

No. 34
STATE OF MICHIGAN
Journal of the Senate
96th Legislature
REGULAR SESSION OF 2012

Senate Chamber, Lansing, Tuesday, April 17, 2012.

10:00 a.m.

The Senate was called to order by the President pro tempore, Senator Tonya Schuitmaker.

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 Wallace H. Mayton III of Memorial Presbyterian Church of Midland offered the following invocation:

God of all faiths, Your glory provides hope and assurance for each day. We commend this day our state and its government to Your merciful care. Help us to live securely together in peace. Guide us by Your providence. Give us wisdom and strength to know Your purpose and to do it. Provide us with mutual respect and courtesy. Remind us of our common call to a service characterized by the virtues of truth and justice.

I ask that You bless those who hold office in the government of this state. As they do their work in this session, encourage them through kindness and the counsel of knowledge. They seek to govern by Your will as good citizens and neighbors. May their hearts be thankful for times of prosperity. May their trust be steadfast in times of challenge or adversity. Guide them in building consensus without malice and creating unity without division. Promote their understanding of the confidence they hold as our chosen leaders. For their sacrifice and for their investments of time, talents, and resources, we shall always be thankful.

We pray these things in the spirit by which we are created and which we live now and forever. Amen.

The President pro tempore, Senator Schuitmaker, led the members of the Senate in recital of the *Pledge of Allegiance*.

Motions and Communications

Senators Hansen and Nofs entered the Senate Chamber.

Senator Bieda moved that Senator Hunter be temporarily excused from today's session.
The motion prevailed.

The President, Lieutenant Governor Calley, assumed the Chair.

The following communications were received and read:
Office of the Auditor General

April 3, 2012

Enclosed is a copy of the following management letter:

Management letter related to our audit of the financial audit of the Michigan Public School Employees' Retirement System (MPERS) as of and for the fiscal years ended September 30, 2011 and September 30, 2010.

April 3, 2012

Enclosed is a copy of the following management letter:

Management letter related to our audit of the financial audit of the Michigan State Employees' Retirement System (MSERS) as of and for the fiscal years ended September 30, 2011 and September 30, 2010.

April 3, 2012

Enclosed is a copy of the following management letter:

Management letter related to our audit of the financial audit of the Michigan State Police Retirement System (MSPRS) as of and for the fiscal years ended September 30, 2011 and September 30, 2010.

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

The management letters were referred to the Committee on Government Operations.

The following communications were received:
Department of State

Administrative Rules
Notices of Filing

March 19, 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 #2011-019-ED (Secretary of State Filing #12-03-03) on this date at 1:24 p.m. for the Department of Education, entitled "Administrator Certification Code."

These rules take effect immediately upon filing with the Secretary of State unless adopted under section 33, 44, 45a(6) or 48 of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

March 29, 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 #2011-031-LR (Secretary of State Filing #12-03-04) on this date at 4:00 p.m. for the Department of Licensing and Regulatory Affairs, entitled "Board of Counseling - General Rules."

These rules become effective 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.

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 following communication was received:
Michigan Strategic Fund Board

April 3, 2012

Attached you will find the 21st Century Jobs Trust Fund Report for fiscal year 2011, as required in MCL 125.2088n of the Michigan Strategic Fund Act and the 21st Century Jobs Trust Fund legislation.

To date, the 21st Century Jobs Trust Fund has resulted in the creation and retention of 14,411 jobs, with an additional 12,287 projected to be created in the future. The funding received through the Fund has enabled Michigan companies to raise additional investment totaling \$1,120,443,397.

If you have any questions regarding this report, please contact James McBryde in our Office of Governmental Affairs at 517.335.1847.

Michael A. Finney
Chairperson

The communication was referred to the Secretary for record.

The Secretary announced that the following House bills were received in the Senate and filed on Thursday, March 29:
House Bill Nos. 4975 5009 5061 5062 5228 5271

The Secretary announced the enrollment printing and presentation to the Governor on Monday, April 2, for his approval the following bills:

Enrolled Senate Bill No. 35 at 1:05 p.m.
Enrolled Senate Bill No. 291 at 1:07 p.m.
Enrolled Senate Bill No. 412 at 1:09 p.m.
Enrolled Senate Bill No. 711 at 1:11 p.m.
Enrolled Senate Bill No. 712 at 1:13 p.m.
Enrolled Senate Bill No. 874 at 1:15 p.m.
Enrolled Senate Bill No. 515 at 1:17 p.m.

The Secretary announced the enrollment printing and presentation to the Governor on Monday, April 9, for his approval the following bill:

Enrolled Senate Bill No. 1018 at 2:30 p.m.

The Secretary announced the enrollment printing and presentation to the Governor on Tuesday, April 10, for his approval the following bills:

Enrolled Senate Bill No. 946 at 12:58 p.m.
Enrolled Senate Bill No. 414 at 1:00 p.m.
Enrolled Senate Bill No. 415 at 1:02 p.m.
Enrolled Senate Bill No. 981 at 1:04 p.m.

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

Senate Bill Nos. 1049 1050 1051 1052
House Bill Nos. 5520 5521 5522 5523 5524 5525 5526 5527 5528

The Secretary announced that the following official bills were printed on Friday, March 30, and are available at the legislative website:

Senate Bill Nos. 1053 1054 1055 1056 1057 1058 1059 1060 1061 1062

Messages from the Governor

The following messages from the Governor were received:

Date: March 29, 2012
 Time: 10:52 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 992 (Public Act No. 67), being

An act to regulate the use and enforceability of certain loan covenants in nonrecourse commercial loan transactions in this state.

(Filed with the Secretary of State on March 29, 2012, at 1:30 p.m.)

Date: April 5, 2012
 Time: 10:06 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 727 (Public Act No. 72), being

An act to amend 1927 PA 175, entitled “An act to revise, consolidate, and codify the laws relating to criminal procedure and to define the jurisdiction, powers, and duties of courts, judges, and other officers of the court under the provisions of this act; to provide laws relative to the rights of persons accused of criminal offenses and ordinance violations; to provide for the arrest of persons charged with or suspected of criminal offenses and ordinance violations; to provide for bail of persons arrested for or accused of criminal offenses and ordinance violations; to provide for the examination of persons accused of criminal offenses; to regulate the procedure relative to grand juries, indictments, informations, and proceedings before trial; to provide for trials of persons complained of or indicted for criminal offenses and ordinance violations and to provide for the procedure in those trials; to provide for judgments and sentences of persons convicted of criminal offenses and ordinance violations; to establish a sentencing commission and to prescribe its powers and duties; to provide for procedure relating to new trials and appeals in criminal and ordinance violation cases; to provide a uniform system of probation throughout this state and the appointment of probation officers; to prescribe the powers, duties, and compensation of probation officers; to provide penalties for the violation of the duties of probation officers; to provide for procedure governing proceedings to prevent crime and proceedings for the discovery of crime; to provide for fees of officers, witnesses, and others in criminal and ordinance violation cases; to set forth miscellaneous provisions as to criminal procedure in certain cases; to provide penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act,” by amending section 18 of chapter XVI (MCL 776.18).

(Filed with the Secretary of State on April 6, 2012, at 10:32 a.m.)

Date: April 5, 2012
 Time: 10:08 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 728 (Public Act No. 73), being

An act to amend 1911 PA 41, entitled “An act authorizing prosecuting attorneys in certain cases to appoint assistant prosecuting attorneys for their respective counties, and prescribing the powers and duties of such assistants,” by amending section 1 (MCL 49.41).

(Filed with the Secretary of State on April 6, 2012, at 10:34 a.m.)

Date: April 9, 2012
Time: 10:02 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 515 (Public Act No. 74), being

An act to authorize the state administrative board to transfer or convey a certain parcel of state-owned property of approximately 157 acres in Wayne county; to prescribe conditions for the transfer or conveyance; to create a state fairgrounds sale advisory committee; to provide for certain powers and duties of certain state departments and agencies in regard to the property; to provide for disposition of revenue derived from the conveyance of the property; and to provide for the disposal of fixtures and equipment on the property.

(Filed with the Secretary of State on April 9, 2012, at 1:06 p.m.)

Date: April 9, 2012
Time: 8:46 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 1018 (Public Act No. 76), being

An act to amend 1947 PA 336, entitled “An act to prohibit strikes by certain public employees; to provide review from disciplinary action with respect thereto; to provide for the mediation of grievances and the holding of elections; to declare and protect the rights and privileges of public employees; to require certain provisions in collective bargaining agreements; to prescribe means of enforcement and penalties for the violation of the provisions of this act; and to make appropriations,” by amending sections 1 and 14 (MCL 423.201 and 423.214), section 1 as amended by 2012 PA 45.

(Filed with the Secretary of State on April 10, 2012, at 9:30 a.m.)

Date: April 10, 2012
Time: 8:20 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 412 (Public Act No. 81), being

An act to amend 1994 PA 451, entitled “An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, assessments, and donations; to provide certain appropriations; to prescribe penalties and provide remedies; and to repeal acts and parts of acts,” by amending section 43524 (MCL 324.43524), as amended by 2002 PA 81.

(Filed with the Secretary of State on April 11, 2012, at 3:46 p.m.)

Date: April 10, 2012
Time: 8:22 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 35 (Public Act No. 80), being

An act to amend 1949 PA 300, entitled “An act to provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or generally accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways; to create certain funds; to provide penalties and sanctions for a violation of this act; to provide for civil liability of owners and operators of vehicles and service of process on residents and nonresidents; to regulate the introduction and use of certain evidence; to provide for the levy of certain assessments; to provide for the enforcement of this act; to provide for the creation of and to prescribe the powers and duties of certain state and local agencies; to impose liability upon the state or local agencies; to provide appropriations for certain purposes; to repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date,” by amending sections 719 and 721 (MCL 257.719 and 257.721), section 719 as amended by 2009 PA 37 and section 721 as amended by 2000 PA 154.

(Filed with the Secretary of State on April 11, 2012, at 3:44 p.m.)

Date: April 10, 2012
Time: 8:24 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 874 (Public Act No. 82), being

An act to amend 1998 PA 58, entitled “An act to create a commission for the control of the alcoholic beverage traffic within this state, and to prescribe its powers, duties, and limitations; to provide for powers and duties for certain state departments and agencies; to impose certain taxes for certain purposes; to provide for the control of the alcoholic liquor traffic within this state and to provide for the power to establish state liquor stores; to prohibit the use of certain devices for the dispensing of alcoholic vapor; to provide for the care and treatment of alcoholics; to provide for the incorporation of farmer cooperative wineries and the granting of certain rights and privileges to those cooperatives; to provide for the licensing and taxation of activities regulated under this act and the disposition of the money received under this act; to prescribe liability for retail licensees under certain circumstances and to require security for that liability; to provide procedures, defenses, and remedies regarding violations of this act; to provide for the enforcement and to prescribe penalties for violations of this act; to provide for allocation of certain funds for certain purposes; to provide for the confiscation and disposition of property seized under this act; to provide referenda under certain circumstances; and to repeal acts and parts of acts,” by amending section 501 (MCL 436.1501), as amended by 2006 PA 547.

(Filed with the Secretary of State on April 11, 2012, at 3:48 p.m.)

Date: April 11, 2012
Time: 10:15 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 711 (Public Act No. 77), being

An act to amend 1972 PA 239, entitled “An act to establish and operate a state lottery and to allow state participation in certain lottery-related joint enterprises with other sovereignties; to create a bureau of state lottery and to prescribe its powers and duties; to prescribe certain powers and duties of other state departments and agencies; to license and regulate certain sales agents; to create the state lottery fund; to provide for the distribution of lottery revenues and earnings for certain purposes; to provide for an appropriation; and to provide for remedies and penalties,” (MCL 432.1 to 432.47) by adding section 32a.

(Filed with the Secretary of State on April 11, 2012, at 3:38 p.m.)

Date: April 11, 2012
Time: 10:17 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 712 (Public Act No. 78), being

An act to amend 1939 PA 280, entitled “An act to protect the welfare of the people of this state; to provide general assistance, hospitalization, infirmity and medical care to poor or unfortunate persons; to provide for compliance by this state with the social security act; to provide protection, welfare and services to aged persons, dependent children, the blind, and the permanently and totally disabled; to administer programs and services for the prevention and treatment of delinquency, dependency and neglect of children; to create a state department of social services; to prescribe the powers and duties of the department; to provide for the interstate and intercounty transfer of dependents; to create county and district departments of social services; to create within certain county departments, bureaus of social aid and certain divisions and offices thereunder; to prescribe the powers and duties of the departments, bureaus and officers; to provide for appeals in certain cases; to prescribe the powers and duties of the state department with respect to county and district departments; to prescribe certain duties of certain other state departments, officers, and agencies; to make an appropriation; to prescribe penalties for the violation of the provisions of this act; and to repeal certain parts of this act on specific dates,” by amending section 10c (MCL 400.10c), as added by 2011 PA 198, and by adding section 10e.

(Filed with the Secretary of State on April 11, 2012, at 3:40 p.m.)

Date: April 12, 2012
Time: 3:50 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 291 (Public Act No. 98), being

An act to amend 1949 PA 300, entitled “An act to provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or generally

accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways; to create certain funds; to provide penalties and sanctions for a violation of this act; to provide for civil liability of owners and operators of vehicles and service of process on residents and nonresidents; to regulate the introduction and use of certain evidence; to provide for the levy of certain assessments; to provide for the enforcement of this act; to provide for the creation of and to prescribe the powers and duties of certain state and local agencies; to impose liability upon the state or local agencies; to provide appropriations for certain purposes; to repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date,” by amending section 658 (MCL 257.658), as amended by 2002 PA 494.

(Filed with the Secretary of State on April 13, 2012, at 9:00 a.m.)

Respectfully,
Rick Snyder
Governor

The following message from the Governor was received on April 11, 2012, and read:

EXECUTIVE ORDER
No. 2012-4

**Michigan Gaming Control Board
Licensing and Regulation of Charitable Millionaire Parties**

Executive Reorganization

WHEREAS, Section 1 of Article V of the Michigan Constitution of 1963 vests the executive power of the state of Michigan in the Governor; and

WHEREAS, Section 2 of Article V of the Michigan Constitution of 1963 empowers the Governor to make changes in the organization of the executive branch or in the assignment of functions among its units that the Governor considers necessary for efficient administration; and

WHEREAS, Section 8 of Article V of the Michigan Constitution of 1963 provides that each principal department of state government shall be under the supervision of the Governor, unless otherwise provided in the Constitution; and

WHEREAS, efficient and proper regulation and licensing of charitable millionaire party gaming is of great concern to the people of the state of Michigan; and

WHEREAS, efficient and proper regulation of charitable millionaire party gaming can best be achieved through coordinated management of state policies, regulation, and functions; and

WHEREAS, the consolidation of state government functions related to gaming in this state will eliminate unnecessary duplication and facilitate more efficient coordination of policies, regulation, and functions related to charitable millionaire party gaming;

NOW THEREFORE, I, Richard D. Snyder, Governor of the state of Michigan, by virtue of the power and authority vested in the Governor by the Michigan Constitution of 1963 and Michigan law, order the following:

I. DEFINITIONS

As used in this Order:

A. “Bureau of State Lottery” or “Bureau” means the bureau created under Section 5 of the McCauley-Traxler-Law-Bowman-McNeely Lottery Act, 1972 PA 239, MCL 432.1 *et seq.*

B. “Charitable Gaming” means those activities authorized under the Traxler-McCauley-Law-Bowman Bingo Act (Bingo Act), 1972 PA 382, MCL 432.101 *et seq.*

C. “Commissioner of the Bureau of State Lottery” or “Lottery Commissioner” means the position created under Section 5 of the McCauley-Traxler-Law-Bowman-McNeely Lottery Act, 1972 PA 239, MCL 432.1 *et seq.*

D. “Department of Treasury” means the principal department of state government created under Section 75 of the Executive Organization Act of 1965, 1965 PA 380, MCL 16.175.

E. “Executive Director of the Michigan Gaming Control Board” or “Executive Director” means the position created under Section 4 of the Michigan Gaming Control and Revenue Act, 1997 PA 69, MCL 432.201 *et seq.*

F. "Michigan Gaming Control Board" means the board created under Section 4 of the Michigan Gaming Control and Revenue Act, 1997 PA 69, MCL 432.201 *et seq.*

G. "Millionaire Party" means an event at which wagers are placed upon games of chance customarily associated with a gambling casino through the use of imitation money or chips that have a nominal value equal to or greater than the value of the currency for which they can be exchanged, as defined by MCL 432.103a(8).

II. TRANSFER OF MILLIONAIRE PARTY LICENSING AND REGULATION

A. All of the authority, powers, duties, functions, records, and property of the Lottery Commissioner and Bureau of State Lottery related to the licensing and regulation of millionaire parties under the Bingo Act and its promulgated rules, are transferred to the Executive Director of the Michigan Gaming Control Board.

B. The Executive Director of the Michigan Gaming Control Board shall perform all the functions and exercise the powers of the Lottery Commissioner and Bureau of State Lottery under the Bingo Act and rules relating to millionaire party regulation and licensing, including, but not limited to, possessing the final authority over contested cases and rule promulgation.

C. The Executive Director of the Michigan Gaming Control Board may delegate any power, duty, or function conferred on the Executive Director under this Order, or by other law, and the person to whom the power, duty, or function is delegated may perform the power, duty, or function at the time and to the extent it is delegated by the Executive Director.

D. The Executive Director of the Michigan Gaming Control Board may seek the guidance and opinion of the Michigan Gaming Control Board regarding matters of licensing or regulation of millionaire parties.

E. With the exception of licensing and regulating millionaire parties, the Lottery Commissioner and Bureau of State Lottery shall retain all other authority, powers, duties, functions, records, and property related to the licensing and regulation of charitable gaming under the Bingo Act and its promulgated rules.

III. FUNDING FOR MILLIONAIRE PARTY LICENSING AND REGULATION

A. All fees collected by the Executive Director of the Michigan Gaming Control Board in connection with licensing under Section 4a of 1972 PA 382, MCL 432.104a, shall be remitted to the Lottery Commissioner for deposit in the state lottery fund.

B. All necessary expenses incurred by the Executive Director of the Michigan Gaming Control Board, the Lottery Commissioner, and the Bureau of State Lottery in performing the powers, duties, and functions described in Section II of this Order, and in the initiation, implementation, and ongoing operation of any power, duty, or function described in Sections II of this Order, including personnel, equipment, and new technology, shall be financed from the state lottery fund consistent with Section 8 of 1972 PA 382, MCL 432.108.

C. The amount of necessary expenses described in Section III.B. of this Order shall not exceed the amount of revenue received from licensing fees and the sale of charity game tickets in accordance with Section 8 of 1972 PA 382, MCL 432.108.

IV. FACILITATION AND IMPLEMENTATION OF TRANSFER

A. Internal organizational changes shall be made as may be administratively necessary to complete the realignment of responsibilities described in this Order.

B. Departments, agencies, and state officers within the executive branch of state government shall fully and actively cooperate with the Executive Director of the Michigan Gaming Control Board and the Lottery Commissioner in the implementation of this Order.

C. The Executive Director of the Michigan Gaming Control Board may request the assistance of other departments, agencies, and state officers with respect to personnel, budgeting, procurement, telecommunications, information systems, legal services, law enforcement services, licensing and regulation, human resources operations, and other issues related to implementation of this Order, and those departments and agencies shall provide the assistance requested.

D. The Lottery Commissioner shall make personnel from the Bureau of State Lottery who is familiar with the licensing and regulation of millionaire parties available to assist the Executive Director of the Michigan Gaming Control Board during the transition period.

E. The Director of the Department of Treasury shall make personnel from its human resources operations familiar with personnel, employment, payroll, classification, disciplinary, and grievance matters available to assist the Executive Director of the Michigan Gaming Control Board during the transition period.

F. All rules, orders, contracts, and agreements related to the assigned functions that were lawfully adopted prior to the effective date of this Order shall continue to be effective until revised, amended, repealed, expired, or terminated.

G. Any suit, action, or other proceeding lawfully commenced by, against, or before any entity affected by this Order shall not abate by reason of the taking effect of this Order. Any suit, action, or other proceeding may be maintained by, against, or before the appropriate successor of any entity affected by this Order.

H. The invalidity of any portion of this Order shall not affect the validity of the remainder of the Order, which may be given effect without any invalid portion. Any portion of this Order found invalid by a court or other entity with proper jurisdiction shall be severable from the remaining portions of this Order.

In fulfillment of the requirement of Article V, Section 2, of the Constitution of the state of Michigan of 1963, the provisions of this Executive Order shall become effective 60 days after the filing of this order.

[SEAL]

Given under my hand and the Great Seal of the state of Michigan this 11th day of April, in the Year of our Lord, Two Thousand and Twelve.

Richard D. Snyder
Governor

By the Governor:
Ruth A. Johnson
Secretary of State

The executive order was referred to the Committee on Government Operations.

The following message from the Governor was received on April 11, 2012, and read:

EXECUTIVE ORDER
No. 2012-5

**Establishing the Michigan Intelligence Operations Center
for Homeland Security**

Department of State Police

**Rescission of
Executive Order 2007-47
Executive Order 2009-30**

WHEREAS, Section 1 of Article V of the Michigan Constitution of 1963 vests the executive power of the state of Michigan in the Governor; and

WHEREAS, Section 2 of Article V of the Michigan Constitution of 1963 empowers the Governor to make changes in the organization of the executive branch of state government or in the assignment of functions among its units that the Governor considers necessary for efficient administration; and

WHEREAS, Section 8 of Article V of the Michigan Constitution of 1963 provides that each principal department shall be under the supervision of the governor, unless otherwise provided by the Constitution; and

WHEREAS, the Michigan Intelligence Operations Center for Homeland Security and the Advisory Board for the Michigan Intelligence Operations Center for Homeland Security were established within the Department of State Police by Executive Order No. 2007-47 and amended by Executive Order No. 2009-30; and

WHEREAS, in the interests of efficient and effective administration of state government, it is necessary to change the Michigan Intelligence Operations Center for Homeland Security and the composition of the Advisory Board for the Michigan Intelligence Operations Center for Homeland Security;

NOW, THEREFORE, I, Richard D. Snyder, Governor of the state of Michigan, by virtue of the power and authority vested in the Governor by the Michigan Constitution of 1963 and Michigan law, order the following:

I. RESCISSION OF EXECUTIVE ORDERS

Executive Orders 2007-47 and 2009-30 are rescinded.

II. DEFINITIONS

As used in this Order:

A. "Fusion Center" means a multi-agency organization to better enable information sharing between member agencies in support of investigations and homeland or national security, and to reduce threats to security. This involves a collaborative effort of two or more agencies to provide resources, expertise, and information to the center with the goal of maximizing the agencies' ability to detect, prevent, investigate, and respond to criminal and terrorism activity.

B. "Advisory Board" means the advisory board for the Michigan Intelligence Operations Center for Homeland Security created within the Department under Section IV.

C. "Center" means the Michigan Intelligence Operations Center for Homeland Security that is the primary designated fusion center for the state of Michigan created within the Department under Section III.

D. "Node" is a designated fusion center, including a major urban area fusion center not designated as the primary fusion center, that participates, is interconnected, collaborates, and shares information with the primary designated fusion center.

E. "Department", except where the context indicates otherwise, means the Department of State Police.

III. CREATION OF THE MICHIGAN INTELLIGENCE OPERATIONS CENTER FOR HOMELAND SECURITY

A. The Michigan Intelligence Operations Center for Homeland Security is created within the Department of State Police.

B. The Michigan Intelligence Operations Center for Homeland Security is the primary designated fusion center for the state of Michigan.

C. The authority, powers, duties, and functions of the center, including, but not limited to, budgeting, procurement, and related management functions, shall be performed under the direction and supervision of the director of the Department.

D. The director of the Department shall direct and supervise the operation of the center and is responsible for developing and implementing the management and operational policies of the center.

E. Information and intelligence provided to the center and any nodes shall be collected, evaluated, collated, analyzed, and disseminated under applicable federal and state laws and regulations.

IV. CREATION OF THE ADVISORY BOARD FOR THE MICHIGAN INTELLIGENCE OPERATIONS CENTER FOR HOMELAND SECURITY

A. The advisory board for the Michigan Intelligence Operations Center for Homeland Security is created as an advisory body within the Department.

B. The advisory board consists of the following 11 members:

- The director of the Department.
- The Adjutant General, or his or her designee, from within the Department of Military and Veterans Affairs.
- The director of the Department of Civil Rights, or his or her designee, from within the Department of Civil Rights or from the Civil Rights Commission.
- The director of the Department of Corrections, or his or her designee, from within the Department of Corrections.
- The Attorney General, or his or her designee, from within the Department of Attorney General.

The following members appointed by the governor:

- An individual representing local police departments in this state or the Michigan Association of Chiefs of Police.
- An individual representing local sheriff's departments in this state or the Michigan Sheriffs' Association.
- An individual representing the office of a county prosecuting attorney or the Prosecuting Attorneys' Association of Michigan.
- Three members of the public, who are residents of this state, who are not connected to law enforcement or employed by local, state or federal governments and includes at least one individual who represents a statewide, non-profit organization advocating for civil liberties and privacy protections.

C. Of the members of the advisory board initially appointed by the Governor under Section IV.B., two members shall be appointed for terms of three years each, two members shall be appointed for terms of four years each, and two members shall be appointed for terms of five years each. After the initial appointments, members of the advisory board appointed by the Governor under Section IV.B., shall be appointed for terms of four years. A vacancy caused other than by expiration of a term shall be filled in the same manner as the original appointment for the remainder of the term. The director of the Department shall serve as the chairperson of the advisory board. The advisory board shall annually elect a member of the advisory board to serve as vice-chairperson of the advisory board.

D. The advisory board shall be staffed and assisted by personnel from the Department, as directed by the director of the Department. The budgeting, procurement, and related management functions of the advisory board shall be performed under the direction and supervision of the director of the Department.

E. The advisory board shall invite the participation of up to five Michigan residents representing federal homeland security or law enforcement agencies, such as the United States Department of Homeland Security, the Federal Bureau of Investigation, the Bureau of Alcohol, Tobacco, Firearms and Explosives, the United States Attorney's Office for the Eastern District of Michigan, or the United States Attorney's Office for the Western District of Michigan.

V. ADVISORY BOARD FUNCTIONS AND RESPONSIBILITIES

A. The advisory board shall adopt procedures consistent with the laws of this state governing its organization and operations. The advisory board shall make recommendations regarding the privacy policy and management policies and procedures for the center and any node to comply with any applicable laws, including, but not limited to, the C.J.I.S. Policy Council Act, 1974 PA 163, MCL 28.211 to 28.215.

B. A majority of the members of the advisory board serving constitutes a quorum for the transaction of the advisory board's business. The advisory board shall act by a majority vote of its serving members.

C. Members of the advisory board shall serve without compensation. Members of the advisory board may receive reimbursement for necessary travel and expenses according to relevant statutes and the rules and procedures of the Civil Service Commission and the Department of Technology, Management, and Budget, subject to available funding.

D. The advisory board shall meet at the call of the chairperson and as may be provided in procedures adopted by the advisory board.

E. The advisory board may establish advisory workgroups composed of representatives of law enforcement agencies participating in center activities, other law enforcement or public safety agencies, and other public participation as the

advisory board deems necessary to assist it in its duties and responsibilities. The advisory board may adopt, reject, or modify any recommendations proposed by an advisory workgroup.

F. The advisory board may consult with outside experts in order to perform its duties, including, but not limited to, experts in the private sector, government agencies, and institutions of higher education.

G. Members of the advisory board shall refer all legal, legislative, and media contacts to the Department.

VI. PRIVACY POLICY

Each year the Department, in consultation with the advisory board, shall review the center's privacy policy for information and intelligence in the possession of the center and any nodes. The review shall ensure that the privacy policy protects the political and civil rights of the residents of this state consistent with applicable state and federal law, including, but not limited to, laws and regulations relating to privacy and public access to government information. The review shall also seek to preserve the integrity and effectiveness of law enforcement responsibilities and functions, while also assuring that residents of this state remain protected from the inappropriate use or release of private information.

VII. MISCELLANEOUS

A. The Detroit and Southeast Michigan Information and Intelligence Center is recognized as a fusion center and node of the Michigan Intelligence Operations Center.

B. State departments and agencies shall actively cooperate with the center and advisory board in the performance of their duties and responsibilities under this Order.

C. This Order shall not abate any suit, action, or other proceeding lawfully commenced by, against, or before any entity affected under this Order. Any suit, action, or other proceeding may be maintained by, against, or before the appropriate successor of any entity affected under this Order.

D. The invalidity of any portion of this Order shall not affect the validity of the remainder of the Order, which may be given effect without any invalid portion. Any portion of this Order found invalid by a court or other entity with proper jurisdiction shall be severable from the remaining portions of this Order.

This Executive Order shall become effective upon filing.

[SEAL]

Given under my hand and the Great Seal of the state of Michigan this 11th day of April, in the year of our Lord, two thousand twelve.

Richard D. Snyder
Governor

By the Governor:
Ruth A. Johnson
Secretary of State

The executive order was referred to the Committee on Government Operations.

The following messages from the Governor were received and read:

March 29, 2012

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

State Police Retirement Board

Diane M. Garrison of 2240 Beechnut Trail, Holt, Michigan 48842, county of Ingham, representing members of the retirement system, succeeding herself, is reappointed for a term expiring December 31, 2014.

Kevin P. McGaffigan of 2801 Country Club Way, Albion, Michigan 49224, county of Calhoun, representing members of the retirement system with the rank of lieutenant or above, succeeding himself, is reappointed for a term expiring December 31, 2013.

April 2, 2012

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

Michigan Veterans Trust Fund Board of Directors

Ronald R. Schrieber of 513 Jefferson Boulevard, Roscommon, Michigan 48653, county of Roscommon, representing Disabled American Veterans, succeeding himself, is reappointed for a term expiring February 25, 2014.

Jason B. Biber of 5295 Mountain Road, Brighton, Michigan 48116, county of Livingston, representing the Marine Corps League, a congressionally-chartered veterans' organization, succeeding Edward J. Florence, is appointed for a term expiring February 25, 2014.

John E. James of 27945 W. 14 Mile Road, Farmington Hills, Michigan 48334, county of Oakland, representing an Independent member who is a Veteran, succeeding Ronald L. Amend, is appointed for a term expiring February 25, 2015.

Marita R. Okerstrom of 509 Leeward Court, Traverse City, Michigan 49686, county of Grand Traverse, representing an Independent member who is a Veteran, succeeding James L. Lane, is appointed for a term expiring February 25, 2015.

Charles F. Kosal of 1681 Ottawa Trail Court, Oxford, Michigan 48371, county of Oakland, representing an Independent member who is a Veteran, succeeding Sandra K. Wilson, is appointed for a term expiring February 25, 2014.

April 5, 2012

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

Michigan Council for the Arts and Cultural Affairs

Pamella G. DeVos of 600 Steketee Road, N.E., Ada, Michigan 49301, county of Kent, succeeding Steve Tobocman, is appointed for a term expiring September 1, 2012.

April 5, 2012

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

Mackinac Island State Park Commission

William K. Marvin of 308 Straits Avenue, Mackinaw City, Michigan 49701, county of Emmet, a Republican, representing residents of Mackinaw City, succeeding Jim Williams, is appointed for a term expiring April 12, 2018.

April 5, 2012

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

State Board of Professional Engineers

Anthony J. Vizzini of 8565 Wyndwood Point, Mattawan, Michigan 49071, county of Kalamazoo, representing professional engineers, succeeding Charles Dulic, is appointed for a term expiring March 31, 2016.

Michael T. Drewyor of 1101 Agate Street, Houghton, Michigan 49931, county of Houghton, representing professional surveyors, who is also a member of the Board of Professional Surveyors, succeeding Karol L. Grove, is appointed for a term expiring March 31, 2016.

April 5, 2012

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

State Board of Professional Surveyors

Michael T. Drewyor of 1101 Agate Street, Houghton, Michigan 49931, county of Houghton, representing professional engineers, who is also a member of the Board of Professional Engineers, succeeding George Y. Karmo, is appointed for a term expiring March 31, 2016.

Ginger L. Michalski-Wallace of 8943 Sunflower Drive, Whitmore Lake, Michigan 48189, county of Washtenaw, representing professional surveyors, succeeding Karol L. Grove, is appointed for a term expiring March 31, 2016.

April 10, 2012

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

Michigan Public School Employees Retirement System Board

Timothy J. Nelson of 307 Knollwood Drive, Traverse City, Michigan 49686, county of Grand Traverse, representing community college administrators, succeeding Lenore Croudy, is appointed for a term expiring March 30, 2016.

Larry J. Ward of 4175 Vanneter Road, Williamston, Michigan 48895, county of Ingham, representing elected members of a reporting unit's board of control, succeeding Edwin E. Martinson, is appointed for a term expiring March 30, 2016.

Kevin D. Philipps of 1529 Eastlawn Road, S.E., East Grand Rapids, Michigan 49506, county of Kent, representing school finance or operations managers who are not a superintendent, succeeding Timothy A. Raymer, is appointed for a term expiring March 30, 2016.

Stephen H. Epstein of 4608 Maura Lane, West Bloomfield, Michigan 48323, county of Oakland, representing the general public, succeeding Steven J. Jagusch, is appointed for a term expiring March 30, 2016.

April 12, 2012

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

Michigan Community Corrections Board

William A. DeBoer of 2744 Red Osier Court, Bryon Center, Michigan 49315, county of Kent, representing existing community alternatives programs, succeeding Louis Dean, is appointed for a term expiring March 31, 2016.

Thomas P. Clement of 3840 Kiskadee Drive, East Lansing, Michigan 48823, county of Ingham, representing criminal defense attorneys, succeeding George Zulakis, is appointed for a term expiring March 31, 2016.

Cory J. Chavis of 45438 Parkdale Drive, Canton, Michigan 48188, county of Wayne, representing the general public, succeeding Curtis T. McGhee II, is appointed for a term expiring March 31, 2016.

Matthew R. Heins of 2020 Cascades Drive, Jackson, Michigan 49203, county of Jackson, representing chief of city police departments, succeeding Gary M. Goss, is appointed for a term expiring March 31, 2016.

April 12, 2012

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

Chair - State Board of Ethics

John D. Pirich of 6431 Oakencliffe Lane, East Lansing, Michigan 48823, county of Ingham, is appointed for a term expiring at the pleasure of the Governor.

State Board of Ethics

Lawrence M. Glazer of 3555 W. Arbutus Drive, Okemos, Michigan 48864, county of Ingham, succeeding Frank J. Kelley, is appointed for a term expiring February 7, 2016.

Albert T. Nelson, Jr., of 5846 Clearview Drive, Troy, Michigan 48098, county of Oakland, succeeding Paul M. Yedwab, is appointed for a term expiring February 7, 2016.

Joseph V. Walker of 32410 Bingham Road, Bingham Farms, Michigan 48025, county of Oakland, succeeding Frederick P. Dillingham, is appointed for a term expiring February 7, 2016.

April 16, 2012

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

Chair - Public Safety Communications Interoperability Board

Kriste Kibbey Etue of 4782 Pine Eagles Drive, Brighton, Michigan 48116, county of Livingston, is appointed for a term expiring at the pleasure of the Governor.

Sincerely,
Rick Snyder
Governor

The appointments were referred to the Committee on Government Operations.

Recess

Senator Meekhof moved that the Senate recess subject to the call of the Chair.
The motion prevailed, the time being 10:11 a.m.

10:59 a.m.

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

During the recess, Senator Hunter entered the Senate Chamber.

By unanimous consent the Senate proceeded 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 Gregory as Chairperson.

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

House Bill No. 4751, entitled

A bill to amend 1972 PA 344, entitled "Agricultural marketing and bargaining act," by amending sections 2, 2a, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, and 25 (MCL 290.702, 290.702a, 290.703, 290.704, 290.705, 290.706, 290.707, 290.708, 290.709, 290.710, 290.711, 290.712, 290.713, 290.714, 290.715, 290.716, 290.717, 290.718, 290.719, 290.720, 290.721, 290.722, 290.723, 290.724, and 290.725), sections 3 and 17 as amended by 1980 PA 195.

House Bill No. 4974, entitled

A bill to amend 2001 PA 142, entitled "Michigan memorial highway act," by amending section 1072 (MCL 250.2072), as added by 2011 PA 78.

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

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

House Bill No. 4393, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 703 (MCL 436.1703), as amended by 2006 PA 443.

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

1. Amend page 8, line 12, after “**OBSERVATION**” by inserting “**INCLUDING, BUT NOT LIMITED TO, MEDICAL EXAMINATION AND TREATMENT FOR ANY CONDITION ARISING FROM A VIOLATION OF SECTIONS 520B TO 520G OF THE MICHIGAN PENAL CODE, 1931 PA 328, MCL 750.520B TO 750.520G, COMMITTED AGAINST A MINOR**”.

2. Amend page 8, line 17, after “**OBSERVATION**” by inserting “**INCLUDING, BUT NOT LIMITED TO, MEDICAL EXAMINATION AND TREATMENT FOR ANY CONDITION ARISING FROM A VIOLATION OF SECTIONS 520B TO 520G OF THE MICHIGAN PENAL CODE, 1931 PA 328, MCL 750.520B TO 750.520G, COMMITTED AGAINST A MINOR**”.

3. Amend page 10, following line 26, by inserting:

“Enacting section 1. This amendatory act takes effect June 1, 2012.”.

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

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:
House Bill No. 4207, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 5512 and 11522 (MCL 324.5512 and 324.11522); and to repeal acts and parts of acts.

Substitute (S-1).

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

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 bill, now on the order of Third Reading of Bills, be placed on its immediate passage at the head of the Third Reading of Bills calendar:

House Bill No. 4207

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

The following bill was read a third time:

House Bill No. 4207, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 5512 and 11522 (MCL 324.5512 and 324.11522); and to repeal acts and parts of acts.

The question being on the passage of the bill,

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

Roll Call No. 201

Yeas—26

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

Nays—12

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

Excused—0

Not Voting—0

In The Chair: President

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 protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, assessments, and donations; to provide certain appropriations; to prescribe penalties and provide remedies; 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. 115

Senate Concurrent Resolution No. 26

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

House Concurrent Resolution No. 6

Senate Resolution No. 120

The motion prevailed.

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

Senate Resolution No. 136

The resolution consent calendar was adopted.

Senator Nofs offered the following resolution:

Senate Resolution No. 136.

A resolution to recognize April 2012 as National Financial Literacy Month in the state of Michigan.

Whereas, The informed use of credit and other financial products and services benefits individual consumers and promotes economic growth; and

Whereas, Financial literacy and learning these skills at an early age encourages greater economic self-sufficiency, higher levels of successful homeownership, and enhanced retirement security; and

Whereas, The past decade has seen declining personal savings rates, increased bankruptcy filings, soaring home foreclosures, and rising percentages of family income devoted to servicing household debt; and

Whereas, Given the current economic conditions facing Michigan, personal financial education and money management skills are crucial to ensure that our young people and adults are prepared to manage credit and debt, build savings, and become responsible workers, heads of households, homeowners, investors, entrepreneurs, business leaders, and productive citizens; and

Whereas, National Financial Literacy Month highlights the commitment of credit unions throughout the nation to strengthen the financial knowledge of our citizens and prepare them to be fiscally-responsible contributors to society; now, therefore, be it

Resolved by the Senate, That the members of this legislative body recognize April 2012 as National Financial Literacy Month in the state of Michigan. We encourage raising public awareness about the need for increased financial literacy in our schools and the serious problems that are associated with a lack of understanding of personal finances; and be it further

Resolved, That we call on each parent, school, business, community organization, and unit of government to observe the month with appropriate programs and activities.

Senators Bieda, Booher, Brandenburg, Colbeck, Hansen, Hildenbrand, Hopgood, Hunter, Jones, Marleau, Pappageorge, Pavlov, Proos, Richardville and Schuitmaker were named co-sponsors of the resolution.

By unanimous consent the Senate proceeded to the order of

Statements

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

The motion prevailed.

Senator Gleason's statement is as follows:

I rise today over an issue that came to light on March 8, as I and others were in attendance at a committee meeting. We were discussing the Pure Michigan campaign here throughout our state. Millions of dollars are dedicated towards this effort. I am a strong proponent for this program. I've seen the amenities it has delivered to Genesee County.

I rise today because I am deeply concerned that the Pure Michigan campaign is not pure Michigan. It is neither pure, nor is it Michigan. George Zimmerman, vice president of Travel Michigan for the MEDC, makes a six-figure salary to promote all the great things about Michigan. Mr. Zimmerman should not be getting paid to outsource Michigan jobs to printing presses in other states, as is the case with the *Pure Michigan* magazine. I personally find it hard to believe that there are no qualified Michigan companies to do the job, as Mr. Zimmerman suggested to the Outdoor Recreation and Tourism Committee. Even if that is true, doesn't that present us with the opportunity to follow through with one of Governor Snyder's ideas to do some economic gardening? We should take this opportunity to grow Michigan printing firms and help several of them become qualified. They could compete not only for the Pure Michigan campaign, but start putting bids in other states. It seems like we could all win here in Michigan.

Pure Michigan, in the least, should live up to its name. We could create more jobs in our state. I don't see what we gain by outsourcing Pure Michigan. I think that this Senate should demand to keep those jobs in Michigan. Let's do what the voters sent us here to do and that is to create jobs for this state and stop shipping them elsewhere.

It was indicated in that committee meeting that this work was being done in another state. I find that totally disingenuous. We use taxpayer dollars and we hire a particular individual to stand up and fight for our companies and our businesses here in the state, and we ship a multimillion-dollar contract to another state.

As I mentioned only three weeks ago, I think this needs a further look. We need to delve into this at a greater level than we have. How can we say that our most important need and most sincere dedication should be for creating jobs and we have an agency that goes to a different state and delivers a state contract? I know that was another indicator that we were going to look at by saving taxpayer money by looking at state contracts. Let's begin with the Pure Michigan one. Let's purify the Pure Michigan effort by giving our companies a chance. I hope we take this challenge here this morning seriously.

Senator Bieda's statement is as follows:

Many of you might not be aware that April is National Sexual Assault Awareness Month in the United States. To express my support and awareness, I am wearing a teal ribbon to bring awareness.

According to the U.S. Department of Justice's National Crime Victimization Survey, there are approximately 207,000 victims, age 12 or older, of rape and sexual assault each year, most often by someone known to the victim. It is a widely accepted fact that sexual assault is the most underreported crime in the United States, but we can prevent the crime if we as a community decided it is our priority. I believe that education is the road to prevention, and that is also why the 2012 Sexual Assault Awareness Month campaign encourages communities and individuals to join the conversation on how we connect and respect one another in order to prevent sexual violence.

We must do more to provide services that help victims recover from the trauma of sexual assault. Ultimately, we must prevent sexual assault even before it happens. As important as it is to work in prevention of sexual assaults, it is also important to show our support for the survivors of the crime. Therefore, I encourage you this month of the year to be extra supportive in the fight against sexual violence and to attend any events in your communities to help raise awareness. In honor of that and to further the cause of increasing awareness, I do have some teal ribbons available at my desk.

By unanimous consent the Senate returned to the order of

Introduction and Referral of Bills

Senators Warren, Young, Bieda, Whitmer and Anderson introduced
Senate Bill No. 1063, entitled

A bill to amend 1976 PA 453, entitled "Elliott-Larsen civil rights act," by amending the title and sections 102, 103, 202, 203, 204, 205, 206, 207, 209, 302, 302a, 402, 502, 504, 505, and 506 (MCL 37.2102, 37.2103, 37.2202, 37.2203,

37.2204, 37.2205, 37.2206, 37.2207, 37.2209, 37.2302, 37.2302a, 37.2402, 37.2502, 37.2504, 37.2505, and 37.2506), the title as amended by 1992 PA 258, sections 102, 502, 504, 505, and 506 as amended by 1992 PA 124, section 103 as amended by 1999 PA 202, section 202 as amended by 2009 PA 190, section 302a as added by 1992 PA 70, and section 402 as amended by 1993 PA 216.

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

Senator Kowall introduced

Senate Bill No. 1064, entitled

A bill to amend 2006 PA 110, entitled "Michigan zoning enabling act," (MCL 125.3101 to 125.3702) by adding section 3514.

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

Senators Brandenburg, Richardville, Jones, Hune, Robertson, Kowall, Marleau, Hildenbrand, Nofs, Caswell and Jansen introduced

Senate Bill No. 1065, 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," (MCL 207.551 to 207.572) by adding section 11a.

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

Senators Robertson, Hune, Kowall, Marleau, Richardville, Jones, Hildenbrand, Nofs, Caswell and Jansen introduced

Senate Bill No. 1066, entitled

A bill to amend 1984 PA 385, entitled "Technology park development act," (MCL 207.701 to 207.718) by adding section 12a.

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

Senators Caswell, Hune, Kowall, Marleau, Richardville, Jones, Hildenbrand, Nofs, Jansen and Robertson introduced

Senate Bill No. 1067, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 9f (MCL 211.9f), as amended by 2010 PA 274.

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

Senators Robertson, Hune, Kowall, Marleau, Richardville, Jones, Hildenbrand, Nofs, Caswell and Jansen introduced

Senate Bill No. 1068, entitled

A bill to amend 1985 PA 224, entitled "Enterprise zone act," (MCL 125.2101 to 125.2123) by adding section 21d.

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

Senators Hildenbrand, Richardville, Jones, Kowall, Marleau, Nofs, Caswell, Jansen, Robertson and Hune introduced

Senate Bill No. 1069, entitled

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

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

Senators Nofs, Richardville, Jones, Hildenbrand, Kowall, Marleau, Caswell, Jansen, Robertson, Hune and Colbeck introduced

Senate Bill No. 1070, entitled

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

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

Senators Nofs, Richardville, Jones, Kowall, Marleau, Hildenbrand, Caswell, Jansen, Robertson and Hune introduced **Senate Bill No. 1071, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," (MCL 211.1 to 211.155) by adding section 9n. The bill was read a first and second time by title and referred to the Committee on Finance.

Senators Brandenburg, Kowall, Marleau, Richardville, Jones, Hildenbrand, Nofs, Caswell, Jansen, Robertson and Hune introduced

Senate Bill No. 1072, entitled

A bill to provide for the reimbursement of certain funds to local taxing units; to create certain funds; and to set forth the powers and duties of certain state departments and state officials.

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

House Bill No. 4975, entitled

A bill to amend 1980 PA 299, entitled "Occupational code," (MCL 339.101 to 339.2919) by adding article 26A.

The House of Representatives has passed the bill.

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

House Bill No. 5009, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 303a (MCL 750.303a), as added by 1996 PA 539.

The House of Representatives has passed the bill.

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

House Bill No. 5061, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 761, 813, and 829 (MCL 168.761, 168.813, and 168.829), section 761 as amended by 2005 PA 71 and sections 813 and 829 as added by 2004 PA 92, and by adding sections 38 and 764c.

The House of Representatives has passed the bill.

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

House Bill No. 5062, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 31, 33, 514, 679a, 811, 847, 931, and 942 (MCL 168.31, 168.33, 168.514, 168.679a, 168.811, 168.847, 168.931, and 168.942), section 31 as amended by 2005 PA 71, section 33 as amended by 2002 PA 91, section 514 as amended by 1992 PA 195, section 679a as added by 2004 PA 256, sections 847 and 942 as amended by 1995 PA 261, and section 931 as amended by 1996 PA 583, and by adding section 31a.

The House of Representatives has passed the bill.

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

House Bill No. 5228, entitled

A bill to amend 1963 PA 181, entitled "Motor carrier safety act of 1963," by amending section 1a (MCL 480.11a), as amended by 2011 PA 160.

The House of Representatives has passed the bill.

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

House Bill No. 5271, entitled

A bill to amend 1979 PA 152, entitled "State license fee act," (MCL 338.2201 to 338.2277) by adding section 38a.

The House of Representatives has passed the bill.

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

Committee Reports

The Committee on Appropriations reported

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.

With the recommendation that the bill be referred to the Committee on Finance.

Roger Kahn, M.D.
Chairperson

To Report Out:

Yeas: Senators Kahn, Moolenaar, Jansen, Pappageorge, Booher, Caswell, Colbeck, Green, Proos, Schuitmaker, Walker, Anderson, Gregory, Hopgood and Johnson

Nays: None

The bill was referred to the Committee on Finance.

The Committee on Appropriations reported

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.

With the recommendation that the bill be referred to the Committee on Finance.

Roger Kahn, M.D.
Chairperson

To Report Out:

Yeas: Senators Kahn, Moolenaar, Jansen, Pappageorge, Booher, Caswell, Colbeck, Green, Proos, Schuitmaker, Walker, Anderson, Gregory, Hopgood and Johnson

Nays: None

The bill was referred to the Committee on Finance.

The Committee on Appropriations reported

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.

With the recommendation that the bill be referred to the Committee on Finance.

Roger Kahn, M.D.
Chairperson

To Report Out:

Yeas: Senators Kahn, Moolenaar, Jansen, Pappageorge, Booher, Caswell, Colbeck, Green, Proos, Schuitmaker, Walker, Anderson, Gregory, Hopgood and Johnson

Nays: None

The bill was referred to the Committee on Finance.

The Committee on Appropriations reported

Senate Bill No. 951, entitled

A bill to make appropriations for the department of corrections for the fiscal year ending September 30, 2013; and to provide for the expenditure of the appropriations.

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.

Roger Kahn, M.D.
Chairperson

To Report Out:

Yeas: Senators Moolenaar, Jansen, Pappageorge, Booher, Colbeck, Green, Proos, Schuitmaker and Walker

Nays: Senators Anderson, Gregory, Hood, Hopgood and Johnson

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

The Committee on Transportation reported

Senate Bill No. 911, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 801 (MCL 257.801), as amended by 2011 PA 159, and by adding section 801j.

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.

Thomas A. Casperson
Chairperson

To Report Out:

Yeas: Senators Casperson, Kowall, Hansen and Gleason

Nays: Senators Brandenburg and Pavlov

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

The Committee on Transportation reported

Senate Bill No. 912, entitled

A bill to amend 2006 PA 110, entitled "Michigan zoning enabling act," by amending section 205 (MCL 125.3205), as amended by 2011 PA 113.

With the recommendation that the bill pass.

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

Thomas A. Casperson
Chairperson

To Report Out:

Yeas: Senators Casperson, Kowall, Hansen and Gleason

Nays: Senators Brandenburg and Pavlov

The bill was referred to the Committee of the Whole.

The Committee on Transportation reported

Senate Bill No. 967, entitled

A bill to amend 1951 PA 51, entitled "An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to promote safe and efficient travel for motor vehicle drivers, bicyclists, pedestrians, and other legal users of roads, streets, and highways; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, local bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts," by amending section 1 (MCL 247.651), as amended by 2008 PA 303.

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.

Thomas A. Casperson
Chairperson

To Report Out:

Yeas: Senators Casperson, Kowall, Hansen and Gleason

Nays: Senators Brandenburg and Pavlov

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

COMMITTEE ATTENDANCE REPORT

The Committee on Transportation submitted the following:

Meeting held on Thursday, March 29, 2012, at 12:48 p.m., Room 110, Farnum Building

Present: Senators Casperson (C), Kowall, Brandenburg, Pavlov, Hansen, Gleason and Hood

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Department of Community Health submitted the following:

Meeting held on Thursday, March 29, 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 Committee on Banking and Financial Institutions submitted the following:

Meeting held on Thursday, March 29, 2012, at 1:30 p.m., Room 100, Farnum Building

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

Excused: Senator Rocca

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Department of Licensing and Regulatory Affairs submitted the following:

Meeting held on Thursday, March 29, 2012, at 1:30 p.m., Room 405, Capitol Building

Present: Senators Jansen (C), Proos and Johnson

COMMITTEE ATTENDANCE REPORT

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

Meeting held on Thursday, March 29, 2012, at 3:00 p.m., Rooms 402 and 403, Capitol Building

Present: Senators Colbeck (C), Pappageorge and Gregory

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Retirement submitted the following:

Meeting held on Thursday, March 29, 2012, at 3:30 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building

Present: Senators Jansen (C), Caswell, Colbeck and Hood

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Retirement submitted the following:

Meeting held on Wednesday, April 11, 2012, at 10:00 a.m., Senate Hearing Room, Ground Floor, Boji Tower

Present: Senators Jansen (C), Caswell, Colbeck and Hood

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Retirement submitted the following:

Meeting held on Wednesday, April 11, 2012, at 1:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower

Present: Senators Jansen (C), Caswell, Colbeck and Hood

Scheduled Meetings

Appropriations - Wednesday, April 18, 1:00 p.m.; Thursday, April 19, 11:00 a.m.; and Friday, April 20, 9:00 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-1760)

Subcommittee -

Retirement - Thursday, April 19, 8:30 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

Economic Development - Wednesday, April 18, 1:30 p.m., Room 110, Farnum Building (373-5323)

Families, Seniors and Human Services - Wednesday, April 18, 3:00 p.m., Room 210, Farnum Building (373-5324)

Finance - Wednesday, April 18, 11:00 a.m., Senate Hearing Room, Ground Floor, Boji Tower (373-5307)

Natural Resources, Environment and Great Lakes - Thursday, April 19, 9:00 a.m., Room 210, Farnum Building (373-5323)

Outdoor Recreation and Tourism - Thursday, April 19, 12:30 p.m., Room 210, Farnum Building (373-5323)

Senator Meekhof moved that the Senate adjourn.
The motion prevailed, the time being 11:22 a.m.

The President, Lieutenant Governor Calley, declared the Senate adjourned until Wednesday, April 18, 2012, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate