

**No. 40**  
**STATE OF MICHIGAN**  
**Journal of the Senate**  
**96th Legislature**  
**REGULAR SESSION OF 2012**

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Senate Chamber, Lansing, Tuesday, May 1, 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—excused  
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

Pastor John Flanders of Landmark Baptist Church of Clio offered the following invocation:

Our Heavenly Father, we thank You for this great state and for the privilege that we have to serve You on this day. Lord, we pray for the many needs of our state today. We acknowledge that our greatest need is to be rightly related with You.

Lord, we believe Your promise when You said that if Your people would humble themselves and pray and seek Your face and turn from their wicked ways that, Lord, You would hear from heaven, and You would forgive our sins and heal our land. Lord, we pray for that moving in our hearts, Lord, back to You.

Lord, we also ask that great wisdom would be given to this body today, Lord, as I ask that the needs are considered so that once again our state may experience Your provision, Your power, and Your blessing. Lord, may Your perfect will be done in our hearts, our homes, and within this assembly today.

In Your name, we pray these things. Amen.

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

### Motions and Communications

Senator Marleau entered the Senate Chamber.

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

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

The following communications were received:

Michigan Strategic Fund Board

April 26, 2012

On April 25, 2012, the Michigan Strategic Fund Board [the "MSF Board"] approved the Notice of Public Hearing - Pure Michigan Venture Development Fund. Consistent with the requirements of MCL 125.2088k(8), I am writing to provide you with the Notice of Public Hearing, Resolution of the MSF Board [the "Resolution"], and the Program Application, Process & Guidelines related to the Pure Michigan Venture Development Fund Public Hearing.

April 26, 2012

On April 25, 2012, the Michigan Strategic Fund Board [the "MSF Board"] approved the revisions to the Capital Conduit Program ["CCP"] Guidelines. Consistent with the requirements of MCL 125.2088k(8), I am writing to provide you with the MSF Board's Decision Document, Final Resolution of the MSF Board [the "Resolution"] and Revised CCP Guidelines.

Regards,  
Ellen Graham  
Board Relations Liaison

The communications were referred to the Secretary for record.

The Secretary announced that the following House bills were received in the Senate and filed on Thursday, April 26:  
**House Bill Nos. 4025 5365 5392**

The Secretary announced that the following House bill was received in the Senate and filed on Friday, April 27:  
**House Bill No. 5372**

The Secretary announced the enrollment printing and presentation to the Governor on Friday, April 27, for his approval the following bills:

**Enrolled Senate Bill No. 428 at 1:52 p.m.**

**Enrolled Senate Bill No. 349 at 1:54 p.m.**

The Secretary announced that the following official bills were printed on Thursday, April 26, and are available at the legislative website:

**Senate Bill Nos. 1091 1092 1093 1094 1095**

**House Bill No. 5571**

The Secretary announced that the following bills were printed on Friday, April 27, and are available at the legislative website:

<b>Senate Bill Nos.</b>	<b>1096</b>	<b>1097</b>	<b>1098</b>	<b>1099</b>	<b>1100</b>	<b>1101</b>	<b>1102</b>	<b>1103</b>	<b>1104</b>
<b>House Bill Nos.</b>	<b>5572</b>	<b>5573</b>	<b>5574</b>	<b>5575</b>	<b>5576</b>	<b>5577</b>	<b>5578</b>		

### Messages from the Governor

The following messages from the Governor were received and read:

April 27, 2012

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

#### **Advisory Council on Deaf and Hard of Hearing**

Brenda S. Neubeck of 4315 Karen Court, White Lake, Michigan 48383, county of Oakland, representing deaf and hard of hearing individuals, succeeding herself, is reappointed for a term expiring January 18, 2015.

Laura Scott of 2813 Barclay Way, Ann Arbor, Michigan 48105, county of Washtenaw, representing individuals knowledgeable in the field of deafness, succeeding herself, is reappointed for a term expiring January 18, 2015.

Odessa Carter of 17111 Village Drive, Redford, Michigan 48240, county of Wayne, representing deaf and hard of hearing individuals, succeeding Jill Gaus, is appointed for a term expiring January 18, 2015.

Jamie L. Maes-Eischen of 3140 Kilmer Drive, Troy, Michigan 48083, county of Oakland, representing individuals knowledgeable in the field of deafness, succeeding Daniel McDougal, is appointed for a term expiring January 18, 2015.

Freida M. Morrison of 3374 Wolverine Drive, Troy, Michigan 48083, county of Oakland, representing deaf and hard of hearing individuals, succeeding Larry Trayner, is appointed for a term expiring January 18, 2015.

April 27, 2012

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

#### **Residential Builders' and Maintenance and Alteration Contractors' Board**

Sidney J. Browne, Jr., of 4280 Plank Road, Marine City, Michigan 48039, county of St. Clair, representing the general public as a person registered under building officials and inspectors registration act, succeeding himself, is reappointed for a term expiring March 31, 2016.

Gary K. August of 1808 Cragin Drive, Bloomfield Hills, Michigan 48302, county of Oakland, representing the general public, succeeding himself, is reappointed for a term expiring March 31, 2016.

John F. Kelly of 6085 Wing Lake Road, Bloomfield Hills, Michigan 48301, county of Oakland, representing licensed residential builders, succeeding Kevin M. Lewand, is appointed for a term expiring March 31, 2016.

Sincerely,  
Rick Snyder  
Governor

The appointments were referred to the Committee on Government Operations.

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 pro tempore, Senator Schuitmaker, designated Senator Warren as Chairperson.

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

#### **Senate Bill No. 300, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding chapter 21A. 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:

#### **House Bill No. 4593, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding sections 2159 and 2161.

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:  
**House Bill No. 4594, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding sections 2153 and 2156.

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 amendments, the following bill:

**House Bill No. 4595, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 2154.

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

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

**"(H) PREDATORY LENDING RESULTING IN THE FORECLOSURE OF, OR COMMENCEMENT OF PROCEEDINGS OR AN ACTION TO FORECLOSE, A MORTGAGE OF REAL PROPERTY OWNED BY THE INSURED OR INSURANCE APPLICANT."** and renumbering the remaining subdivision.

2. Amend page 3, line 12, by striking out all of enacting section 1 and inserting:

"Enacting section 1. This amendatory act does not take effect unless all of the following bills of the 96th Legislature are enacted into law:

- (a) Senate Bill No. 300.
- (b) House Bill No. 4593.
- (c) House Bill No. 4594.
- (d) House Bill No. 4596."

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 amendment, the following bill:

**House Bill No. 4596, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 2157.

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

1. Amend page 2, line 4, by striking out all of enacting section 1 and inserting:

"Enacting section 1. This amendatory act does not take effect unless all of the following bills of the 96th Legislature are enacted into law:

- (a) Senate Bill No. 300.
- (b) House Bill No. 4593.
- (c) House Bill No. 4594.
- (d) House Bill No. 4595."

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

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

**Senate Bill No. 315, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1147 (MCL 380.1147).

Substitute (S-5).

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. 316, entitled**

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending section 6 (MCL 388.1606), as amended by 2010 PA 110.

Substitute (S-4).

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.

During the Committee of the Whole, Senator Young entered the Senate Chamber.

By unanimous consent the Senate returned to the order of  
**Messages from the House**

**Senate Bill No. 621, entitled**

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

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

The House of Representatives has passed the bill as substituted (H-2), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

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

**Senate Bill No. 622, entitled**

A bill to amend 1996 PA 160, entitled "Postsecondary enrollment options act," by amending section 3 (MCL 388.513), as amended by 2005 PA 180.

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

The House of Representatives has passed the bill as substituted (H-2), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

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

**Senate Bill No. 623, entitled**

A bill to amend 2000 PA 258, entitled "Career and technical preparation act," by amending section 3 (MCL 388.1903), as amended by 2005 PA 181.

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

The House of Representatives has passed the bill as substituted (H-2), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

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

**Senate Bill No. 709, entitled**

A bill to amend 2000 PA 258, entitled "Career and technical preparation act," by amending the title and sections 3a, 4, 7, 9, 10, and 11 (MCL 388.1903a, 388.1904, 388.1907, 388.1909, 388.1910, and 388.1911), section 3a as added and section 9 as amended by 2004 PA 592.

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

The House of Representatives has passed the bill as substituted (H-2), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

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

**Senate Bill No. 710, entitled**

A bill to amend 1996 PA 160, entitled "Postsecondary enrollment options act," by amending the title and sections 3a, 4, 7, 9, 10, and 11 (MCL 388.513a, 388.514, 388.517, 388.519, 388.520, and 388.521), section 3a as added and section 9 as amended by 2004 PA 594.

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

The House of Representatives has passed the bill as substituted (H-2), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

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

**Senate Bill No. 393, entitled**

A bill to amend 2006 PA 88, entitled "Inmate reimbursement to municipalities act," by amending section 2 (MCL 801.312).

Substitute (H-2).

The question being on concurring in the substitute made to the bill by the House,

The substitute was concurred in, a majority of the members serving voting therefor, as follows:

**Roll Call No. 270****Yeas—36**

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

**Nays—0****Excused—2**

Hunter	Johnson
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**Not Voting—0**

In The Chair: Schuitmaker

The question being on concurring in the committee recommendation to give the bill immediate effect,  
 The recommendation was concurred in, 2/3 of the members serving voting therefor.  
 The Senate agreed to the full title.  
 The bill was referred to the Secretary for enrollment printing and presentation to the Governor.

**Third Reading of Bills**

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

**House Bill No. 5178****House Bill No. 5057**

The motion prevailed.

Senator Hunter entered the Senate Chamber.

The following bill was read a third time:

**House Bill No. 5178, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 7u (MCL 211.7u), as amended by 2003 PA 140.

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. 271****Yeas—36**

Anderson	Gregory	Kahn	Richardville
Bieda	Hansen	Kowall	Robertson
Booher	Hildenbrand	Marleau	Rocca

Brandenburg	Hood	Meekhof	Schuitmaker
Casperson	Hopgood	Moolenaar	Smith
Colbeck	Hune	Nofs	Walker
Emmons	Hunter	Pappageorge	Warren
Gleason	Jansen	Pavlov	Whitmer
Green	Jones	Proos	Young

**Nays—1**

Caswell

**Excused—1**

Johnson

**Not Voting—0**

In The Chair: Schuitmaker

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 provide for the assessment of rights and interests, including leasehold interests, in property and the levy and collection of taxes on property, and for the collection of taxes levied; making those taxes a lien on the property taxed, establishing and continuing the lien, providing for the sale or forfeiture and conveyance of property delinquent for taxes, and for the inspection and disposition of lands bid off to the state and not redeemed or purchased; to provide for the establishment of a delinquent tax revolving fund and the borrowing of money by counties and the issuance of notes; to define and limit the jurisdiction of the courts in proceedings in connection with property delinquent for taxes; to limit the time within which actions may be brought; to prescribe certain limitations with respect to rates of taxation; to prescribe certain powers and duties of certain officers, departments, agencies, and political subdivisions of this state; to provide for certain reimbursements of certain expenses incurred by units of local government; to provide penalties for the violation of this act; and to repeal acts and parts of acts.”.

The Senate agreed to the full title.

The following bill was read a third time:

**House Bill No. 5057, entitled**

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 2882a (MCL 333.2882a), as added by 2011 PA 28.

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. 272****Yeas—35**

Anderson	Gregory	Kowall	Robertson
Bieda	Hansen	Marleau	Rocca
Booher	Hildenbrand	Meekhof	Schuitmaker
Casperson	Hood	Moolenaar	Smith
Caswell	Hopgood	Nofs	Walker
Colbeck	Hunter	Pappageorge	Warren

Emmons  
Gleason  
Green

Jansen  
Jones  
Kahn

Pavlov  
Proos  
Richardville

Whitmer  
Young

**Nays—2**

Brandenburg

Hune

**Excused—1**

Johnson

**Not Voting—0**

In The Chair: Schuitmaker

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 and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to provide for the levy of taxes against certain health facilities or agencies; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for the implementation of federal law; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to provide for an appropriation and supplements; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates.”

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**

**Senate Resolution No. 127**

The motion prevailed.

Senators Colbeck, Brandenburg, Nofs, Pappageorge, Caswell and Jones offered the following resolution:

**Senate Resolution No. 146.**

A resolution to memorialize Congress to renew its commitment to the defense of our nation and to maintain the strength of the C-27J and A-10 units at Michigan's Battle Creek and Selfridge Air National Guard Bases.

Whereas, As outlined in the United States Constitution, the principal responsibility of the federal government is the defense of our citizens. Our elected officials in Washington, D.C., have all taken an oath to support and defend the U.S. Constitution; and

Whereas, Our nation is currently engaged in Operation Enduring Freedom with the military deployed in Afghanistan. Of the military personnel carrying out this dangerous mission, Michigan has several units deployed, which includes more than 1,400 men and women currently serving. Additionally, the Michigan National Guard has over 200 soldiers serving in Kuwait, Germany, England, Guam, and Liberia. Michigan's longstanding commitment to the defense of the country is well-established and well-documented; and

Whereas, Since 1977, four Michigan military installations have been closed, including Kincheloe Air Force Base in 1977, Wurtsmith Air Force Base in 1991, K.I. Sawyer Air Force Base in 1993, and the U.S. Army Garrison at Selfridge Air Force Base in 2005. These closings have contributed to Michigan, the "Arsenal of Democracy" during World War II, being near the bottom of the states in the proportion of military spending. In addition, the amount of money spent on veteran services in Michigan is among the very lowest, even as our state is eleventh in the number of veterans; and

Whereas, The President and Congress are proposing to cut \$8.7 billion of the Air Force's \$54 billion Force Structure Adjustments in fiscal year 2013. These cuts include the proposed elimination of the C-27J and A-10 aircraft. As a result, Michigan is projected to lose 673 jobs with the elimination of these forces; and

Whereas, With these cuts, our nation's capacity to address additional conflicts amidst an environment of unrest in the Middle East and North Korea would be seriously compromised; and

Whereas, To many observers, the elimination of Air National Guard units is of questionable value in cost-cutting, as Air National Guard Wings cost an average of 10 percent of the cost of active duty Air Force Wings and feature four times the experience; and

Whereas, The replacement deployments are not nearly commensurate with the elimination of these forces and feature at least one system that is slated for near-term retirement (KC-135s); and

Whereas, Our national policy should be to provide the most deterrence capability for the least amount of cost; now, therefore, be it

Resolved by the Senate, That we memorialize Congress to renew its commitment to the defense of our nation and to maintain the strength of the C-27J and A-10 units at Michigan's Battle Creek and Selfridge Air National Guard Bases; and be it further

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

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 Veterans, Military Affairs and Homeland Security.

The motion prevailed.

Senators Bieda, Booher, Hansen, Hopgood, Jansen, Kowall, Proos and Rocca were named co-sponsors of the resolution.

**House Concurrent Resolution No. 51.**

A concurrent resolution to memorialize Congress to fund the Facility for Rare Isotope Beams (FRIB) at Michigan State University to its full scheduled appropriation level.

Whereas, In the proposed budget for fiscal year 2013, the White House has presented its intention to fund the Facility for Rare Isotope Beams (FRIB) at Michigan State University at a level of \$22 million. This amount is less than half of the agreed upon \$55 million needed to maintain this critically important scientific project on its schedule for the completion of construction and the commencement of its service to our country's scientific research efforts; and

Whereas, The FRIB project is an effort that reflects many years of preparation, planning, and coordination between Michigan State University and the Department of Energy. This highly complex undertaking involves not only the Department of Energy and Michigan State University, but also numerous contracted companies and scientists. The serious underfunding will undermine this effort and likely result in higher overall costs. With this project already pared down dramatically from its initial scope, a thoughtful reduction that decreased total costs by \$500 million, it is shortsighted to lose some of these savings by lengthening the time required to complete the project; and

Whereas, Many people have remarked on the fact that the proposed federal budget includes funding for an international nuclear science project located in France. The U.S. Department of Energy is asking to appropriate \$150 million to the ITER fusion project in Cadarache, France, for fiscal year 2013. This is nearly three times more than what is needed to maintain the FRIB. Clearly, American interests would be better served by fully funding the FRIB, a nuclear science project located within our shores, than by sending money to a project located overseas; and

Whereas, The FRIB is a major commitment that represents an effort by our country to maintain its long-held leadership in basic scientific research. The work that will take place at the completed FRIB could reap rewards in any number of vital fields, with possible applications in medicine, materials, security, the environment, and many others. The location of the FRIB at a major research university represents an investment in the education of the next generation of America's nuclear scientists. Any steps taken to delay this endeavor through a reduction of funding could prove harmful to our nation's long-term interests; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we memorialize Congress to fund the Facility for Rare Isotope Beams (FRIB) at Michigan State University to its full scheduled appropriation level; and be it further

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

The House of Representatives has adopted the concurrent resolution.

Pending the order that, under rule 3.204, the concurrent 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 concurrent resolution,

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

The motion prevailed.

Senators Anderson, Bieda, Booher, Hopgood, Jansen, Jones, Kowall, Rocca and Warren were named co-sponsors of the concurrent resolution.

### Introduction and Referral of Bills

Senator Brandenburg introduced

**Senate Bill No. 1105, entitled**

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

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

Senators Caswell, Nofs and Green introduced

**Senate Bill No. 1106, entitled**

A bill to amend 1936 (Ex Sess) PA 1, entitled "Michigan employment security act," by amending section 46 (MCL 421.46), as amended by 2011 PA 269.

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

Senator Brandenburg introduced

**Senate Bill No. 1107, entitled**

A bill to amend 1936 (Ex Sess) PA 1, entitled "Michigan employment security act," by amending section 13m (MCL 421.13m), as amended by 2011 PA 269.

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

Senators Booher, Hunter, Pappageorge and Smith introduced

**Senate Bill No. 1108, entitled**

A bill to amend 1986 PA 89, entitled "Michigan BIDCO act," by amending the title and sections 104, 105, 203, 301, 303, 401, and 403 (MCL 487.1104, 487.1105, 487.1203, 487.1301, 487.1303, 487.1401, and 487.1403), sections 104, 105, 301, 303, 401, and 403 as amended by 1997 PA 150, and by adding sections 304 and 304a.

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

**House Bill No. 4025, entitled**

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 25 (MCL 205.75), as amended by 2010 PA 160.

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

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

**House Bill No. 5365, entitled**

A bill to make, supplement, adjust, and consolidate appropriations for various state departments and agencies, capital outlay, the judicial branch, and the legislative branch for the fiscal year ending September 30, 2013; to provide for certain conditions on appropriations; to provide for the expenditure of the appropriations; and to repeal acts and parts of acts.

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

The bill was read a first and second time by title.

Senator Meekhof moved that rule 3.203 be suspended and that the bill be referred to the Committee of the Whole and placed on the order of General Orders.

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

**House Bill No. 5372, entitled**

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 3, 4, 6, 11, 11a, 11g, 11j, 11k, 11m, 12, 15, 18, 18c, 19, 20, 20d, 22a, 22b, 22d, 22f, 24, 24a, 24c, 25, 26a, 26b, 31a, 31d, 31f, 32b, 32d, 32j, 39, 39a, 51a, 51c, 51d, 53a, 54, 56, 61a, 62, 74, 81, 93, 94a, 98, 99, 101, 104, 107, 147, 147a, 152a, 201, 201a, 202, 203, 204, 206, 207, 208, 209, 210a, 211, 212, 213, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 236, 236a, 237, 238, 239, 239a, 241, 242, 243, 244, 245, 251, 252, 253, 254, 255, 256, 257, 258, 261, 263, 263a, 264, 265, 267, 268, 269, 270, 270a, 273, 274, 274a, 275, 275a, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 289, 290, and 291 (MCL 388.1603, 388.1604, 388.1606, 388.1611, 388.1611a, 388.1611g, 388.1611j, 388.1611k, 388.1611m, 388.1612, 388.1615, 388.1618, 388.1618c, 388.1619, 388.1620, 388.1620d, 388.1622a, 388.1622b, 388.1622d, 388.1622f, 388.1624, 388.1624a, 388.1624c, 388.1625, 388.1626a, 388.1626b, 388.1631a, 388.1631d, 388.1631f, 388.1632b, 388.1632d, 388.1632j, 388.1639, 388.1639a, 388.1651a, 388.1651c, 388.1651d, 388.1653a, 388.1654, 388.1656, 388.1661a, 388.1662, 388.1674, 388.1681, 388.1693, 388.1694a, 388.1698, 388.1699, 388.1701, 388.1704, 388.1707, 388.1747, 388.1747a, 388.1752a, 388.1801, 388.1801a, 388.1802, 388.1803, 388.1804, 388.1806, 388.1807, 388.1808, 388.1809, 388.1810a, 388.1811, 388.1812, 388.1813, 388.1816, 388.1817, 388.1818, 388.1819, 388.1820, 388.1821, 388.1822, 388.1823, 388.1824, 388.1825, 388.1826, 388.1827, 388.1828, 388.1829, 388.1836, 388.1836a, 388.1837, 388.1838, 388.1839, 388.1839a, 388.1841, 388.1842, 388.1843, 388.1844, 388.1845, 388.1851, 388.1852, 388.1853, 388.1854, 388.1855, 388.1856, 388.1857, 388.1858, 388.1861, 388.1863, 388.1863a, 388.1864, 388.1865, 388.1867, 388.1868, 388.1869, 388.1870, 388.1870a, 388.1873, 388.1874, 388.1874a, 388.1875, 388.1875a, 388.1876, 388.1877, 388.1878, 388.1879, 388.1880, 388.1881, 388.1882, 388.1883, 388.1884, 388.1885, 388.1886, 388.1889, 388.1890, and 388.1891), sections 3, 19, and 101 as amended by 2010 PA 110, section 4 as amended by 2008 PA 268, sections 6, 11, 11a, 11m, 22a, 22b, 24a, 24c, 26b, 51a, 51c, 74, and 104 as amended by 2012 PA 29, sections 11g, 11k, 15, 18, 20, 20d, 22d, 24, 31a, 32b, 32d, 32j, 39, 39a, 51d, 54, 56, 61a, 81, 93, 94a, 98, 99, 107, 147, and 152a as amended and sections 12, 22f, 147a, 201, 201a, 202, 203, 204, 206, 207, 208, 209, 210a, 211, 212, 213, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 236, 236a, 237, 238, 239, 239a, 241, 242, 243, 244, 245, 251, 252, 253, 254, 255, 256, 257, 258, 261, 263, 263a, 264, 265, 267, 268, 269, 270, 270a, 273, 274, 274a, 275, 275a, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 289, 290, and 291 as added by 2011 PA 62, sections 11j, 26a, 31d, 31f, 53a, and 62 as amended by 2011 PA 299, section 18c as added by 2000 PA 297, and section 25 as amended by 2011 PA 322, and by adding sections 22g, 22i, 95, 229a, 236b, 237b, 246, 260, 265a, 273a, and 293a; and to repeal acts and parts of acts.

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

The bill was read a first and second time by title.

Senator Meekhof moved that rule 3.203 be suspended and that the bill be referred to the Committee of the Whole and placed on the order of General Orders.

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

**House Bill No. 5392, entitled**

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending section 101 (MCL 388.1701), as amended by 2010 PA 110.

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 Education.

### Statements

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

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 statement is as follows:

I have some very special people up in the Gallery today. They are here in support of a resolution commemorating May 2012 as Mental Health Month in the state of Michigan. Mr. President, thanks for recognizing me. I would like to take this opportunity to recognize my colleagues for their approval of Senate Resolution No. 144.

Senate Resolution No. 144 commemorates May 2012 as Mental Health Month in Michigan. Mental health is critical for the well-being and vitality of children, adults, families, communities, and businesses. Up to 14 percent of children between birth and five years old experience social-emotional problems that negatively impact their functioning, development, and school readiness. Fifty percent of those youths suffering from mental illness drop out of high school, thereby experiencing reduced potential for education and employment. Seventy percent of youth in state and local juvenile justice systems have a mental illness. Suicide is the third-leading cause of death for youth; 90 percent of those youth suffer from mental illness.

Learning to recognize the early warning signs of mental health problems and where to obtain necessary assistance and treatment gives children, youth, and adults better opportunities to lead full and productive lives. Children, youth, and adults with mental health illnesses should, whenever possible, remain in a familiar environment and have access to coordinated, individualized, and home and community-based services. Mental health treatment works, and investment in these services and supports is fundamental in the future of our youth, adults, and families.

All children, youth, and adults who experience brain disorders should have access to fair and equitable coverage. The need for comprehensive, coordinated mental health services for children, youth, adults, and families is a critical responsibility of all local Michigan communities. Our nation's future depends on the health and well-being of its families and children. Now, therefore, I again appreciate my colleagues for supporting May as Mental Health Month.

I would also like to recognize the contingency up in the Gallery.

### Committee Reports

The Committee on Agriculture reported

**Senate Bill No. 1075, entitled**

A bill to amend 1995 PA 279, entitled "Horse racing law of 1995," by amending the title and sections 2, 3, 4, 6, 7, 8, 9, 9a, 10, 12, 13, 14, 15, 16, 17, 18, 19, 19a, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, and 32 (MCL 431.302, 431.303, 431.304, 431.306, 431.307, 431.308, 431.309, 431.309a, 431.310, 431.312, 431.313, 431.314, 431.315, 431.316, 431.317, 431.318, 431.319, 431.319a, 431.320, 431.321, 431.322, 431.323, 431.324, 431.325, 431.326, 431.327, 431.328, 431.329, and 431.332), sections 2 and 4 as amended by 2006 PA 445, sections 7, 9, 10, and 12 as amended by 2000 PA 164, section 9a as added by 1997 PA 73, sections 14, 17, and 18 as amended and section 19a as added by 1998 PA 408, section 16 as amended by 2005 PA 7, and section 20 as amended by 2006 PA 185; 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.

Joe Hune  
Chairperson

To Report Out:

Yeas: Senators Hune, Booher, Hansen 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 Agriculture submitted the following:

Meeting held on Thursday, April 26, 2012, at 8:30 a.m., Room 110, Farnum Building

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

Excused: Senator Emmons

The Committee on Regulatory Reform reported

**Senate Bill No. 616, entitled**

A bill to amend 2009 PA 229, entitled "Guaranteed asset protection waiver act," by amending section 3 (MCL 492.23).  
With the recommendation that the bill pass.

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

Tory Rocca  
Chairperson

To Report Out:

Yeas: Senators Rocca, Jones, Hune, Meekhof and Pavlov

Nays: None

The bill was referred to the Committee of the Whole.

#### COMMITTEE ATTENDANCE REPORT

The Committee on Regulatory Reform submitted the following:

Meeting held on Thursday, April 26, 2012, at 12:55 p.m., Room 110, Farnum Building

Present: Senators Rocca (C), Jones, Hune, Meekhof, Pavlov, Johnson and Warren

#### Scheduled Meetings

**Administrative Rules** - Thursday, May 3, 9:00 a.m., Room 100, Farnum Building (373-5773)

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

**Subcommittee -**

**Retirement** - Thursday, May 3, 2:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

**Banking and Financial Institutions** - Thursday, May 3, 1:30 p.m., Room 100, Farnum Building (373-5324)

**Economic Development** - Wednesday, May 2, 1:30 p.m., Room 110, Farnum Building (373-5323)

**Education** - Wednesday, May 2, 12:00 noon, Senate Hearing Room, Ground Floor, Boji Tower (373-5314)

**Finance** - Wednesday, May 2, 12:30 p.m., Room 210, Farnum Building (373-5307)

**Local Government and Elections** - Wednesday, May 2, 3:00 p.m., Room 100, Farnum Building (373-5314)

**Natural Resources, Environment and Great Lakes** - Thursday, May 3, 8:30 a.m., Room 210, Farnum Building (373-5323)

**Outdoor Recreation and Tourism** - Thursday, May 3, 12:30 p.m., Room 210, Farnum Building (373-5323)

**Reforms, Restructuring and Reinventing** - Wednesday, May 2, 8:30 a.m., Rooms 402 and 403, Capitol Building (373-5307)

**Regulatory Reform** - Thursday, May 3, 12:30 p.m., Room 110, Farnum Building (373-5307)

Senator Meekhof moved that the Senate adjourn.

The motion prevailed, the time being 10:44 a.m.

The Assistant President pro tempore, Senator Hansen, declared the Senate adjourned until Wednesday, May 2, 2012, at 10:00 a.m.

CAROL MOREY VIVENTI  
Secretary of the Senate

