

No. 42
STATE OF MICHIGAN
Journal of the Senate
96th Legislature
REGULAR SESSION OF 2011

Senate Chamber, Lansing, Tuesday, May 17, 2011.

10:00 a.m.

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

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

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

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

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

Pastor Derek Hagland of Grace Baptist Church of Gaylord offered the following invocation:

Father God, I stand before You today a sinner saved by the amazing grace of God; someone who, at the age of 15, simply placed his trust in the finished work of Jesus Christ. I thank You for the death, burial, and resurrection of Your Son Jesus, by whom we have access to Your throne room in heaven. You invite us, as the Book of Hebrews declares, to come boldly to the throne of grace for help in time of need, and we stand in need today.

With that said, standing in Your presence, on behalf of the Michigan State Senate on this Tuesday, May 17, 2011, my statement is this: Father, we need Your help. We need Your help because Psalm 39:5 says, "Every man at his best state is altogether vanity."

Lord, I am standing before some of the great minds in the state of Michigan, courageous souls elected by the people of this great state, people who will make decisions this month alone that will affect lives for decades to come. I stand here because our state's government recognizes that without Your divine assistance and intervention, we cannot do what we have been called to do.

So on behalf of these good people, I ask for Your help: help by giving them wisdom and guidance; help by giving them a passion for integrity and honesty. Help them to be loyal to those they represent and the Constitution they have sworn to uphold. Help them to be able to put aside all the other distractions and personal problems they may have in their lives to remain fresh for the great tasks and decisions they have before them. Help them today to do the right thing no matter how difficult the decision may be.

Lord, today, we not only ask for Your help, but we ask for Your blessings. Bless today's work and agenda. Bless our state leaders at all levels. Bless our country and our freedom. Bless and protect our troops. Bless the American home and our children.

Lord, I am asking finally that in all of these things, we would undoubtedly recognize the supernatural touch of Almighty God. We ask this all in the name of Jesus Christ. Amen.

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

Motions and Communications

Senators Kahn, Green, Gleason and Bieda entered the Senate Chamber.

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

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

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

Senator Meekhof moved that rule 3.901 be suspended to allow photographs to be taken from the Gallery.
The motion prevailed, a majority of the members serving voting therefor.

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

May 10, 2011

Enclosed is a copy of the following audit report:
Provisions of the Single Audit Act as applicable to the Michigan Economic Development Corporation (MEDC), a discretely presented component unit of the State of Michigan, for the period October 1, 2008 through September 30, 2010.

May 11, 2011

Enclosed is a copy of the following audit report:
Financial audit, including the provisions of the Single Audit Act, of the Department of State for the period October 1, 2008 through September 30, 2010.

Auditor General

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

The Secretary announced that the following House bills were received in the Senate and filed on Thursday, May 12:
House Bill Nos. 4409 4410

The Secretary announced that the following official bills were printed on Thursday, May 12, and are available at the legislative website:

Senate Bill No. 374
House Bill Nos. 4633 4634 4635 4636 4637 4638 4639 4640 4641 4642

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

Senate Bill Nos. 375 376 377 378 379 383

Messages from the Governor

The following messages from the Governor were received:

Date: May 13, 2011
 Time: 4:24 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 100 (Public Act No. 27), being

An act to amend 1998 PA 58, entitled “An act to create a commission for the control of the alcoholic beverage traffic within this state, and to prescribe its powers, duties, and limitations; to provide for powers and duties for certain state departments and agencies; to impose certain taxes for certain purposes; to provide for the control of the alcoholic liquor traffic within this state and to provide for the power to establish state liquor stores; to prohibit the use of certain devices for the dispensing of alcoholic vapor; to provide for the care and treatment of alcoholics; to provide for the incorporation of farmer cooperative wineries and the granting of certain rights and privileges to those cooperatives; to provide for the licensing and taxation of activities regulated under this act and the disposition of the money received under this act; to prescribe liability for retail licensees under certain circumstances and to require security for that liability; to provide procedures, defenses, and remedies regarding violations of this act; to provide for the enforcement and to prescribe penalties for violations of this act; to provide for allocation of certain funds for certain purposes; to provide for the confiscation and disposition of property seized under this act; to provide referenda under certain circumstances; and to repeal acts and parts of acts,” by amending sections 1111, 1113, and 1114 (MCL 436.2111, 436.2113, and 436.2114), as amended by 2010 PA 213.

(Filed with the Secretary of State on May 16, 2011, at 3:26 p.m.)

Date: May 13, 2011
 Time: 4:26 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 263 (Public Act No. 26), being

An act to amend 1978 PA 368, entitled “An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to provide for the levy of taxes against certain health facilities or agencies; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for the implementation of federal law; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to provide for an appropriation and supplements; to repeal certain acts and parts of acts; to repeal certain

parts of this act; and to repeal certain parts of this act on specific dates,” by amending section 17902 (MCL 333.17902), as added by 2006 PA 54.

(Filed with the Secretary of State on May 16, 2011, at 3:24 p.m.)

Respectfully,
Rick Snyder
Governor

The following messages from the Governor were received and read:

April 18, 2011

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

Michigan Asparagus Marketing Advisory Board

Sarah J. Greiner of 2452 N. 128th Avenue, Hart, Michigan 49420, county of Oceana, representing North-Central Michigan growers, succeeding herself, is reappointed for a term expiring November 13, 2013.

Eric C. Herrygers of 1261 N. 136th Avenue, Hart, Michigan 49420, county of Oceana, representing North-Central Michigan growers, succeeding Frederick Tubbs, is appointed for a term expiring November 13, 2013.

April 18, 2011

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

Michigan Plum Advisory Board

John R. Williams of P.O. Box 152, Mears, Michigan 49436, county of Oceana, representing growers-at-large, succeeding Michael Robert VanAgtsmeal, is appointed for a term expiring July 1, 2013.

April 18, 2011

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

Small Business Clean Air Compliance Advisory Panel

William A. Stough of 7600 Irving Road, Middleville, Michigan 49015, county of Barry, representing the general public, succeeding Betty M. Gajewski, is appointed for a term expiring February 17, 2012.

William S. Hughes of 3915 Old Colony Road, Kalamazoo, Michigan 49015, county of Kalamazoo, representing the general public, succeeding Virginia A. Jones, is appointed for a term expiring February 17, 2012.

Sincerely,
Rick Snyder
Governor

The appointments were referred to the Committee on Government Operations.

Messages from the House

Senate Bill No. 169, entitled

A bill to make appropriations for the department of agriculture and rural development for the fiscal year ending September 30, 2012; to provide for the expenditure of the appropriations; to provide anticipated appropriations for the fiscal year ending September 30, 2013; to create funds; to provide for the imposition of fees; to require reports, audits, and plans; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by certain state agencies.

The House of Representatives has appointed Reps. Potvin, Forlini and Ananich as conferees to join with Sens. Green, Kahn and Hopgood.

The bill was referred to the Conference Committee on May 12, 2011.

Senate Bill No. 171, entitled

A bill to make appropriations for community colleges and certain state purposes related to education for the fiscal year ending September 30, 2012; to provide for the expenditure of those appropriations; to provide anticipated appropriations for the fiscal year ending September 30, 2013; to establish or continue certain funds, programs, and categories; and to prescribe the powers and duties of certain state departments, institutions, agencies, employees, and officers.

The House of Representatives has appointed Reps. Goike, Genetski and McCann as conferees to join with Sens. Booher, Kahn and Anderson.

The bill was referred to the Conference Committee on May 12, 2011.

Senate Bill No. 172, entitled

A bill to make appropriations for the department of community health and certain state purposes related to mental health, public health, and medical services for the fiscal year ending September 30, 2012; to provide for the expenditure of those appropriations; to provide anticipated appropriations for the fiscal year ending September 30, 2013; to create funds; to require and provide for reports; to prescribe the powers and duties of certain local and state agencies and departments; and to provide for disposition of fees and other income received by the various state agencies.

The House of Representatives has appointed Reps. Lori, MacGregor and Tlaib as conferees to join with Sens. Moolenaar, Kahn and Gregory.

The bill was referred to the Conference Committee on May 12, 2011.

Senate Bill No. 173, entitled

A bill to make appropriations for the department of corrections and certain state purposes related to corrections for the fiscal year ending September 30, 2012; to provide for the expenditure of the appropriations; to provide anticipated appropriations for the fiscal year ending September 30, 2013; to provide for reports; to provide for the creation of certain advisory committees and boards; to prescribe certain powers and duties of the department of corrections, certain other state officers and agencies, and certain advisory committees and boards; to provide for the collection of certain funds; and to provide for the disposition of fees and other income received by certain state agencies.

The House of Representatives has appointed Reps. Haveman, MacMaster and Lindberg as conferees to join with Sens. Proos, Kahn and Anderson.

The bill was referred to the Conference Committee on May 12, 2011.

Senate Bill No. 174, entitled

A bill to make appropriations for the department of education and certain other purposes relating to education for the fiscal year ending September 30, 2012; to provide for the expenditure of the appropriations; to provide anticipated appropriations for the fiscal year ending September 30, 2013; and to provide for the disposition of fees and other income received by the state agency.

The House of Representatives has appointed Reps. Rogers, Poleski and Bauer as conferees to join with Sens. Walker, Kahn and Hopgood.

The bill was referred to the Conference Committee on May 12, 2011.

Senate Bill No. 175, entitled

A bill to make appropriations for the department of energy, labor, and economic growth and certain other state purposes for the fiscal year ending September 30, 2012; to provide for the expenditure of those appropriations; to provide anticipated appropriations for the fiscal year ending September 30, 2013; to provide for the imposition of certain fees; to provide for the disposition of fees and other income received by the state agencies; to provide for reports to certain persons; and to prescribe powers and duties of certain state departments and certain state and local agencies and officers.

The House of Representatives has appointed Reps. Pscholka, Rogers and Ananich as conferees to join with Sens. Jansen, Kahn and Johnson.

The bill was referred to the Conference Committee on May 12, 2011.

Senate Bill No. 176, entitled

A bill to make appropriations for the department of environmental quality for the fiscal year ending September 30, 2012; to provide for the expenditure of those appropriations; to provide anticipated appropriations for the fiscal year ending September 30, 2013; to create funds and accounts; to require reports; to prescribe certain powers and duties of certain state agencies and officials; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by the various state agencies.

The House of Representatives has appointed Reps. Kowall, Bumstead and McCann as conferees to join with Sens. Green, Kahn and Hopgood.

The bill was referred to the Conference Committee on May 12, 2011.

Senate Bill No. 177, entitled

A bill to make, supplement, and adjust appropriations for the departments of attorney general, civil rights, state, technology, management, and budget, and treasury, the executive office, and the legislative branch for the fiscal years ending September 30, 2012; to provide for the expenditure of these appropriations; to provide anticipated appropriations for the fiscal year ending September 30, 2013; to provide for the funding of certain work projects; to provide for the imposition

of certain fees; to establish or continue certain funds, programs, and categories; to transfer certain funds; to prescribe certain requirements for bidding on state contracts; to provide for disposition of year-end balances; to prescribe the powers and duties of certain principal executive departments and state agencies, officials, and employees; and to provide for the disposition of fees and other income received by the various principal executive departments and state agencies.

The House of Representatives has appointed Reps. Poleski, Lori and Durhal as conferees to join with Sens. Pappageorge, Kahn and Johnson.

The bill was referred to the Conference Committee on May 12, 2011.

Senate Bill No. 178, entitled

A bill to make appropriations for the state institutions of higher education and certain state purposes related to education for the fiscal year ending September 30, 2012; to provide for the expenditures of those appropriations; to provide anticipated appropriations for the fiscal year ending September 30, 2013; and to prescribe the powers and duties of certain state departments, institutions, agencies, employees, and officers.

The House of Representatives has appointed Reps. Genetski, Cotter and Bauer as conferees to join with Sens. Schuitmaker, Kahn and Hood.

The bill was referred to the Conference Committee on May 12, 2011.

Senate Bill No. 179, entitled

A bill to make appropriations for the department of human services and certain state purposes related to public welfare services for the fiscal year ending September 30, 2012; to provide for the expenditure of the appropriations; to create funds; to provide for the imposition of fees; to provide for reports; to provide for the disposition of fees and other income received by the state agency; to provide anticipated appropriations for the fiscal year ending September 30, 2013; and to provide for the powers and duties of certain individuals, local governments, and state departments, agencies, and officers.

The House of Representatives has appointed Reps. Agema, MacMaster and Jackson as conferees to join with Sens. Caswell, Kahn and Gregory.

The bill was referred to the Conference Committee on May 12, 2011.

Senate Bill No. 180, entitled

A bill to make appropriations for the judicial branch for the fiscal year ending September 30, 2012; to provide for the expenditure of these appropriations; to provide anticipated appropriations for the fiscal year ending September 30, 2013; to place certain restrictions on the expenditure of these appropriations; to prescribe the powers and duties of certain state and local departments, officials, and employees; to require certain reports; and to provide for the disposition of fees and other income received by the judicial branch.

The House of Representatives has appointed Reps. Cotter, Forlini and Tlaib as conferees to join with Sens. Proos, Kahn and Johnson.

The bill was referred to the Conference Committee on May 12, 2011.

Senate Bill No. 181, entitled

A bill to make appropriations for the department of military and veterans affairs for the fiscal year ending September 30, 2012; to provide for the expenditure of the appropriations; to provide anticipated appropriations for the fiscal year ending September 30, 2013; to provide for certain powers and duties of the department of military and veterans affairs, other state agencies, and local units of government related to the appropriations; and to provide for the preparation of certain reports related to the appropriations.

The House of Representatives has appointed Reps. MacGregor, Jenkins and LeBlanc as conferees to join with Sens. Colbeck, Kahn and Gregory.

The bill was referred to the Conference Committee on May 12, 2011.

Senate Bill No. 182, entitled

A bill to make appropriations for the department of natural resources for the fiscal year ending September 30, 2012; to provide for the expenditure of those appropriations; to provide anticipated appropriations for the fiscal year ending September 30, 2013; to create funds and accounts; to require reports; to prescribe certain powers and duties of certain state agencies and officials; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by the various state agencies.

The House of Representatives has appointed Reps. Bumstead, Kowall and Lindberg as conferees to join with Sens. Green, Kahn and Hopgood.

The bill was referred to the Conference Committee on May 12, 2011.

Senate Bill No. 183, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 3, 6, 11, 11a, 11g, 11j, 11k, 11m, 15, 18, 20, 20d, 22a, 22b, 22d, 22e, 24, 24a, 24c, 26a, 31a, 31d, 31f, 32b, 32d, 32j, 39, 39a, 40, 51a, 51c, 51d, 53a, 54, 56, 61a, 62, 74, 81, 93, 94a, 98, 99, 101, 104, 107, 109, 147, and 152a (MCL 388.1603, 388.1606, 388.1611, 388.1611a, 388.1611g, 388.1611j, 388.1611k, 388.1611m, 388.1615, 388.1618, 388.1620, 388.1620d, 388.1622a, 388.1622b, 388.1622d, 388.1622e, 388.1624, 388.1624a, 388.1624c, 388.1626a, 388.1631a, 388.1631d, 388.1631f, 388.1632b, 388.1632d, 388.1632j, 388.1639, 388.1639a, 388.1640, 388.1651a, 388.1651c, 388.1651d, 388.1653a, 388.1654, 388.1656, 388.1661a, 388.1662, 388.1674, 388.1681, 388.1693, 388.1694a, 388.1698, 388.1699, 388.1701, 388.1704, 388.1707, 388.1709, 388.1747, and 388.1752a), sections 3, 6, 11a, 11g, 11k, 15, 18, 20, 20d, 22b, 22d, 24, 24a, 31a, 31d, 31f, 32b, 32d, 32j, 39, 51c, 51d, 53a, 54, 61a, 62, 74, 98, 99, 101, 107, and 147 as amended by 2010 PA 110, sections 11, 11m, 22a, 51a, and 56 as amended and section 152a as added by 2010 PA 217, sections 11j, 22e, 24c, 26a, 39a, 81, 94a, and 104 as amended and section 93 as added by 2010 PA 204, section 40 as amended by 2000 PA 297, and section 109 as amended by 1994 PA 283, and by adding sections 12, 22f, and 166f; and to repeal acts and parts of acts.

The House of Representatives has appointed Reps. Rogers, Poleski and Lipton as conferees to join with Sens. Walker, Kahn and Hopgood.

The bill was referred to the Conference Committee on May 12, 2011.

Senate Bill No. 184, entitled

A bill to make appropriations for the department of state police and certain other state purposes for the fiscal year ending September 30, 2012; to provide anticipated appropriations for the fiscal year ending September 30, 2013; to provide for the expenditure of those appropriations; to provide for certain reports and the consideration of those reports; to provide for the disposition of other income received by the various state agencies; to provide for certain emergency powers; to provide for the powers and duties of certain committees, certain state agencies, and certain employees; and to provide for the acquisition and disposition of certain real and personal property.

The House of Representatives has appointed Reps. MacGregor, Jenkins and LeBlanc as conferees to join with Sens. Colbeck, Kahn and Gregory.

The bill was referred to the Conference Committee on May 12, 2011.

Senate Bill No. 185, entitled

A bill to make appropriations for the state transportation department and certain transportation purposes for the fiscal year ending September 30, 2012; to provide anticipated appropriations for the fiscal year ending September 30, 2013; to provide for the imposition of fees; to provide for reports; to create certain funds and programs; to prescribe requirements for certain railroad and bus facilities; to prescribe certain powers and duties of certain state departments and officials and local units of government; and to provide for the expenditure of the appropriations.

The House of Representatives has appointed Reps. Agema, Goike and Dillon as conferees to join with Sens. Pappageorge, Kahn and Anderson.

The bill was referred to the Conference Committee on May 12, 2011.

House Bill No. 4325, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending the title and sections 2, 3, 6, 11, 11a, 11g, 11j, 11k, 11m, 15, 18, 20, 20d, 22a, 22b, 24, 24a, 24c, 26a, 26b, 31a, 31d, 31f, 32b, 32d, 32j, 39, 39a, 40, 51a, 51c, 51d, 53a, 54, 56, 61a, 62, 74, 81, 94a, 98, 99, 104, 107, 109, 147, and 152a (MCL 388.1602, 388.1603, 388.1606, 388.1611, 388.1611a, 388.1611g, 388.1611j, 388.1611k, 388.1611m, 388.1615, 388.1618, 388.1620, 388.1620d, 388.1622a, 388.1622b, 388.1624, 388.1624a, 388.1624c, 388.1626a, 388.1626b, 388.1631a, 388.1631d, 388.1631f, 388.1632b, 388.1632d, 388.1632j, 388.1639, 388.1639a, 388.1640, 388.1651a, 388.1651c, 388.1651d, 388.1653a, 388.1654, 388.1656, 388.1661a, 388.1662, 388.1674, 388.1681, 388.1694a, 388.1698, 388.1699, 388.1704, 388.1707, 388.1709, 388.1747, and 388.1752a), the title as amended by 2003 PA 158, sections 3, 6, 11a, 11g, 11k, 15, 18, 20, 20d, 22b, 24, 24a, 26b, 31a, 31d, 31f, 32b, 32d, 32j, 39, 51c, 51d, 53a, 54, 61a, 62, 74, 98, 99, 107, and 147 as amended by 2010 PA 110, sections 11, 11m, 22a, 51a, and 56 as amended and section 152a as added by 2010 PA 217, sections 11j, 24c, 26a, 39a, 81, 94a, and 104 as amended by 2010 PA 204, section 40 as amended by 2000 PA 297, and section 109 as amended by 1994 PA 283, by amending the heading of article I, and by adding section 22f and articles II, III, and IV; and to repeal acts and parts of acts.

The House of Representatives has nonconcurrent in the Senate substitute (S-1) and appointed Reps. Rogers, Moss and Lipton as conferees.

The message was referred to the Secretary for record.

House Bill No. 4526, entitled

A bill to make, supplement, adjust, and consolidate appropriations for various state departments and agencies, the judicial branch, and the legislative branch for the fiscal year ending September 30, 2012; to provide for certain conditions on appropriations; to provide for the expenditure of the appropriations; and to provide anticipated appropriations for the fiscal year ending September 30, 2013.

The House of Representatives has nonconcurrent in the Senate substitute (S-1) and appointed Reps. Moss, Haveman and LeBlanc as conferees.

The message was referred to the Secretary for record.

Senators Hansen and Hood entered the Senate Chamber.

By unanimous consent the Senate proceeded to the order of

General Orders

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

The motion prevailed, and the President pro tempore, Senator Schuitmaker, designated Senator Warren as Chairperson.

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

Senate Bill No. 334, entitled

A bill to amend 1961 PA 120, entitled "An act to authorize the development or redevelopment of principal shopping districts and business improvement districts; to permit the creation of certain boards; to provide for the operation of principal shopping districts and business improvement districts; to provide for the creation, operation, and dissolution of business improvement zones; and to authorize the collection of revenue and the bonding of certain local governmental units for the development or redevelopment projects," by amending sections 10, 10a, 10b, 10c, 10d, 10e, 10f, 10g, 10h, 10i, 10j, 10k, 10l, and 10m (MCL 125.990, 125.990a, 125.990b, 125.990c, 125.990d, 125.990e, 125.990f, 125.990g, 125.990h, 125.990i, 125.990j, 125.990k, 125.990l, and 125.990m), as added by 2001 PA 260.

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. 275, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 1305, 1307, and 1311 (MCL 324.1305, 324.1307, and 324.1311), as added by 2004 PA 325.

Substitute (S-1).

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

1. Amend page 3, line 9, after "**AMPLIFY**," by striking out the balance of the line through "**SUPPLEMENT**" on line 10 and inserting "**OR CORRECT**".

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

By unanimous consent the Senate returned to the order of

Third Reading of Bills

The following bill was read a third time:

House Bill No. 4227, entitled

A bill to prohibit certain covenants attaching to real property; to prohibit the imposition of certain fees upon transfer of that real property; and to provide for 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. 196**Yeas—38**

Anderson
Bieda

Gregory
Hansen

Kahn
Kowall

Richardville
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	Proos	Young
Green	Jones		

Nays—0

Excused—0

Not Voting—0

In The Chair: Schuitmaker

The question being on concurring in the committee recommendation to give the bill immediate effect,
The recommendation was concurred in, 2/3 of the members serving voting therefor.
The Senate agreed to the title of the bill.

The following bill was read a third time:

House Bill No. 4228, entitled

A bill to prohibit certain covenants attaching to real property; to prohibit the imposition of certain fees upon transfer of that real property; and to provide for 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. 197

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	Proos	Young
Green	Jones		

Nays—0

Excused—0

Not Voting—0

In The Chair: Schuitmaker

The question being on concurring in the committee recommendation to give the bill immediate effect,
The recommendation was concurred in, 2/3 of the members serving voting therefor.
The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 282, entitled

A bill to designate the period beginning on September 11 through September 17 of each year as Patriot Week in the state of Michigan.

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. 198

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	Proos	Young
Green	Jones		

Nays—0

Excused—0

Not Voting—0

In The Chair: Schuitmaker

The Senate agreed to the title of the bill.

Senators Bieda, Gleason, Hildenbrand, Hopgood, Hune, Johnson, Jones, Kowall, Meekhof, Moolenaar, Robertson, Walker and Whitmer were named co-sponsors of the bill.

The following bill was read a third time:

House Bill No. 4291, entitled

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2011; and to provide for the expenditure of the appropriations.

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. 199

Yeas—36

Anderson	Green	Jones	Proos
Bieda	Gregory	Kahn	Richardville
Booher	Hansen	Kowall	Robertson

Brandenburg	Hildenbrand	Marleau	Rocca
Casperson	Hopgood	Meekhof	Schuitmaker
Caswell	Hune	Moolenaar	Smith
Colbeck	Hunter	Nofs	Walker
Emmons	Jansen	Pappageorge	Warren
Gleason	Johnson	Pavlov	Whitmer

Nays—2

Hood	Young
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Excused—0**Not Voting—0**

In The Chair: Schuitmaker

The question being on concurring in the committee recommendation to give the bill immediate effect,
The recommendation was concurred in, 2/3 of the members serving voting therefor.
The Senate agreed to the title of the bill.

By unanimous consent the Senate proceeded to the order of

Introduction and Referral of Bills

Senators Hildenbrand, Jones and Schuitmaker introduced

Senate Bill No. 380, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 13k of chapter XVII (MCL 777.13k), as added by 2002 PA 30.

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

Senators Jones, Rocca, Emmons, Hildenbrand, Hune, Hansen, Gregory, Gleason, Brandenburg, Green, Nofs, Kahn, Proos and Pavlov introduced

Senate Bill No. 381, entitled

A bill to establish the special Olympics 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.

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

Senators Jones, Rocca, Emmons, Hildenbrand, Hune, Hansen, Gregory, Gleason, Brandenburg, Green, Nofs, Kahn, Proos and Pavlov introduced

Senate Bill No. 382, 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 bill was read a first and second time by title and referred to the Committee on Finance.

House Bill No. 4409, entitled

A bill to amend 1939 PA 280, entitled “The social welfare act,” by amending sections 57, 57a, 57b, 57c, 57d, 57e, 57g, 57i, 57l, 57p, 57q, 57r, and 57u (MCL 400.57, 400.57a, 400.57b, 400.57c, 400.57d, 400.57e, 400.57g, 400.57i, 400.57l, 400.57p, 400.57q, 400.57r, and 400.57u), section 57 as amended and section 57p as added by 2006 PA 471, section 57a as amended by 1999 PA 26, section 57b as amended and sections 57q and 57u as added by 2006 PA 468, section 57c as

added by 1995 PA 223, sections 57d, 57g, and 57r as amended by 2007 PA 9, section 57e as amended by 2006 PA 469, section 57i as added by 2000 PA 478, and section 57l as added by 1999 PA 17; and to repeal acts and parts of acts.

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

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

House Bill No. 4410, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending section 57f (MCL 400.57f), as amended by 2006 PA 468.

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

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

Committee Reports

The Committee on Natural Resources, Environment and Great Lakes reported

Senate Resolution No. 39.

A resolution to memorialize the Congress of the United States to remove gray wolves in Michigan from the federal endangered species list and to amend the Endangered Species Act to prevent similar future situations.

(For text of resolution, see Senate Journal No. 32, p. 477.)

With the recommendation that the resolution be adopted.

Thomas A. Casperson
Chairperson

To Report Out:

Yeas: Senators Casperson, Pavlov, Green, Kowall and Meekhof

Nays: Senators Warren and Hood

The resolution was placed on the order of Resolutions.

COMMITTEE ATTENDANCE REPORT

The Committee on Natural Resources, Environment and Great Lakes submitted the following:

Meeting held on Thursday, May 12, 2011, at 8:30 a.m., Room 210, Farnum Building

Present: Senators Casperson (C), Pavlov, Green, Kowall, Meekhof, Warren and Hood

COMMITTEE ATTENDANCE REPORT

The Committee on Appropriations submitted the following:

Meeting held on Wednesday, May 11, 2011, at 2:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building

Present: Senators Kahn (C), Moolenaar, Jansen, Pappageorge, Booher, Caswell, Colbeck, Green, Proos, Schuitmaker, Walker, Anderson, Gregory, Hood, Hopgood and Johnson

COMMITTEE ATTENDANCE REPORT

The Joint Subcommittee on Capital Outlay submitted the following:

Meeting held on Thursday, May 12, 2011, at 9:00 a.m., House Appropriations Room, 3rd Floor, Capitol Building

Present: Senators Booher (C), Schuitmaker, Jansen, Green, Moolenaar, Hood and Anderson

COMMITTEE ATTENDANCE REPORT

The Committee on Economic Development submitted the following:

Meeting held on Friday, May 13, 2011, at 3:10 p.m., Raleigh Studios, 1999 Centerpoint Parkway, Pontiac

Present: Senators Kowall (C) and Smith

Excused: Senators Hildenbrand, Nofs, Emmons, Hansen and Hunter

Scheduled Meetings

Agriculture - Thursday, May 19, 9:00 a.m., Room 110, Farnum Building (373-5312)

Conference Committees -

Agriculture and Rural Development (SB 169) - Thursday, May 19, 2:00 p.m., Room 405, Capitol Building (373-2768)

Environmental Quality (SB 176) - Wednesday, May 18, 1:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

General Government (SB 177) - Thursday, May 19, 3:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

Military and Veterans Affairs (SB 181) - Thursday, May 19, 4:00 p.m., Rooms 402 and 403, Capitol Building (373-2768)

Natural Resources (SB 182) - Thursday, May 19, 11:00 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

State Police (SB 184) - Thursday, May 19, 4:30 p.m., Rooms 402 and 403, Capitol Building (373-2768)

Transportation (SB 185) - Thursday, May 19, 2:30 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

Economic Development - Wednesday, May 18, 1:30 p.m., Room 110, Farnum Building (373-5312)

Families, Seniors and Human Services - Wednesday, May 18, 3:00 p.m., Room 210, Farnum Building (373-5312)

Finance - Wednesday, May 18, 12:30 p.m., Room 210, Farnum Building (373-5307)

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

Redistricting - Wednesday, May 18, 3:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower (373-5307)

Reforms, Restructuring and Reinventing - Wednesday, May 18, 8:30 a.m., Rooms 402 and 403, Capitol Building (373-5324) (CANCELED)

Regulatory Reform - Thursday, May 19, 12:30 p.m., Room 110, Farnum Building (373-5307)

State Drug Treatment Court Advisory Committee - Tuesday, May 24, 9:00 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 10:40 a.m.

The President pro tempore, Senator Schuitmaker, declared the Senate adjourned until Wednesday, May 18, 2011, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate

