

No. 64
STATE OF MICHIGAN
Journal of the Senate
96th Legislature
REGULAR SESSION OF 2011

Senate Chamber, Lansing, Wednesday, September 7, 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—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

Reverend Tyler Wagenmaker of Beaverdam Christian Reformed Church of Hudsonville offered the following invocation:

“O Lord, Thou has searched us and Thou does know us. Thou does know when we sit and when we rise. Thou does perceive our thoughts from afar. Thou has discerned our coming out and our lying down, and Thou are familiar with all of our ways. Before a word has been on our tongues, O Lord, Thou does know it completely. Thou has hemmed us in, behind, and before, and Thou has laid Thy hand upon us.

Such knowledge is too wonderful to us, too lofty for us to attain. Where can we go from Thy Spirit, O Lord? Where can we flee from Thy presence? If we go up to the heavens, Thou art there. If we make our bed in the depths, Thou art there. If we rise on the wings of the dawn, if we settle on the far side of the sea, even there Thy hand will guide us, Thy right hand will hold us fast.

If we say surely the darkness will hide us and the light become night around us, even the darkness will not be dark unto Thee. The night will shine like the day for darkness is as light to Thee. For Thou has created our inmost being, Thou has knit us together in our mother’s womb. We praise Thee because we are fearfully and wonderfully made. Thy works are wonderful, we know that full well. Our frame was not hidden from Thee when we were made in the secret place, when we were woven together in the depths of the earth. Thine eyes saw our unformed bodies. All the days ordained for us were written in Thy book before one of them came to be.

How precious to us are Thy thoughts, O God. How vast is the sum of them. Were we to count them, they would outnumber the grains of sand. When we awake, we are still with Thee.

Lord, search us and know our hearts. Test us and know our anxious thoughts, see if there is any offensive way in us, and lead us in the way everlasting.”

Lord, we are thankful for Thy leadership. We are thankful for Thy guidance and providential care. And, Lord, as this chamber begins its work on this day, in many ways the start of a new season, we are thankful, Lord, for the work that is done here, for the work that is done in the classrooms of this state, for the work done in the factories and offices, and for those who live, work, play, and worship in this state. Lord, bless these leaders, and give them wisdom to discern when to give and when to stand. Lord, give them wisdom in the mistakes they make and the conversations that they have, so that Thy name would be honored and glorified through it, as we pray this in Thy holy name. Amen.

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

Motions and Communications

Senators Brandenburg, Richardville, Marleau, Hood and Gleason entered the Senate Chamber.

Senator Hunter moved that Senator Young be temporarily excused from today’s session.
The motion prevailed.

Senator Hunter moved that Senator Johnson be excused from today’s session.
The motion prevailed.

Senator Meekhof moved that rule 3.901 be suspended to allow the guests of Senator Kowall to take photographs from the Gallery.

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

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

August 25, 2011

Enclosed is a copy of the following audit report:

Performance audit of the Kalamazoo Psychiatric Hospital, Bureau of Hospitals, Centers, and Forensic Mental Health Services, Department of Community Health.

Auditor General

The audit report was 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 10:07 a.m.

10:46 a.m.

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

During the recess, Senator Young entered the Senate Chamber.

Senator Meekhof moved that the enrollment be vacated on the following bill:

Senate Bill No. 347, entitled

A bill to amend 1937 PA 94, entitled "An act to provide for the levy, assessment, and collection of a specific excise tax on the storage, use, or consumption in this state of tangible personal property and certain services; to appropriate the proceeds of that tax; to prescribe penalties; and to make appropriations," by amending section 3f (MCL 205.93f), as added by 2008 PA 440.

The motion prevailed.

The Secretary announced that the following House bills were received in the Senate and filed on Wednesday, August 24:
House Bill Nos. 4005 4006 4458

The Secretary announced the enrollment printing and presentation to the Governor on Wednesday, August 31, for his approval the following bills:

Enrolled Senate Bill No. 485 at 1:50 p.m.

Enrolled Senate Bill No. 486 at 1:52 p.m.

Enrolled Senate Bill No. 487 at 1:54 p.m.

Enrolled Senate Bill No. 488 at 1:56 p.m.

Enrolled Senate Bill No. 489 at 1:58 p.m.

Enrolled Senate Bill No. 490 at 2:00 p.m.

Enrolled Senate Bill No. 491 at 2:02 p.m.

Enrolled Senate Bill No. 492 at 2:04 p.m.

The Secretary announced that the following official bills were printed on Thursday, August 25, and are available at the legislative website:

Senate Bill Nos.	571	572	573	574	575	576	577	578	579	580	581	582	583	584
House Bill Nos.	4879	4880	4881	4882	4883	4884	4885	4886	4887	4888	4889	4890		

By unanimous consent the Senate proceeded to the order of

Messages from the House

The House of Representatives requested the return of

Senate Bill No. 347, entitled

A bill to amend 1937 PA 94, entitled "An act to provide for the levy, assessment, and collection of a specific excise tax on the storage, use, or consumption in this state of tangible personal property and certain services; to appropriate the proceeds of that tax; to prescribe penalties; and to make appropriations," by amending section 3f (MCL 205.93f), as added by 2008 PA 440.

Senator Meekhof moved that the request of the House be granted.

The motion prevailed.

Senate Bill No. 7, entitled

A bill to limit a public employer's portion of the cost of health insurance benefits; and to provide for exceptions. (For Conference Report, see Senate Journal No. 63, p. 2027.)

The House of Representatives has adopted the report of the Committee of Conference.

Pursuant to a previous order, the bill was referred to the Secretary for enrollment printing and presentation to the Governor on August 24, 2011.

Senate Bill No. 447, entitled

A bill to amend 1976 PA 399, entitled "Safe drinking water act," by amending section 9 (MCL 325.1009), as amended by 1998 PA 56.

The House of Representatives has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

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.

Senate Bill No. 448, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 3110 and 4104 (MCL 324.3110 and 324.4104) and by adding section 3134.

The House of Representatives has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

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.

Senate Bill No. 449, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 11525a (MCL 324.11525a), as amended by 2007 PA 75.

The House of Representatives has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

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.

Senate Bill No. 450, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 11108 (MCL 324.11108), as amended by 2001 PA 165.

The House of Representatives has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

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.

By unanimous consent the Senate returned to the order of

Messages from the Governor

The following messages from the Governor were received and read:

August 26, 2011

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

State Public Administrator

Michael E. Moody of 461 Winding River Drive, Williamston, Michigan 48895, county of Ingham, representing the office of the Attorney General, is appointed for a term expiring at the pleasure of the Governor.

August 30, 2011

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

State Building Authority Board of Trustees

David A. Trott of 158 Lake Park Drive, Birmingham, Michigan 48009, county of Oakland, succeeding Dawn L. Batts, is appointed for a term expiring August 21, 2015.

Sincerely,
Rick Snyder
Governor

The appointments were referred to the Committee on Government Operations.

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

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

The motion prevailed, and the Assistant President pro tempore, Senator Hansen, designated Senator Hopgood as Chairperson.

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

House Bill No. 4316, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 705 (MCL 257.705), as amended by 2000 PA 214.

House Bill No. 4716, entitled

A bill to amend 1909 PA 279, entitled "The home rule city act," by amending section 36a (MCL 117.36a), as amended by 2011 PA 36.

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. 502, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," (MCL 436.1101 to 436.2303) by adding section 513a.

Substitute (S-1).

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

By unanimous consent the Senate returned to the order of
Third Reading of Bills

Senator Meekhof moved that the rules be suspended and that the following bill, now on the order of Third Reading of Bills, be placed on its immediate passage:

House Bill No. 4716

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

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

Senate Bill No. 356

Senate Bill No. 357

Senate Bill No. 358

Senate Bill No. 472

Senate Bill No. 393

Senate Bill No. 64

Senate Bill No. 65

House Bill No. 4716

The motion prevailed.

The following bill was read a third time:

Senate Bill No. 356, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 4702 (MCL 600.4702), as amended by 2002 PA 142.

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. 466**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	Pros	Young
Green			

Nays—0**Excused—1**

Johnson

Not Voting—0

In The Chair: Hansen

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 357, entitled

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending section 3801 (MCL 600.3801), as amended by 1988 PA 2.

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. 467**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	Pros	Young
Green			

Nays—0

Excused—1

Johnson

Not Voting—0

In The Chair: Hansen

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 358, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending section 159g (MCL 750.159g), as amended by 2010 PA 362.

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. 468**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: Hansen

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 472, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 36105 and 36106 (MCL 324.36105 and 324.36106), as amended by 2002 PA 75.

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. 469**Yeas—28**

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

Nays—9

Anderson	Hopgood	Smith	Whitmer
Gregory	Hunter	Warren	Young
Hood			

Excused—1

Johnson

Not Voting—0

In The Chair: Hansen

The Senate agreed to the title of the bill.

Protest

Senator Whitmer, under her constitutional right of protest (Art. 4, Sec. 18), protested against the passage of Senate Bill No. 472 and moved that the statement she made during the discussion of the bill be printed as her reasons for voting “no.”

The motion prevailed.

Senator Whitmer’s statement is as follows:

As we take up Senate Bill No. 472, I think that it bears your attention to look at what the Senate Fiscal Agency said about this particular bill. It says that farmland and open space preservation sounds like a good idea. With any legislation that comes through this body, we should be asking ourselves two questions. No. 1, how does this help jobs in Michigan? No. 2, what does this do for education?

Now, I don’t see anything that says that this is a net job growth public policy, but I do see that it says this bill would reduce School Aid Fund revenues by an unknown amount. I cannot in good conscience vote for legislation that will continue to hurt our kids’ schools and the future of Michigan, and that, accordingly, is my “no” vote explanation.

The following bill was read a third time:

Senate Bill No. 393, entitled

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

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. 470**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: Hansen

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 64, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 5714 (MCL 600.5714), as amended by 2004 PA 105.

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. 471**Yeas—34**

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

Nays—3

Hood

Smith

Young

Excused—1

Johnson

Not Voting—0

In The Chair: Hansen

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 65, entitled

A bill to amend 1846 RS 66, entitled “Of estates in dower, by the curtesy, and general provisions concerning real estate,” by amending section 34 (MCL 554.134), as amended by 2004 PA 106.

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. 472**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: Hansen

The Senate agreed to the title of the bill.

The following bill was read a third time:

House Bill No. 4716, entitled

A bill to amend 1909 PA 279, entitled “The home rule city act,” by amending section 36a (MCL 117.36a), as amended by 2011 PA 36.

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. 473**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: Hansen

Senator Meekhof moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to provide for the incorporation of cities and for revising and amending their charters; to provide for certain powers and duties; to provide for the levy and collection of taxes by cities, borrowing of money, and issuance of bonds or other evidences of indebtedness; to validate actions taken, bonds issued, and obligations heretofore incurred; to prescribe penalties and provide remedies; and to repeal acts and parts of acts on specific dates.”.

The Senate agreed to the full title.

By unanimous consent the Senate proceeded to the order of

Resolutions

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

Senate Resolution No. 34

Senate Resolution No. 67

The motion prevailed.

Senate Concurrent Resolution No. 10.

A concurrent resolution to approve a certain designated open space land application for property in Midland County.

The question being on the adoption of the concurrent resolution,

The concurrent resolution was adopted, a majority of the members serving voting therefor.

Senate Resolution No. 57.

A resolution to memorialize the President and the United States Congress to support the continued and increased importation of oil derived from Canadian oil sands and to urge the United States Secretary of State to approve the TransCanada Keystone Coast Expansion pipeline project.

The question being on the adoption of the resolution,

The resolution was adopted.

Protest

Senator Young, under his constitutional right of protest (Art. 4, Sec. 18), protested against the adoption of Senate Resolution No. 57 and moved that the statement he made during the discussion of the resolution be printed as his reasons for voting “no.”

The motion prevailed.

Senator Young’s statement is as follows:

I would like to begin with a quote from George H.W. Bush: “Use power to help people. For we are given power not to advance our own purpose nor to make a great show in the world, nor a name. There is but one just use of power and it is to serve people.” I rise to offer my “no” vote explanation. This resolution which urges Congress and the President to approve construction of the Keystone XL oil pipeline is bad for Michigan and bad for the United States.

I am sure that the sponsor of this legislation will tell us that increasing access to Canadian oil sands will increase gas prices at the pump. After all, that is the corporate line being used to convince American consumers that this pipeline is a good deal. Unfortunately, the company’s own report shows that to be untrue. In documents filed by TransCanada Keystone Pipeline with the Canadian government, the company’s own market analysis explained that because of limited transportation options, the majority of Canadian-sent oil is currently re-routed to refineries here in the Midwest. This has created an oversupply and helps to drive down gas prices here in Michigan and throughout the Midwest.

TransCanada has indicated that by building the Keystone XL Pipeline expansion, it will be easier to deliver Canadian oil directly to Texas refineries and ultimately onto China, bypassing the Midwest market completely and lowering the supply of oil for those of us here in Michigan. The end result for Michigan drivers, according to the company, is an increase in the price of gas around 15 cents per gallon. I say again, if the Keystone XL Pipeline is built, the company freely admits it will raise the price of gas here in the Midwest by 15 cents per gallon.

I almost paid more than \$50 today for gas. I can’t take it. I don’t want another price increase on gasoline. We can’t have that. It is absurd. It is appalling.

If, however, my colleagues would rather ignore the cost increase to Michigan motorists, let’s look at the significant environmental costs this project has. Does it trouble the resolution sponsor that completed portions of the Keystone XL Pipeline have already had 12 major spills in recent years or that the pipeline crosses most of the major rivers in America’s breadbasket? Or how about the fact that the pipeline will be built on the Ogallala Aquifer which supplies 30 percent of the nation’s groundwater used for irrigation? What happens if this water supply gets contaminated? Are we willing to risk the health and safety of this country in order to satisfy the desires of a corporation?

In short, this resolution won’t create a single job in Michigan, will raise gas prices for Michigan drivers, and will create significant environmental risks for the nation’s water supply. Let’s stand and call it what it is—a raw deal for the people of Michigan. They deserve better than this.

Senator Pappageorge offered the following resolution:

Senate Resolution No. 76.

A resolution designating September 11-17, 2011, as Michigan Patriot Week.

Whereas, The Legislature recognizes that understanding American history and America’s First Principles are indispensable to the survival of our republic as a free people. In great reverence to the victims of the September 11, 2001, attacks, the Legislature acknowledges that American citizens must take time to honor the First Principles, founders, documents, and symbols of their history; and

Whereas, The events that led to the signing of *The Constitution of the United States of America* by the delegates of the Constitutional Convention on September 17, 1787, have significance for every American and are honored in public schools across the nation on September 17 of each year as Constitution Day; and

Whereas, Revolution, the rule of law, social compact, equality, unalienable rights, and limited government are the First Principles upon which America was founded and flourishes; and

Whereas, Exceptional, visionary, and indispensable Americans such as Thomas Paine, Patrick Henry, John Adams, John Marshall, George Washington, Abraham Lincoln, Frederick Douglass, Martin Luther King, Jr., Elizabeth Cady Stanton, Susan B. Anthony, Thomas Jefferson, and James Madison founded and advanced the United States; and

Whereas, The Declaration of Independence, the Constitution and the congressional resolution forwarding the Constitution to the states, *Marbury v Madison*, Seneca Falls Declaration of Sentiments and Resolutions, the Gettysburg Address, the Emancipation Proclamation, and the “I Have a Dream” speech are key documents that embody America’s First Principles and have advanced American liberty; and

Whereas, The Bennington Flag, the original Betsy Ross American flag, the current American Flag, the Suffragist Flag, the Fort Sumter Flag, the Gadsden Flag, and the flag of the state of Michigan are fundamental physical symbols of American history and freedom that should be studied and remembered by each American citizen; now, therefore, be it

Resolved by the Senate, That we hereby designate September 11-17, 2011, as Michigan Patriot Week, which symbolically begins on September 11 and concludes on September 17, Constitution Day. We recognize that each generation needs to renew the spirit of America based on America's First Principles, historical figures, founding documents, and symbols of America. The citizens, schools and other educational institutions, government agencies, municipalities, and nonprofit, religious, labor, community, and business organizations are urged to recognize and participate in Patriot Week by honoring and celebrating so that all may offer the reverence that is due to our free republic; and be it further

Resolved, That copies of this resolution be transmitted to the Michigan Council for Social Studies, Michigan Center for Civic Education, State Board of Education, Michigan public and nonpublic schools, State Bar of Michigan, Oakland County Bar Association, Oakland County Circuit Court, Senate Majority Leader Randy Richardville, Speaker of the House Jase Bolger, and Governor Rick Snyder.

Pending the order that, under rule 3.204, the resolution be referred to the Committee on Government Operations, Senator Meekhof moved that the rule be suspended.

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

The question being on the adoption of the resolution,

Senator Meekhof requested the yeas and nays.

The yeas and nays were ordered, 1/5 of the members present voting therefor.

The resolution was adopted, a majority of the members voting therefor, as follows:

Roll Call No. 474

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: Hansen

Senators Anderson, Bieda, Booher, Brandenburg, Casperson, Caswell, Colbeck, Emmons, Gleason, Green, Gregory, Hansen, Hildenbrand, Hood, Hopgood, Hune, Hunter, Jansen, Jones, Kahn, Kowall, Marleau, Meekhof, Moolenaar, Nofs, Pavlov, Proos, Richardville, Robertson, Rocca, Schuitmaker, Smith, Walker, Warren, Whitmer and Young were named co-sponsors of the resolution.

Introduction and Referral of Bills

Senator Gleason introduced

Senate Bill No. 585, entitled

A bill to amend 1966 PA 261, entitled "An act to provide for the apportionment of county boards of commissioners; to prescribe the size of the board; to provide for appeals; to prescribe the manner of election of the members of the county

board of commissioners; to provide for compensation of members; to prescribe penalties and provide remedies; and to repeal acts and parts of acts,” by amending section 3 (MCL 46.403).

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

Senator Gleason introduced

Senate Bill No. 586, entitled

A bill to amend 1954 PA 116, entitled “Michigan election law,” by amending sections 252, 254, 267, and 269 (MCL 168.252, 168.254, 168.267, and 168.269), section 254 as amended by 1999 PA 218 and section 269 as amended by 1990 PA 7.

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

Senator Gleason introduced

Senate Bill No. 587, entitled

A bill to amend 1909 PA 283, entitled “An act to revise, consolidate, and add to the laws relating to the establishment, opening, discontinuing, vacating, closing, altering, improvement, maintenance, and use of the public highways and private roads; the condemnation of property and gravel therefor; the building, repairing and preservation of bridges; maintaining public access to waterways under certain conditions; setting and protecting shade trees, drainage, and cutting weeds and brush within this state; providing for the election or appointment and defining the powers, duties, and compensation of state, county, township, and district highway officials; and to prescribe penalties and provide remedies,” by amending sections 6 and 8 of chapter IV (MCL 224.6 and 224.8), section 6 as amended by 2009 PA 39 and section 8 as amended by 1994 PA 320.

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

Senators Jones, Marleau, Warren, Schuitmaker, Proos, Caswell, Hopgood, Brandenburg and Nofs introduced

Senate Bill No. 588, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 41301 (MCL 324.41301), as amended by 2009 PA 51.

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

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

Senate Bill No. 589, entitled

A bill to designate February 4 of each year as Cancer Prevention Day in the state of Michigan.

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

Senator Gleason introduced

Senate Bill No. 590, entitled

A bill to require employers to provide unpaid leave for employees to attend academic activities of their children; to provide the conditions for granting the leave; and to prohibit discrimination against employees who request or use the leave.

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

Senator Green introduced

Senate Bill No. 591, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending sections 16333, 17705, 17707, 17711, 17721, and 17731 (MCL 333.16333, 333.17705, 333.17707, 333.17711, 333.17721, and 333.17731), section 16333 as added by 1993 PA 80, section 17705 as amended by 1986 PA 304, section 17707 as amended by 1990 PA 333, sections 17711 and 17721 as amended by 2006 PA 390, and section 17731 as amended by 1994 PA 234, and by adding sections 17735, 17736, and 17744.

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

Senators Bieda, Kowall, Gleason, Schuitmaker, Hood, Anderson, Young, Brandenburg, Rocca and Gregory introduced **Senate Bill No. 592, entitled**

A bill to amend 1909 PA 279, entitled "The home rule city act," (MCL 117.1 to 117.38) by adding section 4s.

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

Senators Jones, Schuitmaker, Hildenbrand, Colbeck, Pappageorge, Robertson, Marleau and Walker introduced **Senate Bill No. 593, entitled**

A bill to amend 1980 PA 300, entitled "The public school employees retirement act of 1979," by amending sections 8, 25, 26, 34, 41b, 43a, 81, 81c, 86, 87, 91, and 124 (MCL 38.1308, 38.1325, 38.1326, 38.1334, 38.1341b, 38.1343a, 38.1381, 38.1381c, 38.1386, 38.1387, 38.1391, and 38.1424), section 8 as amended by 1997 PA 143, sections 25, 26, 81, 86, 87, and 91 as amended and sections 41b, 81c, and 124 as added by 2010 PA 75, section 34 as amended by 2002 PA 94, and section 43a as amended by 2007 PA 111, and by adding sections 41c, 92b, 110, 111, 112, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 165a, 166, and 167.

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

Senators Walker, Booher and Proos introduced

Senate Bill No. 594, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 603 (MCL 436.1603), as amended by 2010 PA 213.

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

Senators Kahn, Pappageorge and Richardville introduced

Senate Bill No. 595, entitled

A bill to establish a basic health program; to create a basic health program trust fund; to provide for the powers and duties of certain state and local governmental officers and entities; to allow for the promulgation of rules; and to promote the availability and affordability of health coverage in this state.

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

Senators Kahn, Pappageorge, Jones, Schuitmaker, Colbeck, Gleason and Emmons introduced

Senate Bill No. 596, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending sections 520d and 520e (MCL 750.520d and 750.520e), as amended by 2007 PA 163.

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

Senators Kahn, Pappageorge, Jones, Schuitmaker, Colbeck and Gleason introduced

Senate Bill No. 597, entitled

A bill to amend 1966 PA 189, entitled "An act to provide procedures for making complaints for, obtaining, executing and returning search warrants; and to repeal certain acts and parts of acts," by amending section 2a (MCL 780.652a), as added by 1996 PA 186.

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

Senators Kahn, Pappageorge, Proos, Schuitmaker and Emmons introduced

Senate Bill No. 598, entitled

A bill to create the office of medicaid inspector general; to prescribe the manner of appointment and qualifications of the medicaid inspector general; to prescribe the powers, functions, and duties of the office of medicaid inspector general; to transfer and assign staff and other resources to the office of medicaid inspector general; to allow for appointment of deputies, assistants, and other officers and employees as may be needed to perform the duties and responsibilities of the office of medicaid inspector general; to allow for the office of medicaid inspector general to enter into contracts; to provide access to information pertaining to the responsibilities of the medicaid inspector general; to authorize investigation into the administration of programs and operations of the Michigan medicaid system; to authorize the medicaid inspector general to review and approve contracts, policies, and procedures pertaining to medicaid; and to mandate assistance and cooperation from state and local entities and to prescribe the powers and duties of certain state departments and agencies.

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

Senators Kahn, Pappageorge, Proos, Schuitmaker and Emmons introduced

Senate Bill No. 599, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," (MCL 400.1 to 400.119b) by adding sections 104, 104a, 104b, 104c, and 104d.

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

Senators Colbeck, Caswell, Robertson, Hildenbrand, Jones, Pappageorge, Nofs, Proos, Schuitmaker, Marleau, Brandenburg, Green, Hansen, Booher and Emmons introduced

Senate Bill No. 600, entitled

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

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

Senators Kowall, Hansen and Emmons introduced

Senate Bill No. 601, entitled

A bill to amend 1972 PA 239, entitled "McCauley-Traxler-Law-Bowman-McNeely lottery act," by amending the title and sections 11 and 18 (MCL 432.11 and 432.18), the title as amended by 1996 PA 95 and sections 11 and 18 as amended by 2004 PA 383, and by adding section 45.

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

Senators Kowall and Bieda introduced

Senate Bill No. 602, 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," (MCL 722.111 to 722.128) by adding section 9b.

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

Senators Kowall and Bieda introduced

Senate Bill No. 603, 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 and by adding section 3j.

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

Senators Young and Bieda introduced

Senate Bill No. 604, entitled

A bill to amend 1999 PA 276, entitled "Banking code of 1999," (MCL 487.11101 to 487.15105) by adding section 4103a.

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

Senators Bieda and Young introduced

Senate Bill No. 605, entitled

A bill to amend 1980 PA 307, entitled "Savings and loan act of 1980," (MCL 491.102 to 491.1202) by adding section 629.

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

Senators Hood, Young, Gregory, Johnson, Smith, Hopgood, Gleason, Whitmer, Bieda and Warren introduced

Senate Bill No. 606, entitled

A bill to prohibit discrimination against unemployed individuals in advertisements for employment; and to provide for civil fines.

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

Senators Hood, Young, Johnson, Anderson, Smith, Hopgood, Gleason, Whitmer and Bieda introduced
Senate Bill No. 607, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 321a (MCL 257.321a), as amended by 2004 PA 362.

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

Senators Hood, Young, Gregory, Johnson, Smith, Hopgood, Gleason, Whitmer and Warren introduced
Senate Bill No. 608, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1705. The bill was read a first and second time by title and referred to the Committee on Transportation.

Senators Caswell, Pappageorge and Proos introduced

Senate Bill No. 609, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 2212c.

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

Senators Caswell, Pappageorge and Proos introduced

Senate Bill No. 610, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 16285. The bill was read a first and second time by title and referred to the Committee on Health Policy.

Senators Caswell, Pappageorge, Walker, Proos, Schuitmaker, Green, Booher, Emmons and Casperson introduced

Senate Bill No. 611, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending section 109 (MCL 400.109), as amended by 2011 PA 53.

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

Senators Jansen, Schuitmaker, Robertson, Green, Brandenburg, Colbeck, Caswell, Hildenbrand and Emmons introduced
Senate Bill No. 612, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 3407c.

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

Senators Jansen, Schuitmaker, Robertson, Green, Brandenburg, Colbeck, Caswell, Hildenbrand and Emmons introduced
Senate Bill No. 613, entitled

A bill to amend 1980 PA 350, entitled "The nonprofit health care corporation reform act," (MCL 550.1101 to 550.1704) by adding section 402d.

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

Senators Jansen, Schuitmaker, Robertson, Brandenburg, Colbeck, Caswell, Hildenbrand and Emmons introduced

Senate Bill No. 614, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding sections 16240 and 20195.

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

Senators Schuitmaker, Nofs, Walker, Hildenbrand, Emmons, Hune, Smith, Gleason, Anderson, Gregory, Hood, Warren, Hopgood, Proos, Green, Brandenburg, Hansen and Casperson introduced

Senate Bill No. 615, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 43534 (MCL 324.43534), as amended by 1999 PA 233.

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

Senator Schuitmaker introduced

Senate Bill No. 616, entitled

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

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

Senator Casperson introduced

Senate Bill No. 617, entitled

A bill to amend 1967 PA 168, entitled "An act to authorize the state administrative board to convey certain lands and to cede a certain water area in Alger county to the United States of America for use by the national park service; and to declare the effect thereof," by amending sections 1 and 4 (MCL 3.451 and 3.454) and by adding sections 4a, 4b, and 4c.

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

Senator Pavlov introduced

Senate Bill No. 618, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 501, 502, 502a, 503, 504, 505, 507, 522, 523, 524, 528, 551, 552, 553, 553a, 556, 559, 561, and 1231 (MCL 380.501, 380.502, 380.502a, 380.503, 380.504, 380.505, 380.507, 380.522, 380.523, 380.524, 380.528, 380.551, 380.552, 380.553, 380.553a, 380.556, 380.559, 380.561, and 380.1231), section 501 as amended and section 528 as added by 2003 PA 179, sections 502, 503, 504, 507, 522, 523, and 524 as amended and sections 502a, 551, 552, 553, 553a, 556, 559, and 561 as added by 2009 PA 205, section 505 as amended by 1994 PA 416, and section 1231 as amended by 2002 PA 735, and by adding section 1231a; and to repeal acts and parts of acts.

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

Senator Colbeck introduced

Senate Bill No. 619, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 552 (MCL 380.552), as added by 2009 PA 205.

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

Senator Robertson introduced

Senate Bill No. 620, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 3 and 5 (MCL 380.3 and 380.5), section 3 as amended by 2007 PA 45 and section 5 as amended by 2009 PA 205, and by adding part 6d.

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

Senator Hansen introduced

Senate Bill No. 621, entitled

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

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

Senator Emmons introduced

Senate Bill No. 622, entitled

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

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

Senator Emmons introduced

Senate Bill No. 623, entitled

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

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

Senator Pavlov introduced

Senate Bill No. 624, entitled

A bill to amend 1979 PA 94, entitled “The state school aid act of 1979,” by amending sections 6 and 105 (MCL 388.1606 and 388.1705), section 6 as amended by 2011 PA 62 and section 105 as amended by 2008 PA 268; and to repeal acts and parts of acts.

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

House Bill No. 4005, entitled

A bill to amend 1954 PA 116, entitled “Michigan election law,” by amending sections 302 and 644g (MCL 168.302 and 168.644g), section 302 as amended by 2005 PA 71 and section 644g as amended by 2004 PA 293, and by adding section 642c.

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 Local Government and Elections.

House Bill No. 4006, entitled

A bill to amend 1976 PA 451, entitled “The revised school code,” by amending sections 4, 5, and 614 (MCL 380.4, 380.5, and 380.614), section 4 as amended by 2008 PA 1, section 5 as amended by 2009 PA 205, and section 614 as amended by 2004 PA 419.

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 Local Government and Elections.

House Bill No. 4458, entitled

A bill to amend 1978 PA 566, entitled “An act to encourage the faithful performance of official duties by certain public officers and public employees; to prescribe standards of conduct for certain public officers and public employees; to prohibit the holding of incompatible public offices; and to provide certain judicial remedies,” by amending section 3 (MCL 15.183), as amended by 2011 PA 122.

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 Local Government and Elections.

By unanimous consent the Senate returned to the order of

Messages from the House

Senator Meekhof moved that rule 3.202 be suspended to permit immediate consideration of the following bill:

Senate Bill No. 347

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

Senate Bill No. 347, entitled

A bill to amend 1937 PA 94, entitled “An act to provide for the levy, assessment, and collection of a specific excise tax on the storage, use, or consumption in this state of tangible personal property and certain services; to appropriate the proceeds of that tax; to prescribe penalties; and to make appropriations,” by amending section 3f (MCL 205.93f), as added by 2008 PA 440.

The House of Representatives has substituted (H-1) the bill.

The House of Representatives has passed the bill as substituted (H-1).

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. 475

Yeas—28

Booher
Casperson
Caswell
Emmons

Hansen
Hildenbrand
Hood
Hopgood

Kowall
Marleau
Meekhof
Moolenaar

Richardville
Robertson
Smith
Walker

Gleason
Green
Gregory

Hunter
Jansen
Kahn

Pappageorge
Pavlov
Proos

Warren
Whitmer
Young

Nays—9

Anderson
Bieda
Brandenburg

Colbeck
Hune

Jones
Nofs

Rocca
Schuitmaker

Excused—1

Johnson

Not Voting—0

In The Chair: Hansen

The bill was referred to the Secretary for enrollment printing and presentation to the Governor.

Committee Reports

The Committee on Judiciary reported

Senate Bill No. 525, 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 section 51 (MCL 28.4251), as amended by 2008 PA 406.

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: None

The bill was referred to the Committee of the Whole.

The Committee on Judiciary reported

Senate Bill No. 535, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 1j of chapter IX (MCL 769.1j), as amended by 2008 PA 547.

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: None

The bill was referred to the Committee of the Whole.

The Committee on Judiciary reported

Senate Bill No. 536, entitled

A bill to amend 1989 PA 196, entitled "An act to abolish the criminal assessments commission; to prescribe certain duties of the crime victim services commission; to create the crime victim's rights fund; to provide for expenditures from the fund; to provide for assessments against criminal defendants and certain juvenile offenders; to provide for payment of crime victim's rights services; and to prescribe the powers and duties of certain state and local agencies and departments," by amending sections 1 and 5 (MCL 780.901 and 780.905), section 1 as amended by 2008 PA 396 and section 5 as amended by 2010 PA 281.

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: 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. 537, entitled

A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending sections 18 and 18m of chapter XIA (MCL 712A.18 and 712A.18m), section 18 as amended by 2004 PA 475 and section 18m as amended by 2008 PA 543.

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: None

The bill was referred to the Committee of the Whole.

The Committee on Judiciary reported

Senate Bill No. 538, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 8381 (MCL 600.8381), as amended by 2003 PA 96.

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: None

The bill was referred to the Committee of the Whole.

The Committee on Judiciary reported

House Bill No. 4349, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 7524 (MCL 333.7524), as amended by 2006 PA 558.

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.

COMMITTEE ATTENDANCE REPORT

The Committee on Judiciary submitted the following:

Meeting held on Wednesday, August 24, 2011, at 8:30 a.m., Room 110, Farnum Building

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

COMMITTEE ATTENDANCE REPORT

The Committee on Education submitted the following:

Meeting held on Wednesday, August 24, 2011, at 12:00 noon, Senate Hearing Room, Ground Floor, Boji Tower

Present: Senators Pavlov (C), Emmons, Colbeck, Hopgood and Young

COMMITTEE ATTENDANCE REPORT

The Committee on Reforms, Restructuring and Reinventing submitted the following:

Meeting held on Thursday, August 25, 2011, at 1:00 p.m., Wyoming City Hall, 1155 28th Street S.W., Wyoming

Present: Senators Jansen (C) and Robertson

Excused: Senators Colbeck, Casperson, Kowall, Young and Warren

Scheduled Meetings

Administrative Rules - Thursday, September 15, 9:00 a.m., Room 426, Capitol Building (373-5773)

Appropriations -**Subcommittees -**

Agriculture and Rural Development and Department of Natural Resources - Tuesday, September 13, 3:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower (373-2768)

K-12, School Aid, Education and House School Aid Appropriations Subcommittee - Thursday, September 15, and Tuesday, September 20, 8:00 a.m., House Appropriations Room, 3rd Floor, Capitol Building (373-2768)

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

Outdoor Recreation and Tourism - Thursday, September 8, 12:30 p.m., Room 210, Farnum Building (373-5323)

Senate Fiscal Agency Board of Governors - Thursday, September 8, 9:00 a.m., Senate Majority Leader's Conference Room, Room S-101, Capitol Building (373-2768)

Senator Meekhof moved that the Senate adjourn.

The motion prevailed, the time being 11:47 a.m.

The Assistant President pro tempore, Senator Hansen, declared the Senate adjourned until Thursday, September 8, 2011, at 10:00 a.m.