we can move mountains. We can move the mountain of poverty. We can move the mountain of unemployment. We can move the mountain of crime. We can move the mountain of illiteracy. We can move the mountains of the struggles and the trials that our families and the state of Michigan are going through. We can move the mountain of people living paycheck to paycheck. We can move the mountain of people who have run out of money before they run out of month. We can move the mountain of people having to dip into their savings because that is all they have left.

Father God, we know that if we believe, there is no challenge that we can't persevere and we can't reign supreme over. As legislators, we have been given a blessing. We have been given an opportunity to make a difference through public policy, through laws, and through the avocation of what we believe is right and just and what we want for our constituents who sent us up here to represent them. We can only do that through the district lines that have been drawn for us to represent, but we know that the Lord Jesus Christ has all jurisdiction. We know the Lord Jesus Christ has no district. We know that if we have a supernatural breakthrough, that is all we need to acquire the dynamic dimensional change that we seek in our lives.

So, Father God, we come before You today not asking You for blessings, but demanding it. And, Father God, we will celebrate from this day and every other day until that day comes. We are claiming our jubilee. We are claiming our liberation. We are claiming our economic breakthrough today for this state.

So, Father God, we say thank You in advance for that. You have opened up the windows of Heaven and poured out magnificent and mellifluous blessings for all of us to achieve. When it is all said and done and we are standing on the mountain top, the only thing we will have left to say to You is thank You, Jesus; thank You, Jesus; thank You, Jesus. God bless. Amen.

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

### Motions and Communications

The Secretary announced that the following House bills were received in the Senate and filed on Wednesday, October 5:  
**House Bill Nos. 4462 4478 4492 4913**

The Secretary announced that the following official bills were printed on Wednesday, October 5, and are available at the legislative website:

**Senate Bill Nos. 724 725 726 727 728**

### Recess

Senator Pavlov moved that the Senate recess subject to the call of the Chair.  
The motion prevailed, the time being 10:05 a.m.

11:28 a.m.

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

### Messages from the House

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

**Senate Bill No. 493**

**House Bill No. 4309**

**House Bill No. 4311**

**House Bill No. 4312**

The motion prevailed

**Senate Bill No. 43, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 219d. The House of Representatives has substituted (H-1) the bill.

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

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

**Senate Bill No. 249, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 218 (MCL 750.218), as amended by 2004 PA 154.

The House of Representatives has amended the bill as follows:

1. Amend page 6, following line 3, by inserting:

"Enacting section 1. This amendatory act takes effect January 1, 2012."

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

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

**Senate Bill No. 250, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16/ of chapter XVII (MCL 777.16/), as amended by 2005 PA 171.

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

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

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

**Senate Bill No. 251, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 24 of chapter VII (MCL 767.24), as amended by 2005 PA 35.

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,

Senator Pavlov moved that further consideration of the bill be postponed for today.

The motion prevailed.

**Senate Bill No. 252, entitled**

A bill to amend 2003 PA 238, entitled "Michigan notary public act," by amending section 49 (MCL 55.309).

The House of Representatives has amended the bill as follows:

1. Amend page 2, following line 7, by inserting:

"Enacting section 1. This amendatory act takes effect January 1, 2012."

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

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

**Senate Bill No. 522, entitled**

A bill to amend 1974 PA 163, entitled "C.J.I.S. policy council act," by amending section 4 (MCL 28.214), as amended by 2005 PA 311.

(This bill was returned from the House without amendment on October 4 and the recommendation for immediate effect postponed. See Senate Journal No. 74, p. 2247.)

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

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

The Senate agreed to the full title.

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

Senator Pavlov moved that Senator Meekhof be temporarily excused from the balance of today's session.

The motion prevailed.

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

Senator Pavlov 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 Calley, designated Senator Robertson as Chairperson.

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

**House Bill No. 4458, entitled**

A bill to amend 1978 PA 566, entitled "An act to encourage the faithful performance of official duties by certain public officers and public employees; to prescribe standards of conduct for certain public officers and public employees; to prohibit the holding of incompatible public offices; and to provide certain judicial remedies," by amending section 3 (MCL 15.183), as amended by 2011 PA 122.

**House Bill No. 4732, entitled**

A bill to amend 1978 PA 90, entitled "Youth employment standards act," by amending section 11 (MCL 409.111), as amended by 2000 PA 418.

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

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

**House Bill No. 4947, entitled**

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending sections 107, 117, 431, 500, and 503 (MCL 208.1107, 208.1117, 208.1431, 208.1500, and 208.1503), sections 107 and 117 as amended and section 500 as added by 2011 PA 39, section 431 as amended by 2009 PA 126, and section 503 as amended by 2009 PA 185, and by adding section 512.

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

1. Amend page 18, line 27, by striking out all of section 512.
2. Amend page 19, line 7, by striking out all of enacting section 1 and inserting:  
"Enacting section 1. This amendatory act takes effect January 1, 2012."

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

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

**Senate Bill No. 703, entitled**

A bill to amend 2000 PA 274, entitled "Large carnivore act," (MCL 287.1101 to 287.1123) by adding section 8a. Substitute (S-1).

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

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

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

**House Bill No. 4947**

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

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

**Senate Bill No. 427**

**Senate Bill No. 508**

**Senate Bill No. 509**

**Senate Bill No. 510**  
**Senate Bill No. 556**  
**Senate Bill No. 644**  
**House Bill No. 4947**

The motion prevailed.

Senator Meekhof entered the Senate Chamber.

The following bill was read a third time:

**Senate Bill No. 427, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 4, 5, and 614 (MCL 380.4, 380.5, and 380.614), section 4 as amended by 2008 PA 1, section 5 as amended by 2009 PA 205, and section 614 as amended by 2004 PA 419.

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. 550**

**Yeas—23**

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

**Nays—15**

Anderson	Emmons	Hopgood	Warren
Bieda	Gregory	Hunter	Whitmer
Casperson	Hansen	Nofs	Young
Caswell	Hood	Smith	

**Excused—0**

**Not Voting—0**

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 508, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding sections 41401 and 41411.

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. 551****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: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 509, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” (MCL 324.101 to 324.90106) by adding part 414.

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. 552****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: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 510, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” (MCL 324.101 to 324.90106) by adding sections 41409, 41413, and 41415; and to repeal acts and parts of acts.

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. 553****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	Pros	Young
Green	Jones		

**Nays—0****Excused—0****Not Voting—0**

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 556, entitled**

A bill to amend 1984 PA 270, entitled “Michigan strategic fund act,” by amending sections 5, 88b, and 88h (MCL 125.2005, 125.2088b, and 125.2088h), section 5 as amended by 2008 PA 224, section 88b as amended by 2011 PA 3, and section 88h as added by 2005 PA 225, and by adding section 88r.

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. 554****Yeas—33**

Anderson	Hansen	Kahn	Robertson
Bieda	Hildenbrand	Kowall	Rocca

Booher	Hood	Marleau	Schuitmaker
Casperson	Hopgood	Nofs	Smith
Caswell	Hunter	Pappageorge	Walker
Emmons	Jansen	Pavlov	Warren
Gleason	Johnson	Proos	Whitmer
Green	Jones	Richardville	Young
Gregory			

**Nays—5**

Brandenburg	Hune	Meekhof	Moolenaar
Colbeck			

**Excused—0**

**Not Voting—0**

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 644, entitled**

A bill to amend 2000 PA 489, entitled “Michigan trust fund act,” by amending section 8 (MCL 12.258), as amended by 2009 PA 183.

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. 555**

**Yeas—35**

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

**Nays—3**

Brandenburg	Hune	Meekhof
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**Excused—0**



**Not Voting—0**

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

**House Bill No. 4947, entitled**

A bill to amend 2007 PA 36, entitled “Michigan business tax act,” by amending sections 107, 117, 431, 500, and 503 (MCL 208.1107, 208.1117, 208.1431, 208.1500, and 208.1503), sections 107 and 117 as amended and section 500 as added by 2011 PA 39, section 431 as amended by 2009 PA 126, and section 503 as amended by 2009 PA 185, and by adding section 512.

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. 556****Yeas—26**

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

**Nays—12**

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

**Excused—0****Not Voting—0**

In The Chair: President

Senator Pavlov moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

Senator Brandenburg offered to amend the title to read as follows:

A bill to amend 2007 PA 36, entitled “An act to meet deficiencies in state funds by providing for the imposition, levy, computation, collection, assessment, reporting, payment, and enforcement of taxes on certain commercial, business, and financial activities; to prescribe the powers and duties of public officers and state departments; to provide for the inspection of certain taxpayer records; to provide for interest and penalties; to provide exemptions, credits, and refunds; to provide for the disposition of funds; to provide for the interrelation of this act with other acts; and to make appropriations,” by amending sections 107, 117, 431, 500, and 503 (MCL 208.1107, 208.1117, 208.1431, 208.1500, and 208.1503), sections 107 and 117 as amended and section 500 as added by 2011 PA 39, section 431 as amended by 2009 PA 126, and section 503 as amended by 2009 PA 185.

The amendment to the title was adopted.

The Senate agreed to the title as amended.

### Recess

Senator Pavlov moved that the Senate recess subject to the call of the Chair.  
The motion prevailed, the time being 11:55 a.m.

12:44 p.m.

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

By unanimous consent the Senate proceeded to the order of

### Introduction and Referral of Bills

Senators Meekhof, Pavlov and Richardville introduced

#### **Senate Bill No. 729, 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 10 (MCL 423.210).

The bill was read a first and second time by title and referred to the Committee on Reforms, Restructuring and Reinvesting.

Senators Hopgood, Pappageorge, Brandenburg, Warren, Kowall, Hood, Booher and Anderson introduced

#### **Senate Bill No. 730, entitled**

A bill to designate January 13 of each year as Korean American Day in the state of Michigan.

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

Senators Hopgood, Warren, Young and Whitmer introduced

#### **Senate Bill No. 731, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 1169, 1507, and 1507b (MCL 380.1169, 380.1507, and 380.1507b), sections 1169 and 1507 as amended and section 1507b as added by 2004 PA 165.

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

Senators Johnson, Warren, Young and Whitmer introduced

#### **Senate Bill No. 732, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding part 98.

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

Senators Warren, Young and Whitmer introduced

#### **Senate Bill No. 733, entitled**

A bill to amend 1980 PA 350, entitled "The nonprofit health care corporation reform act," (MCL 550.1101 to 550.1704) by adding section 416e.

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

Senators Whitmer, Warren and Young introduced

#### **Senate Bill No. 734, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 3406s.

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

Senators Whitmer, Warren and Young introduced

#### **Senate Bill No. 735, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 17744.

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

Senators Warren, Young and Whitmer introduced

**Senate Bill No. 736, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 20190. The bill was read a first and second time by title and referred to the Committee on Health Policy.

Senators Young, Warren and Whitmer introduced

**Senate Bill No. 737, entitled**

A bill to amend 1980 PA 350, entitled "The nonprofit health care corporation reform act," (MCL 550.1101 to 550.1704) by adding section 416e.

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

Senators Bieda, Warren, Young and Whitmer introduced

**Senate Bill No. 738, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 3406s.

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

Senators Young, Warren and Whitmer introduced

**Senate Bill No. 739, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 3406s.

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

Senators Young, Warren and Whitmer introduced

**Senate Bill No. 740, entitled**

A bill to amend 1980 PA 350, entitled "The nonprofit health care corporation reform act," (MCL 550.1101 to 550.1704) by adding section 416e.

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

Senator Caswell introduced

**Senate Bill No. 741, entitled**

A bill to amend 2001 PA 34, entitled "Revised municipal finance act," by amending section 303 (MCL 141.2303), as amended by 2011 PA 5.

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

**House Bill No. 4462, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending sections 248 and 249 (MCL 750.248 and 750.249), as amended by 2008 PA 378, and by adding sections 248b and 249b.

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 Banking and Financial Institutions.

**House Bill No. 4478, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16n of chapter XVII (MCL 777.16n), as amended by 2002 PA 321.

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 Banking and Financial Institutions.

**House Bill No. 4492, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 11c of chapter XVII (MCL 777.11c), as added by 2002 PA 31.

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 Banking and Financial Institutions.

**House Bill No. 4913, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 51108 (MCL 324.51108), as amended by 2008 PA 299.

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 Natural Resources, Environment and Great Lakes.

By unanimous consent the Senate returned to the order of

**General Orders**

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

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

After some time spent therein, the Committee arose; and the Assistant President pro tempore, Senator Hansen, having resumed the Chair, the Committee reported back to the Senate, favorably and with a substitute therefor, the following bill:

**Senate Bill No. 618, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 501, 502, 502a, 503, 504, 505, 507, 522, 523, 524, 528, 551, 552, 553, 553a, 556, 559, 561, and 1231 (MCL 380.501, 380.502, 380.502a, 380.503, 380.504, 380.505, 380.507, 380.522, 380.523, 380.524, 380.528, 380.551, 380.552, 380.553, 380.553a, 380.556, 380.559, 380.561, and 380.1231), section 501 as amended and section 528 as added by 2003 PA 179, sections 502, 503, 504, 507, 522, 523, and 524 as amended and sections 502a, 551, 552, 553, 553a, 556, 559, and 561 as added by 2009 PA 205, section 505 as amended by 1994 PA 416, and section 1231 as amended by 2002 PA 735, and by adding section 1231a; and to repeal acts and parts of acts.

Substitute (S-1).

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

1. Amend page 18, following line 6, by inserting:

**"(F) LAWS CONCERNING PARTICIPATION IN STATE ASSESSMENTS, DATA COLLECTION SYSTEMS, STATE LEVEL STUDENT GROWTH MODELS, STATE ACCOUNTABILITY AND ACCREDITATION SYSTEMS, AND OTHER PUBLIC COMPARATIVE DATA COLLECTION REQUIRED FOR PUBLIC SCHOOLS."**

2. Amend page 40, following line 20, by inserting:

**"(K) LAWS CONCERNING PARTICIPATION IN STATE ASSESSMENTS, DATA COLLECTION SYSTEMS, STATE LEVEL STUDENT GROWTH MODELS, STATE ACCOUNTABILITY AND ACCREDITATION SYSTEMS, AND OTHER PUBLIC COMPARATIVE DATA COLLECTION REQUIRED FOR PUBLIC SCHOOLS."**

3. Amend page 69, following line 12, by inserting:

**"(F) LAWS CONCERNING PARTICIPATION IN STATE ASSESSMENTS, DATA COLLECTION SYSTEMS, STATE LEVEL STUDENT GROWTH MODELS, STATE ACCOUNTABILITY AND ACCREDITATION SYSTEMS, AND OTHER PUBLIC COMPARATIVE DATA COLLECTION REQUIRED FOR PUBLIC SCHOOLS."**

4. Amend page 83, line 8, by striking out all of sections 1231 and 1231A.

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

By unanimous consent the Senate returned to the order of

**Third Reading of Bills**

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

**Senate Bill No. 618**

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

The following bill was read a third time:

**Senate Bill No. 618, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 501, 502, 502a, 503, 504, 505, 507, 522, 523, 524, 528, 551, 552, 553, 553a, 556, 559, 561, and 1231 (MCL 380.501, 380.502, 380.502a, 380.503,

380.504, 380.505, 380.507, 380.522, 380.523, 380.524, 380.528, 380.551, 380.552, 380.553, 380.553a, 380.556, 380.559, 380.561, and 380.1231), section 501 as amended and section 528 as added by 2003 PA 179, sections 502, 503, 504, 507, 522, 523, and 524 as amended and sections 502a, 551, 552, 553, 553a, 556, 559, and 561 as added by 2009 PA 205, section 505 as amended by 1994 PA 416, and section 1231 as amended by 2002 PA 735, and by adding section 1231a; and to repeal acts and parts of acts.

The question being on the passage of the bill,

Senator Warren offered the following amendment:

1. Amend page 19, following line 18, by inserting:

**“(11) BEGINNING ON THE EFFECTIVE DATE OF THIS SECTION, THE GOVERNING BODY OF A PUBLIC SCHOOL ACADEMY SHALL NOT ENTER INTO AN AGREEMENT WITH A FOR-PROFIT EDUCATIONAL MANAGEMENT COMPANY TO PROVIDE COMPREHENSIVE EDUCATIONAL ADMINISTRATION MANAGEMENT OR INSTRUCTIONAL SERVICES OR STAFF TO A PUBLIC SCHOOL.”.**

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

Senator Hunter requested the yeas and nays.

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

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

**Roll Call No. 557**

**Yeas—13**

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

**Nays—25**

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

**Excused—0**

**Not Voting—0**

In The Chair: Hansen

Senator Hopgood offered the following amendment:

1. Amend page 17, following line 25, by inserting:

**“(Q) A REQUIREMENT THAT THE PUBLIC SCHOOL ACADEMY SHALL MAKE AVAILABLE THROUGH A LINK ON ITS WEBSITE HOME PAGE COPIES OF ANY MANAGEMENT CONTRACTS OR SERVICES CONTRACTS AND ANY FACILITY LEASES OR DEEDS.”.**

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

Senator Hunter requested the yeas and nays.

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

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

**Roll Call No. 558****Yeas—20**

Anderson	Gregory	Johnson	Schuitmaker
Bieda	Hansen	Jones	Smith
Caswell	Hood	Kahn	Warren
Emmons	Hopgood	Nofs	Whitmer
Gleason	Hunter	Rocca	Young

**Nays—18**

Booher	Hildenbrand	Meekhof	Proos
Brandenburg	Hune	Moolenaar	Richardville
Casperson	Jansen	Pappageorge	Robertson
Colbeck	Kowall	Pavlov	Walker
Green	Marleau		

**Excused—0****Not Voting—0**

In The Chair: Hansen

Senator Pavlov moved to reconsider the vote by which the amendment was adopted.

The question being on the motion to reconsider,

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

The motion prevailed.

Senator Young offered the following amendments:

1. Amend page 18, line 19, after "207.513" by striking out the balance of the line through "**TAXES.**" on line 21.
2. Amend page 41, line 4, after "property." by striking out the balance of the line through "**TAXES.**" on line 6.
3. Amend page 69, line 23, after "property." by striking out the balance of the line through "**TAXES.**" on line 25.

The amendments were not adopted, a majority of the members serving not voting therefor.

Senator Young requested the yeas and nays.

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

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

**Roll Call No. 559****Yeas—18**

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

**Nays—20**

Booher	Hansen	Marleau	Proos
Brandenburg	Hildenbrand	Meekhof	Richardville

Casperson  
Colbeck  
Green

Hune  
Kahn  
Kowall

Moolenaar  
Pappageorge  
Pavlov

Robertson  
Schuitmaker  
Walker

Excused—0

Not Voting—0

In The Chair: Hansen

Senator Anderson offered the following amendment

1. Amend page 85, following line 21, by inserting:

**“SEC. 1310B. (1) THE BOARD OF A SCHOOL DISTRICT OR BOARD OF DIRECTORS OF A PUBLIC SCHOOL ACADEMY SHALL ADOPT A POLICY PROHIBITING HARASSMENT OR BULLYING AT SCHOOL. THE CONTENT OF THE POLICY SHALL BE DETERMINED LOCALLY, BUT THE POLICY SHALL CONTAIN AT LEAST THE COMPONENTS IN SUBSECTION (2). THE POLICY SHOULD BE ADOPTED THROUGH A PROCESS THAT INCLUDES REPRESENTATION OF PARENTS OR GUARDIANS, SCHOOL EMPLOYEES, VOLUNTEERS, PUPILS, SCHOOL ADMINISTRATORS, AND COMMUNITY REPRESENTATIVES.**

**(2) EACH SCHOOL DISTRICT’S OR PUBLIC SCHOOL ACADEMY’S POLICY SHALL INCLUDE AT LEAST EACH OF THE FOLLOWING COMPONENTS:**

**(A) A STATEMENT PROHIBITING HARASSMENT OR BULLYING OF A PUPIL.**

**(B) A DEFINITION OF HARASSMENT OR BULLYING THAT INCLUDES AT LEAST THE ACTS DESCRIBED IN THE DEFINITION IN THIS SECTION.**

**(C) A DESCRIPTION OF THE TYPE OF BEHAVIOR EXPECTED FROM EACH PUPIL.**

**(D) AGE-APPROPRIATE CONSEQUENCES AND REMEDIAL ACTION FOR A PERSON WHO VIOLATES THE POLICY.**

**(E) A PROCEDURE FOR REPORTING AN ACT OF HARASSMENT OR BULLYING, INCLUDING A PROVISION THAT PERMITS A PERSON TO REPORT AN ACT OF HARASSMENT OR BULLYING ANONYMOUSLY. HOWEVER, THIS SUBDIVISION SHALL NOT BE CONSTRUED TO PERMIT FORMAL DISCIPLINARY ACTION SOLELY ON THE BASIS OF AN ANONYMOUS REPORT.**

**(F) A PROCEDURE FOR PROMPT INVESTIGATION OF REPORTS OF VIOLATIONS AND COMPLAINTS, IDENTIFYING EITHER THE PRINCIPAL OR THE PRINCIPAL’S DESIGNEE AS THE PERSON RESPONSIBLE FOR THE INVESTIGATION. THE POLICY SHALL REQUIRE THE INVESTIGATION TO BE COMPLETED WITHIN 3 SCHOOL DAYS AFTER A REPORT OR COMPLAINT IS MADE.**

**(G) THE RANGE OF WAYS IN WHICH A SCHOOL WILL RESPOND ONCE AN INCIDENT OF HARASSMENT OR BULLYING IS IDENTIFIED. THE RESPONSES SHALL BE COMMENSURATE WITH THE SEVERITY OF THE INCIDENT AND WITH THE OFFENDER’S RECORD OF BEHAVIOR. THE RANGE OF RESPONSES SHALL INCLUDE REPORTING CRIMINAL ACTIVITY TO APPROPRIATE LAW ENFORCEMENT OFFICERS. IF ACTION IS TAKEN AGAINST A PUPIL IN RESPONSE TO AN INCIDENT, SCHOOL OFFICIALS SHALL INCLUDE A DESCRIPTION OF THE INCIDENT AND OF THE ACTION TAKEN IN THE PUPILS’ PERMANENT DISCIPLINARY RECORD.**

**(H) A STATEMENT THAT PROHIBITS REPRISAL OR RETALIATION AGAINST ANY PERSON WHO REPORTS AN ACT OF HARASSMENT OR BULLYING AND THE CONSEQUENCES AND APPROPRIATE REMEDIAL ACTION FOR A PERSON WHO ENGAGES IN THAT TYPE OF REPRISAL OR RETALIATION.**

**(I) CONSEQUENCES AND APPROPRIATE REMEDIAL ACTION FOR A PERSON FOUND TO HAVE FALSELY ACCUSED ANOTHER OF HARASSMENT OR BULLYING.**

**(J) A STATEMENT OF HOW THE POLICY IS TO BE PUBLICIZED, BOTH INITIALLY AND ON AN ONGOING BASIS.**

**(K) PROVISIONS ENCOURAGING INDIVIDUALS TO REPORT INCIDENTS OF HARASSMENT OR BULLYING TO THE APPROPRIATE SCHOOL OFFICIAL DESIGNATED IN THE POLICY.**

**(L) A REQUIREMENT THAT A SCHOOL EMPLOYEE WHO HAS WITNESSED AN INCIDENT OF HARASSMENT OR BULLYING OR WHO HAS RELIABLE INFORMATION THAT AN INCIDENT OF HARASSMENT OR BULLYING HAS OCCURRED SHALL REPORT THE INCIDENT TO THE PRINCIPAL OR HIS OR HER DESIGNEE.**

(3) EACH BOARD OR BOARD OF DIRECTORS SHALL ADOPT THE POLICY UNDER THIS SECTION BY DECEMBER 31, 2011. NOT LATER THAN 30 DAYS AFTER ADOPTING THE POLICY, THE BOARD OR BOARD OF DIRECTORS SHALL SUBMIT A COPY OF ITS POLICY TO THE DEPARTMENT.

(4) TO ASSIST SCHOOL DISTRICTS AND PUBLIC SCHOOL ACADEMIES IN DEVELOPING POLICIES FOR THE PREVENTION OF HARASSMENT OR BULLYING, THE DEPARTMENT SHALL DEVELOP A MODEL POLICY APPLICABLE TO GRADES K-12. THE DEPARTMENT SHALL ISSUE THIS MODEL POLICY NO LATER THAN JUNE 1, 2011.

(5) THE DEPARTMENT SHALL DEVELOP APPROPRIATE PROCEDURES FOR INVESTIGATING, REPORTING, AND RESPONDING TO VIOLATIONS OF THIS SECTION BY A SCHOOL DISTRICT OR PUBLIC SCHOOL.

(6) A BOARD OR BOARD OF DIRECTORS SHALL ENSURE THAT NOTICE OF THE SCHOOL DISTRICT'S OR PUBLIC SCHOOL ACADEMY'S POLICY UNDER THIS SECTION IS INCLUDED IN ANY PUBLICATION OF THE SCHOOL DISTRICT OR PUBLIC SCHOOL ACADEMY THAT SETS FORTH THE COMPREHENSIVE RULES, PROCEDURES, AND STANDARDS OF CONDUCT FOR ITS SCHOOLS, AND IN ITS PUPIL HANDBOOKS.

(7) A SCHOOL EMPLOYEE WHO PROMPTLY REPORTS AN INCIDENT OF HARASSMENT OR BULLYING TO THE APPROPRIATE SCHOOL OFFICIAL DESIGNATED BY THE SCHOOL DISTRICT'S OR PUBLIC SCHOOL ACADEMY'S POLICY, AND WHO MAKES THIS REPORT IN COMPLIANCE WITH THE PROCEDURES IN THE POLICY PROHIBITING HARASSMENT OR BULLYING IS NOT LIABLE FOR DAMAGES ARISING FROM ANY FAILURE TO REMEDY THE REPORTED INCIDENT.

(8) PUBLIC SCHOOLS AND SCHOOL DISTRICTS ARE ENCOURAGED TO FORM BULLYING PREVENTION TASK FORCES, PROGRAMS, AND OTHER INITIATIVES INVOLVING SCHOOL STAFF, PUPILS, ADMINISTRATORS, VOLUNTEERS, PARENTS, LAW ENFORCEMENT, AND COMMUNITY MEMBERS, TO ASSIST IN THE IMPLEMENTATION OF THIS SECTION.

(9) EACH SCHOOL DISTRICT OR PUBLIC SCHOOL ACADEMY SHALL DO ALL OF THE FOLLOWING:

(A) PROVIDE ANNUAL TRAINING ON THE SCHOOL DISTRICT'S OR PUBLIC SCHOOL ACADEMY'S HARASSMENT OR BULLYING POLICIES TO SCHOOL EMPLOYEES AND VOLUNTEERS WHO HAVE SIGNIFICANT CONTACT WITH PUPILS.

(B) DEVELOP A PROCESS FOR DISCUSSING HARASSMENT OR BULLYING AND THE HARASSMENT OR BULLYING POLICY WITH PUPILS.

(10) A SCHOOL DISTRICT OR PUBLIC SCHOOL ACADEMY SHALL INCORPORATE INFORMATION REGARDING THE SCHOOL DISTRICT OR PUBLIC SCHOOL ACADEMY POLICY AGAINST HARASSMENT OR BULLYING INTO EACH SCHOOL'S EMPLOYEE TRAINING PROGRAM.

(11) THIS SECTION DOES NOT PREVENT A VICTIM FROM SEEKING REDRESS UNDER ANY OTHER AVAILABLE LAW, EITHER CIVIL OR CRIMINAL. THIS SECTION DOES NOT CREATE OR ALTER ANY TORT LIABILITY.

(12) THE DEPARTMENT SHALL ESTABLISH A FORM AND PROCEDURE FOR SCHOOL DISTRICTS AND PUBLIC SCHOOL ACADEMIES TO REPORT INCIDENTS OF HARASSMENT OR BULLYING TO THE DEPARTMENT ON AN ANNUAL BASIS AND SHALL MAKE THIS INFORMATION READILY AVAILABLE TO THE PUBLIC.

(13) IF AN INVESTIGATION UNDER THIS SECTION RESULTS IN A REPORT TO A LAW ENFORCEMENT AGENCY, THE LAW ENFORCEMENT AGENCY SHALL INITIATE ITS INVESTIGATION WITHIN 3 DAYS AFTER THE REPORT IS MADE.

(14) UPON REQUEST BY A LAW ENFORCEMENT AGENCY INVESTIGATING A REPORT OR COMPLAINT UNDER THIS SECTION, A SCHOOL DISTRICT OR PUBLIC SCHOOL ACADEMY SHALL PROVIDE TO THE LAW ENFORCEMENT AGENCY DIRECTORY INFORMATION CONCERNING ITS PUPILS.

(15) AS USED IN THIS SECTION:

(A) "AT SCHOOL" MEANS IN A CLASSROOM, ELSEWHERE ON OR IMMEDIATELY ADJACENT TO SCHOOL PREMISES, ON A SCHOOL BUS OR OTHER SCHOOL-RELATED VEHICLE, AT AN OFFICIAL SCHOOL BUS STOP, ON A PUPIL'S WAY TO OR FROM SCHOOL, OR AT A SCHOOL-SPONSORED ACTIVITY OR EVENT WHETHER OR NOT IT IS HELD ON SCHOOL PREMISES. "AT SCHOOL" INCLUDES CONDUCT USING A TELECOMMUNICATIONS ACCESS DEVICE OR TELECOMMUNICATIONS SERVICE PROVIDER THAT OCCURS OFF SCHOOL PREMISES IF THE TELECOMMUNICATIONS ACCESS DEVICE OR THE TELECOMMUNICATIONS SERVICE PROVIDER IS OWNED BY OR UNDER THE CONTROL OF THE SCHOOL DISTRICT OR PUBLIC SCHOOL ACADEMY.

(B) "BULLYING" MEANS CONDUCT, INCLUDING, BUT NOT LIMITED TO, CONDUCT IN PERSON OR USING A TELECOMMUNICATIONS ACCESS DEVICE, THAT MEETS ALL OF THE FOLLOWING:

(i) IS DIRECTED AT 1 OR MORE PUPILS.



(ii) SUBSTANTIALLY INTERFERES WITH EDUCATIONAL OPPORTUNITIES, BENEFITS, OR PROGRAMS OF 1 OR MORE PUPILS.

(iii) ADVERSELY AFFECTS THE ABILITY OF A PUPIL TO PARTICIPATE IN OR BENEFIT FROM THE SCHOOL DISTRICT’S OR PUBLIC SCHOOL’S EDUCATIONAL PROGRAMS OR ACTIVITIES BY PLACING THE PUPIL IN REASONABLE FEAR OF PHYSICAL HARM OR BY CAUSING EMOTIONAL DISTRESS.

(iv) IS BASED ON A PUPIL’S ACTUAL OR PERCEIVED RELIGION, RACE, COLOR, NATIONAL ORIGIN, AGE, SEX, SEXUAL ORIENTATION, DISABILITY, HEIGHT, WEIGHT, GENDER IDENTITY, SOCIOECONOMIC STATUS, OR ANY OTHER DISTINGUISHING CHARACTERISTIC OR IS BASED ON ASSOCIATION WITH ANOTHER PERSON WHO HAS OR IS PERCEIVED TO HAVE ANY OF THESE CHARACTERISTICS.

(C) “HARASSMENT” MEANS CONDUCT, INCLUDING, BUT NOT LIMITED TO, CONDUCT IN PERSON OR USING A TELECOMMUNICATIONS ACCESS DEVICE, THAT MEETS ALL OF THE FOLLOWING:

(i) IS DIRECTED AT 1 OR MORE PUPILS.

(ii) SUBSTANTIALLY INTERFERES WITH EDUCATIONAL OPPORTUNITIES, BENEFITS, OR PROGRAMS OF 1 OR MORE PUPILS.

(iii) ADVERSELY AFFECTS THE ABILITY OF A PUPIL TO PARTICIPATE IN OR BENEFIT FROM THE SCHOOL DISTRICT’S OR PUBLIC SCHOOL’S EDUCATIONAL PROGRAMS OR ACTIVITIES BECAUSE THE CONDUCT AS REASONABLY PERCEIVED BY THE PUPIL IS SO SEVERE, PERVASIVE, AND OBJECTIVELY OFFENSIVE AS TO HAVE THIS EFFECT.

(iv) IS BASED ON A PUPIL’S ACTUAL OR PERCEIVED RELIGION, RACE, COLOR, NATIONAL ORIGIN, AGE, SEX, SEXUAL ORIENTATION, DISABILITY, HEIGHT, WEIGHT, GENDER IDENTITY, SOCIOECONOMIC STATUS, OR ANY OTHER DISTINGUISHING CHARACTERISTIC OR IS BASED ON ASSOCIATION WITH ANOTHER PERSON WHO HAS OR IS PERCEIVED TO HAVE ANY OF THESE CHARACTERISTICS.

(D) “TELECOMMUNICATIONS ACCESS DEVICE” AND “TELECOMMUNICATIONS SERVICE PROVIDER” MEAN THOSE TERMS AS DEFINED IN SECTION 219A OF THE MICHIGAN PENAL CODE, 1931 PA 328, MCL 750.219A.

(16) THIS SECTION SHALL BE KNOWN AS “MATT’S SAFE SCHOOL LAW”.

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

Senator Hunter requested the yeas and nays.

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

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

**Roll Call No. 560**

**Yeas—12**

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

**Nays—26**

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

**Excused—0**

**Not Voting—0**

### Protests

Senators Pappageorge, Rocca, Kahn, Jansen, Kowall, Schuitmaker, Nofs, Casperson, Green, Caswell, Colbeck, Marleau, Brandenburg, Robertson, Moolenaar, Booher, Walker, Proos, Emmons, Hildenbrand, Meekhof, Richardville and Hansen, under their constitutional right of protest (Art. 4, Sec. 18), protested against the adoption of the amendment offered by Senator Anderson to Senate Bill No. 618.

Senators Pappageorge and Rocca moved that the statements they made during the discussion of the amendment be printed as their reasons for voting “no.”

The motion prevailed.

Senator Pappageorge’s statement is as follows:

You know, we got to stop characterizing this as one side is against bullying and the other side isn’t. That is absolutely false. There are two bullying bills on the floor. One wants to specifically identify a list of things that are called bullying. The other bill says any bullying is wrong. Now to get up and imply that there is only one bill on the floor is wrong. It is misleading.

So let’s step up and talk about the difference between those two bills and not imply there is only one bill out there because that is not the honest way to proceed on this thing. So those of you who believe the Senator from the 6th District has the right answer, well, fine. There is a bunch of us who think that Senator Jones’ bill is a better one. So let’s get together and talk about that, and stop trying to beat up the side that doesn’t like your bill, Senator from the 6th District.

Senator Rocca’s first statement, in which Senators Kahn, Jansen, Kowall, Schuitmaker, Nofs, Casperson, Pappageorge, Green, Caswell, Colbeck, Marleau, Brandenburg, Robertson, Moolenaar, Booher, Walker, Proos, Emmons, Hildenbrand, Meekhof, Richardville and Hansen concurred, is as follows:

I would just like to clarify the issue of enumeration versus nonenumeration. Frankly, I am stunned so many of my colleagues with all the very competent and able legal help we have in this chamber haven’t been able to inform themselves on this issue. When you enumerate in law, you exclude everybody who is not included in that enumeration. Anybody who is advocating for enumeration may not understand this, but they are advocating that anybody who is not included in that enumeration does not get protection under law. That is why Senator Jones’ bill, which does not have enumeration, is a good idea because it includes every child—literally includes every child—protects them all, does not make a distinction between who gets protected and who doesn’t.

This is why when I hear my colleagues on the other side of the aisle, with whom I have repeatedly worked in good faith, make, frankly, hateful comments about people on this side of the aisle, saying, “They want to see children bullied. They want to see children committing suicide,” it is beneath contempt, frankly.

Senator Jones’ bill, the one that does not have enumeration, is the only policy that protects every child. By enumerating, you literally exclude children, and by law, say it’s okay to discriminate against some to bully some but not others. That is why I am voting against this amendment.

Senator Rocca’s second statement, in which Senators Kahn, Jansen, Kowall, Schuitmaker, Nofs, Casperson, Pappageorge, Green, Caswell, Colbeck, Marleau, Brandenburg, Robertson, Moolenaar, Booher, Walker, Proos, Emmons, Hildenbrand, Meekhof, Richardville and Hansen concurred, is as follows:

When you express one, you exclude the others—fundamental, basic principle of statutory construction and interpretation. Ask your attorneys about this. When you express one, you exclude the others. This is a fundamental principle that anybody who has served in the Legislature for several years should understand because we are actually responsible for the content of our legislation.

I fully support protecting children. That is why I support Senator Jones’ bill, and we should be moving it. For anybody to claim their intent is that they protect everyone, when the literal language of their legislation excludes some, it is simply disingenuous.

Senator Hopgood offered the following amendments:

1. Amend page 4, line 8, after “(2)” by striking out “Any” and inserting “**EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (6), ANY**”.

2. Amend page 9, following line 3, by inserting:

**“(6) BEGINNING ON THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED THIS SUBSECTION, AN AUTHORIZING BODY SHALL NOT ISSUE A NEW CONTRACT TO ORGANIZE AND OPERATE A NEW PUBLIC SCHOOL ACADEMY UNLESS EACH OF THE EXISTING PUBLIC SCHOOL ACADEMIES THAT ARE OPERATING UNDER A CONTRACT FROM THAT AUTHORIZING BODY HAVE DEMONSTRATED PUPIL ACHIEVEMENT AS MEASURED BY APPLICABLE STATE ASSESSMENTS AT A**

**LEVEL THAT IS AT LEAST 20% HIGHER THAN THE SCHOOL DISTRICT IN WHICH THE EXISTING PUBLIC SCHOOL ACADEMY IS LOCATED.”** and renumbering the remaining subsections.

The amendments were not adopted, a majority of the members serving not voting therefor.

Senator Hunter requested the yeas and nays.

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

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

**Roll Call No. 561**

**Yeas—12**

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

**Nays—26**

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

**Excused—0**

**Not Voting—0**

In The Chair: Hansen

Senator Hunter offered the following amendment:

1. Amend page 86, following line 2, by inserting:

“(d) Senate Bill No. 137.”.

The question being on the adoption of the amendment,

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

The motion prevailed.

By unanimous consent the Senate returned to consideration of the amendment offered by Senator Hopgood.

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

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

The question being on the adoption of the amendment,

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

Senator Hunter requested the yeas and nays.

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

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

**Roll Call No. 562**

**Yeas—19**

Anderson	Hansen	Jones	Smith
Bieda	Hood	Kahn	Warren

Caswell  
Gleason  
Gregory

Hopgood  
Hunter  
Johnson

Nofs  
Rocca  
Schuitmaker

Whitmer  
Young

**Nays—19**

Booher  
Brandenburg  
Casperson  
Colbeck  
Emmons

Green  
Hildenbrand  
Hune  
Jansen  
Kowall

Marleau  
Meekhof  
Moolenaar  
Pappageorge  
Pavlov

Proos  
Richardville  
Robertson  
Walker

**Excused—0**

**Not Voting—0**

In The Chair: Hansen

By unanimous consent the Senate returned to consideration of the amendment offered by Senator Hunter.

The question being on the adoption of the amendment,

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

Senator Hunter requested the yeas and nays.

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

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

**Roll Call No. 563**

**Yeas—15**

Anderson  
Bieda  
Gleason  
Gregory

Hansen  
Hood  
Hopgood  
Hunter

Johnson  
Jones  
Rocca  
Smith

Warren  
Whitmer  
Young

**Nays—23**

Booher  
Brandenburg  
Casperson  
Caswell  
Colbeck  
Emmons

Green  
Hildenbrand  
Hune  
Jansen  
Kahn  
Kowall

Marleau  
Meekhof  
Moolenaar  
Nofs  
Pappageorge  
Pavlov

Proos  
Richardville  
Robertson  
Schuitmaker  
Walker

**Excused—0**

**Not Voting—0**

In The Chair: Hansen

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. 564****Yeas—20**

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

**Nays—18**

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

**Excused—0****Not Voting—0**

In The Chair: Hansen

Senator Richardville offered to amend the title to read as follows:

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 501, 502, 502a, 503, 504, 505, 507, 522, 523, 524, 528, 551, 552, 553, 553a, 556, 559, and 561 (MCL 380.501, 380.502, 380.502a, 380.503, 380.504, 380.505, 380.507, 380.522, 380.523, 380.524, 380.528, 380.551, 380.552, 380.553, 380.553a, 380.556, 380.559, and 380.561 ), section 501 as amended and section 528 as added by 2003 PA 179, sections 502, 503, 504, 507, 522, 523, and 524 as amended and sections 502a, 551, 552, 553, 553a, 556, 559, and 561 as added by 2009 PA 205, and section 505 as amended by 1994 PA 416; and to repeal acts and parts of acts.

The amendment to the title was adopted.

The Senate agreed to the title as amended.

**Protests**

Senators Hopgood, Hunter, Whitmer, Gleason, Smith, Anderson, Hood, Johnson, Bieda, Gregory, Young and Warren, under their constitutional right of protest (Art. 4, Sec. 18), protested against the passage of Senate Bill No. 618.

Senators Hopgood, Johnson, Gregory and Warren moved that the statements they made during the discussion of the bill be printed as their reasons for voting "no."

The motion prevailed.

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

I rise today to speak in opposition to Senate Bill No. 618. I appreciate the remarks from the previous speaker. I think that we have been through this charter school experience for a number of years. It's been an interesting conversation, it has been an interesting debate, and it is interesting policy. I think that way back when we had this debate about whether charter schools were good or bad, the problem was when we did that legislation back then, we set the bar a little bit too low. Without having a real conversation on how we raise that bar and how we set that bar a little bit higher, we are really missing the boat.

The previous speaker said this is an idea that can touch all of our students, but that is not going to happen and that is the problem. When we talked about charter schools in the early years and we talked about the creativity and the innovation, we talked about performance. But we also talked about this idea that they were going to help change the landscape and reform the education system in all of our districts for all of our kids. We have set that aside. That is kind of the troubling aspect of this legislation. We have set that whole idea aside that this can be a tool for reform for the rest of our education system. In fact, we have protected our charter schools from some of the scrutiny that we talked about before, including the basic public disclosure stuff, the conflict of interest, and performance. We haven't focused enough on quality.

The experience has been that we have favored profit-making. We favored the charter school experience that is going to make profit off of our tax dollars and off of our kids' education. That is part of what I am trying to talk about in terms to why I am vigorously opposed to this legislation. We are going to have more of the mediocre experience. We are not raising the bar, and as has been mentioned previously, we are absolutely No. 1 in terms of for-profit charter schools across the country. In Michigan, that is what we are good at—the for-profit charter school experience. I'm not saying that is good or bad, but the performance isn't there. We are not doing better than the other schools. So all we are doing is subsidizing these for-profit ventures and diverting scarce resources from our neighborhood, locally-governed public schools that have to take every kid who shows up at the door.

This is, once again, on the heels of taking \$1 billion out of our schools earlier in the year. What kind of priorities are we looking at here? As a policymaker, as a lawmaker, my concern is not just the kids in the charter schools, but what is the experience for all of our kids? What is the impact on our public education system from a wider angle? This bill doesn't move the needle at all. It moves us back. For those reasons, I'm voting "no." I urge my colleagues to vote "no" as well.

Senator Johnson's statement, in which Senators Bieda, Whitmer, Gleason and Hunter concurred, is as follows:

In 2009, Mr. President, we in the Michigan Legislature reformed our educational system. When I say we, I don't mean one person or one party. I was proud to work in a bipartisan fashion with both Republicans and Democrats on implementing policies that were results-driven, success-based, and child-focused.

We worked with the then-House Education Committee Chairman Tim Melton from Pontiac, then-Senate Minority Floor Leader Buzz Thomas from Detroit, and Senate Education Committee Chairman Wayne Kuipers from Holland, as well as others from both sides of the aisle. We researched, combing through volumes of reports, data and statistics. We consulted, with education and administrative experts from around the country. We visited schools in Virginia, Washington, D.C., and had conferences in Chicago and elsewhere around the nation. We did our homework.

We incorporated not a Democratic or Republican agenda, not a public or private agenda, not a labor or business agenda, but a bipartisan plan that put our children first. That was 2009. Today something else is happening.

Today, this Republican majority is single-handedly implementing policies that include none of that due diligence. These bills were introduced at the behest of well-financed interest groups with one goal in mind: profits. This process swipes in the face of the reforms that have been put in place in good faith by members on both sides of the aisle and at the work that was done to ensure that our reforms actually fixed the individual schools we were dissatisfied with, instead of lining the pockets of those who wished to tap into a new market—our children.

Today's bills provide no accountability and no transparency. Our Democratic amendments that were offered to shine light on this process were rejected along party lines. That, too, will be telling.

Educating our children is not a business. Dealing with our kids in this willy-nilly style, blowing the top off the charter schools cap without providing for standards of success and measures of accountability is irresponsible and a betrayal of our responsibilities to our children's future.

I'm not against choice. Our 2009 reforms provided that choice, but those choices were ones specifically selected because they had standing records of success. If we don't mandate success, what do we get?

Recently, an organization called Excellent Schools Detroit hosted a series of shoppers' fairs for parents to find out about and consider enrolling in successful schools in the city of Detroit. The standards to be invited to this fair for elementary and middle schools were to have at least 75 percent of their students rated as proficient in both reading and math MEAP tests. For high schools, they had to have a 16.5 average on ACT tests. Neither of these are particularly spectacular standards and therein lies the issue.

Detroit Public Schools, for all its well-publicized issues, outperformed Detroit's charter schools. More elementary, middle, and high schools from DPS were invited to the fair than were charters. This does not give me the impression that DPS is outshining its current dismal reputation. It does, however, give me the knowledge that the reputation of charter schools as the single-handed silver bullet to our educational problems in Michigan is severely overblown.

To my friends and colleagues on both sides of these aisles, I say this: Good public schools should be nurtured, and bad ones should be shuttered. The legislation proposed today does everything to eliminate the limits on how many charter schools can open in the state of Michigan, but entirely because of this Republican majority's resistance to bipartisan solution, it does nothing to ensure that those are high-quality schools.

Senator Gregory's statement is as follows:

I rise in opposition to this bill. I would like to speak on behalf of the special education students who otherwise don't have a voice. I would like to give you some figures to start out with. The total enrollment in traditional schools in the fiscal year 2009-2010 was 1,487,297 students. In charter schools, there were 108,425 students. The total number of special education full-time employees in fiscal year 2009-2010 in traditional schools was 61,311. In the charter schools, it was 1,400. For traditional schools, it is about 4 percent of their population, and for charter schools, it is less than 1 percent. The total special education enrollment head count for traditional schools in fiscal year 2009-2010 was 204,579 students. In the charter schools, the enrollment in fiscal year 2009-2010 was 10,727 students. Clearly, the traditional schools service the majority of the special education children.

Let's be clear. Charter schools are in business to make a profit. They are not a nonprofit organization. If you are in business to make a profit, you try to service those students who will afford you the best opportunity to make money. Special education students require more of the money coming into the schools that come into these classrooms. By expanding these charter schools, it will take more money from the public schools, which will mean that the special education students who are in the public schools will have less support, less help, and less staff in the classroom to work with them.

I'm asking my colleagues to consider this as they vote on this charter school expansion. Clearly, the charter schools will place their schools in areas that will accept only those students who will afford them the opportunity for the most money. Clearly, special education students will not fit in the criteria, as indicated by the numbers that have already been demonstrated. They have already shown that 9 percent of their population is special education, and that is across the state. Clearly, it won't be much more than that once you lift the cap because it costs more money.

I would ask my colleagues to reconsider their positions as we vote and possibly even hold off on a vote, as there needs to be some language to indicate that charter schools must accept a certain amount of special education students to balance this. There is nothing listed in here. Clearly, this is a design to afford the charter school academies and schools an opportunity to make more money on the backs of Michigan residents and at the expense of special education students.

I would ask my colleagues to vote "no" on the passage of this bill.

Senator Warren's statement is as follows:

The concept of charter schools was born out of a desire to empower teachers to gather together to create a small school that would focus on the neediest of students. They would, we were told, allow for innovation and creativity and then take those ideas that worked to our public schools so all of our children could benefit from their work. Unfortunately, here in Michigan, the reality is far different. You heard me mention earlier that 80 percent of our charter schools are operated by private for-profit education management organizations—a number which far exceeds any other state in the nation.

Only a quarter of charter schools nationally have student populations that are similar to local school districts; that they exist in terms of ethnic composition and the proportion of low-income students. These numbers are even starker when it comes to students with disabilities or students classified as English language learners. Teacher and administrator attrition rates in our charter schools range anywhere from 15 percent to 30 percent per year, and that leads to greater instability for our students, but also stifles the innovation charter schools were meant to provide.

Perhaps most importantly, a growing body of evidence shows that charter schools perform no better when compared to demographically-matched traditional public schools on standardized tests. Isn't that what this whole experiment was for, to improve student achievement? Why, at a time when we are already struggling to provide proper oversight to the number of charter schools that already exist and which have been rapidly expanded in a relatively short period of time, are we charging forward without reviewing this data and without providing for true accountability and oversight? Why, when we are cutting funding to public schools throughout the state, are we continuing to stretch our vital dollars even further?

Lifting the cap on charter schools ensures more competition for incredibly scarce resources. It means less resources going into the classroom for our students. Our children need and deserve better.

Senators Young, Anderson, Gleason and Caswell asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator Young's statement is as follows:

I would like to start with a quote: "The school is the last expenditure upon which America should be willing to economize." Mr. President, I offer this amendment to eliminate the tax exemption for privately-owned buildings used for educational purposes. Private companies should not be making a profit with taxpayer dollars and then receive an exemption for paying taxes themselves. Our cities and townships stand to lose revenue as businesses purchase large pieces of land for charter school property.

We have all heard from our local leaders on the financial struggles of our local communities and cannot put them at a further disadvantage. Any reforms to the school code should be focused on providing a better education for students, not providing bigger profit margins for private businesses. In the interest of fairness, in the interest of what is right and what's just, I urge my colleagues to remove this tax exemption.

Senator Anderson's statement is as follows:

I rise today to speak against this package, but to also ask for a call to action on this amendment. I ask for support on this amendment to add anti-bullying language to our school code.

Folks, we are undertaking efforts under the suggested premise of improving our kids' education, so why aren't we ensuring their safety and security while they are at school, whether it is a public or a private school or a charter school? Bullying hurts our kids' ability to succeed and even survive. Bullying can lead to increased absences, depression, and, in extreme cases, even suicide. While we may not agree on much today, when we are considering these bills, we should all be able to agree on protecting our kids and keeping them safe.

Michigan has the dubious distinction currently of being one of only three states that has failed to adopt anti-bullying legislation. This amendment would rectify that and go a long way to providing a safe learning environment for all of our kids across Michigan, or you can continue to ignore the problem with all this talk about giving parents more choices. Don't you think all parents would choose to provide their children or prevent their children from being bullied and defend them and protect them where they are? You have a choice, too, to stand up for all of our kids and support this measure to implement an anti-bullying policy for all of Michigan's schools.

I urge you to support this amendment.

Senator Gleason's statement is as follows:

I don't think it matters what part of the state you come from. Bullying is pretty recognizable and it is definable, but there is something lacking when we leave this decision up to the local schools. This is an issue that has been lacking for a number of years. Actually, since the inception of charter schools, we have been remiss with public scrutiny. We don't expect the transparency out of charter schools that we do out of public schools.

There is a remedy for that, and we ought to utilize it. This bullying is determined across the board, as the previous speaker had mentioned, by individual school districts, but we have a flaw with charter schools. Those parents who send their kids to charter schools, they don't have a chance to vote on the administration of that school district. There is no publicly-elected school board. Why in the world would we have a charter school that sits in Genesee County have a policy determined by someone who makes a profit for that school up in Mt. Pleasant?

This is a terrible oversight that we have not taken on the responsibility to legislate. Once again, we just advocate our role and say we can let kids get bullied. I don't know how you feel about this personally, but I have seen and read and heard enough about the young people in this state committing suicide and losing their lives because they have been bullied in, really, a public setting. It is long overdue that we address this issue.

You know, I have heard for many years that we can't address the bullying issue because some people think God wants certain people to be treated this way. They hide behind their religious view. I have a religion too, and I am proud of it. I try to live it every moment that I can, but there is not a God who was ever thought of or believed in or had faith in who said that we should hurt our young people. This is a terrible thing to continue bullying in our state.

I think it's high time that we as Senators take our election seriously, and we want to represent all realms of our districts. When are we going to stand up for the most feeble? When are we going to stand up for the little ones? We have Dominique Calhoun recently, and there was another death in Genesee County. Suicide on a regular basis is happening much too often, and nobody can deny what is causing these suicides. These kids can't even go to a public setting. They can't even go to their schools where each and every one of us wants them to be. There is no thought about tomorrow, there is no dream about promises, and there is no thought about hope of career. They can't even get through the day in their school. They can't go to the cafeteria to get the nutrients required. Many of them can't go to the restroom because they know that they will be assaulted out of sight and out of view of teachers and administrators.

This bullying issue has gone on far too long. I don't care if it is in a charter school or a public school. We ought to end it, and it is high time that we got on the side of these kids. This is your responsibility. You have a rate of high culpability if you continue to allow these suicides to happen in our state. Don't blame it on politics, and don't blame it on government. You are a Senator, and you have a button to vote today on whether you are going to end these suicides and these deaths. I think we ought to do it. There are documents that I have read that have said, in some instances, 70 percent of school kids are being bullied—70 percent. You need to look at this as an individual. Don't look at this as some public official. Look at this as an individual, and when you figure that enough young people have died because of fear and fear that has been developed because of bullying, then you will do the right thing.

We are doing one thing that is not completely right today by voting in regards to charter schools because this bullying ought to end everywhere at any time. Let's do the right thing. Let's stick up for the kids today.

Senator Caswell statement is as follows:

Obviously, there is a lot of passion on this issue, and obviously, this is a very complicated issue and an issue that needs to be discussed on its own merit. I think it is poor that we get a six- to eight-page amendment thrown at us at the last minute with no ability to do any kind of analysis, with no ability to look at any of the implications.

I sincerely appreciate the previous speaker's explanation of the law since I am not a lawyer. This is not the vehicle by which this issue should be discussed. We are talking about an entirely different issue here today, and this is certainly an issue that needs to be discussed and will be discussed in the future. This is not appropriate, in my opinion.



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

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

**Senate Resolution No. 34**

**Senate Resolution No. 67**

The motion prevailed

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

**Senate Resolution No. 82**

The resolution consent calendar was adopted.

Senator Smith offered the following resolution:

**Senate Resolution No. 82.**

A resolution recognizing October 17-21, 2011, as Turn Up the H.E.A.T. Week in the state of Michigan.

Whereas, The Legislature recognizing that this year marks the 26th anniversary of Help Eliminate Auto Thefts (H.E.A.T.). To celebrate this milestone and recognize the program's many successes, we are proclaiming October 17-21, 2011, as Turn Up the H.E.A.T. Week; and

Whereas, Since 1985, H.E.A.T. has successfully empowered Michigan residents to fight auto theft in their neighborhoods by confidentially informing authorities of what they know about auto theft-related crimes. As the result of nearly 8,900 calls to 1-800-242-H.E.A.T., these residents have helped H.E.A.T. and its partners in law enforcement recover more than \$50 million in stolen property. They have also assisted in the arrests of more than 3,000 suspects involved in auto theft rings, chop shops, carjackings, fraudulent car thefts, and other auto theft-related crimes throughout the state; and

Whereas, H.E.A.T.'s 24/7, toll-free tip line is monitored by the Michigan State Police Criminal Investigation Section, which directs tip information to appropriate police agencies throughout the state; and

Whereas, This year, H.E.A.T. is hosting its annual Anniversary Breakfast on October 18 at Ford Field, where 250 members of law enforcement, the insurance industry, media, and other H.E.A.T. partners come together to celebrate the success of the program. In addition, for the first time, H.E.A.T. is hosting a West Michigan event the following week as the program expands its reach and influence to other areas of the state. The events bring together insurance industry officials, law enforcement officers, and elected leaders from across the state to salute our unique public-private partnership to eliminate auto theft in Michigan; now, therefore, be it

Resolved by the Senate, That we hereby recognize October 17-21, 2011, as Turn Up the H.E.A.T. Week in Michigan, and we commemorate all the great work Help Eliminate Auto Thefts is doing; and be it further

Resolved, That a copy of this resolution be transmitted to Help Eliminate Auto Thefts with our highest esteem.

Senators Bieda, Emmons, Gleason, Hopgood, Kowall, Marleau and Warren were named co-sponsors of the resolution.

Senators Warren, Young and Whitmer offered the following resolution:

**Senate Resolution No. 83.**

A resolution to memorialize Congress to adopt legislation expressing the sense that national health care reform should ensure that the health care needs of women in the United States are met.

Whereas, Women without health insurance bear significant threats to their health and the health of their children. Uninsured women with breast cancer are more likely to die from the disease than insured women with breast cancer. Uninsured women do not receive adequate cancer screening exams, putting them at greater risk of a diagnosis for late-stage cervical cancer. Thirteen percent of all pregnant women are uninsured, making them less likely to seek prenatal care and more likely to experience an adverse health outcome after giving birth. The lack of, or inadequate receipt of, prenatal care is associated with pregnancy-related mortality two to three times higher and infant mortality six times higher than that of women receiving early prenatal care. It is also associated with an increased risk of low birth weight and preterm birth; and

Whereas, Women rely on women's health care providers throughout their lives for comprehensive primary and preventive care, surgical care, and treatment and management of both acute and long-term health problems. A "medical home" should ensure each woman direct access to women's health care providers and care coordination throughout her lifetime. Heart disease is the leading cause of death for both women and men, but women are less likely than men to receive lifestyle counseling, diagnostic and therapeutic procedures, and cardiac rehabilitation and are more likely to die or have a second heart attack, demonstrating inequalities between women and men in access to health care; and

Whereas, High costs of health care hit women particularly hard. Women pay 68 percent more than men for out-of-pocket medical costs, due in large part to reproductive health care needs. In 2004, 1 in 6 women with individual health care coverage

postponed or went without, needed health care because they could not afford it. High-deductible health insurance plans are marketed as inexpensive options to young women, yet such plans often fail to cover pregnancy-related care, the most expensive health care event most young families face and the leading cause of hospital stays for young women; and

Whereas, Affordable health care is needed by women throughout life's transitions, including starting a family, changing jobs, working part-time or full-time, divorce, caring for an elderly or sick family member, having a major disease, and retirement. Women are less likely than men to receive health insurance through their employers and more likely than men to be insured as a dependent, making them more vulnerable than men to insurance loss in the event of divorce or death of a spouse. The lack of affordable health care coverage creates barriers for women who want to change jobs or create their own small businesses; now, therefore, be it

Resolved by the Senate, That we memorialize Congress to adopt legislation expressing the sense that national health care reform should ensure that the health care needs of women in the United States are met; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

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

Senator Pavlov moved that the resolution be referred to the Committee on Health Policy.

The motion prevailed.

Senators Bieda, Gleason, Hopgood and Marleau were named co-sponsors of the resolution.

Senators Anderson, Warren, Young and Whitmer offered the following resolution:

**Senate Resolution No. 84.**

A resolution to express the sense of this legislative body that the state of Michigan should intensify its efforts to reduce the high rates of teen pregnancies.

Whereas, Almost 800,000 teenagers become pregnant each year in the United States; and

Whereas, In 2008, there were 12,277 births to mothers between the ages of 15 and 19 in our state. In certain communities of Michigan, the rates of pregnancy far exceed the national and state averages. Detroit is a leader among American cities with the highest rate of births to teens. The recession has increased the difficulties stemming from teen pregnancies; and

Whereas, Despite progress over the last decade, nearly one-third of teenage girls in the United States become pregnant. This is the highest teen pregnancy rate among industrialized countries and more than twice the rate of Canada; and

Whereas, Latina and African-American teen girls are more likely than not to become pregnant at least once before the age of 20, and Native American teens have a birth rate more than double that of non-Hispanic white teens; and

Whereas, Teen pregnancy is closely linked to a number of critical social issues, such as poverty, educational attainment, involvement in the criminal justice and child welfare systems, and more. Teen childbearing is estimated to cost taxpayers in this country \$9.1 billion each year, most of which is due to costs associated with negative social and health outcomes for the children of teen parents; and

Whereas, A child is nine times more likely to grow up in poverty if he or she is born to unmarried teen parents who have not yet completed high school. Less than half of mothers who have a child before they turn 18 ever graduate from high school, and less than 2 percent of mothers who have children before 18 have a college degree by age 30. Children of teen mothers are more likely to be born prematurely and at a low birth weight. Children of teen parents are twice as likely to suffer abuse and neglect than would occur if their mothers had delayed childbearing; and

Whereas, Fully 73 percent of adults and a plurality of teens wish that teens were getting more information about both abstinence and contraception; now, therefore, be it

Resolved by the Senate, That the members of this body believe that the state of Michigan should intensify its efforts to reduce the high rates of teen pregnancies and births by raising awareness about the importance of this critical issue, promoting parent-child communication, and investing in programs that have been proven to reduce teen pregnancy; and be it further

Resolved, That a copy of this resolution be transmitted to the Department of Community Health.

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

Senator Pavlov moved that the resolution be referred to the Committee on Health Policy.

The motion prevailed.

Senators Bieda, Gleason, Hopgood, Marleau, Proos and Rocca were named co-sponsors of the resolution.

Senators Caswell, Casperson, Green, Jansen, Brandenburg, Marleau, Colbeck, Proos, Kowall, Booher and Emmons offered the following resolution:

**Senate Resolution No. 85.**

A resolution to memorialize the Congress of the United States to ensure that Fannie Mae and Freddie Mac are regulated in a manner that parallels the regulations governing other financial institutions.

Whereas, The Federal National Mortgage Association (Fannie Mae) and the Federal Home Loan Mortgage Corporation (Freddie Mac) own or guarantee about half the mortgage debt in the United States. These government-sponsored enterprises and their high-risk practices were a major contributor to the 2008 financial crisis; and

Whereas, More than \$150 billion in taxpayer money has been used to bail out Fannie Mae and Freddie Mac. It is estimated that U.S. taxpayers may have to foot the bill for an additional \$68 billion to \$210 billion in the next few years, by far the largest bailout associated with the 2008 crisis; and

Whereas, Federal reforms passed last year aimed at other financial institutions did not apply to Fannie Mae and Freddie Mac. Major reforms related to risk retention and other practices are needed to avoid future financial crises requiring government bailouts. It is imperative that these institutions be made subject to similar regulations to ensure a level playing field, increase private capital in the housing market, and protect U.S. taxpayers from future losses; now, therefore, be it

Resolved by the Senate, That we memorialize the Congress of the United States to ensure that Fannie Mae and Freddie Mac are regulated in a manner that parallels the regulations governing other financial institutions; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

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

Senator Pavlov moved that the resolution be referred to the Committee on Banking and Financial Institutions.

The motion prevailed.

Senators Pappageorge and Rocca were named co-sponsors of the resolution.

Senators Meekhof, Green, Casperson, Jones, Kowall, Brandenburg, Proos and Walker offered the following concurrent resolution:

**Senate Concurrent Resolution No. 20.**

A concurrent resolution to memorialize the United States Congress to enact legislation that classifies forestry management activities as nonpoint sources under the federal Clean Water Act.

Whereas, Under the federal Clean Water Act, "point sources" that discharge pollutants into waters of the United States are required to obtain National Pollutant Discharge Elimination System (NPDES) permits. The Environmental Protection Agency (EPA) administers this program directly in four states and has delegated authority to the other 46 states to run the program. "Nonpoint sources" are managed using best management practice (BMP) under state programs; and

Whereas, Since the enactment of the Clean Water Act in 1972, the EPA has designated forest management activities as nonpoint sources of water pollution most effectively regulated under state-specific BMPs. Recent studies have shown that these BMPs are effective and are followed by the forestry industry even in states where they are not mandatory. According to EPA statistics, forestry is a minor contributor to water pollution; and

Whereas, Recent court decisions are threatening the nonpoint source status of forestry activities. The U.S. Court of Appeals for the 9th Circuit ruled this year that the construction and use of forest roads fall within the meaning of industrial activity and are point sources requiring an NPDES permit. Many people believe this goes beyond the intent of Congress with regard to forestry and agricultural activity. There are indications that in response, the EPA may change or eliminate its longstanding regulatory interpretation that forest management activities are nonpoint sources of water pollution; and

Whereas, Changing or eliminating the nonpoint source status of forestry activities threatens forests and the jobs they provide. It jeopardizes the sustainability of private forests by imposing significant new paperwork and monitoring costs on forest owners and exposing forest owners to citizen lawsuits for the first time. These requirements will hit hardest in areas already decimated by the economic downturn and encourage the conversion of private forestlands to nonforestry uses, an outcome that runs counter to the goals of maintaining healthy working forests and enhancing rural economic development through sustaining and creating job opportunities in Michigan and across the country; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That we memorialize the United States Congress to enact legislation that classifies forestry management activities as nonpoint sources under the federal Clean Water Act; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

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

Senator Pavlov 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 Pavlov moved that the concurrent resolution be referred to the Committee on Natural Resources, Environment and Great Lakes.

The motion prevailed.

Senators Booher, Emmons, Marleau and Pappageorge were named co-sponsors of the concurrent resolution.

Senators Casperson, Green, Jones, Kowall, Brandenburg, Proos and Walker offered the following concurrent resolution:

**Senate Concurrent Resolution No. 21.**

A concurrent resolution to urge Congress and the United States Forest Service to take immediate and aggressive action to correct the mismanagement of national forestlands.

Whereas, The management of our national forests must be redirected toward long-term sustainable, multiple use management principles. This management will not only promote healthy forests that are resistant to insect, disease, fire, and weather damage, but it will provide forest products that will strengthen rural economies and enhance other forest uses by upholding and improving the integrity of the forests' recreational and aesthetic attributes; and

Whereas, Michigan is home to a great expanse of forestland consisting of 19 million acres that cover 53 percent of the state. More than 3.1 million acres are encompassed in three national forests, the Huron-Manistee National Forest in the Lower Peninsula and the Ottawa and Hiawatha National Forests in the Upper Peninsula. Michigan's timberland acreage is the fifth largest in the nation. In addition to providing hunting, fishing, and other recreational opportunities, these forestlands provide habitat for wildlife and contain a substantial, sustainable, precious, and valuable renewable timber resource; and

Whereas, Michigan's forest products industry is dependent on a consistent supply of healthy timber and the sustainable management of all forestlands within the state, including the national forests. Logging operations, sawmills, paper mills, and related businesses have provided well-paying jobs for many generations of Michigan residents in communities across the state. The timber industry has been an important part of the tax base and has helped school districts in many rural communities provide schoolchildren with a quality education; and

Whereas, National forests in Michigan and elsewhere are no longer being sustainably managed, which is contrary to the 1960 congressional directive to the United States Forest Service (USFS) to manage national forests in a manner that creates multiple-use forests, including timber for our economy. For more than 30 years, from 1955 to 1988, national forests produced an average of 11 billion board feet of timber each year. However, over the last two decades, extreme interpretations of environmental policies, such as the Endangered Species Act and the National Environmental Policy Act (NEPA), have resulted in diminishing wood fiber harvests. For example, in 2008, the USFS harvested only 2.3 billion board feet of timber, or nearly 80 percent less than the average in 1955 to 1988; and

Whereas, Last year, the timber harvested in the Huron-Manistee, Ottawa, and Hiawatha National Forests was less than half of the timber required to maintain forest health. For example, the 2006 forest plan for the Ottawa National Forest authorizes an average annual Allowable Sale Quantity (ASQ) of 90 million board feet. Yet timber sales from the Ottawa National Forest average only 41 million board feet per year, or approximately 45 percent of the ASQ. The 2006 forest plan for the Hiawatha National Forest authorizes an average annual ASQ of 109 million board feet. However, only an average of 42 million board feet per year, or approximately 38 percent of the ASQ, are annually sold. The 2006 forest plan for the Huron-Manistee National Forest authorizes an average annual ASQ of 91 million board feet. However, it is only selling an average of 47 million board feet per year, or about 52 percent of the ASQ. Since 1999, the forest plans for the Ottawa and Hiawatha National Forests authorized harvests totaling more than 2 billion board feet. However, only 930 million board feet of timber has been sold, or approximately 47 percent of the ASQ. Since 1999, the forest plans for the Huron-Manistee National Forest authorized harvests totaling more than 1 billion board feet. Yet only 504 million board feet of timber has been sold, or approximately 49 percent of the ASQ. Millions of board feet of timber are being lost each year to biological maturity, insects, disease, fire, and weather events because national forestlands are being mismanaged; and

Whereas, The forest products industry and the entire state are feeling the direct impacts of this lack of sustainable forest management. Sawmills and paper mills are cutting jobs and pay or closing their doors altogether. Rural school districts are going without tax revenue previously realized. Michigan's employment opportunities, tax base, and overall economy are suffering because one of our greatest renewable resources is being greatly underutilized; and

Whereas, Federal action should be taken to increase timber production from national forests and ensure these forests are being sustainably managed. Congress should use the appropriations process to reform the policies of the USFS and require sound silvicultural practices that improve forest regeneration and health in the short and long term. Environmental laws, such as NEPA and the Endangered Species Act, should be reviewed and amended to ensure that they are not prohibiting the ability to effectively manage national forests and to inhibit extreme interpretations. Federal officials who have

been responsible for forest mismanagement should be replaced with commonsense forest management professionals. Finally, hearings should be held in the communities around national forests so congressional delegations and state legislators in Michigan, Minnesota, and Wisconsin can hear directly from those impacted by the lack of sustainable forest management; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That we urge Congress and the United States Forest Service to take immediate and aggressive action to correct the mismanagement of national forestlands; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate; the Speaker of the United States House of Representatives; the members of the Michigan congressional delegation; the chief of the United States Forest Service; the forest supervisors of the Hiawatha National Forest, the Huron-Manistee National Forest, and the Ottawa National Forest; and the director of the Michigan Department of Natural Resources.

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

Senator Pavlov 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 Pavlov moved that the concurrent resolution be referred to the Committee on Natural Resources, Environment and Great Lakes.

The motion prevailed.

Senators Booher, Emmons and Marleau were named co-sponsors of the concurrent resolution.

Senators Warren, Young and Whitmer offered the following concurrent resolution:

**Senate Concurrent Resolution No. 22.**

A concurrent resolution to urge the Department of Community Health to promote programs to identify and address inequities in the prevention, treatment, and research of diseases threatening the health of women.

Whereas, There is substantial research indicating that women do not receive the same level of health care as men. Women are less often referred for diagnostic tests, are less represented in health studies, and are less often treated for diseases compared to men with the same condition. There is considerable evidence that women receive less aggressive treatment for certain illnesses, including cardiovascular problems, than men with similar symptoms; and

Whereas, Physiological differences between men and women contribute to significant distinctions in how certain diseases are diagnosed and treated and the levels of attention from the medical research community. Women smokers are far more likely to develop lung cancer, far more vulnerable to HIV in contacts with men, and far more likely to live in a long-term facility. Women also face difficulties with insurance beyond those faced by men; and

Whereas, In spite of efforts by women's groups to achieve parity in treatment and research, there are many aspects of health care that need to be examined before true equity is realized; and

Whereas, Government agencies and policies play an important role in promoting public health. Public funding for programs, initiatives to increase public awareness of health problems, and encouragement of research can make an enormous difference in how a specific problem is addressed; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That we urge the Department of Community Health to promote programs to identify and address inequities in the prevention, treatment, and research of diseases threatening the health of women; and be it further

Resolved, That a copy of this resolution be transmitted to the Department of Community Health.

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

Senator Pavlov 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 Pavlov moved that the concurrent resolution be referred to the Committee on Appropriations.

The motion prevailed.

Senators Bieda, Gleason, Hopgood and Marleau were named co-sponsors of the concurrent resolution.

**Senate Concurrent Resolution No. 18.**

A concurrent resolution to memorialize Congress to take immediate action to close the O'Brien Lock and Dam in the Chicago Waterway System to prevent Asian carp from entering Lake Michigan and the Great Lakes watershed.

(For text of resolution, see Senate Journal No. 66, p. 2091.)

The House of Representatives has substituted (H-1) the concurrent resolution as follows:

A concurrent resolution to memorialize Congress to require the U.S. Army Corps of Engineers to take immediate action to prevent Asian carp from entering Lake Michigan and the Great Lakes watershed through the Chicago Area Waterway System, including closing the O'Brien and Chicago Locks and placing block nets in other open pathways.

Whereas, The health and vitality of the waters, fisheries, and habitat of the Great Lakes are inextricably connected to a successful and prosperous Michigan tourism industry and healthy state economy. The Great Lake's waters, as well as Michigan tourism and outdoor recreation, are threatened by uncontrolled migration of invasive species in the form of Asian carp moving closer daily to entering Lake Michigan and spreading throughout all of our state's waterways; and

Whereas, Asian carp could become a dominant species in the Great Lakes, threatening the \$7 billion Great Lakes commercial and recreational fishery and recreational boaters. Asian carp are voracious feeders that compete with native fish and wildlife for food. In addition, silver carp can weigh up to 70 pounds and jump up to 10 feet out of the water when disturbed by boats. Boaters have suffered cuts, blackened eyes, broken bones, back injuries, and concussions from leaping silver carp; and

Whereas, Immediate and decisive action is required to protect the \$7 billion Great Lake commercial and recreational fishery and the \$9 billion Great Lake recreational boating industry. The collapse of the sports and commercial fishing industries and damage done to the recreational boating industry would translate into billions of dollars in lost revenues and thousands more workers joining the ranks of the unemployed. In addition, damage done to the Great Lakes, rivers, and inland lakes by Asian carp would greatly harm our state's viability as an attractive vacation destination, thereby weakening the effectiveness of the Pure Michigan brand and leading to decreased tourism outcomes, revenues, and jobs; and

Whereas, H.R. 892 and S. 471 are currently pending before the U.S. House of Representatives and Senate to require the completion of feasibility studies as to how best to provide hydrological separation or other certain means of preventing the migration of Asian carp and other invasive species into Lake Michigan; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That we memorialize Congress to require the U.S. Army Corps of Engineers to take immediate action to prevent Asian carp from entering Lake Michigan and the Great Lakes watershed through the Chicago Area Waterway System, including closing the O'Brien and Chicago Locks and placing block nets in other open pathways and that the locks remain closed until H.R. 892 and S. 471 are enacted into law; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

The House of Representatives has adopted the concurrent resolution as substituted (H-1) and named Reps. Barnett, Constan, Darany, Franz, Haines, Heise, LeBlanc, Liss, Price and Slavens as co-sponsors of the concurrent resolution.

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

### Statements

Senators Bieda and Hood asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator Bieda's statement is as follows:

Today, I rise to reflect on the passing of a man who changed the world. In the real sense, he was the Thomas Edison or Henry Ford of our time. Yesterday, Steve Jobs passed away at the age of 56.

Steve Jobs was the greatest innovator of our time, which is as much an artistic descriptor as it is a scientific one. His vision was not just grand, but particularly ushering in an age of the computer that doubled as a design object. In his own words, Steve Job joined technology with the art to make our hearts sing.

But it wasn't just about making the coolest-looking gadget. It was about defining the way people went about their ordinary lives. This meant eliminating millions of buttons because of their look and the personal objection to their feel. His attention to deal on the grand scale is what elevated the Apple company from the technological world to shaping our entire cultural psyche. To most, technology was merely a form of functioning. Like a telephone is a means to an end, you talk to friends and socialize.

Steve Jobs created new spaces for us to exist in and explore; an object to identify with the way we would a car or a movie. His objects felt more meaningful than just a product. Why would you just call a friend when you can fiddle with the latest app? The anti-social life became cool, and Jobs facilitated the space that would be filled with Facebook and Twitter and a new form of social interaction. In short, Steve Jobs made the nerd cool again.

In closing, I think President Obama said it best earlier today: "He transformed our lives, redefined entire industries, and achieved one of the rarest feats in human history. He changed the way each of us sees the world."

The President pro tempore, Senator Schuitmaker, assumed the Chair.

Senator Hood's statement is as follows:

I stand before you today, and my heart hurts a little bit—well, a lot. The reason for it is as a kid, I watched a lot of things that went on in this building, but when we sit here as an example today, that is what hurts me. We are all guilty of it. When

we talk about this side of the aisle or that side of the aisle in disagreement, that divisive talk hurts me. At some point in time, we are going to have to eliminate that divisive talk. Even though we don't agree on issues, if that is the divisive point, then that is fine. But when we just make a statement of saying this side of the aisle or that side of the aisle, it is just people with different ideas on how to get somewhere. Some I agree with and some I don't, but we are going to have to come together if this state is ever going to make a resurgence and become the state that we want it to become. We are going to have to cross that aisle or cross that line and start this process of talking to each other. It's got to happen. It's a necessity because if we don't do it, we are going to find ourselves swimming against the current, which we are doing now today.

I just want everyone to think about that. It is something that has to be done, or the citizens of the state of Michigan are going to continue to suffer. We have to talk to each other and talk to each other like we are human because the people I represent and the people someone else represents are human, and we have to begin to think of it that way. If we don't do it, it is going to be tough.

### Committee Reports

The Committee on Education reported

**Senate Bill No. 619, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 552 (MCL 380.552), as added by 2009 PA 205.

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.

Phillip J. Pavlov  
Chairperson

To Report Out:

Yeas: Senators Pavlov, Emmons and Colbeck

Nays: None

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. 621, entitled**

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending section 166b (MCL 388.1766b), as amended by 2010 PA 204.

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.

Phillip J. Pavlov  
Chairperson

To Report Out:

Yeas: Senators Pavlov, Emmons and Colbeck

Nays: None

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

### COMMITTEE ATTENDANCE REPORT

The Committee on Education submitted the following:

Meeting held on Wednesday, October 5, 2011, at 12:00 noon, Senate Hearing Room, Ground Floor, Boji Tower

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

The Committee on Economic Development reported

**House Bill No. 4394, entitled**

A bill to amend 1936 (Ex Sess) PA 1, entitled "Michigan employment security act," (MCL 421.1 to 421.75) by adding section 27c.

With the recommendation that the bill pass.

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

Michael W. Kowall  
Chairperson

**To Report Out:**

Yeas: Senators Kowall, Hildenbrand, Nofs, Emmons and Hansen

Nays: None

The bill was referred to the Committee of the Whole.

**COMMITTEE ATTENDANCE REPORT**

The Committee on Economic Development submitted the following:

Meeting held on Wednesday, October 5, 2011, at 1:45 p.m., Room 110, Farnum Building

Present: Senators Kowall (C), Hildenbrand, Nofs, Emmons, Hansen and Smith

Excused: Senator Hunter

**COMMITTEE ATTENDANCE REPORT**

The Subcommittee on K-12, School Aid, Education submitted the following:

Meeting held on Wednesday, October 5, 2011, at 1:30 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building

Present: Senators Walker (C), Caswell, Pappageorge and Hopgood

**COMMITTEE ATTENDANCE REPORT**

The Committee on Families, Seniors and Human Services submitted the following:

Joint meeting held on Thursday, October 6, 2011, at 8:09 a.m., House Appropriations Room, 3rd Floor, Capitol Building

Present: Senators Emmons (C), Nofs and Gregory

Excused: Senator Rocca

**Scheduled Meetings****Appropriations -****Subcommittees -**

**Human Services Department; Families, Seniors and Human Services; House Human Services Appropriations Subcommittee; and House Families, Children, and Seniors -** Thursday, October 27, 8:00 a.m., Senate Hearing Room, Ground Floor, Boji Tower (373-2768)

**Michigan Law Revision Commission -** Thursday, October 13, 11:00 a.m., Legislative Council Conference Room, 3rd Floor, Boji Tower (373-0212) (CANCELED)

**Reforms, Restructuring and Reinventing -** Wednesday, October 12, 8:30 a.m., Rooms 402 and 403, Capitol Building (373-5307)

**Transportation -** Tuesday, October 11, 12:30 p.m., Room 100, Farnum Building (373-5314)

Senator Pavlov moved that the Senate adjourn.

The motion prevailed, the time being 2:24 p.m.

The President pro tempore, Senator Schuitmaker, declared the Senate adjourned until Tuesday, October 11, 2011, at 10:00 a.m.

CAROL MOREY VIVENTI  
Secretary of the Senate