

No. 25
STATE OF MICHIGAN
Journal of the Senate
96th Legislature
REGULAR SESSION OF 2012

Senate Chamber, Lansing, Tuesday, March 13, 2012.

10:00 a.m.

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

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

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

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

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

Reverend Billy C. Walker of Calvary Baptist Church of Southgate offered the following invocation:

Loving Father, we pray this morning with the prophets of old and cry as they did: "My help cometh from the Lord." We spin the globe and whatever spot we put our finger on, we find great sensuality, human selfishness, overwhelming suffering, and sorrow. The anxiety, agony, and anguish of our world is reflected in our state, our counties, our communities, and our homes.

We pray with the former chaplain of the United States Senate, Peter Marshall: O God, teach us that until we are at peace with You, we can be at peace with no one else. Freedom will not exist anywhere until it really exists everywhere. Help us to know that the strength of the nation is not found in its armies and navies, but in the faith and integrity of her people. The trouble with our world, our nation, and indeed, our state is still people.

So I thank You, Father, for these men and women in this place who have devoted themselves to Your glory and to the good of those they serve. I thank You for their willingness to sacrifice and serve, to seek the best, not just the good, and to strive and stand for righteousness. Please grant to all of them strength for their tasks, wisdom for every decision, and love for all they encounter. Give to each of these here in this place joy in each hour of their journey. May healing and hope flood their day. May peace take them to their bed at night.

All of this we ask in the name of Your Son and our Savior, the Lord Jesus. Amen.

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

Motions and Communications

The Assistant President pro tempore, Senator Hansen, assumed the Chair.

Senator Young entered the Senate Chamber.

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

March 13, 2012

Pursuant to Senate Rule 3.203, I am hereby re-referring Senate Bill 1010 from the Senate Committee on Finance to the Senate Committee on Economic Development.

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

Sincerely,
Randy Richardville
Senate Majority Leader

The communication was referred to the Secretary for record.

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

The motion prevailed.

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

The motion prevailed.

Senator Schuitmaker's statement is as follows:

We have all heard of Desmond Tutu, but perhaps we have not heard of this other woman whose contributions to democracy around the world have been just as important. Zin Mar Aung is a former political prisoner, imprisoned for eleven years because of her political activism. She has dedicated her life to promoting democracy, women's empowerment, and conflict resolution in Burma.

Following her involvement in the 1996 and 1998 pro-democracy student uprisings and subsequent imprisonment, Zin Mar Aung established a cultural impact studies group to promote the idea that democracy is compatible with the Asian culture. She also created and leads a self-help association for female ex-political prisoners and a school of political science in Rangoon, all of which teaches and empowers others in Burma's changing but still challenging environment for civil society and democracy activists. She is the co-founder of challenging environment for civil society and democracy activists. She is co-founder of RAINFALL, a women's empowerment group, and is currently spearheading an organization to raise awareness of issues affecting ethnic minorities in conflict areas.

In recognition of her contributions, Zin Mar Aung was honored by the United States State Department as one of the 2012 International Women of Courage on March 8, 2012. Her award was presented by Secretary of State Hillary Clinton. So we are in the presence of a woman who has sacrificed her freedom to promote democracy.

I ask my colleagues to honor her. Any colleagues who would like to have their picture taken with her can meet me on the floor at the conclusion of session.

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

Senate Bill No. 414

Senate Bill No. 415

Senate Bill No. 981

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

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

March 8, 2012

Enclosed is a copy of the following audit report:

Performance audit of the Measurement of State Highway Pavement Conditions, Michigan Department of Transportation.

Sincerely,

Thomas H. McTavish, C.P.A.

Auditor General

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

The following communications were received:
Department of State

Administrative Rules
Notice of Filing

March 6, 2012

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2011-007-CH (Secretary of State Filing #12-03-01) on this date at 4:37 p.m. for the Department of Community Health, entitled "Part 7. Rights of Recipients."

This rule takes effect immediately upon filing with the Secretary of State unless adopted under section 33, 44 or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

Emergency Administrative Rules
Notice of Filing

March 9, 2012

In accordance with the provisions of MCL 24.248, this is to advise you that the Department of Licensing and Regulatory Affairs, State Office of Regulatory Reinvention filed at 9:16 a.m. on this date, administrative rule (12-03-02E) for the Department of Licensing and Regulatory Affairs, entitled "Fireworks Safety Act."

These rules take effect upon filing with the Secretary of State and shall remain in effect for 6 months.

Sincerely,

Ruth Johnson

Secretary of State

Robin L. Houston, Departmental Supervisor
Office of the Great Seal

The communications were referred to the Secretary for record.

The Secretary announced the enrollment printing and presentation to the Governor on Friday, March 9, for his approval the following bills:

Enrolled Senate Bill No. 787 at 9:57 a.m.

Enrolled Senate Bill No. 788 at 9:59 a.m.

The Secretary announced the enrollment printing and presentation to the Governor on Monday, March 12, for his approval the following bills:

Enrolled Senate Bill No. 534 at 4:03 p.m.

Enrolled Senate Bill No. 778 at 4:05 p.m.

Enrolled Senate Bill No. 634 at 4:07 p.m.

The Secretary announced that the following official bills were printed on Thursday, March 8, and are available at the legislative website:

Senate Bill Nos. 1009 1010 1011 1012 1013

The Secretary announced that the following official bills and joint resolution were printed on Friday, March 9, and are available at the legislative website:

House Bill Nos. 5459 5460 5461 5462 5463 5464 5465
House Joint Resolution RR

Messages from the Governor

The following messages from the Governor were received and read:

March 9, 2012

I respectfully submit to the Senate the following appointments to office:

Aquatic Invasive Species Advisory Council

Phyllis A. Green of 4012 Portage Cove Drive, Houghton, Michigan 49931, county of Houghton, representing the National Parks Service, is appointed to serve for the life of the Council.

Edward C. Wiltse of 4334 Carlson Drive, Traverse City, Michigan 49684, county of Grand Traverse, representing Great Lakes Shipping Companies, is appointed to serve for the life of the Council.

Matthew G. Smego of 1111 Hawks Ridge, Grand Ledge, Michigan 48837, county of Eaton, representing the horticulture industry, is appointed to serve for the life of the Council.

Bradley G. Williams of 1532 N. Genesee Drive, Lansing, Michigan 48915, county of Ingham, representing regional association of businesses that has an international port operator as a member, is appointed to serve for the life of the Council.

March 9, 2012

I respectfully submit to the Senate the following appointments to office:

Blue Cross Blue Shield Board of Directors

William E. Meyers of 4668 Cottonwood Drive, Ann Arbor, Michigan 48108, county of Kent, representing the public as retired individuals, succeeding Emery I. Klein, is appointed for a term expiring February 18, 2014.

James K. Haveman of 12471 Jansma Drive, Grand Haven, Michigan 49417, county of Ottawa, representing the public as retired individuals, succeeding James G. Agee, is appointed for a term expiring February 18, 2014.

Anne M. Mervenne of 1316 S. Main Street, Royal Oak, Michigan 48067, county of Oakland, representing the public, succeeding Gerald Acker, is appointed for a term expiring February 18, 2014.

Sincerely,
 Rick Snyder
 Governor

The appointments were referred to the Committee on Government Operations.

By unanimous consent the Senate proceeded to the order of

Third Reading of Bills

Senator Meekhof moved that the following bill be placed at the head of the Third Reading of Bills calendar:

House Bill No. 4639

The motion prevailed.

The following bill was read a third time:

House Bill No. 4639, entitled

A bill to amend 1998 PA 386, entitled "Estates and protected individuals code," by amending sections 3206 and 3209 (MCL 700.3206 and 700.3209), section 3206 as amended by 2008 PA 41 and section 3209 as added by 2006 PA 299.

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. 128**Yeas—37**

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	Jones	Proos	Young
Green			

Nays—0**Excused—1**

Johnson

Not Voting—0

In The Chair: Hansen

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.

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to codify, revise, consolidate, and classify aspects of the law relating to wills and intestacy, relating to the administration and distribution of estates of certain individuals, relating to trusts, and relating to the affairs of certain individuals under legal incapacity; to provide for the powers and procedures of the court that has jurisdiction over these matters; to provide for the validity and effect of certain transfers, contracts, and deposits that relate to death; to provide procedures to facilitate enforcement of certain trusts; and to repeal acts and parts of acts.”.

The Senate agreed to the full title.

By unanimous consent the Senate proceeded to the order of

Resolutions

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

Senate Resolution No. 34**Senate Resolution No. 67****Senate Resolution No. 85****Senate Resolution No. 105****House Concurrent Resolution No. 29****Senate Resolution No. 112****Senate Resolution No. 115****Senate Concurrent Resolution No. 26****House Concurrent Resolution No. 6**

The motion prevailed.

Senators Hansen, Walker, Hildenbrand, Jansen, Proos, Kowall, Booher, Nofs, Jones, Meekhof, Colbeck, Richardville and Schuitmaker offered the following resolution:

Senate Resolution No. 127.

A resolution to memorialize Congress to reject the President’s budget proposal to eliminate the search-and-rescue U.S. Coast Guard helicopter unit in Muskegon County and to restructure the Traverse City Air Station.

Whereas, Lake Michigan is the second-largest of the Great Lakes. It is 307 miles in length and 118 miles in width. Over 950,000 recreational vessels are registered in Michigan, and an estimated 182,000 recreational boaters from multiple states operate on Lake Michigan sometime during the year. In addition, the 410-foot S.S. Badger and Lake Express car ferries each make multiple trips across the lake between May and September, transporting hundreds of passengers each voyage; and

Whereas, The U.S. Coast Guard Air Facility in Muskegon County at Lake Michigan provides important mid-lake accessibility to respond to water emergencies. The next closest stations able to respond to West Michigan are Chicago, 115 miles south, or Traverse City, 113 miles north. Closing the Muskegon County air facility would significantly decrease the Coast Guard's search-and-rescue capabilities, leaving boaters on Lake Michigan at far greater risk in the event of an emergency; and

Whereas, The proposed reduction in the number of helicopters in the Traverse City Air Station would further limit the Coast Guard's search-and-rescue capabilities. Reducing or eliminating any current Coast Guard emergency response facilities on Lake Michigan will compromise its capacity to respond quickly to an emergency in the mid-lake area of Lake Michigan; and

Whereas, The Muskegon County Coast Guard helicopter unit and the Traverse City Air Station also respond to homeland security situations. Located just 250 miles from Sault Ste. Marie, Canada, the helicopter units provide additional support necessary to protect national borders; now, therefore, be it

Resolved by the Senate, That we memorialize Congress to reject the President's budget proposal to eliminate the search-and-rescue U.S. Coast Guard helicopter unit in Muskegon County and to restructure the Traverse City Air Station; 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 Meekhof 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 Meekhof moved that the resolution be referred to the Committee on Outdoor Recreation and Tourism.

The motion prevailed.

Senator Brandenburg was named co-sponsor of the resolution.

Introduction and Referral of Bills

Senator Johnson entered the Senate Chamber.

Senators Gregory, Whitmer, Hopgood, Warren, Hood, Young, Bieda, Johnson, Hunter, Smith, Gleason and Anderson introduced

Senate Joint Resolution T, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 26 of article IV, to provide for four-year sunsets on all bills to increase or create new tax exemptions and credits.

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

Senators Nofs, Caswell, Jones, Proos, Marleau, Pappageorge and Jansen introduced

Senate Bill No. 1014, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 8 of chapter II (MCL 762.8).

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

Senators Warren, Whitmer, Hopgood, Hood, Gregory, Young, Bieda, Johnson, Hunter, Smith, Gleason and Anderson introduced

Senate Bill No. 1015, entitled

A bill to establish an educational grant program for eligible resident students who attend public community colleges and universities in this state; to provide for the administration of the program; to create the Michigan higher education grant trust fund; and to provide for the powers and duties of certain state governmental officers and entities.

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

Senators Hood, Whitmer, Hopgood, Warren, Gregory, Young, Bieda, Johnson, Hunter, Smith, Gleason and Anderson introduced

Senate Bill No. 1016, entitled

A bill to amend 1986 PA 268, entitled "Legislative council act," by amending sections 501 and 601 (MCL 4.1501 and 4.1601), section 601 as amended by 1999 PA 95.

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

Senators Hopgood, Whitmer, Warren, Hood, Gregory, Young, Bieda, Johnson, Hunter, Smith, Gleason and Anderson introduced

Senate Bill No. 1017, entitled

A bill to amend 1986 PA 268, entitled "Legislative council act," (MCL 4.1101 to 4.1901) by adding chapter 7C.

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

Recess

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

The motion prevailed, the time being 10:25 a.m.

10:35 a.m.

Pursuant to rule 1.101, in the absence of the Presiding Officers, the Senate was called to order by the Secretary of the Senate.

Senator Richardville moved that rule 3.902 be suspended to allow the guest of Senator Schuitmaker admittance to the Senate floor.

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

Senator Richardville moved that rule 3.901 be suspended to allow photographs to be taken from the Senate floor.

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

Recess

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

The motion prevailed, the time being 10:36 a.m.

12:38 p.m.

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

By unanimous consent the Senate returned to the order of

General Orders

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

The motion prevailed, and the President, Lieutenant Governor Calley, designated Senator Warren 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 bill:

Senate Bill No. 783, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 2962 (MCL 600.2962), as added by 1995 PA 249.

The bill 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:
House Bill No. 4647, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," (MCL 600.101 to 600.9947) by adding section 2164a.

Substitute (S-1).

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

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:
Senate Bill No. 414, 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.

Substitute (S-3).

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

1. Amend page 5, following line 3, by inserting:

"Enacting section 1. This amendatory act takes effect October 1, 2012." and renumbering the remaining enacting section.

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.

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:
Senate Bill No. 415, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 3406s. Substitute (S-3).

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

1. Amend page 5, following line 15, by inserting:

"Enacting section 1. This amendatory act takes effect October 1, 2012." and renumbering the remaining enacting section.

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.

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:
Senate Bill No. 981, entitled

A bill to create an autism coverage incentive program to encourage insurance and health coverage providers to provide autism coverage; to impose certain duties on certain state departments, agencies, and officials; to create certain funds; to authorize certain expenditures; and to provide for an appropriation.

Substitute (S-1).

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

1. Amend page 3, line 25, after "a" by striking out the balance of the subparagraph and inserting "licensed physician or a licensed psychologist."

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 Meekhof moved that the rules be suspended and that the following bills, now on the order of Third Reading of Bills, be placed on their immediate passage at the head of the Third Reading of Bills calendar:

Senate Bill No. 414

Senate Bill No. 415

Senate Bill No. 981

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

The following bill was read a third time:

Senate Bill No. 414, 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 question being on the passage of the bill,

Senator Warren offered the following substitute:

Substitute (S-4).

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

Roll Call No. 129

Yeas—18

Anderson	Gleason	Jansen	Smith
Bieda	Gregory	Johnson	Warren
Booher	Hood	Rocca	Whitmer
Casperson	Hopgood	Schuitmaker	Young
Caswell	Hunter		

Nays—20

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

Excused—0

Not Voting—0

In The Chair: President

The question being on the passage of the bill,

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

Roll Call No. 130

Yeas—29

Anderson	Green	Johnson	Robertson
Bieda	Gregory	Kahn	Rocca
Booher	Hansen	Kowall	Schuitmaker
Brandenburg	Hildenbrand	Marleau	Smith
Casperson	Hood	Pappageorge	Warren
Caswell	Hopgood	Proos	Whitmer
Emmons	Hunter	Richardville	Young
Gleason			

Nays—9

Colbeck
Hune
Jansen

Jones
Meekhof

Moolenaar
Nofs

Pavlov
Walker

Excused—0**Not Voting—0**

In The Chair: President

The Senate agreed to the title of the bill.

Senators Anderson, Brandenburg, Hopgood, Hunter, Kowall and Marleau were named co-sponsors of the bill.

The following bill was read a third time:

Senate Bill No. 415, 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 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. 131**Yeas—29**

Anderson
Bieda
Booher
Brandenburg
Casperson
Caswell
Emmons
Gleason

Green
Gregory
Hansen
Hildenbrand
Hood
Hopgood
Hunter

Johnson
Kahn
Kowall
Marleau
Pappageorge
Proos
Richardville

Robertson
Rocca
Schuitmaker
Smith
Warren
Whitmer
Young

Nays—9

Colbeck
Hune
Jansen

Jones
Meekhof

Moolenaar
Nofs

Pavlov
Walker

Excused—0**Not Voting—0**

In The Chair: President

The Senate agreed to the title of the bill.

Senators Anderson, Green, Hopgood, Kowall and Marleau were named co-sponsors of the bill.

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

The motion prevailed.

Senator Hunter's statement is as follows:

I rise today to thank all of you who voted to support Senate Bill No. 414 and who will support the bill that is before us now, Senate Bill No. 415, as well as Senate Bill No. 981, which we will vote on momentarily. Today marks an important milestone on this issue before us here in the Senate, but more importantly, for the thousands of Michigan families who are struggling to pay for autism treatment.

Five years ago, a constituent of mine who had a young son with autism brought to light the struggles he was facing with the high cost for autism treatment and the inequity of insurance companies not providing coverage for it. As a legislator and a parent of two young boys, I wanted to do everything I could to help him and other parents facing the same challenges. So I made providing insurance coverage for autism coverage one of my top priorities here in the Senate.

With 1 out of every 110 Michigan kids being diagnosed with autism, the numbers are particularly staggering, and we need to ensure these children get proper treatment to help them receive an education and, ultimately, lead happy and independent lives. Twenty-nine other states, including Indiana, Illinois, and Wisconsin, have already enacted autism insurance reform. Just last year, autism insurance reform laws have been enacted in Arkansas, West Virginia, Virginia, Rhode Island, California, and New York. Michigan is now one major step closer to becoming the thirtieth.

By passing this legislation into law, Michigan can step up to help our families and protect our kids. Today, we in the Senate have done our part. I want to thank, in particular, the Senate Republican leadership for seeing the importance of this issue and making this a top priority. Also I want to thank the Senator from the 18th District for all of her efforts to achieve mental health parity and making that a reality in this great state.

Now I urge my colleagues in the House to avoid the temptation to tamper with this legislation and not do anything to undermine its intent or its integrity. This legislation serves an important purpose to provide the same insurance coverage for autism treatment that is available for other medical conditions, and with today's passage here in the Senate, we are one step closer to enacting it into law.

Thank you, Mr. President, for your time and attention and that of my colleagues. I would urge this body's adoption or voting on final passage of this bill and the one to follow.

Senator Pappageorge's statement is as follows:

Colleagues, on this issue of mental health parity, I think before we proceed further on the issue, let's agree on the definition of mental health parity. Last week, I met with a group of some 20 folks and I said, "OK, we are all for mental health parity. Now how many of you include substance abuse as part of mental health parity?" Literally half of the hands went up. Now, folks, there is no way we can afford mental health parity that includes substance abuse.

We can proceed as we did today, do a piece and then another piece until finally the only piece left is substance abuse, but it would be very helpful if we all agreed on the term before we proceed further on this. I would welcome folks who know the subject better than me to put out a bill that defines mental health. Otherwise, we won't be able to get our hands around this issue and the funding that has to go with it.

The following bill was read a third time:

Senate Bill No. 981, entitled

A bill to create an autism coverage incentive program to encourage insurance and health coverage providers to provide autism coverage; to impose certain duties on certain state departments, agencies, and officials; to create certain funds; to authorize certain expenditures; and to provide for an appropriation.

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. 132

Yeas—28

Anderson	Gleason	Hunter	Robertson
Bieda	Green	Johnson	Rocca
Booher	Gregory	Kowall	Schuitmaker
Brandenburg	Hansen	Marleau	Smith
Casperson	Hildenbrand	Pappageorge	Warren
Caswell	Hood	Proos	Whitmer
Emmons	Hopgood	Richardville	Young

Nays—10

Colbeck
Hune
Jansen

Jones
Kahn
Meekhof

Moolenaar
Nofs

Pavlov
Walker

Excused—0**Not Voting—0**

In The Chair: President

The Senate agreed to the title of the bill.

Senators Anderson, Gleason, Hood, Hopgood, Johnson, Kowall, Warren, Whitmer and Young were named co-sponsors of the bill.

By unanimous consent the Senate proceeded to the order of

Statements

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

The motion prevailed.

Senator Pavlov's statement is as follows:

I rise today to talk about a very serious problem facing the state of Michigan; one that will not go away but will only get worse over time unless we take action. I am referring to the crisis facing the Michigan Public School Employees Retirement System. The system currently is \$45 billion in debt—\$45 billion. We can talk all day about how we got here, and some just want to pass blame around, but the time to correct this serious problem is long overdue and we must act now—\$45 billion.

If we do nothing, that number will continue to rise because the simple truth is the structure of the system is unsustainable. If we do nothing, the cost of schools will rapidly approach one-third of their payroll. That is money not going into classrooms and educational programs. That's money not being invested in computers, lab equipment, and building upgrades—\$45 billion.

If we do nothing, educators' retirement plans will continue to be put at risk. This system is like a ticking time bomb for Michigan's public schools and the taxpayers, akin to the Social Security crisis facing all of America—\$45 billion and rising.

If we do nothing, this problem threatens to swallow up our entire public education system. We must reform the system to ensure future stability for both our educators' retirement and for our children's education.

Senator Johnson's statement is as follows:

Today, a proposed consent agreement was released by the state of Michigan for the city of Detroit. While this was supposed to be a better, more palatable alternative to the appointment of an emergency manager, it is indeed just as bad, or worse. This proposal does not solve the problems facing the city of Detroit. It does nothing to right the city's financial ship. It flies in the face of fiscal responsibility. And worst of all, it is a sad, desperate attempt to continue the Republican crusade against democracy and local control, despite the resounding success of the recent petition drive to overturn the undemocratic Public Act No. 4.

This proposal creates a new layer of government, with nine board members earning \$25,000 per year plus expenses, all on Detroit's dime. If any board member is terminated, they get a \$1 million golden parachute, a provision that reeks of the Wall Street elitism we have had enough of in Michigan.

The Mayor is granted the powers of an emergency manager, and other board appointees can be assigned those powers at any time, which makes this proposal worse than what is put forth in Public Act No. 4. The proposed agreement requires the city to submit a document within one year setting forth plans for the consolidation, disposition, or elimination of the Detroit Department of Transportation, the Public Lighting Department, the Information Technology Department, the Public Works Department, the Human Resources Department, the City Airport, and the Detroit Water and Sewage Department—which, I might add, is not a negative revenue stream for the city of Detroit. This amounts to a systematic dismantling

of the entire city of Detroit. Who will control these utilities and assets? Which private businesses will receive secretive sweetheart deals to operate or take ownership of these entities? Not only is this unacceptable, it is laying the foundation for the same corruption we witnessed in the Detroit Public Schools under Emergency Manager Robert Bobb.

Mr. President, through you to my colleagues in this chamber, to my constituents at home, and to the entire city of Detroit: We've heard much talk for years of takeovers. To one degree or another, those complaints and concerns have been valid, but today it is real. This is the foundation for the complete takeover of the city of Detroit. This is the dismantling of our city, department by department, function by function, person by person.

The Detroit City Council must reject this proposed consent agreement. The agreement's Executive Summary explicitly states that it is drafted with the intent of surviving the potential suspension of Public Act No. 4. A rejection of this agreement is the only chance we in Detroit have to maintain some semblance of home rule.

I don't stand here to purport that business as usual has been effective in solving the financial woes afflicting our city, but we know that emergency managers do not work. That is a fact, not an opinion. This consent agreement, as proposed, would have the same effect as an emergency manager; therefore, it must be and is the wrong choice for the city of Detroit.

I urge my friends on the Detroit City Council to vote down this proposal, and I further urge my colleagues in this chamber to, once and for all, respect the people of this great state and abide by the oath of office that we have all taken, which requires you to uphold the Constitution. Stop trying to do an end around on the voters and the decisions they have made.

Committee Reports

The Committee on Agriculture reported

House Bill No. 4663, entitled

A bill to repeal 1941 PA 35, entitled "An act to provide for the registration of the names of farms, and to declare the effect thereof; to provide for the transfer of title thereto; to prescribe the powers and duties of the commissioner of agriculture; and to prescribe penalties for the violation of the provisions of this act," (MCL 285.101 to 285.108).

With the recommendation that the bill pass.

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

Joseph R. Hune
Chairperson

To Report Out:

Yeas: Senators Hune, Booher, Emmons, Hansen and Gleason

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Agriculture submitted the following:

Meeting held on Thursday, March 8, 2012, at 8:33 a.m., Room 110, Farnum Building

Present: Senators Hune (C), Booher, Emmons, Hansen and Gleason

The Committee on Banking and Financial Institutions reported

House Bill No. 5081, entitled

A bill to amend 1962 PA 174, entitled "Uniform commercial code," by amending the heading for part 1 and sections 1101, 1102, 1103, 1106, 1202, 1203, 1204, 1205, 1206, 2202, 2A501, 2A518, 2A519, 2A527, 2A528, 3103, 4A105, 4A106, 4A204, 5103, and 8102 (MCL 440.1101, 440.1102, 440.1103, 440.1106, 440.1202, 440.1203, 440.1204, 440.1205, 440.1206, 440.2202, 440.2951, 440.2968, 440.2969, 440.2977, 440.2978, 440.3103, 440.4605, 440.4606, 440.4704, 440.5103, and 440.8102), sections 1206 and 8102 as amended by 1998 PA 278, sections 2A501, 2A518, 2A519, 2A527, and 2A528 as added by 1992 PA 101, section 3103 as amended by 1993 PA 130, sections 4A105, 4A106, and 4A204 as added by 1992 PA 100, and section 5103 as amended by 1998 PA 488, and by adding a heading for part 3 and sections 1108, 1301, 1302, 1303, 1304, 1305, 1306, 1307, 1308, 1309, and 1310; and to repeal acts and parts of acts.

With the recommendation that the bill pass.

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

Darwin L. Booher
Chairperson

To Report Out:

Yeas: Senators Booher, Nofs, Green, Marleau, Rocca and Hunter

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Banking and Financial Institutions reported

House Bill No. 5082, entitled

A bill to amend 1962 PA 174, entitled "Uniform commercial code," by amending sections 1201, 2103, 2104, 2310, 2323, 2401, 2503, 2505, 2506, 2509, 2605, 2705, 2A103, 2A514, 2A526, 4104, 4210, 7101, 7102, 7103, 7104, 7105, 7201, 7202, 7203, 7204, 7205, 7206, 7207, 7208, 7209, 7210, 7301, 7302, 7303, 7304, 7305, 7307, 7308, 7309, 7401, 7402, 7403, 7404, 7501, 7502, 7503, 7504, 7505, 7506, 7507, 7508, 7509, 7601, 7602, 7603, 8103, 9102, 9203, 9207, 9208, 9301, 9310, 9312, 9313, 9314, 9317, 9338, and 9601 (MCL 440.1201, 440.2103, 440.2104, 440.2310, 440.2323, 440.2401, 440.2503, 440.2505, 440.2506, 440.2509, 440.2605, 440.2705, 440.2803, 440.2964, 440.2976, 440.4104, 440.4210, 440.7101, 440.7102, 440.7103, 440.7104, 440.7105, 440.7201, 440.7202, 440.7203, 440.7204, 440.7205, 440.7206, 440.7207, 440.7208, 440.7209, 440.7210, 440.7301, 440.7302, 440.7303, 440.7304, 440.7305, 440.7307, 440.7308, 440.7309, 440.7401, 440.7402, 440.7403, 440.7404, 440.7501, 440.7502, 440.7503, 440.7504, 440.7505, 440.7506, 440.7507, 440.7508, 440.7509, 440.7601, 440.7602, 440.7603, 440.8103, 440.9102, 440.9203, 440.9207, 440.9208, 440.9301, 440.9310, 440.9312, 440.9313, 440.9314, 440.9317, 440.9338, and 440.9601), sections 1201, 2103, 2A103, 4210, 7503, 8103, 9102, 9203, 9207, 9208, 9301, 9310, 9312, 9313, 9314, and 9317 as amended and sections 9338 and 9601 as added by 2000 PA 348, sections 2A514 and 2A526 as added by 1992 PA 101, and section 4104 as amended by 1998 PA 278, and by adding section 7106 and part 7.

With the recommendation that the bill pass.

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

Darwin L. Booher
Chairperson

To Report Out:

Yeas: Senators Booher, Nofs, Green, Marleau, Rocca and Hunter

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Banking and Financial Institutions reported

House Bill No. 5083, entitled

A bill to amend 1962 PA 174, entitled "Uniform commercial code," by amending sections 9105, 9307, 9311, 9316, 9326, 9406, 9408, 9502, 9503, 9507, 9515, 9516, 9518, 9521, and 9607 (MCL 440.9105, 440.9307, 440.9311, 440.9316, 440.9326, 440.9406, 440.9408, 440.9502, 440.9503, 440.9507, 440.9515, 440.9516, 440.9518, 440.9521, and 440.9607), sections 9105, 9307, 9316, 9406, 9408, 9502, 9503, and 9507 as amended and sections 9326, 9518, and 9607 as added by 2000 PA 348, section 9311 as amended by 2005 PA 25, and sections 9515, 9516, and 9521 as amended by 2008 PA 383, and by adding part 8 to article 9; and to repeal acts and parts of acts.

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.

Darwin L. Booher
Chairperson

To Report Out:

Yeas: Senators Booher, Nofs, Green, Marleau, Rocca and Hunter

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 Banking and Financial Institutions submitted the following:

Meeting held on Thursday, March 8, 2012, at 1:33 p.m., Room 100, Farnum Building

Present: Senators Booher (C), Nofs, Green, Marleau, Rocca and Hunter

Excused: Senator Smith

The Committee on Health Policy reported

Senate Bill No. 414, 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.

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.

James A. Marleau
Chairperson

To Report Out:

Yeas: Senators Marleau, Robertson, Emmons, Warren and Gleason

Nays: None

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

The Committee on Health Policy reported

Senate Bill No. 415, entitled

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

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.

James A. Marleau
Chairperson

To Report Out:

Yeas: Senators Marleau, Robertson, Emmons, Warren and Gleason

Nays: None

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

The Committee on Health Policy reported

Senate Bill No. 981, entitled

A bill to create an autism coverage incentive program to encourage insurance and health coverage providers to provide autism coverage; to impose certain duties on certain state departments, agencies, and officials; to create certain funds; to authorize certain expenditures; and to provide for an appropriation.

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.

James A. Marleau
Chairperson

To Report Out:

Yeas: Senators Marleau, Robertson, Emmons, Warren and Gleason

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 Health Policy submitted the following:

Meeting held on Thursday, March 8, 2012, at 2:30 p.m., Senate Hearing Room, Ground Floor, Boji Tower

Present: Senators Marleau (C), Robertson, Emmons, Jones, Warren and Gleason

Excused: Senators Hune and Schuitmaker

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Department of Corrections submitted the following:

Joint meeting held on Thursday, March 8, 2012, at 8:00 a.m., Room 210, Farnum Building

Present: Senators Proos (C) and Walker

Excused: Senator Anderson

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Judiciary submitted the following:

Joint meeting held on Thursday, March 8, 2012, at 8:00 a.m., Room 210, Farnum Building

Present: Senators Proos (C) and Schuitmaker

Excused: Senator Johnson

COMMITTEE ATTENDANCE REPORT

The Committee on Outdoor Recreation and Tourism submitted the following:

Meeting held on Thursday, March 8, 2012, at 12:30 p.m., Room 210, Farnum Building

Present: Senators Hansen (C), Hildenbrand, Meekhof, Casperson, Moolenaar, Gleason and Young

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Department of Community Health submitted the following:

Meeting held on Thursday, March 8, 2012, at 1:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building

Present: Senators Moolenaar (C), Caswell, Booher and Gregory

COMMITTEE ATTENDANCE REPORT

The Subcommittee on State Police and Military Affairs submitted the following:

Joint meeting held on Thursday, March 8, 2012, at 3:00 p.m., Rooms 402 and 403, Capitol Building

Present: Senators Colbeck (C) and Pappageorge

Excused: Senator Gregory

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Community Colleges submitted the following:

Joint meeting held on Friday, March 9, 2012, at 4:30 p.m. (Central Standard Time), Gogebic Community College, David G. Lindquist Student Center, Upper Level Courtside Dining Room, E 4946 Jackson Road, Ironwood

Present: Senator Booher (C)

Excused: Senators Schuitmaker and Anderson

COMMITTEE ATTENDANCE REPORT

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

Meeting held on Monday, March 12, 2012, at 10:00 a.m., Gibraltar Community Center, 29340 South Gibraltar Road, Gibraltar

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

Excused: Senators Casperson, Kowall and Robertson

Scheduled Meetings

Agriculture - Thursday, March 15, 9:00 a.m., Room 110, Farnum Building (373-5312)

Appropriations - Wednesday, March 14, 2:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-1760)

Subcommittees -

Community Colleges - Wednesday, March 28, 12:00 noon, Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

Community Colleges and House Community Colleges Appropriations Subcommittee - Friday, March 16, 3:30 p.m., Kalamazoo Valley Community College, 7107 Elm Valley Drive, Room A1020, Kalamazoo (373-2768)

Community Health Department - Thursday, March 15, 1:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

General Government - Tuesdays, March 20 and March 27, 2:30 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

Human Services Department - Tuesday, March 27, 2:00 p.m., Room 210, Farnum Building (373-2768)

Judiciary - Thursday, March 15, 3:30 p.m., Room 110, Farnum Building (373-2768)

K-12, School Aid, Education - Wednesday, March 14, 8:30 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

Licensing and Regulatory Affairs Department - Thursday, March 15, 1:30 p.m., Room 405, Capitol Building (373-2768)

State Police and Military Affairs - Thursday, March 15, 3:00 p.m., Room 405, Capitol Building; and Thursdays, March 22 and March 29, Rooms 402 and 403, Capitol Building (373-2768)

Transportation - Wednesday, March 14, 3:00 p.m. or later immediately following Appropriations meeting, Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

Economic Development - Wednesday, March 14, 1:30 p.m., Room 110, Farnum Building (373-5323)

Education - Wednesday, March 14, 12:00 noon, Senate Hearing Room, Ground Floor, Boji Tower (373-5314)

Families, Seniors and Human Services - Wednesday, March 14, 3:00 p.m., Room 210, Farnum Building (373-5324)

Finance - Wednesday, March 14, 12:30 p.m., Room 210, Farnum Building (373-5307)

Health Policy - Thursday, March 15, 1:30 p.m., Senate Hearing Room, Ground Floor, Boji Tower (373-5314)

Natural Resources, Environment and Great Lakes - Thursday, March 15, 8:30 a.m., Room 210, Farnum Building (373-5323)

Outdoor Recreation and Tourism - Thursday, March 15, 12:30 p.m., Room 210, Farnum Building (373-5323)

Reforms, Restructuring and Reinventing - Wednesday, March 14, 8:30 a.m., Rooms 402 and 403, Capitol Building (373-5307)

Senate Fiscal Agency Board of Governors - Thursday, March 22, 9:00 a.m., Room S-324, Capitol Building (373-2768)

State Drug Treatment Court Advisory Committee - Tuesday, March 27, 9:30 a.m., Legislative Council Conference Room, 3rd Floor, Boji Tower (373-0212)

Senator Meekhof moved that the Senate adjourn.
The motion prevailed, the time being 1:26 p.m.

The President, Lieutenant Governor Calley, declared the Senate adjourned until Wednesday, March 14, 2012, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate

