

**No. 63**  
**STATE OF MICHIGAN**  
**Journal of the Senate**  
**96th Legislature**  
**REGULAR SESSION OF 2012**

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Senate Chamber, Lansing, Tuesday, September 11, 2012.

10:00 a.m.

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

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

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

Hood—present  
Hopgood—present  
Hune—present  
Hunter—present  
Jansen—present  
Johnson—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 Billy Allen of Good Shepherd Mission Church of Stockbridge offered the following invocation:

Our Heavenly Father, we admonish, exalt, and magnify Your holy name in this place. We come on behalf of Michigan and all the states and the world. Truly, Lord, it is a time that we need to call upon You to re-dig Jacob's wells; for Lord, they have become polluted. Lord, we pray, O God, as we exalt You this morning, that Your precious Spirit and Your anointing will overshadow this house and a blessing come upon it.

Father, You said, "If my people which call themselves by my name will humble themselves, quit their sins, and pray, they shall hear from heaven." Father, we are expecting a mighty outpouring of blessings coming to Michigan, for, Lord, You are the God of Abraham, Isaac, and Jacob; nothing has changed. We implore this morning that ears will hear what the Spirit is saying—a time to recanter and to go back and seek Your ways; to walk in Your paths and to declare Your name, King of kings and Lord of lords.

We ask this this morning humbly in Jesus' sweet name. Amen.

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

### Motions and Communications

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.

Senator Meekhof moved that Senator Green be temporarily excused from today's session. The motion prevailed.

Senators Young and Hopgood entered the Senate Chamber.

A moment of silence was observed in memory of those who lost their lives during terrorist attacks on September 11, 2001.

The following communications were received and read:

Office of the Auditor

August 23, 2012

Enclosed is a copy of the following audit report:

Follow-up of the performance audit of the Motor Fuel Quality and Quantity Inspections and Enforcement Efforts, Laboratory Division, Michigan Department of Agriculture and Rural Development.

August 28, 2012

Enclosed is a copy of the following audit report:

Financial audit of the Emergency 9-1-1 Fund, Michigan Department of State Police and Department of Treasury, for the period October 1, 2009 through September 30, 2011.

August 31, 2012

Enclosed is a copy of the following audit report:

Follow-up of the performance audit of the Michigan Tax Tribunal, Department of Licensing and Regulatory Affairs.

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

The audit reports were referred to the Committee on Government Operations.

The following communications were received:  
Department of State

Administrative Rules  
Notices of Filing

August 16, 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 #2012-031-EQ (Secretary of State Filing #12-08-02) on this date at 4:20 p.m. for the Department of Environmental Quality, entitled "Production, Storage and Handling of LNG."

These rules become effective immediately upon filing with the Secretary of the 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.

August 16, 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 #2012-026-EQ (Secretary of State Filing #12-08-03) on this date at 4:21 p.m. for the Department of Environmental Quality, entitled "Sewerage Systems."

These rules become effective immediately upon filing with the Secretary of the 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.

August 17, 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 #2012-033-LR (Secretary of State Filing #12-08-04) on this date at 4:33 p.m. for the Department of Licensing and Regulatory Affairs, entitled "Clarification of Reasonable Classification System Under Insurance Code."

These rules become effective immediately upon filing with the Secretary of the 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.

August 17, 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 #2012-027-NR (Secretary of State Filing #12-08-05) on this date at 4:35 p.m. for the Department Natural Resources, entitled "State Land Office Board Auction Sale of State Owned Lands."

These rules become effective immediately upon filing with the Secretary of the 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.

August 20, 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 #2012-028-NR (Secretary of State Filing #12-08-06) on this date at 3:38 p.m. for the Department Natural Resources, entitled "Slash Disposal."

These rules become effective immediately upon filing with the Secretary of the 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.

August 23, 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 #2012-037-TB (Secretary of State Filing #12-08-07) on this date at 4:27 p.m. for the Department of Technology, Management and Budget, entitled "Real Estate Services."

These rules become effective immediately after filing with the Secretary of the State.

August 23, 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 #2011-033-LR (Secretary of State Filing #12-08-08) on this date at 4:29 p.m. for the Department Licensing and Regulatory Affairs, entitled "Part 529. Welding, Cutting and Brazing."

These rules become effective 7 days after filing with the Secretary of State.

Sincerely,  
Ruth Johnson  
Secretary of State  
Robin L. Houston, Department Supervisor  
Office of the Great Seal

The communications were referred to the Secretary for record.

The following communication was received:  
Michigan Economic Development Corporation

August 23, 2012

On August 22, 2012, the Michigan Strategic Fund Board [the "MSF Board"] approved the Entrepreneurial Services Provider Request for Proposals. 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 Entrepreneurial Services Provider Request for Proposals.

Ellen Graham  
Board Relations Liaison

The communication was referred to the Secretary for record.

The Secretary announced the enrollment printing and presentation to the Governor on Thursday, August 23, for his approval the following bill:

**Enrolled Senate Bill No. 1040 at 1:32 p.m.**

The Secretary announced that the following official bills and joint resolution were printed on Thursday, August 16, and are available at the legislative website:

<b>Senate Bill Nos.</b>	<b>1222</b>	<b>1223</b>	<b>1224</b>	<b>1225</b>	<b>1226</b>	<b>1227</b>	<b>1228</b>	<b>1229</b>	<b>1230</b>	<b>1231</b>	<b>1232</b>	<b>1233</b>	<b>1234</b>	<b>1235</b>
	<b>1236</b>	<b>1237</b>	<b>1238</b>											
<b>Senate Joint Resolution</b>		<b>U</b>												
<b>House Bill Nos.</b>	<b>5793</b>	<b>5794</b>	<b>5795</b>	<b>5796</b>	<b>5797</b>	<b>5798</b>	<b>5799</b>	<b>5800</b>	<b>5801</b>	<b>5802</b>	<b>5803</b>	<b>5804</b>	<b>5805</b>	<b>5806</b>
	<b>5807</b>	<b>5808</b>	<b>5809</b>	<b>5810</b>	<b>5811</b>	<b>5812</b>	<b>5813</b>	<b>5814</b>	<b>5815</b>	<b>5816</b>	<b>5817</b>	<b>5818</b>	<b>5819</b>	<b>5820</b>
	<b>5821</b>	<b>5822</b>	<b>5823</b>	<b>5824</b>	<b>5825</b>	<b>5826</b>	<b>5827</b>	<b>5829</b>	<b>5830</b>	<b>5831</b>	<b>5832</b>	<b>5833</b>	<b>5834</b>	<b>5835</b>
	<b>5836</b>	<b>5837</b>	<b>5838</b>	<b>5839</b>	<b>5840</b>	<b>5841</b>								

Senator Meekhof moved that the following bills, now on the order of General Orders, be referred to the Committee on Finance:

**House Bill No. 4243, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 435 (MCL 206.435), as amended by 2010 PA 346.

**House Bill No. 4244, entitled**

A bill to establish the boy scouts of Michigan fund in the department of treasury; to provide for the distribution of the money from the fund; to prescribe the powers and duties of certain agencies and officials; and to provide for appropriations.

**House Bill No. 4497, entitled**

A bill to establish the American Red Cross Michigan fund in the department of treasury; to provide for the distribution of the money from the fund; to prescribe the powers and duties of certain agencies and officials; and to provide for appropriations.

**House Bill No. 4498, entitled**

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

**House Bill No. 4518, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 435 (MCL 206.435), as amended by 2010 PA 346.

**House Bill No. 4519, entitled**

A bill to establish the Michigan Alzheimer's association fund in the department of treasury; to provide for the distribution of the money from the fund; to prescribe the powers and duties of certain agencies and officials; and to provide for appropriations.

**House Bill No. 5323, entitled**

A bill to establish the ALS of Michigan ("Lou Gehrig's disease") fund in the department of treasury; to provide for the distribution of the money from the funds; to prescribe the powers and duties of certain agencies and officials; and to provide for appropriations.

**House Bill No. 5324, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 435 (MCL 206.435), as amended by 2010 PA 346.

The motion prevailed.

Senator Meekhof moved that the following bill, now on the order of General Orders, be referred to the Committee on Families, Seniors and Human Services:

**House Bill No. 5032, entitled**

A bill to amend 1972 PA 239, entitled "McCauley-Traxler-Law-Bowman-McNeely lottery act," (MCL 432.1 to 432.47) by adding section 32a.

The motion prevailed.

Senator Meekhof moved that the following bill, now on the order of General Orders, be referred to the Committee on Transportation:

**Senate Bill No. 1078, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 31 (MCL 257.31).

The motion prevailed.

Senator Green entered the Senate Chamber.

### Messages from the Governor

The following message from the Governor was received:

Date: September 4, 2012

Time: 2:43 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 1040 (Public Act No. 300), being**

An act to amend 1980 PA 300, entitled "An act to provide a retirement system for the public school employees of this state; to create certain funds for this retirement system; to provide for the creation of a retirement board within the department of management and budget; to prescribe the powers and duties of the retirement board; to prescribe the powers and duties of certain state departments, agencies, officials, and employees; to prescribe penalties and provide remedies; and to repeal acts and parts of acts," by amending the title and sections 5, 6, 8, 25, 28, 41, 41a, 42, 43a, 43e, 81b, 84, 91, 108, 124, and 131 (MCL 38.1305, 38.1306, 38.1308, 38.1325, 38.1328, 38.1341, 38.1341a, 38.1342, 38.1343a, 38.1343e, 38.1381b, 38.1384, 38.1391, 38.1408, 38.1424, and 38.1431), the title as amended by 1996 PA 488, section 5 as amended by 2001 PA 180, section 6 as amended by 1995 PA 272, section 8 as amended by 1997 PA 143, sections 25, 41, 42, and 91

as amended and sections 43e, 81b, 124, and 131 as added by 2010 PA 75, sections 28 and 84 as amended by 1989 PA 194, 41a as amended by 2007 PA 15, section 43a as amended by 2007 PA 111, and section 108 as amended by 2008 PA 354, and by adding sections 43g, 59, 81d, 84b, 91a, 92b, 93, and 131a; and to repeal acts and parts of acts.

(Filed with the Secretary of State on September 4, 2012, at 3:07 p.m.)

Respectfully,  
Rick Snyder  
Governor

The following message from the Governor was received on September 6, 2012, and read:

EXECUTIVE ORDER  
No. 2012-13

**Securities Division  
Office of Finance and Insurance Regulation  
Department of Licensing and Regulatory Affairs**

**Executive Reorganization**

WHEREAS, Section 1 of Article V of the Michigan Constitution of 1963 vests the executive power 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 shall be under the supervision of the Governor, unless otherwise provided by the Constitution; and

WHEREAS, flexibility in organizational matters within a department is a key tool for maximizing administrative effectiveness and efficiency; and

WHEREAS, securities regulation has a differing scope and an independent legal basis from financial and insurance regulation;

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

**I. OFFICE OF FINANCIAL AND INSURANCE REGULATION (OFIR)**

A. The Securities Division of the Office of Finance and Insurance Regulation is transferred from the Office of Finance and Insurance Regulation to the Department of Licensing and Regulatory Affairs. All authority, powers, duties, functions, records, personnel, property, unexpended balances of appropriations, and allocations or other funds of the Security Division are transferred to the Department of Licensing and Regulatory Affairs.

B. The transfers under Section II., B., include but are not limited to any authority, powers, duties, functions and responsibilities of the Securities Division under the following:

1. Living Care Disclosure Act, 1976 PA 440, MCL 554.801 to MCL 554.844
2. Uniform Securities Act(2002), 2008 PA 551, MCL 451.2101 to MCL 451.2703

C. Any authority, powers, duties and functions relative to the final agency decisions for cases arising under the authorities transferred under Section II., A. of this order are transferred from the Office of Financial and Insurance Regulation to the Director of the Department of Licensing and Regulatory Affairs.

D. Any authority, powers, duties, functions, records, personnel, property, unexpended balances of appropriations, allocations or other funds, including the functions of budgeting and procurement, used, held, employed, available, or to be made available to the Office of Finance and Insurance Regulation for the activities, powers, duties, functions, and responsibilities transferred by this Order are transferred to the Department of Licensing and Regulatory Affairs.

E. The Director of the Department of Licensing and Regulatory Affairs, after consultation with the Office of Finance and Insurance Regulation, shall provide executive direction and supervision for the implementation of the transfers. The assigned functions shall be administered under the direction and supervision of the Director of the Department of Licensing and Regulatory Affairs.

**II. IMPLEMENTATION OF TRANSFERS**

A. The directors of the department and agency impacted by this Order shall immediately initiate coordination to facilitate the transfers and shall develop a memorandum of record identifying any pending settlements, issues of compliance with applicable federal and state laws and regulations, or other obligations to be resolved.

B. The directors of the department and agency impacted by this Order shall administer the functions transferred in such ways as to promote efficient administration and shall make internal organizational changes as may be administratively necessary to complete the realignment of responsibilities under this Order.

**III. MISCELLANEOUS**

A. All rules, orders, contracts, plans, and agreements relating to the functions transferred to the Department of Licensing and Regulatory Affairs by this Order lawfully adopted prior to the effective date of this Order by the responsible state agency shall continue to be effective until revised, amended, or rescinded.

B. Any suit, action, or other proceeding lawfully commenced by, against, or before any entity transferred to the Department of Licensing and Regulatory Affairs by this Order shall not abate by reason of the taking effect of this Order. Any lawfully commenced suit, action, or other proceeding may be maintained by, against, or before the appropriate successor of any entity affected by this Order.

C. Section II, A. and C. of Executive Order 2000-4 are hereby rescinded.

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.

In fulfillment of the requirements of Section 2 of Article V of the Michigan Constitution of 1963, the Sections IX and X D. of this Order shall be effective 60 days after the filing of this Order.

[SEAL]

Given under my hand and the Great Seal of the state of Michigan this 6th day of September, 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:

August 7, 2012

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

**Correctional Officers' Training Council**

Diane Earls of 300 E. Everettdale Avenue, Lansing, Michigan 48910, county of Ingham, representing the office of State Personnel Director, succeeding Jeremy S. Stephens, is appointed for a term expiring March 29, 2014.

August 7, 2012

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

**Michigan Travel Commission**

Jerome L. Toney of 8575 Bridlewood Trail, Howell, Michigan 48843, county of Livingston, succeeding Ken Haywood, is appointed for a term expiring August 20, 2016.

Lawrence J. Schuler of 1912 Sunset Court, St. Joseph, Michigan 49085, county of Berrien, succeeding Art Tebo, is appointed for a term expiring August 20, 2016.

Julie B. Sprenger of 320 Tamarack Street, Laurium, Michigan 49913, county of Houghton, succeeding Rochelle Cotey, is appointed for a term expiring August 20, 2016.

August 9, 2012

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

**Chair - Michigan Commission on Services to the Aging**

Harold J. Mast of 4914 Curwood Drive, Kentwood, Michigan 49307, county of Kent, a Republican, is appointed for a term expiring at the pleasure of the Governor.

**Michigan Commission on Services to the Aging**

Donald L. Newport of 3491 S. U.S. 23, Greenbush, Michigan 49307, county of Alcona, an Independent, succeeding himself, is reappointed for a term expiring July 28, 2015.

Michael F. Bartus of 1833 Stonycroft Lane, Bloomfield Hills, Michigan 49307, county of Oakland, an Independent, succeeding Anthony P. Pawelski, is appointed for a term expiring July 28, 2015.

Renee E. Parnell of 626 Topinabee Road, Niles, Michigan 49307, county of Berrien, a Republican, succeeding Amne M. Talab, is appointed for a term expiring July 28, 2015.

Donna L. Murray-Brown of 14719 Abington Avenue, Detroit, Michigan 49307, county of Wayne, an Independent, succeeding Ramesh C. Verma, is appointed for a term expiring July 28, 2015.

Patricia A. Rencher of 1905 Hyde Park Drive, Detroit, Michigan 49307, county of Wayne, a Democrat, succeeding Jerutha Kennedy, is appointed for a term expiring July 28, 2015.

August 16, 2012

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

**Emergency Financial Manager - Detroit Public Schools District**

Roy S. Roberts of 317 Pine Ridge Drive, Bloomfield Hills, Michigan 48304, county of Oakland, is appointed to serve effective August 8, 2012.

August 16, 2012

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

**Emergency Financial Manager - Highland Park School District**

Joyce A. Parker of 5085 Polo Fields Drive, Ann Arbor, Michigan 48103, county of Washtenaw, is appointed to serve effective August 8, 2012.

August 16, 2012

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

**Michigan Early Stage Venture Investment Corporation Board of Directors**

Anthony R. Berkley of 9448 Oakview Drive, Portage, Michigan 49024, county of Kalamazoo, representing the general public, succeeding Charles P. Rothstein, is appointed for a term expiring June 13, 2015.

Knut A. Simonsen of 4935 High Meadow Lane, Ann Arbor, Michigan 48103, county of Washtenaw, recommendation of the Senate Majority Leader, succeeding Dennis S. Bernard, is appointed for a term expiring June 13, 2015.

August 16, 2012

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

**Michigan Board of Marriage and Family Therapy**

Laura D. Mammen of 2558 Brooklyn Avenue, S.E., Grand Rapids, Michigan 49507, county of Kent, representing licensed marriage and family therapists, succeeding Anita Taylor, is appointed for a term expiring June 30, 2013.

Gary H. Bischof of 6346 Cypress Street, Portage, Michigan 48027, county of Kalamazoo, representing licensed marriage and family therapists, succeeding James J. Moriarty, is appointed for a term expiring June 30, 2016.

Terri L. Grierson of 3302 Binscarth Avenue, Saginaw, Michigan 48602, county of Saginaw, representing the general public, succeeding Brett W. Beckerson, is appointed for a term expiring June 30, 2016.

August 16, 2012

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

**Emergency Financial Manager - Muskegon Heights School District**

Donald B. Weatherspoon of 8942 East Saginaw, Haslett, Michigan 48840, county of Clinton, is appointed to serve effective August 8, 2012.

August 24, 2012

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

**State Building Authority Board of Trustees**

Kenneth J. Lingenfelter of 5277 Hidden Pines Drive, Brighton, Michigan 48116, county of Livingston, representing the general public, succeeding Marty H. Mercer, is appointed for a term expiring August 21, 2016.

September 5, 2012

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

**Michigan Carrot Commission**

Nathan L. Karnemaat of 5118 W. 72nd Street, Fremont, Michigan 48412, county of Newaygo, representing fresh growers, is appointed for a term expiring October 31, 2012.

Stanley D. Van Singel of 11671 Sycamore Avenue, Grant, Michigan 49327, county of Newaygo, representing process growers, is appointed for a term expiring October 31, 2014.

Ralph J. Oomen of 1736 E. Jackson Road, Hart, Michigan 49420, county of Oceana, representing fresh growers, is appointed for a term expiring October 31, 2014.

September 5, 2012

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

**Michigan Onion Committee**

Bruce J. Klammer of 9850 Brin Point Court, Bryon Center, Michigan 49315, county of Kent, representing growers-at-large, succeeding himself, is reappointed for a term expiring August 16, 2016.

Michael P. Bosch of 4703 South Street, Hamilton, Michigan 49419, county of Allegan, representing growers-at-large, succeeding Gregg J. Krikke, is appointed for a term expiring August 16, 2016.



September 5, 2012

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

**Michigan Unarmed Combat Commission**

Wolfgang W. Mueller of 19578 Pierson Drive, Northville, Michigan 48176, county of Wayne, representing licensees in mixed martial arts, succeeding himself, is reappointed for a term expiring June 5, 2016.

Vincent P. Viviano of 6705 Saint Andrews Drive, Shelby Township, Michigan 48316, county of Macomb, representing licensees in mixed martial arts, succeeding himself, is reappointed for a term expiring June 5, 2016.

Charles F. Benson of 820 Roxburgh Avenue, East Lansing, Michigan 48823, county of Ingham, representing licensees in boxing, succeeding David G. Packer, is appointed for a term expiring June 5, 2016.

September 5, 2012

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

**Utility Consumer Participation Board**

Ryan M. Dinkgrave of 1108 E. Lincoln Avenue, Royal Oak, Michigan 48067, county of Oakland, succeeding Jacqueline Jones, is appointed for a term expiring January 13, 2013.

September 10, 2012

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

**Early Childhood Investment Corporation**

Lewis V. Chamberlin III of 2520 Shadowbrook, S.E., Grand Rapids, Michigan 49546, county of Kent, succeeding himself, is reappointed for a term expiring July 22, 2016.

Shauna L. Barbeau of 2101 Norwood Drive, Midland, Michigan 48649, county of Midland, succeeding herself, is reappointed for a term expiring July 22, 2016.

Melissa D. Cragg of 722 Balfour Street, Grosse Pointe Park, Michigan 48230, county of Wayne, succeeding Anne Mervenne, is appointed for a term expiring July 22, 2016.

Leslie A. Murphy of 5017 Red Fox Run, Ann Arbor, Michigan 48105, county of Washtenaw, succeeding Dougals Luciani, is appointed for a term expiring July 22, 2016.

Susan K. Broman of 636 Fountain Street, N.E., Grand Rapids, Michigan 49503, county of Kent, serves as the designee for the Michigan Department of Education.

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.

10:46 a.m.

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

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 Assistant President pro tempore, Senator Hansen, designated Senator Hopgood 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. 5154, entitled**

A bill to amend 2004 PA 159, entitled "Uniform principal and income act," by amending sections 409 and 505 (MCL 555.809 and 555.905) and by adding section 606.

**House Bill No. 5237, entitled**

A bill to amend 1998 PA 386, entitled "Estates and protected individuals code," by amending section 2723 (MCL 700.2723), as added by 2010 PA 224.

**House Bill No. 5159, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 1082 (MCL 600.1082), as added by 2004 PA 224.

**House Bill No. 5592, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 4012 (MCL 600.4012), as amended by 1996 PA 10.

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. 4928, entitled**

A bill to amend 1915 PA 123, entitled "An act to provide for the recording and use in evidence of affidavits affecting real property; and to provide a penalty for the making of false affidavits," (MCL 565.451a to 565.453) by adding section 1d.

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

1. Amend page 1, line 10, after "**PERSON**" by striking out "**HAVING**" and inserting "**WHO HAS**".
2. Amend page 2, line 1, after "**FACTS**" by striking out "**OR BY A PERSON**" and inserting "**AND IS**".

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

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

**Senate Bill No. 743, entitled**

A bill to adopt the uniform child abduction prevention act; to allow courts in this state to impose measures to prevent the abduction of children; to establish standards for determining whether a child is subject to a significant risk of abduction; and to provide remedies.

Substitute (S-2).

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. 5162, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," (MCL 600.101 to 600.9947) by adding chapter 12.

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

1. Amend page 5, line 8, after "**SENTENCE,**" by inserting "**DEFERRED ENTRY OF JUDGMENT,**".
2. Amend page 11, line 26, after "**SENTENCE,**" by inserting "**DEFERRED ENTRY OF JUDGMENT,**".
3. Amend page 13, line 14, after "**MAY**" by striking out "**EITHER**" and inserting "**DELAY OR**".
4. Amend page 20, line 23, after "**DEFERRED**" by inserting "**OR SENTENCING WAS DELAYED**".

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 amendments, the following bill:

**House Bill No. 5124, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 401, 406, 407, 408, 410, 601, 841, and 8304 (MCL 600.401, 600.406, 600.407, 600.408, 600.410, 600.601, 600.841, and 600.8304), sections 401, 406, 407, 408, and 8304 as added by 2002 PA 678 and sections 410, 601, and 841 as amended by 2005 PA 326, and by adding section 412; and to repeal acts and parts of acts.

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

1. Amend page 2, line 11, after the second "**OF**" by striking out "**THE**" and inserting "**THAT**".
2. Amend page 5, line 2, after "**JUDGES**" by striking out "**IN THE COUNTY**" and inserting "**OF THE COURTS IN THE PLAN**".

3. Amend page 9, following line 2, subdivision (C), after the first “OR” by striking out the balance of the subdivision and inserting “A DISTRICT JUDGE, UNLESS THAT POWER OF APPOINTMENT IS DELEGATED TO A COURT OR JUDGE OTHER THAN THE CIRCUIT COURT OR A CIRCUIT JUDGE.”.

4. Amend page 9, following line 2, after “CHAPTER.” by inserting:

“SEC. 413. (1) CONCURRENT JURISDICTION PLANS SHALL BE DESIGNED TO BENEFIT THE CITIZENS UTILIZING THE COURTS INVOLVED RATHER THAN THE COURTS THEMSELVES OR ANY JUDGE OR JUDGES.

(2) A JUDGE VOTING NOT TO HAVE A PLAN OF CONCURRENT JURISDICTION UNDER THIS CHAPTER MAY FILE AN OBJECTION WITH THE STATE COURT ADMINISTRATOR. AN OBJECTION MUST SPECIFICALLY STATE THE REASONS FOR THE OBJECTION AND MAY INCLUDE, BUT NOT BE LIMITED TO, OBJECTIONS BASED ON INSUFFICIENT ALLOCATION OF STAFF OR RESOURCES, INADEQUATE TRAINING FOR ANY JUDGE OR STAFF, EXCESSIVE ASSIGNMENTS OUTSIDE OF A JUDGE’S ELECTION DISTRICT, OR RETALIATION FOR ANY ACTION, INCLUDING FAILING TO VOTE FOR A CONCURRENT JURISDICTION PLAN.

(3) SUBJECT TO APPROVAL OF THE SUPREME COURT, BEFORE THE SUPREME COURT APPROVES A CONCURRENT JURISDICTION PLAN UNDER THIS CHAPTER, THE STATE COURT ADMINISTRATOR SHALL REVIEW OBJECTIONS UNDER THIS SECTION AND REPORT THE SUBSTANCE OF THE OBJECTIONS AND THE ADMINISTRATOR’S FINDINGS ABOUT THE OBJECTIONS’ VALIDITY TO THE SUPREME COURT. SUBJECT TO APPROVAL OF THE SUPREME COURT, THE STATE COURT ADMINISTRATOR SHALL FORWARD A PROPOSED CONCURRENT JURISDICTION PLAN TO THE SUPREME COURT FOR REVIEW AFTER AFFIRMATIVELY FINDING THAT THE PROPOSED CONCURRENT JURISDICTION PLAN IS IN COMPLIANCE WITH THIS CHAPTER AND THE BEST INTERESTS OF THE PEOPLE OF THE COMMUNITIES BEING SERVED.”.

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

By unanimous consent the Senate returned to the order of

**Third Reading of Bills**

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

**Senate Bill No. 743**

**House Bill No. 5159**

**House Bill No. 5162**

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

The following bill was read a third time:

**Senate Bill No. 743, entitled**

A bill to adopt the uniform child abduction prevention act; to allow courts in this state to impose measures to prevent the abduction of children; to establish standards for determining whether a child is subject to a significant risk of abduction; and to provide remedies.

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. 615**

**Yeas—37**

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

**Nays—0**

**Excused—1**

Johnson

**Not Voting—0**

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

**House Bill No. 5159, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 1082 (MCL 600.1082), as added by 2004 PA 224.

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. 616**

**Yeas—37**

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

**Nays—0**

**Excused—1**

Johnson

**Not Voting—0**

In The Chair: 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 revise and consolidate the statutes relating to the organization and jurisdiction of the courts of this state; the powers and duties of the courts, and of the judges and other officers of the courts; the forms and attributes of civil claims and actions; the time within which civil actions and proceedings may be brought in the courts; pleading, evidence, practice, and procedure in civil and criminal actions and proceedings in the courts; to provide for the powers and duties of certain state governmental officers and entities; to provide remedies and penalties for the violation of certain provisions of this act; to repeal all acts and parts of acts inconsistent with or contravening any of the provisions 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. 5162, entitled**

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” (MCL 600.101 to 600.9947) by adding chapter 10B.

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. 617**

**Yeas—37**

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

**Nays—0**

**Excused—1**

Johnson

**Not Voting—0**

In The Chair: 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 revise and consolidate the statutes relating to the organization and jurisdiction of the courts of this state; the powers and duties of the courts, and of the judges and other officers of the courts; the forms and attributes of civil claims and actions; the time within which civil actions and proceedings may be brought in the courts; pleading, evidence, practice, and procedure in civil and criminal actions and proceedings in the courts; to provide for the powers and duties of certain state governmental officers and entities; to provide remedies and penalties for the violation of certain provisions of this act; to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act; 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. 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**  
**Senate Concurrent Resolution No. 27**  
The motion prevailed.

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

**Senate Resolution No. 170**  
The resolution consent calendar was adopted.

Senator Robertson offered the following resolution:

**Senate Resolution No. 170.**

A resolution recognizing September 9-15, 2012, as Home Education Week in the state of Michigan.

Whereas, Homeschooling is the fastest-growing educational trend in the United States, growing by an estimated 15 percent per year, with over 2 million children nationwide now in a homeschool program; and

Whereas, The state of Michigan has long recognized that parents and legal guardians have a natural and fundamental right to direct the care, education, and upbringing of their children; and

Whereas, Homeschooling provides young people with a strong foundation of values and academic skills needed to become responsible citizens of our state and nation; and

Whereas, Homeschooling parents understand they are to be the primary educators and know that parental supervision and involvement play a major role in the education of students; and

Whereas, Parents know that teaching morals and values is essential to the complete education of the student since every member of society continually makes moral decisions; and

Whereas, Homeschooling parents are dedicated to producing academically-strong students who also commit themselves to service, with studies demonstrating that homeschool students have a stronger understanding and higher participation rate in the governmental system and elections, and a significantly higher percentage are involved in community organizations; and

Whereas, Numerous individuals of note are products of homeschooling, including George Washington, Thomas Edison, Helen Keller, Agatha Christie, and Franklin D. Roosevelt; and

Whereas, Homeschoolers come from a diverse number of socioeconomic backgrounds and are from a variety of races and creeds; now, therefore, be it

Resolved by the Senate, That the members of this legislative body recognize September 9-15, 2012, as Home Education Week in the state of Michigan; and be it further

Resolved, That a copy of this resolution be transmitted to the Home Education League of Michigan as evidence of our esteem.

Senators Booher, Brandenburg, Colbeck, Hansen, Jansen, Marleau, Nofs, Pavlov and Proos were named cosponsors of the resolution.

Senator Colbeck offered the following concurrent resolution:

**Senate Concurrent Resolution No. 33.**

A concurrent resolution to waive the legislative notice requirement for increases in rates of compensation for certain employees in the state classified service.

Whereas, The *Constitution of the State of Michigan of 1963* provides in Article XI, Section 5:

“Increases in rates of compensation authorized by the commission may be effective only at the start of a fiscal year and shall require prior notice to the governor, who shall transmit such increases to the legislature as part of his budget. The legislature may, by a majority vote of the members elected to and serving in each house, waive the notice and permit increases in rates of compensation to be effective at a time other than the start of a fiscal year.”

; and

Whereas, As a result of recently completed negotiations, a settlement has been reached on a contract between the state and the Michigan State Police Troopers Association regarding compensation and other terms and conditions of employment. This settlement, which includes compensation effective October 1, 2012, was reached past the time when the Governor could transmit the increase as part of the budget; and

Whereas, The Civil Service Commission granted approval of the collective bargaining agreement on May 23, 2012; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That, pursuant to Article XI, Section 5 of the *Constitution of the State of Michigan of 1963*, the Michigan Legislature waives the prior notice requirement to permit increases in rates of compensation for certain members of the Department of State Police as set in the contract settled between the Michigan State Police Troopers Association and the state and the Civil Service Commission; and be it further

Resolved, That copies of this resolution be transmitted to the Civil Service Commission.

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 Booher, Hansen and Nofs were named cosponsors of the concurrent resolution.

By unanimous consent the Senate proceeded to the order of

#### **Statements**

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

The motion prevailed.

Senator Hune's statement is as follows:

I would like my colleagues to know of a brave young man from the 22nd State Senate District who made the ultimate sacrifice to our country. Private First Class Shane Cantu of Corunna was only 20 years old when he was killed from an explosion in his compound in Afghanistan on August 28.

Shane is the son of Michael and Jennifer, and he was a 2010 graduate of Corunna High School. In fact, I was at the memorial service yesterday at the Corunna High School football field, and the entire community of Corunna and I think half of Shiawassee County were there in support of the family of Private First Class Shane Cantu.

Private First Class Cantu served in the United States Army, 1st Battalion, 503rd Infantry Regiment, 173rd Airborne Brigade Combat Team. He paid the ultimate sacrifice.

Please join me, colleagues, in a moment of silence as we remember Private First Class Shane Cantu.

A moment of silence was observed in memory of Army Private First Class Shane Cantu.

By unanimous consent the Senate returned to the order of

#### **Introduction and Referral of Bills**

Senator Hildenbrand introduced

##### **Senate Bill No. 1239, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 1311b and 1311h (MCL 380.1311b and 380.1311h), as added by 1999 PA 23.

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

Senator Hildenbrand introduced

##### **Senate Bill No. 1240, entitled**

A bill to provide protection from civil liability to persons that provide court-appointed social services.

The bill was read a first and second time by title and referred to the Committee on Families, Seniors and Human Services.

Senator Proos introduced

##### **Senate Bill No. 1241, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 907 (MCL 257.907), as amended by 2011 PA 159.

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

Senator Emmons introduced

**Senate Bill No. 1242, entitled**

A bill to amend 1973 PA 116, entitled "An act to provide for the protection of children through the licensing and regulation of child care organizations; to provide for the establishment of standards of care for child care organizations; to prescribe powers and duties of certain departments of this state and adoption facilitators; to provide penalties; and to repeal acts and parts of acts," by amending sections 2a and 10 (MCL 722.112a and 722.120), section 2a as amended by 2007 PA 217 and section 10 as amended by 2006 PA 206.

The bill was read a first and second time by title and referred to the Committee on Families, Seniors and Human Services.

Senator Pappageorge introduced

**Senate Bill No. 1243, entitled**

A bill to amend 1987 PA 231, entitled "An act to create a transportation economic development fund in the state treasury; to prescribe the uses of and distributions from this fund; to create the office of economic development and to prescribe its powers and duties; to prescribe the powers and duties of the state transportation department, state transportation commission, and certain other bodies; and to permit the issuance of certain bonds," by amending section 11 (MCL 247.911), as amended by 2011 PA 145.

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

Senators Jones, Caswell, Schuitmaker and Marleau introduced

**Senate Bill No. 1244, entitled**

A bill to amend 2006 PA 110, entitled "Michigan zoning enabling act," (MCL 125.3101 to 125.3702) by adding section 205a.

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

Senators Caswell, Rocca, Robertson and Hune introduced

**Senate Bill No. 1245, entitled**

A bill to amend 1939 PA 280, entitled "The social welfare act," (MCL 400.1 to 400.119b) by adding section 105c.

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

Senators Schuitmaker and Nofs introduced

**Senate Bill No. 1246, entitled**

A bill to amend 2001 PA 142, entitled "Michigan memorial highway act," (MCL 250.1001 to 250.2080) by adding section 69.

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

Senator Booher introduced

**Senate Bill No. 1247, entitled**

A bill to amend 1988 PA 466, entitled "Animal industry act," (MCL 287.701 to 287.746) by adding section 11c.

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

Senator Casperson introduced

**Senate Bill No. 1248, entitled**

A bill to amend 1988 PA 466, entitled "Animal industry act," (MCL 287.701 to 287.746) by adding section 17b.

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

Senator Walker introduced

**Senate Bill No. 1249, entitled**

A bill to amend 1976 PA 328, entitled "An act to regulate animals running at large; to provide for compensation for damage done by animals running at large; to prescribe penalties; and to repeal certain acts and parts of acts," by amending section 2 (MCL 433.12).

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



Senator Hune introduced

**Senate Bill No. 1250, entitled**

A bill to amend 1992 PA 239, entitled "Pseudorabies and swine brucellosis control and eradication act," by amending section 33 (MCL 287.833).

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

Senator Booher introduced

**Senate Bill No. 1251, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 30 (MCL 211.30), as amended by 2003 PA 194.

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

Senator Booher introduced

**Senate Bill No. 1252, entitled**

A bill to amend 1965 PA 203, entitled "Commission on law enforcement standards act," (MCL 28.601 to 28.616) by adding section 9e.

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

Senators Booher and Hopgood introduced

**Senate Bill No. 1253, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," (MCL 257.1 to 257.923) by adding section 811u.

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

Senator Young introduced

**Senate Bill No. 1254, entitled**

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 759a (MCL 168.759a), as amended by 2012 PA 279.

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

Senator Young introduced

**Senate Bill No. 1255, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 2111 (MCL 500.2111), as amended by 2002 PA 492, and by adding section 2111b.

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

Senator Young introduced

**Senate Bill No. 1256, entitled**

A bill to amend 1992 PA 147, entitled "Neighborhood enterprise zone act," by amending section 4 (MCL 207.774), as amended by 2010 PA 136.

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

Senator Kahn introduced

**Senate Bill No. 1257, entitled**

A bill to amend 1987 PA 248, entitled "Airport parking tax act," by amending section 7a (MCL 207.377a), as amended by 2006 PA 135.

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

Senator Jansen introduced

**Senate Bill No. 1258, entitled**

A bill to amend 2008 PA 551, entitled "Uniform securities act (2002)," by amending section 410 (MCL 451.2410).

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

Senator Jansen introduced

**Senate Bill No. 1259, entitled**

A bill to amend 1979 PA 152, entitled "State license fee act," by amending sections 2, 3, 13, 15, 17, 21, 23, 25, 27, 28, 29, 31, 37, 38, 39, 43, and 62 (MCL 338.2202, 338.2203, 338.2213, 338.2215, 338.2217, 338.2221, 338.2223, 338.2225, 338.2227, 338.2228, 338.2229, 338.2231, 338.2237, 338.2238, 338.2239, 338.2243, and 338.2262), section 2 as amended by 1999 PA 171, sections 3, 13, 17, 21, 23, 25, 27, 28, 29, 31, 37, 38, 43, and 62 as amended by 2007 PA 77, section 15 as amended by 2008 PA 491, and section 39 as amended by 2007 PA 158.

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

Senator Hildenbrand introduced

**Senate Bill No. 1260, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 7cc (MCL 211.7cc), as amended by 2012 PA 114.

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

**House Bill No. 4907, entitled**

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 163, 164, 166, 193, 194, 196, 224, 225, 227, 254, 256, 257, 312, 633, 646a, 759a, 813, and 829 (MCL 168.163, 168.164, 168.166, 168.193, 168.194, 168.196, 168.224, 168.225, 168.227, 168.254, 168.256, 168.257, 168.312, 168.633, 168.646a, 168.759a, 168.813, and 168.829), sections 163, 193, 224, and 254 as amended by 1999 PA 218, section 164 as amended by 1990 PA 7, sections 312 and 646a as amended by 2006 PA 647, section 759a as amended by 2012 PA 279, and sections 813 and 829 as added by 2004 PA 92.

The House of Representatives has passed the bill.

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

### Committee Reports

The Committee on Outdoor Recreation and Tourism reported

**House Bill No. 5292, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 43537 (MCL 324.43537), as amended by 2007 PA 60.

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.

Goeffrey M. Hansen  
Chairperson

To Report Out:

Yeas: Senators Hansen, Hildenbrand, Meekhof, Casperson, Moolenaar, Gleason and Young

Nays: None

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

The Committee on Outdoor Recreation and Tourism reported

**House Bill No. 5322, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 40111 and 81133 (MCL 324.40111 and 324.81133), section 40111 as added by 1995 PA 57 and section 81133 as amended by 2008 PA 365.

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.

Goeffrey M. Hansen  
Chairperson

To Report Out:

Yeas: Senators Hansen, Hildenbrand, Meekhof, Casperson, Moolenaar and Gleason

Nays: Senator Young

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

The Committee on Outdoor Recreation and Tourism reported

**House Bill No. 5452, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by repealing section 48501 (MCL 324.48501).

With the recommendation that the bill pass.

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

Goeffrey M. Hansen  
Chairperson

To Report Out:

Yeas: Senators Hansen, Hildenbrand, Meekhof, Casperson, Moolenaar, Gleason and Young

Nays: None

The bill was referred to the Committee of the Whole.

#### COMMITTEE ATTENDANCE REPORT

The Committee on Outdoor Recreation and Tourism submitted the following:

Meeting held on Wednesday, August 15, 2012, at 9:30 a.m., Room 100, Farnum Building

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

The Committee on Appropriations reported

**Senate Bill No. 1133, entitled**

A bill to authorize the state administrative board to convey certain parcels of state-owned property in Washtenaw county; to prescribe conditions for the conveyance; to provide for certain powers and duties of certain state departments in regard to the property; and to provide for disposition of revenue derived from the conveyance.

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

Nays: None

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

The Committee on Judiciary reported

**Senate Bill No. 1179, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 321 (MCL 600.321), as amended by 2011 PA 130.

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

Rick Jones  
Chairperson

To Report Out:

Yeas: Senators Jones, Schuitmaker, Rocca and Bieda

Nays: None

The bill was referred to the Committee on Appropriations.

The Committee on Judiciary reported

**House Bill No. 4834, entitled**

A bill to amend 2008 IL 1, entitled "Michigan medical marijuana act," by amending section 6 (MCL 333.26426).

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.

Rick Jones  
Chairperson

To Report Out:

Yeas: Senators Jones, Schuitmaker, Rocca and Bieda

Nays: None

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

The Committee on Judiciary reported

**House Bill No. 4851, entitled**

A bill to amend 2008 IL 1, entitled "Michigan medical marihuana act," by amending sections 3 and 8 (MCL 333.26423 and 333.26428).

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.

Rick Jones  
Chairperson

To Report Out:

Yeas: Senators Jones, Schuitmaker and Rocca

Nays: Senator Bieda

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

The Committee on Judiciary reported

**House Bill No. 4853, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 13n of chapter XVII (MCL 777.13n), as amended by 2011 PA 87.

With the recommendation that the bill pass.

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

Rick Jones  
Chairperson

To Report Out:

Yeas: Senators Jones, Schuitmaker, Rocca and Bieda

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Judiciary reported

**House Bill No. 4856, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 474.

With the recommendation that the bill pass.

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

Rick Jones  
Chairperson

To Report Out:

Yeas: Senators Jones, Schuitmaker, Rocca and Bieda

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Judiciary reported

**House Bill No. 5225, entitled**

A bill to amend 1927 PA 372, entitled "An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms and gas ejecting devices; to prohibit the buying, selling, or carrying of certain firearms and gas ejecting devices without a license or other authorization; to provide for the forfeiture of firearms under certain circumstances; to provide for penalties and remedies; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; to prohibit certain conduct against individuals who apply for or receive a license to carry a concealed pistol; to make appropriations; to prescribe certain conditions for the appropriations; and to repeal all acts and parts of acts inconsistent with this act," by amending sections 2b, 6, and 14a (MCL 28.422b, 28.426, and 28.434a), section 2b as amended by 2001 PA 199, section 6 as added by 2005 PA 242, and section 14a as added by 2010 PA 295, and by adding section 2c; and to repeal acts and parts of acts.

With the recommendation that the bill pass.

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

Rick Jones  
Chairperson

To Report Out:

Yeas: Senators Jones, Schuitmaker and Rocca

Nays: Senator Bieda

The bill was referred to the Committee of the Whole.

The Committee on Judiciary reported

**House Bill No. 5498, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending sections 11b and 16m of chapter XVII (MCL 777.11b and 777.16m), as amended by 2012 PA 124.

With the recommendation that the bill pass.

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

Rick Jones  
Chairperson

To Report Out:

Yeas: Senators Jones, Schuitmaker, Rocca and Bieda

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Judiciary reported

**House Bill No. 5499, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending sections 223, 224b, 231a, 232a, and 239a (MCL 750.223, 750.224b, 750.231a, 750.232a, and 750.239a), section 223 as amended by 1992 PA 221, sections 224b and 231a as amended by 2008 PA 196, section 232a as amended by 1990 PA 321, and section 239a as amended by 2010 PA 294; 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.

Rick Jones  
Chairperson

To Report Out:

Yeas: Senators Jones, Schuitmaker, Rocca and Bieda

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 Judiciary submitted the following:

Meeting held on Wednesday, August 15, 2012, at 10:00 a.m., Senate Hearing Room, Ground Floor, Boji Tower

Present: Senators Jones (C), Schuitmaker, Rocca and Bieda

The Committee on Economic Development reported

**Senate Bill No. 1210, entitled**

A bill to amend 1996 PA 381, entitled "Brownfield redevelopment financing act," by amending sections 2, 4, 8, 13, 15, and 16 (MCL 125.2652, 125.2654, 125.2658, 125.2663, 125.2665, and 125.2666), section 2 as amended by 2010 PA 246, section 4 as amended by 2005 PA 101, section 8 as amended by 2000 PA 145, section 13 as amended by 2010 PA 288, section 15 as amended by 2007 PA 201, and section 16 as amended by 2007 PA 203, and by adding section 8a.

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.

Michael W. Kowall  
Chairperson

To Report Out:

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

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 Economic Development submitted the following:

Meeting held on Wednesday, August 15, 2012, at 10:00 a.m., Room 110, Farnum Building

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

Excused: Senator Hunter

**Scheduled Meetings**

**Appropriations** - Wednesday, September 12, 2:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-1760)

**Subcommittees -**

**Higher Education and Retirement** - Wednesday, September 12, 8:15 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

**Human Services Department** - Tuesdays, September 25 and October 2, and Wednesday, October 10, 2:00 p.m., Room 405, Capitol Building (373-2768)

**Retirement** - Wednesday, September 12, 9:00 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

**Retirement and Higher Education** - Wednesday, September 12, 8:15 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

**Economic Development** - Wednesday, September 12, 3:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower (373-5323)

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

**Families, Seniors and Human Services** - Wednesday, September 12, 3:00 p.m., Room 110, Farnum Building (373-5312)

**Finance** - Wednesday, September 12, 12:30 p.m., Room 100, Farnum Building (373-5312)

**Health Policy** - Thursday, September 13, 2:30 p.m., Senate Hearing Room, Ground Floor, Boji Tower (373-5314)

**Local Government and Elections** - Wednesday, September 12, 3:00 p.m., Room 100, Farnum Building (373-5314)

**Natural Resources, Environment and Great Lakes** - Thursday, September 13, 8:30 a.m., Room 100, Farnum Building (373-5323)

**Regulatory Reform** - Thursday, September 13, 12:30 p.m., Room 110, Farnum Building (373-5312)

**Senate Fiscal Agency Board of Governors** - Thursday, September 13, 9:00 a.m., Room S-324, Capitol Building (373-2768)

**State Drug Treatment Court Advisory Committee** - Tuesday, September 25, 9:30 a.m., Legislative Council Conference Room, 3rd Floor, Boji Tower (373-0212)

Senator Meekhof moved that the Senate adjourn.  
The motion prevailed, the time being 11:16 a.m.

The President, Lieutenant Governor Calley, declared the Senate adjourned until Wednesday, September 12, 2012, at 10:00 a.m.

CAROL MOREY VIVENTI  
Secretary of the Senate