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Senate Chamber, Lansing, Thursday, April 30, 2009.

10:00 a.m.

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

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

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

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

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

Senator Irma Clark-Coleman of the 3rd District offered the following invocation:

Father Mother God, the most powerful One, please place Your healing hands on this great state of Michigan. We have so many challenges that we have to address here. We know that You are the omnipotent, the all-powerful, and that You can make it well.

We want You to bless Chrysler. Let them reach an agreement. There are so many families who are dependent on their survival and so many retirees who are also dependent on it. Lord, this great state of Michigan, we know that it will survive—it will come back—but let us come back with a vibrant automobile industry.

I ask this, God, that You take care of all of us. Let us all make decisions based on what is in the best interest of this great state of Michigan and these great United States.

God, I ask these blessings in Your holy name. Thank you, Father. Thank you, Father. Thank you, Father. Amen.

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

### Motions and Communications

Senators Brown, Kuipers, Switalski, Jelinek, Jansen, Clarke, Richardville, Kahn, Hunter, Allen, Barcia and Pappageorge entered the Senate Chamber.

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

Senator Cropsey moved that consideration of the motion to discharge the Committee on Government Operations and Reform from further consideration of the following bills be postponed until Tuesday, June 2:

**House Bill No. 4316**

**House Bill No. 4317**

**House Bill No. 4318**

The motion prevailed.

Senator Thomas requested the yeas and nays.

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

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

#### Roll Call No. 137

#### Yeas—20

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

#### Nays—16

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

#### Excused—1

Garcia

**Not Voting—0**

In The Chair: President

**Protests**

Senators Whitmer, Gleason, Cherry and Jacobs, under their constitutional right of protest (Art. 4, Sec. 18), protested against the motion to postpone until June 2 the motion to discharge the Committee on Government Operations and Reform from further consideration of House Bill Nos. 4316, 4317, and 4318 and moved that the statements they made during this discussion of the motion be printed as their reasons for voting “no.”

The motion prevailed.

Senator Whitmer’s statement is as follows:

I rise to speak against postponement whether it is January 2nd or June 2nd. Time is of the essence, and the time to act is now. I am speaking against further delay on these most important bills. I’m speaking against delay tactics. I’m speaking against the continued cowardice of not taking a vote now.

The time is now. I vote that we take action today. I vote that we take action for victims’ rights. Too long have we treated our citizens as second-class citizens. When a harmful drug kills our people, too long have we put drug company profits and illusory promises of jobs before actual victimization of our people. It is time to act, and I implore you to do the right thing to protect the consumers of the state of Michigan and take a vote today. That is what we have been elected to do—to protect the people of our state. If we were not elected to do that, what were we elected to do? To postpone tough decisions? I think not.

I ask that we not postpone these bills and that we take action today. That is what the people of Michigan deserve. That is what they are demanding we do. That is why I rise to oppose postponing these important bills.

Senator Gleason’s statement is as follows:

June 2nd—it is a lovely month and a lovely day, but it is just another number to pause justice for Michigan citizens who have been harmed. Once again, we are not offering a recommendation for exceptions. I am speaking today again about including the third, and sometimes the most important, branch of government, the judicial branch.

We can move this back six weeks, but we can’t move back the pain and suffering and the unexpected consequences of harmful drugs on the market. Only a few days ago, the Senator from Saginaw said that many states have this similar law. I don’t think that was a wholly accurate remark. By postponing the effort that we should be undertaking today, we are offering further excuses and unfamiliar examples to pause judicial relief for Michigan citizens.

The highest responsibility we have as Senators of this great state is the public health and welfare of our citizens. When we just unilaterally deny them access to the local courts and we say, yes, June 2nd is a fine date to postpone this to, I would hope that there is an altruistic measure in this: That those who say let’s pause until June 2nd will actually give us this vote that we have asked for for nearly six years.

If we have an assurance that we will vote on this issue on June 2nd, I wouldn’t like to, but I could support the pause again of this important legislation. But somehow I don’t believe that we are going to be given that right to vote on June 2nd. I think it is going to be like April 2nd that just went by, and I think it is going to be like February 2nd that just went by. If we can get a responsible measure by those who would like to pause this legislation and say we will give you that vote on June 2nd, then I could say I’ll join you, but I think this is just another example of what we utilize this bill for.

Let’s do what we were elected to do. There is not a single member of this Senate who, if they had a family member who was harmed, if they themselves were harmed by a drug, would say let’s put this off for six weeks. Let’s take care of our state’s business. There is a reason why 49 other states don’t incorporate this as a hindrance to their local courts. Let’s do the right thing and vote on this today because we know darn well that we aren’t going to be able to vote on it on June 2nd.

Senator Cherry’s statement is as follows:

I rise to oppose the postponement of consideration of these bills to June 2nd. As I heard from the Majority Floor Leader his belief that we can’t do this now because, first of all, we are playing politics, I have never known that dealing with people’s health, safety, and livelihood were an issue of politics. It never has been and nor should it be.

Secondly, we do have very serious problems in this state. The budget, of course, is one, and there are people working on that now. We are able in this body to do more than one thing at a time.

That is why people elected us. They elected us to solve the problems of this state, and this is one of those problems.

We should not continue to postpone it because postponing is really an issue of politics.

Senator Jacobs' statement is as follows:

I actually wasn't planning on speaking to this. I guess I am very moved by the Senator from the 32nd District's floor speech just now. Yes, indeed, we have not heard from all of those organizations, all of those interest groups, all of the lobbyists who are getting paid handsomely for their ability to have their voices heard. Who we have heard from are the very people in our districts who want us to deal with this—the very people whom we all represent who often can't afford to pay a lobbyist to make their positions known.

Let us stand up for the people in our districts who want this. I vehemently oppose the postponement of these calendar items.

Senators Cropsey, Kahn, Jansen, Cherry, Clark-Coleman, Cassis, Anderson and Switalski asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator Cropsey's statement is as follows:

I think it is important for us to realize that the way this issue has come before us has been an unusual issue that unnecessarily has politicized this. I hate to see partisan politics get involved in a situation of this nature. This is something that should be negotiated, and it should be thought through. I think the Governor must engage on this issue and must come to terms with what we should actually be doing with this issue.

I think the Governor, the Majority Leader, the Minority Leader, the Speaker of the House, and the Minority Leader in the House are somewhat preoccupied with other major issues that are confronting us at this point. We have one car company or two of the Big Three that are facing major problems. We have our leadership trying to grapple with that, including the Governor's office. We have just been informed that instead of having a \$785 million deficit in this year's budget, which was a huge shock, we are hit with another whammy when we found out that it is going to be closer to \$500 million more than that.

We have very significant problems with our budget, and I think the Governor has said that she wanted us to be laser-focused on this issue of the budget. I think the Governor is correct on that. I think bringing up this other issue at this time is totally inappropriate. We are talking about if we should allow more lawsuits or shouldn't we allow more lawsuits. Does it hurt business, or does it help business? Does it hurt individuals, or does it help individuals? That should be for another time because the budget issue is the most pressing issue that we have.

I think it is very obvious that the other side of the aisle wants to try and make as much political hay as they can out of it. I think there is time for that. I think the time right now is to stop the politics, stop the political games, and let's see what we can do about the economic future of this great state of Michigan because it is hurting. It is not time at this point to play politics. That is why we need to have this postponed so that we can take care of the urgent, immediate problems that we have.

Senator Kahn's statement is as follows:

While it is about time and when that time has come and what constitutes the right time, I do understand that those who are proponents of this issue have been arguing for it for, in fact, a long time. But arguing for something to be done now or tomorrow or yesterday cannot be done in a vacuum. By that vacuum, I mean a vacuum of consideration of the issue itself by the opponents, the detractors, the modifiers, the supporters, and the enemies. In this particular case, in making a decision about when this issue is right for a vote.

We have not heard from the American Justice Partnership, the American Tort Reform Association, Blue Cross Blue Shield, Chrysler, Detroit Regional Chamber, Dow Chemical, Grand Rapids Chamber of Commerce, Kalamazoo Regional Chamber of Commerce—I could go on and on, and since I have 3 minutes and 32 seconds left, I will. We haven't heard from Meijer, the Michigan Academy of Family Physicians, the Michigan Academy of Physician Assistants, the Michigan Association of Health Plans, the Michigan Biotechnology Association, the Michigan Chamber of Commerce, the Michigan Chemical Council, the Michigan College of Emergency Physicians, or the Michigan Dental Association; let alone the Michigan Health and Hospital Association, MLAW, the Michigan Manufacturers Association, the Michigan Osteopathic Association, the Michigan Pharmacists Association, the State Medical Society, the National Federation of Independent Businesses, the Pharmaceutical Research of Manufacturers of Michigan, and on and on. That is not the whole list.

Therefore, this issue is not mature or ready for a vote.

Senator Jansen's statement is as follows:

I hate to interrupt this exciting conversation going on, but today I have to say goodbye to somebody who has been working hard for me. He thinks he can go to the private sector. He is taking a job in my district with Spartan Stores. I will be losing my chief of staff.

I have a tribute that has been signed by a couple of us. Mike Gallagher has been a stalwart for me in the Senate. He has been a part of my campaign and part of my office since becoming a Senator. He has been my right hand and my

left hand, and he has done all kinds of things for me and done an absolutely fabulous job. I am very sad to lose him but thankful for Spartan Stores to get him.

He has worked for Majority Leader Sikkema and Majority Leader Dan DeGrow. Then he was stuck with me. He decided that was enough, but he has done a fabulous job. There are a lot of nice things on this tribute. I just say my colleagues, many of our staff give up private-sector jobs to do what is good for Michigan. Mike is one of those folks. I think all of us should go back to our offices and say thanks to staffs that do a lot of hours, do a lot of crazy things, and they are trying to make Michigan better.

I need to say goodbye to Mike, but I will probably see him back in the home district. I just want to wish him the best and ask my colleagues to help me also join in saying the best to him and wishing him a happy goodbye.

Senator Cherry's statement is as follows:

My colleagues, it gives me pleasure to introduce to you James Garner who has been serving as an intern in my office. James is from the city of Detroit, and he has been a great addition to my office working hard on constituent issues and legislative issues. He has been a participant in Central Michigan University's Capital City Internship Program from January of this year to April. He is completing his master's degree in December and will be continuing to work as a graduate assistant in the political science department at Central. After that, he plans on pursuing various job opportunities and maybe even doing a little bit of travel.

We thought very highly of the work James did, and I want to thank my colleagues because they all signed a seal for him to take with him as a remembrance of his internship here. I ask my colleagues to say goodbye to him with me as he goes on to bigger and better things. Thank you, James.

Senator Clark-Coleman's statement is as follows:

I would like to introduce to you an intern from Central Michigan University also. Her name is Brittany Heckman. I'll tell you, I have had many interns over the years, but this one here was exceptional. She is a full-time student at Central Michigan, and her major is interpersonal and public communications. Her minor is in event management and hospitality administration.

Brittany has a great ability to work independently, and she diligently served us well. It was a pleasure to introduce her to public policy and the process by which it is shaped in the State Legislature. A perusal of her resume demonstrates Brittany's proclivity to serve. She volunteered her spring break to work with Head Start students in New Jersey. She also worked as a dietary aide serving meals to senior citizens who otherwise would have had great difficulty in feeding themselves. Brittany truly has the heart of a servant. I look forward to one day her working in public office where she can reach multitudes of people.

I have a tribute and this tribute is symbolic of Brittany's exceptional achievement in several areas. In meeting the requirements of the internship, she has acquired a keen interest in public projects which were birthed in her community-mindedness. In pursuit of her goals, Brittany has displayed impressive leadership skills and the ability to bring difficult tasks to completion. Such talents need to be recognized, and they will serve her well in the years to come.

It is my personal privilege to present this Special Tribute to Brittany A. Heckman for her outstanding service to Senate District 3 as a spring intern. We are going to miss her. I just told her that she became one of our family. I am going to miss her, and I know the rest of my staff will also. We really became dependent on Brittany to do a wonderful job, and she did not disappoint us at all. Thank you very much.

Senator Cassis' statement is as follows:

It is always such an honor to commend a young person who has been with our team now for several months. Her name is Brittany Fitzpatrick—it's a good Irish name isn't it? Brittany is a political science major at CMU. She has been with us doing an absolutely incredible and talented job. I have to commend the CMU program for sending us such fine young people. They have learned a lot, but you know what? We have learned a lot from them too.

So, today, I want to thank our Brittany for being with us and wish her every success in her very bright future that is ahead. Thank you, Brittany.

Senator Anderson's statement is as follows:

I want to ask members to join me in saying goodbye to an intern in my office also. I know we are all losing a lot of great interns, and Andrea Aquino is a student at Central Michigan University also. She has done a phenomenal job in my office. She is from Romeo and has been a phenomenal intern, has done so much, and has been so helpful.

We are certainly going to miss her, and I would like to take this opportunity to congratulate her for the good job she did and wish her the best as she finishes up at Central, and say thanks.

Senator Switalski's statement is as follows:

This is a sad day because I also am losing an intern, and it strikes me that we are contributing to the high unemployment levels in the state with all these interns leaving. It is sad because we have really benefited in my office from the services

of Amanda Tomasik who is working her last day today. Everybody in the office has raved about her. She is from Jackson, Michigan. She was on the dean’s list, and she majored in finance. She is going to probably be going to law school shortly.

She showed really keen insight and great judgment when she chose her work schedule, which was Mondays and Fridays when I was not in the office. She is clearly a good thinker, knows how to position herself well, and stay away from incompetents in the office. I commend her for that.

She has done a great job, and we are going to miss her. Hail and farewell from the Senate Chamber.

**Recess**

Senator Cropsey moved that the Senate recess subject to the call of the Chair. The motion prevailed, the time being 10:40 a.m.

11:13 a.m.

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

The following communication was received and read:  
Office of the Auditor General

April 28, 2009

Enclosed is a copy of the following audit report:  
Performance audit of the Health Insurance Cost Avoidance and Recovery Section, Medical Services Administration, Department of Community Health.

Sincerely,  
Thomas H. McTavish, C.P.A.  
Auditor General

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

The Secretary announced that the following House bills were received in the Senate and filed on Wednesday, April 29:

**House Bill Nos. 4175 4176 4177 4178 4191 4629 4692 4693**

The Secretary announced that the following official bills were printed on Wednesday, April 29, and are available at the legislative website:

**Senate Bill Nos. 470 471 472 479 480 481 482 483 484 485 486 487 488 489**  
**490 491 492**  
**House Bill Nos. 4833 4834 4835 4836 4837 4838 4839**

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

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

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

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

**Senate Bill No. 430, entitled**

A bill to amend 1950 (Ex Sess) PA 23, entitled “Airport zoning act,” (MCL 259.431 to 259.465) by adding section 24a.

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

- 1. Amend page 1, line 5, after “**IF**” by striking out “**BOTH**” and inserting “**ALL**”.
- 2. Amend page 1, following line 7, by inserting:

**“(B) THE APPLICANT HAS BEEN GRANTED ANY NECESSARY PERMITS OR OTHER APPROVALS FOR THE ACTIVITY FROM THE FEDERAL AVIATION ADMINISTRATION.”** and relettering the remaining subdivision.

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.

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

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

**Senate Bill No. 130**

**Senate Bill No. 455**

**Senate Bill No. 466**

**Senate Bill No. 129**

The motion prevailed.

The following bill was read a third time:

**Senate Bill No. 130, entitled**

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 307 (MCL 168.307), as added by 2003 PA 302.

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. 138**

**Yeas—36**

Allen	Cherry	Jacobs	Prusi
Anderson	Clark-Coleman	Jansen	Richardville
Barcia	Clarke	Jelinek	Sanborn
Basham	Cropsey	Kahn	Scott
Birkholz	George	Kuipers	Stamas
Bishop	Gilbert	McManus	Switalski
Brater	Gleason	Olshove	Thomas
Brown	Hardiman	Pappageorge	Van Woerkom
Cassis	Hunter	Patterson	Whitmer

**Nays—0**

**Excused—1**

Garcia

**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. 455, entitled**

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 866 (MCL 168.866).

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. 139****Yeas—36**

Allen	Cherry	Jacobs	Prusi
Anderson	Clark-Coleman	Jansen	Richardville
Barcia	Clarke	Jelinek	Sanborn
Basham	Cropsey	Kahn	Scott
Birkholz	George	Kuipers	Stamas
Bishop	Gilbert	McManus	Switalski
Brater	Gleason	Olshove	Thomas
Brown	Hardiman	Pappageorge	Van Woerkom
Cassis	Hunter	Patterson	Whitmer

**Nays—0****Excused—1**

Garcia

**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. 466, entitled**

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending section 434 (MCL 208.1434), as amended by 2009 PA 6.

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. 140****Yeas—36**

Allen	Cherry	Jacobs	Prusi
Anderson	Clark-Coleman	Jansen	Richardville
Barcia	Clarke	Jelinek	Sanborn
Basham	Cropsey	Kahn	Scott
Birkholz	George	Kuipers	Stamas
Bishop	Gilbert	McManus	Switalski
Brater	Gleason	Olshove	Thomas
Brown	Hardiman	Pappageorge	Van Woerkom
Cassis	Hunter	Patterson	Whitmer

**Nays—0****Excused—1**

Garcia



**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. 129, entitled**

A bill to amend 1954 PA 116, entitled “Michigan election law,” by amending section 24a (MCL 168.24a), as amended by 1982 PA 154.

The question being on the passage of the bill,  
 Senator Jacobs offered the following amendment:

1. Amend page 4, line 8, by inserting:  
 “(c) Senate Bill No. 6.”.

The amendment was not adopted, a majority of the members serving not voting therefor.  
 Senator Thomas 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. 141**

**Yeas—16**

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

**Nays—20**

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

**Excused—1**

Garcia

**Not Voting—0**

In The Chair: President

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

**Roll Call No. 142**

**Yeas—36**

Allen	Cherry	Jacobs	Prusi
Anderson	Clark-Coleman	Jansen	Richardville

Barcia	Clarke	Jelinek	Sanborn
Basham	Cropsey	Kahn	Scott
Birkholz	George	Kuipers	Stamas
Bishop	Gilbert	McManus	Switalski
Brater	Gleason	Olshove	Thomas
Brown	Hardiman	Pappageorge	Van Woerkom
Cassis	Hunter	Patterson	Whitmer

**Nays—0**

**Excused—1**

Garcia

**Not Voting—0**

In The Chair: President

The Senate agreed to the title of the bill.

By unanimous consent the Senate proceeded to the order of

**Resolutions**

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

**Senate Resolution No. 44**

The resolution consent calendar was adopted.

Senators Hunter, Gleason, Anderson, Olshove and Thomas offered the following resolution:

**Senate Resolution No. 44.**

A resolution to memorialize the Congress of the United States to enact the Hearing Aid Assistance Tax Credit Act.

Whereas, A bill to create the Hearing Aid Assistance Tax Credit Act has been introduced in Congress as H.R. 1646. This important measure would create an income tax credit for the purchase of a qualified hearing aid. The proposed credit would go a long way toward making hearing aids more affordable for senior citizens and many of the most vulnerable individuals in our society. This legislation is similar in principle to the sales tax exemption for hearing aids adopted in Michigan in 1978. It is clearly most deserving of passage; and

Whereas, Indeed, it has been reported that any number of our nation's poor and elderly go without hearing aids for financial reasons. In a just society, no one should be deprived of the God-given gift to hear because of their finances. The Hearing Aid Assistance Tax Credit Act would be an important first step in helping to guarantee that those with hearing impairments will have access to the assistive devices they so desperately need. Its enactment would also be sterling testimony to the role government can play in making the lives of its citizens more healthful and fulfilling; and

Whereas, The Hearing Aid Assistance Tax Credit Act proposal would specifically provide an income tax credit of \$500 for the unreimbursed costs associated with the purchase of a qualified hearing aid. The credit availability would be limited to individuals over the age of 55 and to certain dependents. The credit could only be claimed every five years. This modest credit would have a miniscule impact on the government's finances, but it would pay huge dividends in people's lives; now, therefore, be it

Resolved by the Senate, That we hereby memorialize the Congress of the United States to enact the Hearing Aid Assistance Tax Credit 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.

Senators Barcia, Birkholz, Clark-Coleman, Clarke, Jacobs, Jansen and Scott were named co-sponsors of the resolution.

Senator Kahn offered the following resolution:

**Senate Resolution No. 45.**

A resolution to memorialize the Congress of the United States to pass and the President of the United States to sign legislation that will provide flexibility in providing care for Medicare and Medicaid dual eligibles and share Medicare savings.

Whereas, The Michigan Legislature recognizes the growing population of older people and individuals with disabilities and the increased demand on the state budget to bear the primary role of financing long-term care services; and

Whereas, Michigan long-term care consumers deserve a strong, sustainable federal and state partnership that encourages a consumer-focused system of care that ensures adequate consumer protections for beneficiaries; and

Whereas, The current long-term care system is complicated by the fact that Medicare and Medicaid service providers are not able to share acute and long-term care information and decision making. This can cause an individual's care to become fragmented and result in higher rates of preventable hospitalizations, more reliance on emergency room care, and increased nursing facility admissions; and

Whereas, As of February 2009, Michigan's Medicaid caseload of 1.67 million included an estimated 190,000 dual eligibles (Medicare and Medicaid). Studies estimate that expenditures by both the Medicare and Medicaid programs for dual eligibles in Michigan will exceed \$7.4 billion in fiscal year 2010; now, therefore, be it

Resolved by the Senate, That we request that Congress pass and the President sign legislation that would require the U.S. Department of Health and Human Services Centers for Medicare and Medicaid Services to partner with the state of Michigan and to implement integrated care strategies to provide the necessary long-term care infrastructure and service options by providing the state of Michigan flexibility to utilize Medicare dollars for the benefit of dual-eligible beneficiaries; and be it further

Resolved, That we believe that the state of Michigan should be given the ability to share in the Medicare savings for dual-eligible beneficiaries that are achieved through such innovative policies; and be it further

Resolved, That copies of this resolution be transmitted to the Office of the President of the United States, 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 and Reform,

Senator Cropsey moved that the rule be suspended.

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

The resolution was adopted.

Senators Barcia, Birkholz, Clarke, Hardiman, Jacobs, Jansen and Pappageorge were named co-sponsors of the resolution.

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

The motion prevailed.

Senator Kahn's statement is as follows:

With the growing population of aging—I guess I am one—and people with disabilities, there is the increased demand on the state budget to bear the primary role of financing long-term care service. Michigan long-term care consumers deserve a strong, sustainable federal and state partnership—partnership that encourages a consumer-focused system of care that ensures adequate consumer protections for beneficiaries.

The current long-term care system is complicated by the fact that Medicare and Medicaid service providers are not able to share acute and long-term care information and decision making. The lack of shared information can cause an individual's care to become fragmented and result in higher rates of preventable hospitalizations, emergency room utilization, and increased nursing facility admissions. All are detrimental to our health and to our people and driving up costs.

This resolution will request that Congress pass and the President sign legislation that would require the United States Department of Health and Human Services Centers for Medicare and Medicaid Services to partner with our state, the state of Michigan, and to implement integrated care strategies to provide the necessary long-term care infrastructure and for the service options that we need. In so doing, it will provide the state of Michigan with the flexibility to utilize Medicare dollars for the benefit of dual-eligible beneficiaries. In so doing, we will improve health, save lives, and save dollars. That is a triple play.

Senator Brown offered the following resolution:

**Senate Resolution No. 46.**

A resolution commemorating May 7, 2009, as Michigan's Day of Prayer.

Whereas, America's founders forged our country's longstanding reliance on prayer when they asked all colonists in 1775 to pray for God's help in undertaking the enormous task of forging our new nation; and

Whereas, An annual celebration of a National Day of Prayer officially came into existence in 1952 when President Truman signed into law a joint resolution of the U.S. Congress; and

Whereas, The 58th observance of the National Day of Prayer will be held May 7, 2009; and

Whereas, Leaders of our nation have relied upon prayer throughout America's rich history; and

Whereas, II Chronicles 7:14 states "...if my people, who are called by my name, shall humble themselves, and pray and seek my face, and turn from their wicked ways; then will I hear from heaven, and will forgive their sin, and will heal their land."; and

Whereas, We, as a nation, give thanks for the freedoms we enjoy every day and pray that the state of Michigan and its people will be blessed and protected from those who would threaten our freedom and also be protected from the trials of economic hardship; and

Whereas, We ask God, the Author of our liberty, to guide us and strengthen our spiritual foundations during these challenging and difficult times; and

Whereas, We ask the Governor of Michigan, the President of the United States, and all elected officials to join with our citizens in embracing this National Day of Prayer and Michigan's Day of Prayer as an opportunity to come together in "humiliation, fasting and prayer," as President Abraham Lincoln proclaimed in 1863; and

Whereas, We urge all Americans to join in observing this day with appropriate programs, ceremonies, and activities; and

Whereas, It is appropriate that we acknowledge that God is sovereign and call upon our Creator in prayer; now, therefore, be it

Resolved by the Senate, That we hereby proclaim May 7, 2009, as Michigan's Day of Prayer; and be it further

Resolved, That copies of this resolution be transmitted to the Governor of Michigan, Office of the President of the United States, 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 and Reform,

Senator Cropsey moved that the rule be suspended.

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

The resolution was adopted.

Senators Allen, Barcia, Basham, Birkholz, Bishop, Cassis, Cherry, Cropsey, George, Gilbert, Gleason, Hardiman, Hunter, Jacobs, Jansen, Jelinek, Kahn, Kuipers, Olshove, Pappageorge, Patterson, Richardville, Sanborn, Scott, Stamas, Switalski and Van Woerkom were named co-sponsors of the resolution.

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

The motion prevailed.

Senator Brown's statement is as follows:

Senate Resolution No. 46 would commemorate Thursday, May 7, 2009, as Michigan's Day of Prayer to be observed concurrently with the 58th observance of the National Day of Prayer which also is on May 7.

America's founders forged our country's longstanding reliance on prayer when they asked all colonists in 1775 to pray for God's help in undertaking the enormous task of forging a new nation. The annual celebration of a National Day of Prayer came into existence in 1952 when President Truman signed into law a joint resolution of the U.S. Congress.

We may all recall America's first impulse following the September 11 attacks, and it was to pray. Now facing the most unprecedented economic challenge since the Great Depression, let us not soon forget what was so instinctive following the 9/11 attacks.

Our 16th President Abraham Lincoln issued a proclamation that April 30, 1863, would be a National Day of Prayer, and he urged all people to join in this day of "humiliation, fasting and prayer." In this bicentennial year of Lincoln's birth, so let us follow Lincoln's counsel and ask our fellow citizens to join together on May 7 in a day of prayer for guidance, strength, and wisdom in these challenging and difficult times.

### Introduction and Referral of Bills

Senators Allen and Kahn introduced

#### **Senate Bill No. 493, entitled**

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending section 431c (MCL 208.1431c), as added by 2008 PA 88.

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

Senators Jelinek and Switalski introduced

**Senate Bill No. 494, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 208b, 217a, 232, 801, 802, 803b, 803r, 804, 806, 809, 810b, 811d, 811e, and 811h (MCL 257.208b, 257.217a, 257.232, 257.801, 257.802, 257.803b, 257.803r, 257.804, 257.806, 257.809, 257.810b, 257.811d, 257.811e, and 257.811h), sections 208b and 232 as amended by 2005 PA 173, sections 217a and 804 as amended and section 803r as added by 2003 PA 152, section 801 as amended by 2008 PA 7, section 802 as amended by 2004 PA 163, section 803b as amended by 2004 PA 426, section 806 as amended by 2008 PA 281, section 809 as amended by 2008 PA 280, section 810b as amended by 2006 PA 549, and sections 811d, 811e, and 811h as amended by 2006 PA 562.

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

Senators Jelinek and Switalski introduced

**Senate Bill No. 495, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 80130, 80315, 81114, and 82156 (MCL 324.80130, 324.80315, 324.81114, and 324.82156), as amended by 2005 PA 174.

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

Senator Van Woerkom introduced

**Senate Bill No. 496, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding sections 72121, 72122, and 72123.

The bill was read a first and second time by title and referred to the Committee on Natural Resources and Environmental Affairs.

Senator Clarke introduced

**Senate Bill No. 497, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 147b (MCL 750.147b), as added by 1988 PA 371, and by adding section 377d.

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

Senator Clarke introduced

**Senate Bill No. 498, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending sections 16g and 21 of chapter XVII (MCL 777.16g and 777.21), section 16g as amended by 2008 PA 521 and section 21 as amended by 2006 PA 655.

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

Senators Kahn, Patterson, Kuipers, Van Woerkom and Brown introduced

**Senate Bill No. 499, entitled**

A bill to provide standards for personnel policies to protect and accommodate the right of health care providers who object to providing or participating in certain health care services under certain circumstances; to provide for protection from certain liability; and to prescribe penalties and provide remedies.

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

Senators Stamas, Kahn, Van Woerkom, Richardville, Allen, Switalski, Barcia, Gilbert and Sanborn introduced

**Senate Bill No. 500, entitled**

A bill to amend 1974 PA 198, entitled "An act to provide for the establishment of plant rehabilitation districts and industrial development districts in local governmental units; to provide for the exemption from certain taxes; to levy and collect a specific tax upon the owners of certain facilities; to impose and provide for the disposition of an administrative fee; to provide for the disposition of the tax; to provide for the obtaining and transferring of an exemption certificate and to prescribe the contents of those certificates; to prescribe the powers and duties of the state tax commission and certain officers of local governmental units; and to provide penalties," by amending sections 2, 4, 7, 9, and 10 (MCL 207.552, 207.554, 207.557, 207.559, and 207.560), section 2 as amended by 2008 PA 581, section 4 as amended by 2004 PA 437, section 7 as amended by 2008 PA 457, section 9 as amended by 2008 PA 516, and section 10 as amended by 1996 PA 1.

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

Senators Kahn, Stamas, Van Woerkom, Richardville, Allen, Switalski, Barcia, Gilbert and Sanborn introduced  
**Senate Bill No. 501, entitled**

A bill to amend 1974 PA 198, entitled "An act to provide for the establishment of plant rehabilitation districts and industrial development districts in local governmental units; to provide for the exemption from certain taxes; to levy and collect a specific tax upon the owners of certain facilities; to impose and provide for the disposition of an administrative fee; to provide for the disposition of the tax; to provide for the obtaining and transferring of an exemption certificate and to prescribe the contents of those certificates; to prescribe the powers and duties of the state tax commission and certain officers of local governmental units; and to provide penalties," by amending sections 11, 14, 15, 16, and 16a (MCL 207.561, 207.564, 207.565, 207.566, and 207.566a), section 11 as amended by 2007 PA 195, section 14 as amended by 2008 PA 457, section 15 as amended by 2008 PA 170, section 16 as amended by 1982 PA 417, and section 16a as amended by 2008 PA 306.

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

Senators Allen, Gilbert and Stamas introduced

**Senate Bill No. 502, entitled**

A bill to amend 1984 PA 431, entitled "The management and budget act," by amending section 261 (MCL 18.1261), as amended by 2008 PA 133.

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

Senators Brown, Allen, Birkholz, Kuipers and Jelinek introduced

**Senate Bill No. 503, entitled**

A bill to amend 2001 PA 63, entitled "History, arts, and libraries act," by amending the title and sections 1, 2, 5, 9, and 11 (MCL 399.701, 399.702, 399.705, 399.709, and 399.711), the title and section 2 as amended and section 9 as added by 2008 PA 559; and to repeal acts and parts of acts.

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

Senators Jelinek, Allen and Brown introduced

**Senate Bill No. 504, entitled**

A bill to amend 1976 PA 442, entitled "Freedom of information act," by amending section 13 (MCL 15.243), as amended by 2006 PA 482.

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

Senators Brown, Allen, Birkholz, Kuipers and Jelinek introduced

**Senate Bill No. 505, entitled**

A bill to amend 1984 PA 431, entitled "The management and budget act," by amending sections 284, 287, 288, 289, and 292 (MCL 18.1284, 18.1287, 18.1288, 18.1289, and 18.1292), as amended by 2001 PA 71.

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

Senators Jansen, Allen, Brown and Jelinek introduced

**Senate Bill No. 506, entitled**

A bill to amend 1992 PA 116, entitled "Records reproduction act," by amending section 1 (MCL 24.401), as amended by 2004 PA 574.

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

Senators Cassis, Allen, Brown, Birkholz, Kuipers and Jelinek introduced

**Senate Bill No. 507, entitled**

A bill to amend 1947 PA 359, entitled "The charter township act," by amending section 13a (MCL 42.13a), as added by 2006 PA 596.

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

Senators Van Woerkom, Allen, Brown, Birkholz, Kuipers and Jelinek introduced

**Senate Bill No. 508, entitled**

A bill to amend 1975 PA 197, entitled "An act to provide for the establishment of a downtown development authority; to prescribe its powers and duties; to correct and prevent deterioration in business districts; to encourage historic preservation; to authorize the acquisition and disposal of interests in real and personal property; to authorize the creation and implementation of development plans in the districts; to promote the economic growth of the districts; to create a board; to prescribe its powers and duties; to authorize the levy and collection of taxes; to authorize the issuance of bonds and other evidences of indebtedness; to authorize the use of tax increment financing; to reimburse downtown development authorities for certain losses of tax increment revenues; and to prescribe the powers and duties of certain state officials," by amending section 29 (MCL 125.1679), as amended by 2004 PA 66.

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

Senators Allen, Brown, Birkholz, Kuipers and Jelinek introduced

**Senate Bill No. 509, entitled**

A bill to amend 1984 PA 270, entitled "Michigan strategic fund act," by amending sections 29a and 88j (MCL 125.2029a and 125.2088j), section 29a as added by 2008 PA 75 and section 88j as added by 2005 PA 225.

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

Senators Thomas, Allen, Brown, Birkholz, Kuipers and Jelinek introduced

**Senate Bill No. 510, entitled**

A bill to amend 2005 PA 280, entitled "Corridor improvement authority act," by amending section 26 (MCL 125.2896).

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

Senators Allen, Brown, Birkholz, Kuipers and Jelinek introduced

**Senate Bill No. 511, entitled**

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 4cc (MCL 205.54cc), as amended by 2008 PA 78.

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

Senators Allen, Brown, Birkholz, Kuipers and Jelinek introduced

**Senate Bill No. 512, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending sections 266 and 435 (MCL 206.266 and 206.435), section 266 as amended by 2008 PA 447 and section 435 as amended by 2008 PA 560.

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

Senators Brown, Allen, Birkholz, Kuipers and Jelinek introduced

**Senate Bill No. 513, entitled**

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending section 435 (MCL 208.1435), as amended by 2008 PA 448.

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

Senators Kuipers, Allen, Brown, Birkholz and Jelinek introduced

**Senate Bill No. 514, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 811k (MCL 257.811k), as amended by 2006 PA 298.

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

Senators Birkholz, Allen, Brown, Kuipers and Jelinek introduced

**Senate Bill No. 515, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 63523, 63524, 63545, 72113, 76102, 76103, 76104, 76105, 76107, 76108, 76109, 76110, 76111, 76112, 76113, 76114, and 76118 (MCL 324.63523, 324.63524, 324.63545, 324.72113, 324.76102, 324.76103, 324.76104, 324.76105,

324.76107, 324.76108, 324.76109, 324.76110, 324.76111, 324.76112, 324.76113, 324.76114, and 324.76118), sections 63523 and 63545 as amended by 2001 PA 78, sections 63524, 76105, and 76109 as amended by 2004 PA 325, section 72113 as added by 2002 PA 454, sections 76102, 76103, 76104, 76108, 76110, 76111, 76112, 76113, 76114, and 76118 as amended by 2001 PA 75, and section 76107 as amended by 2001 PA 155.

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

Senators Kuipers, Allen, Brown, Birkholz and Jelinek introduced

**Senate Bill No. 516, entitled**

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending section 32n (MCL 388.1632n), as added by 2007 PA 137.

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

Senators Allen, Brown, Birkholz, Kuipers and Jelinek introduced

**Senate Bill No. 517, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 76503 (MCL 324.76503), as amended by 2001 PA 78.

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

Senators George, Allen, Brown, Birkholz, Kuipers and Jelinek introduced

**Senate Bill No. 518, entitled**

A bill to amend 1982 PA 540, entitled "Library of Michigan act," by amending section 2 (MCL 397.12), as amended by 2001 PA 62; and to repeal acts and parts of acts.

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

Senators Van Woerkom, Allen, Brown, Birkholz, Kuipers and Jelinek introduced

**Senate Bill No. 519, entitled**

A bill to amend 1989 PA 24, entitled "The district library establishment act," by amending section 2 (MCL 397.172), as amended by 2005 PA 60.

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

Senators Jansen, Allen, Brown and Jelinek introduced

**Senate Bill No. 520, entitled**

A bill to amend 1977 PA 89, entitled "State aid to public libraries act," by amending the title and sections 2 and 25 (MCL 397.552 and 397.575), as amended by 2001 PA 65.

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

Senators Brown, Allen, Birkholz, Kuipers and Jelinek introduced

**Senate Bill No. 521, entitled**

A bill to amend 1913 PA 271, entitled "An act to create the Michigan historical commission; to provide for the appointment of members of the commission; to fix their terms of office, prescribe their powers and duties; to prescribe the powers and duties of certain state agencies and officers; to make an appropriation to carry out the provisions of this act; to provide for the distribution of certain revenue; to provide for the listing and destruction of useless documents, books and papers; and to repeal all acts and parts of acts inconsistent herewith," by amending section 10 (MCL 399.10), as amended by 2001 PA 66.

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

Senators Jelinek, Allen, Brown, Birkholz and Kuipers introduced

**Senate Bill No. 522, entitled**

A bill to amend 1976 PA 69, entitled "An act to permit the department of history, arts, and libraries to acquire and operate state historic sites; to accept gifts for that purpose; and to permit investment in certain funds to carry out the purposes of this act," by amending sections 1, 2, and 3 (MCL 399.111, 399.112, and 399.113), as amended by 2001 PA 73.

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



Senators Jelinek, Allen, Brown, Birkholz and Kuipers introduced

**Senate Bill No. 523, entitled**

A bill to amend 1984 PA 152, entitled "Michigan iron industry museum advisory board act," by amending sections 3 and 4 (MCL 399.73 and 399.74), as amended by 2001 PA 77.

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

Senators Thomas, Allen, Brown, Kuipers, Birkholz and Jelinek introduced

**Senate Bill No. 524, entitled**

A bill to amend 1998 PA 409, entitled "Michigan freedom trail commission act," by amending section 2 (MCL 399.82), as amended by 2001 PA 79.

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

Senators Brown, Allen, Birkholz, Kuipers and Jelinek introduced

**Senate Bill No. 525, entitled**

A bill to amend 1955 PA 10, entitled "Michigan historical markers act," by amending sections 2 and 6 (MCL 399.152 and 399.156), section 2 as amended and section 6 as added by 2002 PA 488.

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

Senators Jansen, Allen, Brown and Jelinek introduced

**Senate Bill No. 526, entitled**

A bill to amend 1970 PA 169, entitled "Local historic districts act," by amending section 1a (MCL 399.201a), as amended by 2004 PA 67.

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

Senators Allen, Brown, Kuipers, Birkholz and Jelinek introduced

**Senate Bill No. 527, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 2137 (MCL 600.2137), as amended by 2001 PA 76.

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

Senators Hardiman, Jansen, Anderson, Birkholz and Pappageorge introduced

**Senate Bill No. 528, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 20153.

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

**House Bill No. 4175, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 279.

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

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

**House Bill No. 4176, entitled**

A bill to amend 2007 PA 36, entitled "Michigan business tax act," (MCL 208.1101 to 208.1601) by adding section 465.

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

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

**House Bill No. 4177, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 476a (MCL 500.476a), as amended by 2007 PA 187.

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

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

**House Bill No. 4178, entitled**

A bill to amend 1941 PA 122, entitled "An act to establish the revenue collection duties of the department of treasury; to prescribe its powers and duties as the revenue collection agency of this state; to prescribe certain powers and duties of the state treasurer; to establish the collection duties of certain other state departments for money or accounts owed to this state; to regulate the importation, stamping, and disposition of certain tobacco products; to provide for the transfer of powers and duties now vested in certain other state boards, commissions, departments, and offices; to prescribe certain duties of and require certain reports from the department of treasury; to provide procedures for the payment, administration, audit, assessment, levy of interests or penalties on, and appeals of taxes and tax liability; to prescribe its powers and duties if an agreement to act as agent for a city to administer, collect, and enforce the city income tax act on behalf of a city is entered into with any city; to provide an appropriation; to abolish the state board of tax administration; to prescribe penalties and provide remedies; and to declare the effect of this act," (MCL 205.1 to 205.31) by adding section 18a.

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

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

**House Bill No. 4191, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 30 (MCL 206.30), as amended by 2007 PA 154.

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

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

**House Bill No. 4629, entitled**

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending section 201 (MCL 208.1201), as amended by 2008 PA 168.

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

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

**House Bill No. 4692, entitled**

A bill to amend 1994 PA 160, entitled "Credit services protection act," by amending section 2 (MCL 445.1822).

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. 4693, entitled**

A bill to amend 1976 PA 331, entitled "Michigan consumer protection act," by amending section 20 (MCL 445.920).

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.

### Statements

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

The motion prevailed.

Senator Scott's statement is as follows:

When he was the Lieutenant Governor of Virginia, Douglas Wilder said, "The future must be planned today. The success of our ventures will impact future generations." We all know that what we do in this chamber will have far-reaching consequences. Our actions, the legislation we pass, will affect citizens far into the future. If we act today on auto insurance reform, then those reforms will help our constituents now and also their children when they become drivers and buy their own auto insurance.

It is time to bring auto insurance reform to the Senate floor for debate and discussion. I believe that if we can lower insurance rates, the auto industry would be better off today because I would certainly buy a new car. Please move my bills and give Michigan citizens a chance.

### Committee Reports

The Committee on Local, Urban and State Affairs reported

**Senate Bill No. 373, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 24c (MCL 211.24c), as amended by 2003 PA 247.

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.

Gerald Van Woerkom  
Chairperson

To Report Out:

Yeas: Senators Van Woerkom, Birkholz, Allen, Gleason and Basham

Nays: None

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

The Committee on Local, Urban and State Affairs reported

**Senate Bill No. 374, entitled**

A bill to provide for the recovery or replacement of durable monuments defining the Michigan-Indiana state boundary line; to create a commission; to provide for certain powers and duties of certain state officers and agencies; and to repeal acts and parts of acts.

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

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

Gerald Van Woerkom  
Chairperson

To Report Out:

Yeas: Senators Van Woerkom, Birkholz, Allen, Gleason and Basham

Nays: None

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

The Committee on Local, Urban and State Affairs reported

**Senate Bill No. 375, entitled**

A bill to amend 1990 PA 345, entitled "State survey and remonumentation act," by amending section 12 (MCL 54.272), as amended by 2002 PA 489.

With the recommendation that the substitute (S-2) be adopted and that the bill then pass.

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

Gerald Van Woerkom  
Chairperson

To Report Out:

Yeas: Senators Van Woerkom, Birkholz, Allen, Gleason and Basham

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 Local, Urban and State Affairs submitted the following:

Meeting held on Tuesday, April 28, 2009, at 3:00 p.m., Room 110, Farnum Building

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

The Committee on Appropriations reported

**Senate Bill No. 194, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 14h of chapter XVII (MCL 777.14h), as amended by 2008 PA 430.

With the recommendation that the bill pass.

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

Ron Jelinek  
Chairperson

## To Report Out:

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

Nays: None

The bill was referred to the Committee of the Whole.

## COMMITTEE ATTENDANCE REPORT

The Committee on Appropriations submitted the following:

Meeting held on Wednesday, April 29, 2009, at 2:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building

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

Excused: Senators Garcia and Clark-Coleman

## Scheduled Meetings

## Appropriations -

## Subcommittees -

**Capital Outlay** - Thursday, May 7, 9:00 a.m., Senate Hearing Room, Ground Floor, Boji Tower (373-2768)

**Community Colleges** - Monday, May 11, 10:00 a.m., Alpena Community College, Roger C. Bauer Board Room, Charles R. Donnelly Natural Resources Center, Room 400, 665 Johnson Street, Alpena; and Wednesday, May 20, 9:00 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

**Community Health Department** - Thursdays, May 7 and May 21, 1:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower (373-2768)

**Environmental Quality Department** - Wednesdays, May 6, May 13 and May 20, 3:00 p.m., Rooms 402 and 403, Capitol Building (373-2768)

**Higher Education** - Monday, May 4, 10:30 a.m., Northwood University, Sloan Family Building for Aftermarket Studies, 400 Whiting Drive, Midland; Friday, May 15, 10:00 a.m., University of Michigan-Ann Arbor, Michigan League, Vandenberg Room, 911 North University Street, Ann Arbor; Thursday, May 14, 9:00 a.m., and Wednesday, May 20, 9:30 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

**Judiciary and Corrections** - Tuesdays, May 5, May 12 and May 19, 3:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower (373-2768)

**K-12, School Aid, Education** - Tuesdays, May 5, May 12 and May 19, 2:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

**Natural Resources Department** - Tuesday, May 5, 12:00 noon or later immediately following session, Rooms 402 and 403, Capitol Building; and Tuesday, May 19, 12:00 noon or later immediately following session, Room 405, Capitol Building (373-2768)

**Appropriations, Senate/House** - Tuesday, May 5, 11:00 a.m., House Appropriations Room, 3rd Floor, Capitol Building (373-6960)

**Energy Policy and Public Utilities** - Thursday, May 7, 1:00 p.m., Room 210, Farnum Building (373-7350)

**Homeland Security and Emerging Technologies** - Tuesday, May 5, 1:00 p.m., Room 100, Farnum Building (373-5932)

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

**State Drug Treatment Court Advisory Committee** - Friday, May 8, 8:30 a.m., Michigan Hall of Justice Conference Center, Conference Room 1S69, 925 West Ottawa Street, Lansing (373-0212)

Senator Cropsey moved that the Senate adjourn.  
The motion prevailed, the time being 12:00 noon.

The President, Lieutenant Governor Cherry, declared the Senate adjourned until Tuesday, May 5, 2009, at 10:00 a.m.

CAROL MOREY VIVENTI  
Secretary of the Senate

