

No. 66
STATE OF MICHIGAN
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REGULAR SESSION OF 2012

Senate Chamber, Lansing, Wednesday, September 19, 2012.

10:00 a.m.

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

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

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

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

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

First Counselor Steven Doty of Portland Branch of the Latter Day Saints Congregation of Portland offered the following invocation:

Our dear Heavenly Father, we are grateful and thankful for the blessings that Thou has given to us. We are grateful for this great state, for the beautiful resources that it has, and for the service of the members of this chamber. We ask Thou to bless them, guide them, and help them that they might be able to serve the people in a way that might be pleasing unto Thee.

We also ask that Thou would watch over and guide our men and women of the armed forces, that they would be protected and guided. We appreciate their service and guidance as they strive to protect our freedoms.

We ask that Thou, at this time, help us that we might be able to serve in a way that would be pleasing at all times. We pray these things humbly in the name of Jesus Christ. Amen.

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

Motions and Communications

Senators Green and Marleau entered the Senate Chamber.

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

September 12, 2012

Enclosed is a copy of the following audit report:

Performance audit of Selected Internal Service Fund Activities, Department of Technology, Management, and Budget.

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

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

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

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

Senator Meekhof moved that rule 3.902 be suspended to allow the guest of Senator Hune admittance to the Senate floor. The motion prevailed, a majority of the members serving voting therefor.

The Secretary announced that the following official bills were printed on Thursday, September 13, and are available at the legislative website:

Senate Bill Nos. 1272 1273 1274 1275 1276

The Secretary announced that the following official bills were printed on Friday, September 14, and are available at the legislative website:

House Bill Nos. 5900 5901 5902 5903 5904 5905 5906 5907 5908 5909 5910 5911 5912 5913

Messages from the Governor

The following messages from the Governor were received and read:

September 10, 2012

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

Midwest U.S. - Japan Association Board

Bruce A. Brownlee of 39755 Dun Rovin Drive, Northville, Michigan 48168, county of Wayne, succeeding himself, is reappointed for a term expiring December 31, 2012.

Doug J. Smith of 874 Helston Road, Bloomfield Hills, Michigan 48304, county of Oakland, succeeding himself, is reappointed for a term expiring December 31, 2012.

September 10, 2012

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

State Employees' Retirement Board

Matthew Fedorchuk of 4401 Oakwood Drive, Okemos, Michigan 48864, county of Ingham, representing employee members of the retirement system, succeeding himself, is appointed for a term expiring July 31, 2015.

Ruth Duquette of 1800 Onondaga Road, Holt, Michigan 48842, county of Ingham, representing employee members of the retirement system, filling a vacancy, is appointed for a term expiring July 31, 2014.

September 11, 2012

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

Michigan Council for Arts and Cultural Affairs

Pamella G. DeVos of 600 Steketee Road, N.E., Ada, Michigan 49301, county of Kent, succeeding herself, is reappointed for a term expiring September 1, 2015.

William O. Rush of 3775 Greenbrier Boulevard, Apt. 236A, Ann Arbor, Michigan 48105, county of Washtenaw, succeeding himself, is reappointed for a term expiring September 1, 2015.

Ritch C. Branstrom of 9233 County 513 Road, Rapid River, Michigan 49878, county of Delta, succeeding Barbara Klocko, is appointed for a term expiring September 1, 2015.

Maud M. Lyon of 1174 Kensington Avenue, Grosse Pointe Park, Michigan 48230, county of Wayne, succeeding Melonie Colaianne, is appointed for a term expiring September 1, 2015.

Frederick L. Davies of 319 S. Brown Street, Jackson, Michigan 49203, county of Jackson, succeeding Vickie Wagner, is appointed for a term expiring September 1, 2015.

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 10:06 a.m.

11:26 a.m.

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

During the recess, Senators Gleason, Young, Robertson, Hunter and Johnson entered the Senate Chamber.

By unanimous consent the Senate proceeded to the order of
Messages from the House

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

Senate Bill No. 409

Senate Bill No. 637

The motion prevailed.

Senate Bill No. 1109, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 12 of chapter IX (MCL 769.12), as amended by 2006 PA 655.

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. 635

Yeas—32

Anderson
Bieda

Gleason
Green

Jones
Kahn

Pavlov
Proos

Booher	Hansen	Kowall	Richardville
Brandenburg	Hildenbrand	Marleau	Robertson
Casperson	Hopgood	Meekhof	Rocca
Caswell	Hune	Moolenaar	Schuitmaker
Colbeck	Hunter	Nofs	Walker
Emmons	Jansen	Pappageorge	Whitmer

Nays—6

Gregory	Johnson	Warren	Young
Hood	Smith		

Excused—0**Not Voting—0**

In The Chair: President

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

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

The motion prevailed.

Senator Colbeck's statement is as follows:

It is with a bit of sadness that I rise today. In our office, we have been blessed with a lot of good interns, but Matea has been one of our best. Today will be her last day, and I just wanted to provide this tribute to her for her service.

Our office is pretty intense when it comes to research, and we have been researching quite a few issues. These have been as varied as health care impacts and the impacts of the federal health care law, to looking into quite a few other areas, including comparison of all the different retirement systems that we have in the state of Michigan. For anyone who has ever done that, it is not very easy to get the data, but Matea did it effectively and efficiently and with a smile all the while. She still answered phones and kept our office running when we were short-staffed.

So it is with a sad heart that we say goodbye to Matea. Senator Brandenburg, she has your last name—Matea Brandenburg. I would ask for a warm salute for her efforts from my colleagues in the Senate.

Third Reading of Bills

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

Senate Bill No. 1102

Senate Bill No. 1103

The motion prevailed.

The following bill was read a third time:

Senate Bill No. 1102, entitled

A bill to amend 1998 PA 386, entitled "Estates and protected individuals code," (MCL 700.1101 to 700.8206) by adding section 7114.

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. 636

Yeas—38

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	Johnson	Pros	Young
Green	Jones		

Nays—0

Excused—0

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 1103, entitled

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” (MCL 500.100 to 500.8302) by adding section 2210a.

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. 637

Yeas—38

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	Johnson	Pros	Young
Green	Jones		

Nays—0

Excused—0

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

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

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

The motion prevailed, and the President, Lieutenant Governor Calley, designated Senator Casperson as Chairperson.

After some time spent therein, the Committee arose; and the President pro tempore, Senator Schuitmaker, having assumed the Chair, the Committee reported back to the Senate, favorably and without amendment, the following bills:

Senate Bill No. 1060, entitled

A bill to amend 2006 PA 379, entitled "Qualified forest property recapture tax act," by amending section 4 (MCL 211.1034).

Senate Bill No. 1180, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 224 (MCL 257.224), as amended by 2006 PA 177.

Senate Bill No. 1148, entitled

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

Senate Bill No. 564, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending section 106a (MCL 400.106a), as added by 2003 PA 32.

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 a substitute therefor, the following bill:

Senate Bill No. 1021, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 2150 and 2153 (MCL 324.2150 and 324.2153), section 2150 as amended by 1996 PA 585 and section 2153 as amended by 2004 PA 513.

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 a substitute therefor, the following bill:

Senate Bill No. 1022, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 2154 and 51106 (MCL 324.2154 and 324.51106), section 2154 as amended by 2011 PA 118 and section 51106 as amended by 2006 PA 382.

Substitute (S-1).

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

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:
Senate Bill No. 1057, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 9301, 9302, 9304, 9307, 9308, and 9310 (MCL 324.9301, 324.9302, 324.9304, 324.9307, 324.9308, and 324.9310), sections 9301, 9302, 9304, 9308, and 9310 as amended by 1998 PA 463 and section 9307 as amended by 2004 PA 439, and by adding sections 51301, 51302, and 51305; and to repeal acts and parts of acts.

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 a substitute therefor, the following bill:
Senate Bill No. 1058, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 8703, 8707, 8708, and 8709 (MCL 324.8703, 324.8707, 324.8708, and 324.8709), as amended by 2011 PA 2.

Substitute (S-1).

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

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:
Senate Bill No. 1059, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending sections 7jj and 27a (MCL 211.7jj[1] and 211.27a), section 7jj as added by 2006 PA 378 and section 27a as amended by 2012 PA 47.

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 a substitute therefor, the following bill:
Senate Bill No. 1061, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 50301 and 50302 (MCL 324.50301 and 324.50302), as added by 1995 PA 57.

Substitute (S-1).

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

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:
Senate Bill No. 1062, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 7dd (MCL 211.7dd), as amended by 2011 PA 320.

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. 5431, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 411a (MCL 750.411a), as amended by 2004 PA 104.

Substitute (S-3).

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. 5432, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 1f of chapter IX (MCL 769.1f), as amended by 2008 PA 466.

Substitute (S-1).

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

1. Amend page 7, line 11, after "effect" by striking out the balance of the enacting section and inserting "January 1, 2013."

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

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

House Bill No. 5433, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16t of chapter XVII (MCL 777.16t), as amended by 2010 PA 278.

Substitute (S-3).

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. 5128, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," (MCL 600.101 to 600.9947) by amending the heading for chapter 80 and by adding sections 8031, 8033, 8035, 8037, 8039, 8041, 8043, 8045, and 8047; and to repeal acts and parts of acts.

Substitute (S-1).

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

Resolutions

Senator Pavlov 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. 173

The resolution consent calendar was adopted.

Senator Richardville offered the following resolution:

Senate Resolution No. 173.

A resolution to declare September 19, 2012, as No Texting While Driving - Pledge Day in the state of Michigan.

Whereas, According to the National Highway Traffic Safety Administration, 16 percent of fatal auto collisions in 2009 involved reports of distracted driving; and

Whereas, Of those people killed in distracted-driving-related collisions, 18 percent involved reports of a cell phone as a distraction, and of those injured in distracted-driving-related crashes, 5 percent involved reports of a cell phone as a distraction; and

Whereas, Texting while driving is the most dangerous of all cell phone-related tasks; and

Whereas, Over the last three years, text messaging has increased greatly among cell phone users, and those who text while driving are more likely to be involved in a collision; and

Whereas, Ensuring the safety of all citizens traveling on Michigan's roads and highways is a priority; and

Whereas, On September 19, 2012, and throughout the year, we join with AT&T, numerous telecommunications providers, and safety and law enforcement agencies across the state and throughout the nation to raise awareness of the dangers of texting while driving; and

Whereas, We encourage all drivers to remember that no distraction, including sending and receiving text messages, is worth the risk of injury and loss of life to themselves or their passengers or others on Michigan roadways; now, therefore, be it

Resolved by the Senate, That the members of this legislative body declare September 19, 2012, as No Texting While Driving - Pledge Day in the state of Michigan.

Senators Schuitmaker, Robertson, Hildenbrand, Gregory, Hunter, Hood, Smith, Young, Meekhof, Richardville, Nofs, Emmons, Jansen, Moolenaar, Walker, Pappageorge and Jones offered the following resolution:

Senate Resolution No. 172.

A resolution proclaiming October 20, 2012, as Willis Ward Day in the state of Michigan.

Whereas, Willis Ward attended Northwestern High School in Detroit, where he played football and was one of the best track athletes in the country, being named High School Athlete of the Year as a junior; and

Whereas, Willis Ward attended the University of Michigan, where he continued to excel at athletics. He won numerous track and field championships and was the first African-American football player at the University in 40 years, becoming close friends and roommates with fellow player Gerald Ford; and

Whereas, Willis Ward played football at the University of Michigan during the pinnacle of Jim Crow laws. He was benched for a game against Georgia Tech on October 20, 1934, as Georgia Tech refused to play against a team that fielded a black athlete. His friend and teammate Gerald Ford agreed to play only after Ward personally asked him to; and

Whereas, This was the one and only time in Michigan football history that a player was benched solely because of his race, yet Willis handled the situation with incredible grace and class. Michigan defeated Georgia Tech 9-2 in its only win of the season; and

Whereas, He decided to forego the 1936 Olympics in Berlin—even though he was certain to excel, having beaten Jesse Owens in events the previous year—because he did not want to risk being similarly persecuted by Adolph Hitler; and

Whereas, After college, he took a job at Ford Motor Company as head of the Civil Rights Division, becoming the highest ranking African-American employee at the company answering only to Henry Ford himself; and

Whereas, During World War II, Willis Ward served his country as a lieutenant in the United States Army; and

Whereas, After the war, he enrolled at the Detroit College of Law and subsequently worked in the Wayne County Prosecutor's Office handling civil rights discrimination cases. In 1960, he became chairman of the Michigan Public Service Commission and in 1973, was appointed to the Wayne County Probate Court, becoming the first African-American probate court judge in Wayne County; now, therefore, be it

Resolved by the Senate, That we hereby proclaim October 20, 2012, as Willis Ward Day in the state of Michigan—exactly 78 years after he was benched for a Georgia Tech game—in recognition of his many accomplishments, steadfast character, and significant contributions to our state; and be it further

Resolved, That a copy of this resolution be transmitted to the family of Willis Ward and the University of Michigan as evidence of our highest esteem.

Pending the order that, under rule 3.204, the resolution be referred to the Committee on Government Operations, Senator Pavlov 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 Pavlov moved that further consideration of the resolution be postponed for today.

The motion prevailed.

Introduction and Referral of Bills

Senators Hood, Anderson, Gregory, Jones, Rocca, Hopgood and Bieda introduced

Senate Bill No. 1277, entitled

A bill to amend 1976 PA 331, entitled "Michigan consumer protection act," by amending section 3 (MCL 445.903), as amended by 2010 PA 195.

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

Senator Moolenaar introduced
Senate Bill No. 1278, entitled

A bill to provide for the designation of Iosco county as the birding capital of the state; and to prescribe the powers and duties of certain state agencies and officials.

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

Senators Meekhof, Casperson, Caswell and Hune introduced
Senate Bill No. 1279, entitled

A bill to amend 1956 PA 217, entitled "Electrical administrative act," by amending section 7 (MCL 338.887), as amended by 2002 PA 205.

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

Senators Casperson and Booher introduced
Senate Bill No. 1280, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 501 and 503 (MCL 324.501 and 324.503), section 503 as amended by 2012 PA 294.

The bill was read a first and second time by title and referred to the Committee on Natural Resources, Environment and Great Lakes.

Senators Booher and Green introduced
Senate Bill No. 1281, entitled

A bill to amend 1978 PA 390, entitled "An act to regulate the time and manner of payment of wages and fringe benefits to employees; to prescribe rights and responsibilities of employers and employees, and the powers and duties of the department of labor; to require keeping of records; to provide for settlement of disputes regarding wages and fringe benefits; to prohibit certain practices by employers; to prescribe penalties and remedies; and to repeal certain acts and parts of acts," by amending section 6 (MCL 408.476), as amended by 2010 PA 323.

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

Senators Booher and Green introduced
Senate Bill No. 1282, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 2919a (MCL 600.2919a), as amended by 2005 PA 44.

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

Senators Green and Booher introduced
Senate Bill No. 1283, entitled

A bill to amend 1987 PA 173, entitled "Mortgage brokers, lenders, and servicers licensing act," by amending section 1a (MCL 445.1651a), as amended by 2009 PA 76.

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

Senators Nofs, Green and Booher introduced
Senate Bill No. 1284, entitled

A bill to amend 2002 PA 660, entitled "Consumer mortgage protection act," by amending section 2 (MCL 445.1632). The bill was read a first and second time by title and referred to the Committee on Banking and Financial Institutions.

Senators Marleau, Green and Booher introduced
Senate Bill No. 1285, entitled

A bill to amend 1977 PA 135, entitled "An act to prohibit certain mortgage lending practices by a credit granting institution; to prescribe the powers and duties of the commissioner of the financial institutions bureau in relation to those practices; to permit the establishment of local mortgage review boards; and to provide remedies and penalties," by amending section 1 (MCL 445.1601).

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

Senators Jansen, Colbeck, Hansen, Nofs, Hildenbrand and Green introduced

Senate Bill No. 1286, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," (MCL 211.1 to 211.155) by adding section 700. The bill was read a first and second time by title and referred to the Committee on Finance.

Senator Booher introduced

Senate Bill No. 1287, entitled

A bill to amend 2006 PA 379, entitled "Qualified forest property recapture tax act," by amending section 5 (MCL 211.1035).

The bill was read a first and second time by title and referred to the Committee on Natural Resources, Environment and Great Lakes.

Senator Booher introduced

Senate Bill No. 1288, entitled

A bill to provide for the exemption of certain property from certain taxes; to levy and collect a specific tax upon the owners of certain property; to provide for the disposition of the tax; to prescribe the powers and duties of certain state and local government officials; and to provide penalties.

The bill was read a first and second time by title and referred to the Committee on Natural Resources, Environment and Great Lakes.

Senator Hildenbrand introduced

Senate Bill No. 1289, entitled

A bill to amend 1951 PA 51, entitled "An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to promote safe and efficient travel for motor vehicle drivers, bicyclists, pedestrians, and other legal users of roads, streets, and highways; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, local bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts," by amending section 10e (MCL 247.660e), as amended by 2008 PA 487.

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

Senator Hildenbrand introduced

Senate Bill No. 1290, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 537 (MCL 436.1537), as amended by 2011 PA 298.

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

Senator Hildenbrand introduced
Senate Bill No. 1291, entitled

A bill to register and regulate providers of internet protocol-enabled premises security, monitoring, and control systems; to provide for the assessment of registration fees; and to prescribe the powers and duties of certain state departments, agencies, officers, and political subdivisions.

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

Senator Hildenbrand introduced
Senate Bill No. 1292, entitled

A bill to amend 1968 PA 330, entitled "Private security business and security alarm act," by amending section 2 (MCL 338.1052), as amended by 2010 PA 68.

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

Senators Hune and Smith introduced
Senate Bill No. 1293, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending sections 2213b, 3705, 3712, 5008, 5104, 5209, 5800, and 5824 (MCL 500.2213b, 500.3705, 500.3712, 500.5008, 500.5104, 500.5209, 500.5800, and 500.5824), section 2213b as amended by 1998 PA 457, sections 3705 and 3712 as added by 2003 PA 88, section 5008 as amended by 1994 PA 226, section 5104 as amended by 1999 PA 211, and section 5800 as amended by 2000 PA 8, and by adding sections 5801 and 5805.

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

Senators Hune and Smith introduced
Senate Bill No. 1294, entitled

A bill to amend 1980 PA 350, entitled "The nonprofit health care corporation reform act," by amending sections 218 and 401e (MCL 550.1218 and 550.1401e), section 218 as added by 2002 PA 559 and section 401e as added by 1996 PA 516, and by adding sections 220, 401l, 401m, and 620.

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

Statements

Senators Hildenbrand, Kahn and Anderson asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator Hildenbrand's statement is as follows:

Today I rise to honor the life of Navy Special Warfare Operator 2nd Class David J. Warsen. Officer Warsen, a 27-year-old Navy SEAL from Kentwood, Michigan—just outside of Grand Rapids—was serving in Operation Enduring Freedom when he gave the ultimate sacrifice for our country. Officer Warsen was killed when the Blackhawk helicopter he was aboard crashed near Kandahar, Afghanistan, on August 16, 2012.

Officer Warsen enlisted in the Navy in 2009 and was assigned to a West Coast-based SEAL team in October 2010. Two months later, he deployed to Afghanistan. His awards and decorations are numerous. Officer Warsen was known for having a strong commitment and dedication to serving our country and our armed forces. Family and friends have continuously commented on his stellar integrity and his unwavering desire to serve the people of our country. There is no doubt that this young man will be remembered for all of these things and many more.

I ask my colleagues to join with me today in a moment of silence as we honor the life and sacrifice of Officer David Warsen from Kentwood, Michigan. May his family and friends know of our admiration for his service to our great country.

A moment of silence was observed in memory of Navy Special Warfare Operator 2nd Class David J. Warsen.

Senator Kahn's statement is as follows:

I also rise in remembrance of a colleague. Gary Olson passed away over the weekend. Those of us in the Appropriations Committee, which is related to policy, and those of you who were not in the committee may have known of him, if not knowing him yourselves.

He was the director of the Michigan Senate Fiscal Agency for 20 years. Before that, he worked in the House as a committee aide in tax policy and as a senior economist to the Senate Fiscal Agency. He attended both the University of Michigan and Michigan State University. When he started at the University of Michigan, that was where his football loyalty lay, as does mine for the same reason. He was well-known across our country as the past president of the National Association of Legislative Fiscal Officers and former staff chair of the National Conference of State Legislatures.

Today in *Gongwer*, there is a wonderful piece about him, and I would like to read from it for you:

“Gary Olson, a matchless public servant who directed the Senate Fiscal Agency for nearly 20 years and who served the Legislature through some of the state’s more intense fiscal challenges, died early Tuesday after struggling with cancer. He was 57.

Praise from reporters and colleagues poured in when word of his death was announced, with reporters (and a few former legislative staff members) saying it was Mr. Olson who made the sometimes bewildering world of public finance clear to them. Or at least, more clear.

Thorough, calm, objective, dedicated, and so honest,” that apparently he counted all the strokes when he went golfing. He worked with all of us, Democrats and Republicans alike, and his personal politics—I don’t know—and I think he did a wonderful job of keeping those out of his service to the state of Michigan service to this institution. In fact, service to this institution—that is, this Legislature—was his entire life until he retired. He had faith in our ability as lawmakers to discharge our duties. I think that at least some of the time he was right about that. He was unshakeable in his trust of us.

He believed in the need for top-quality legislative staff, and aside from his work in the Legislature, he was dedicated to promoting staff education and development. That is how he found a voice in the National Conference of State Legislatures. It was said in the quote of the day by former Senate Majority Leader Ken Sikkema, “When he would go into a meeting that he could not guarantee that he would come out of it without having lost his temper, but he could guarantee that for any meeting with Gary Olson.” Indeed, I never saw him lose his temper, although he was certainly well justified in losing it with me many of times.

So we come unto talking about a life well-lived, a man who will be missed by us here and, of course, by his family. The services for Mr. Olson will be at the University Club this Saturday at noon. There will be a visitation there at 11:00.

A moment of silence was observed in memory of former Senate Fiscal Agency Director Gary Olson.

Senator Anderson’s statement is as follows:

I wanted to thank my colleague, the chair of the Appropriations Committee, for his comments about Gary. I wanted to also add a couple of words about Gary in the time that I knew him and had the benefit and pleasure of working with him.

Gary could be, as everyone who worked with him knows, someone who was very hard to get an opinion out of, but that was his job. He did an exceptional job for this state, for this Senate, for the Appropriations Committee, and for the citizens of Michigan. Sometimes we don’t realize the qualifications and caliber of people we are fortunate enough to have working for us and the citizens of Michigan; this is one of those cases.

I know he had a nice send-off when he retired, but I think a lot of us fail sometimes to stop and realize how much some of our civil servants and staff and others give to us and the state. I think it is appropriate at this time. I know the chair mentioned a minute ago some of the items that I was going to mention also, but I did want to mention that one of the things that I think stands out about Gary is he was a quiet man in most of our dealings with him. You could share a laugh with him once in a while about something, but he was very sincere. He was quite subdued most of the time. He was very sincere, and he had a high degree of honor, responsibility, and integrity. He also had a tremendous amount of patience, I think, explaining issues dealing with the budget that so many of us coming in here and coming to Appropriations for the first time had a lot to learn. Gary was very patient in that respect.

So I would just like to add my comments to the record about Gary. I would like my comments printed in the Journal and that his family know how much we appreciated what Gary did for the state of Michigan and for this body.

Committee Reports

The Committee on Regulatory Reform reported

Senate Bill No. 1222, entitled

A bill to amend 1972 PA 239, entitled “McCauley-Traxler-Law-Bowman-McNeely lottery act,” by amending section 25 (MCL 432.25), as amended by 1998 PA 465.

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, Meekhof, Pavlov, Johnson and Warren

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, September 13, 2012, at 12:30 p.m., Room 110, Farnum Building

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

Excused: Senator Hune

The Committee on Health Policy reported

Senate Resolution No. 134.

A resolution to memorialize Congress to change the eligibility requirements for Social Security Disability Insurance and Supplemental Security Income benefits for individuals with a terminal illness.

(For text of resolution, see Senate Journal No. 33, p. 516.)

With the recommendation that the resolution be adopted.

James A. Marleau
Chairperson

To Report Out:

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

Nays: None

The resolution was placed on the order of Resolutions.

The Committee on Health Policy reported

House Bill No. 5089, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 17775.

With the recommendation that the bill pass.

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

James A. Marleau
Chairperson

To Report Out:

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

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Health Policy reported

House Bill No. 5090, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 17776.

With the recommendation that the bill pass.

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

James A. Marleau
Chairperson

To Report Out:

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

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Health Policy submitted the following:

Meeting held on Thursday, September 13, 2012, at 2:30 p.m., Senate Hearing Room, Ground Floor, Boji Tower

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

Excused: Senator Hune

COMMITTEE ATTENDANCE REPORT

The Committee on Natural Resources, Environment and Great Lakes submitted the following:
Meeting held on Thursday, September 13, 2012, at 8:30 a.m., Room 100, Farnum Building
Present: Senators Casperson (C), Pavlov, Green, Kowall, Meekhof and Warren
Excused: Senator Hood

COMMITTEE ATTENDANCE REPORT

The Senate Fiscal Agency Board of Governors submitted the following:
Meeting held on Thursday, September 13, 2012, at 9:00 a.m., Room S-324, Capitol Building
Present: Senators Kahn (C), Richardville, Caswell, Whitmer and Anderson

COMMITTEE ATTENDANCE REPORT

The Committee on Economic Development submitted the following:
Meeting held on Thursday, September 13, 2012, at 12:00 noon, Senate Hearing Room, Ground Floor, Boji Tower
Present: Senators Kowall (C), Hildenbrand, Nofs, Emmons, Hansen, Hunter and Smith

COMMITTEE ATTENDANCE REPORT

The Committee on Insurance submitted the following:
Meeting held on Wednesday, September 19, 2012, at 8:30 a.m., Senate Hearing Room, Ground Floor, Boji Tower
Present: Senators Hune (C), Marleau, Hansen and Bieda
Excused: Senators Brandenburg, Robertson and Smith

Scheduled Meetings

Administrative Rules - Thursday, September 27, 8:30 a.m., Room 405, Capitol Building (373-5773)

Appropriations - Thursday, September 20, 10:30 a.m. or later immediately following session, Senate Appropriations Room, 3rd Floor, Capitol Building (373-1760)

Subcommittee -

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

Economic Development - Thursday, September 20, 12:00 noon, Senate Hearing Room, Ground Floor, Boji Tower (373-5323)

Energy and Technology - Tuesday, September 25, 1:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower (373-5323)

Insurance - Thursday, September 20, 8:30 a.m., Senate Hearing Room, Ground Floor, Boji Tower (373-5312)

Natural Resources, Environment and Great Lakes - Thursday, September 20, 8:30 a.m., Room 100, Farnum Building (373-5323)

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

Senator Pavlov moved that the Senate adjourn.
The motion prevailed, the time being 12:24 p.m.

The President pro tempore, Senator Schuitmaker, declared the Senate adjourned until Thursday, September 20, 2012, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate