

No. 73
STATE OF MICHIGAN
Journal of the Senate
96th Legislature
REGULAR SESSION OF 2011

Senate Chamber, Lansing, Wednesday, September 28, 2011.

10:00 a.m.

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

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

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

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

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

Reverend Larry Kiser of Gracespring Bible Church of Richland offered the following invocation:

Our gracious Heavenly Father, our nation needs help, and You are our ultimate source of help. You and You alone are the source of all good and wonderful things. You have called us to serve You and one another, and You have created us to love You and love one another. You have called us to be ambassadors of truth and agents of righteousness in this land.

I thank you for these women and men who are Your ministers of justice and truth. You have ordained in Your word that governments are to restrict the lawbreaker, to restrain evil and injustice, and then, Father, to protect the rights, property, and lives of the innocent.

Regardless of the difference in age, race, gender, or political affiliation, may each Senator here today see themselves as one body, under God, dedicated to liberty and justice for all. We thank You for the wonderful blessing of representative government and the freedom we have.

Father, I pray that You would, in the name of Jesus Christ, bring a blessing on this body today. Amen.

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

Motions and Communications

Senators Emmons and Young entered the Senate Chamber.

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

The following communications were received and read:

Office of the Senate Majority Leader

September 26, 2011

Pursuant to PA 102 of 2011, I am making the following appointment to the Governor's Council on Educator Effectiveness:

Mr. David P. Vensel, 13634 Shadylane, Monore, Michigan 48161

If you have any questions, please feel free to contact Michael Parr in my office at 517-373-3543.

September 26, 2011

Pursuant to Public Act 409 of 1998, I am making the following appointment to the Michigan Freedom Trail Commission:

Mrs. Rochelle Danquah of 29275 Geraldine Court, Farmington Hills, Michigan 48336, county of Oakland, for a term commencing August 11, 2011 and expiring December 31, 2014.

If you have any questions, please feel free to contact Michael Parr in my office at 517-373-3543.

Respectfully,
Randy Richardville
Senate Majority Leader

The communications were referred to the Secretary for record.

Senator Meekhof moved that the rules be suspended and that the following bills, now on Committee Reports, be placed on the General Orders calendar for consideration today:

House Bill No. 4915

House Bill No. 4110

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

Senator Meekhof moved that rule 2.106 be suspended to allow committees to meet during Senate session.

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

The Secretary announced that the following House bill was received in the Senate and filed on Tuesday, September 27:

House Bill No. 4843

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

Enrolled Senate Bill No. 77 at 11:43 a.m.

Enrolled Senate Bill No. 331 at 11:45 a.m.

Enrolled Senate Bill No. 584 at 11:47 a.m.

The Secretary announced that the following official bills were printed on Tuesday, September 27, and are available at the legislative website:

Senate Bill Nos. 694 695 696 697 698 699 700 701 702 703 704

Senator Meekhof moved that when the Senate adjourns today, it stands adjourned until Tuesday, October 4, at 10:00 a.m. The motion prevailed.

Recess

Senator Meekhof moved that the Senate recess subject to the call of the Chair. The motion prevailed, the time being 10:05 a.m.

11:11 a.m.

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

During the recess, Senators Green, Marleau and Jansen entered the Senate Chamber.

By unanimous consent the Senate proceeded to the order of

Introduction and Referral of Bills

Senator Hunter introduced

Senate Bill No. 705, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 3150 and 3280 (MCL 600.3150 and 600.3280).

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

Senator Gregory introduced

Senate Bill No. 706, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 2007a.

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

Senator Schuitmaker introduced

Senate Bill No. 707, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 1852 (MCL 600.1852) and by adding chapter 22.

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

Senator Jansen introduced

Senate Bill No. 708, entitled

A bill to amend 1969 PA 317, entitled "Worker's disability compensation act of 1969," by amending sections 301, 315, 331, 353, 354, 360, 361, and 801 (MCL 418.301, 418.315, 418.331, 418.353, 418.354, 418.360, 418.361, and 418.801), sections 301 and 354 as amended by 1987 PA 28, section 315 as amended by 2009 PA 226, sections 331 and 801 as

amended by 1994 PA 271, and section 361 as amended by 1985 PA 103, and by adding section 306; 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 Reforms, Restructuring and Reinventing.

Senator Emmons introduced

Senate Bill No. 709, entitled

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

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

Senator Emmons introduced

Senate Bill No. 710, entitled

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

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

Senators Moolenaar, Green, Hildenbrand, Schuitmaker, Proos, Emmons, Gleason, Rocca, Kahn and Pappageorge introduced

Senate Bill No. 711, entitled

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

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

Senators Green, Moolenaar, Hildenbrand, Schuitmaker, Proos, Gleason, Kahn and Pappageorge introduced

Senate Bill No. 712, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," (MCL 400.1 to 400.119b) by adding sections 10c and 57v.

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. 4843, entitled

A bill to amend 2001 PA 142, entitled "Michigan memorial highway act," (MCL 250.1001 to 250.2080) by adding section 70.

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

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

By unanimous consent the Senate returned to the order of

Messages from the Governor

The following message from the Governor was received:

Date: September 24, 2011

Time: 9:44 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 7 (Public Act No. 152), being

An act to limit a public employer's expenditures for employee medical benefit plans; to provide the power and duties of certain state agencies and officials; to provide for exceptions; and to provide for sanctions.

(Filed with the Secretary of State on September 27, 2011, at 9:37 a.m.)

Respectfully,
Rick Snyder
Governor

The following messages from the Governor were received and read:

August 29, 2011

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

Michigan Commission on Services to the Aging

Shannon K. English of 14638 Wigwam Lane, Big Rapids, Michigan 49307, county of Mecosta, representing Republicans, succeeding Mary P. Gardner, is appointed for a term expiring July 28, 2014.

Kristie E. Zamora of 521 Commonwealth Avenue, Flint, Michigan 48503, county of Genesee, representing Independents, succeeding Cheryl Bollinger, is appointed for a term expiring July 28, 2014.

Harold J. Mast of 4914 Curwood, S.E., Kentwood, Michigan 49508, county of Kent, representing Republicans, succeeding Valerie Lafferty, is appointed for a term expiring July 28, 2014.

Jeffery R. Schade of 5503 Pondview Drive, Midland, Michigan 48640, county of Midland, representing Republicans, succeeding Thomas G. Rau, is appointed for a term expiring July 28, 2014.

Gerald L. Irby of 331 Mesnard Street, Marquette, Michigan 49855, county of Marquette, representing Republicans, succeeding Joan Budden, is appointed for a term expiring July 28, 2014.

September 7, 2011

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

Michigan Long-Term Care Supports and Services Advisory Committee

Karen J. Messick of 4599 Lantern Court, N.W., Comstock Park, Michigan 49321, county of Kent, representing providers of Medicaid-funded long-term care supports and services, is appointed for a term expiring December 31, 2014.

Catherine F. Ramaker of 2307 Longfellow Lane, Midland, Michigan 48640, county of Midland, representing primary or secondary consumers of long-term care supports and services, is appointed for a term expiring December 31, 2014.

Sincerely,
Rick Snyder
Governor

The appointments were referred to the Committee on Government Operations.

By unanimous consent the Senate proceeded to the order of

General Orders

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

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

After some time spent therein, the Committee arose; and the President, Lieutenant Governor Calley, having resumed the Chair, the Committee reported back to the Senate, favorably and without amendment, the following bill:

House Bill No. 4915, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 5522 (MCL 324.5522), as amended by 2007 PA 75.

The bill 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. 4915

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. 650

Senate Bill No. 654

Senate Bill No. 655

Senate Bill No. 660

Senate Bill No. 669

Senate Bill No. 670

Senate Bill No. 671

Senate Bill No. 672
Senate Bill No. 674
Senate Bill No. 677
Senate Bill No. 679
Senate Bill No. 680
House Bill No. 4946
House Bill No. 4951
House Bill No. 4952
House Bill No. 4953
House Bill No. 4954
House Bill No. 4955
House Bill No. 4956
House Bill No. 4957
House Bill No. 4958
House Bill No. 4964
House Bill No. 4966
House Bill No. 4967
House Bill No. 4968
House Bill No. 4915

The motion prevailed.

The following bill was read a third time:

Senate Bill No. 650, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 653 (MCL 206.653), as added by 2011 PA 38.

The question being on the passage of the bill,

Senator Johnson offered the following amendment:

1. Amend page 2, following line 11, by inserting:

"Enacting section 2. The Michigan business tax act, 2007 PA 36, MCL 208.1101 to 208.1601, is repealed."

The amendment was not adopted, a majority of the members serving not voting therefor.

Senator Hunter requested the yeas and nays.

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

The amendment was not adopted, a majority of the members serving not voting therefor, as follows:

Roll Call No. 507

Yeas—12

Anderson	Gregory	Hunter	Warren
Bieda	Hood	Johnson	Whitmer
Gleason	Hopgood	Smith	Young

Nays—26

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

Excused—0

Not Voting—0

In The Chair: President

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. 508**Yeas—26**

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

Nays—12

Anderson	Gregory	Hunter	Warren
Bieda	Hood	Johnson	Whitmer
Gleason	Hopgood	Smith	Young

Excused—0**Not Voting—0**

In The Chair: President

The Senate agreed to the title of the bill.

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

The motion prevailed.

Senator Johnson's statement is as follows:

I rise today to offer an amendment that gives this chamber the opportunity to turn fiction into fact. I have heard many of my colleagues here congratulate themselves in recent months for supposedly killing the Michigan business tax earlier this year. I hate to be the bearer of bad news, but, Mr. President, we never actually did that. None of these tax changes—not the ones passed earlier this year or the ones we are discussing today—actually eliminate the MBT. Rather, they specifically allow for it to continue existing for decades to come. My amendment is very simple, Mr. President. It would immediately eliminate the MBT; not revamp it, not phase it out, but simply eliminate it.

The MBT was created in the past in a bipartisan fashion as a replacement to the single business tax. But it quickly became one of the biggest scapegoats for Michigan's economic woes. In fact, over time, the terms "job killing" and "MBT" have become almost as entwined as peanut butter and jelly. If it is true that the MBT is killing jobs, then why don't we kill it now? If we agree that the MBT needs to be replaced to help Michigan business owners, why does your tax package allow it to continue for two decades or more? Benjamin Franklin once said that the only things certain in life are death and taxes. Unfortunately, even after the MBT's supposed death earlier this year, this tax, in fact, lives on.

I am offering you the opportunity to end the MBT once and for all, right here, right now. All you have to do is vote "yes" on this amendment.

The following bill was read a third time:

Senate Bill No. 654, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 685 (MCL 206.685), as added by 2011 PA 38.

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. 509

Yeas—26

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

Nays—12

Anderson	Gregory	Hunter	Warren
Bieda	Hood	Johnson	Whitmer
Gleason	Hopgood	Smith	Young

Excused—0

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 655, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 671 (MCL 206.671), as added by 2011 PA 38.

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. 510

Yeas—26

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

Nays—12

Anderson	Gregory	Hunter	Warren
Bieda	Hood	Johnson	Whitmer
Gleason	Hopgood	Smith	Young

Excused—0

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 660, entitled

A bill to amend 1967 PA 281, entitled “Income tax act of 1967,” by amending section 681 (MCL 206.681), as added by 2011 PA 38.

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. 511

Yeas—26

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

Nays—12

Anderson	Gregory	Hunter	Warren
Bieda	Hood	Johnson	Whitmer
Gleason	Hopgood	Smith	Young

Excused—0

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 669, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 621 (MCL 206.621), as added by 2011 PA 38.

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. 512

Yeas—26

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

Nays—12

Anderson	Gregory	Hunter	Warren
Bieda	Hood	Johnson	Whitmer
Gleason	Hopgood	Smith	Young

Excused—0

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 670, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 703 (MCL 206.703), as added by 2011 PA 38.

The question being on the passage of the bill,

Senator Meekhof moved that further consideration of the bill be postponed temporarily.

The motion prevailed.

The following bill was read a third time:

Senate Bill No. 671, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 667 (MCL 206.667), as added by 2011 PA 38.

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. 513

Yeas—26

Booher	Hansen	Marleau	Proos
Brandenburg	Hildenbrand	Meekhof	Richardville
Casperson	Hune	Moolenaar	Robertson

Caswell	Jansen	Nofs	Rocca
Colbeck	Jones	Pappageorge	Schuitmaker
Emmons	Kahn	Pavlov	Walker
Green	Kowall		

Nays—12

Anderson	Gregory	Hunter	Warren
Bieda	Hood	Johnson	Whitmer
Gleason	Hopgood	Smith	Young

Excused—0**Not Voting—0**

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 672, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 683 (MCL 206.683), as added by 2011 PA 38.

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. 514**Yeas—26**

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

Nays—12

Anderson	Gregory	Hunter	Warren
Bieda	Hood	Johnson	Whitmer
Gleason	Hopgood	Smith	Young

Excused—0**Not Voting—0**

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 674, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 661 (MCL 206.661), as added by 2011 PA 38.

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. 515

Yeas—26

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

Nays—12

Anderson	Gregory	Hunter	Warren
Bieda	Hood	Johnson	Whitmer
Gleason	Hopgood	Smith	Young

Excused—0

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 677, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 705 (MCL 206.705), as added by 2011 PA 38.

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. 516

Yeas—26

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

Nays—12

Anderson	Gregory	Hunter	Warren
Bieda	Hood	Johnson	Whitmer
Gleason	Hopgood	Smith	Young

Excused—0**Not Voting—0**

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 679, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 711 (MCL 206.711), as added by 2011 PA 38.

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. 517**Yeas—26**

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

Nays—12

Anderson	Gregory	Hunter	Warren
Bieda	Hood	Johnson	Whitmer
Gleason	Hopgood	Smith	Young

Excused—0**Not Voting—0**

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 680, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 701 (MCL 206.701), as added by 2011 PA 38.

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. 518

Yeas—26

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

Nays—12

Anderson	Gregory	Hunter	Warren
Bieda	Hood	Johnson	Whitmer
Gleason	Hopgood	Smith	Young

Excused—0

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

House Bill No. 4946, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 611 (MCL 206.611), as added by 2011 PA 38.

The question being on the passage of the bill,

Senator Meekhof moved that further consideration of the bill be postponed temporarily.

The motion prevailed.

The following bill was read a third time:

House Bill No. 4951, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 651 (MCL 206.651), as added by 2011 PA 38.

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. 519**Yeas—26**

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

Nays—12

Anderson	Gregory	Hunter	Warren
Bieda	Hood	Johnson	Whitmer
Gleason	Hopgood	Smith	Young

Excused—0**Not Voting—0**

In The Chair: President

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 meet deficiencies in state funds by providing for the imposition, levy, computation, collection, assessment, and enforcement by lien and otherwise of taxes on or measured by net income; to prescribe the manner and time of making reports and paying the taxes, and the functions of public officers and others as to the taxes; to permit the inspection of the records of taxpayers; to provide for interest and penalties on unpaid taxes; to provide exemptions, credits and refunds of the taxes; to prescribe penalties for the violation of this act; to provide an appropriation; and to repeal certain acts and parts of acts.”.

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 4952, entitled

A bill to amend 1967 PA 281, entitled “Income tax act of 1967,” by amending section 510 (MCL 206.510), as amended by 2011 PA 38.

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. 520**Yeas—26**

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

Nays—12

Anderson	Gregory	Hunter	Warren
Bieda	Hood	Johnson	Whitmer
Gleason	Hopgood	Smith	Young

Excused—0**Not Voting—0**

In The Chair: President

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 meet deficiencies in state funds by providing for the imposition, levy, computation, collection, assessment, and enforcement by lien and otherwise of taxes on or measured by net income; to prescribe the manner and time of making reports and paying the taxes, and the functions of public officers and others as to the taxes; to permit the inspection of the records of taxpayers; to provide for interest and penalties on unpaid taxes; to provide exemptions, credits and refunds of the taxes; to prescribe penalties for the violation of this act; to provide an appropriation; and to repeal certain acts and parts of acts.”.

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 4953, entitled

A bill to amend 1967 PA 281, entitled “Income tax act of 1967,” by amending section 603 (MCL 206.603), as added by 2011 PA 38.

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. 521**Yeas—26**

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

Nays—12

Anderson	Gregory	Hunter	Warren
Bieda	Hood	Johnson	Whitmer
Gleason	Hopgood	Smith	Young

Excused—0

Not Voting—0

In The Chair: President

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 meet deficiencies in state funds by providing for the imposition, levy, computation, collection, assessment, and enforcement by lien and otherwise of taxes on or measured by net income; to prescribe the manner and time of making reports and paying the taxes, and the functions of public officers and others as to the taxes; to permit the inspection of the records of taxpayers; to provide for interest and penalties on unpaid taxes; to provide exemptions, credits and refunds of the taxes; to prescribe penalties for the violation of this act; to provide an appropriation; and to repeal certain acts and parts of acts.”

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 4954, entitled

A bill to amend 1967 PA 281, entitled “Income tax act of 1967,” by amending section 251 (MCL 206.251), as amended by 2011 PA 38.

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. 522**Yeas—26**

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

Nays—12

Anderson	Gregory	Hunter	Warren
Bieda	Hood	Johnson	Whitmer
Gleason	Hopgood	Smith	Young

Excused—0**Not Voting—0**

In The Chair: President

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 meet deficiencies in state funds by providing for the imposition, levy, computation, collection, assessment, and enforcement by lien and otherwise of taxes on or measured by net income; to prescribe the manner and time of making reports and paying the taxes, and the functions of public officers and others as to the taxes; to permit the inspection of

the records of taxpayers; to provide for interest and penalties on unpaid taxes; to provide exemptions, credits and refunds of the taxes; to prescribe penalties for the violation of this act; to provide an appropriation; and to repeal certain acts and parts of acts.”

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 4955, entitled

A bill to amend 1967 PA 281, entitled “Income tax act of 1967,” by amending section 625 (MCL 206.625), as added by 2011 PA 38.

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. 523

Yeas—26

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

Nays—12

Anderson	Gregory	Hunter	Warren
Bieda	Hood	Johnson	Whitmer
Gleason	Hopgood	Smith	Young

Excused—0

Not Voting—0

In The Chair: President

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 meet deficiencies in state funds by providing for the imposition, levy, computation, collection, assessment, and enforcement by lien and otherwise of taxes on or measured by net income; to prescribe the manner and time of making reports and paying the taxes, and the functions of public officers and others as to the taxes; to permit the inspection of the records of taxpayers; to provide for interest and penalties on unpaid taxes; to provide exemptions, credits and refunds of the taxes; to prescribe penalties for the violation of this act; to provide an appropriation; and to repeal certain acts and parts of acts.”

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 4956, entitled

A bill to amend 1967 PA 281, entitled “Income tax act of 1967,” by amending section 609 (MCL 206.609), as added by 2011 PA 38.

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. 524**Yeas—26**

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

Nays—12

Anderson	Gregory	Hunter	Warren
Bieda	Hood	Johnson	Whitmer
Gleason	Hopgood	Smith	Young

Excused—0**Not Voting—0**

In The Chair: President

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 meet deficiencies in state funds by providing for the imposition, levy, computation, collection, assessment, and enforcement by lien and otherwise of taxes on or measured by net income; to prescribe the manner and time of making reports and paying the taxes, and the functions of public officers and others as to the taxes; to permit the inspection of the records of taxpayers; to provide for interest and penalties on unpaid taxes; to provide exemptions, credits and refunds of the taxes; to prescribe penalties for the violation of this act; to provide an appropriation; and to repeal certain acts and parts of acts.”.

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 4957, entitled

A bill to amend 1967 PA 281, entitled “Income tax act of 1967,” by amending section 508 (MCL 206.508), as amended by 2011 PA 38.

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. 525**Yeas—26**

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

Nays—12

Anderson	Gregory	Hunter	Warren
Bieda	Hood	Johnson	Whitmer
Gleason	Hopgood	Smith	Young

Excused—0**Not Voting—0**

In The Chair: President

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 meet deficiencies in state funds by providing for the imposition, levy, computation, collection, assessment, and enforcement by lien and otherwise of taxes on or measured by net income; to prescribe the manner and time of making reports and paying the taxes, and the functions of public officers and others as to the taxes; to permit the inspection of the records of taxpayers; to provide for interest and penalties on unpaid taxes; to provide exemptions, credits and refunds of the taxes; to prescribe penalties for the violation of this act; to provide an appropriation; and to repeal certain acts and parts of acts.”.

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 4958, entitled

A bill to amend 1967 PA 281, entitled “Income tax act of 1967,” by amending section 115 (MCL 206.115), as amended by 2011 PA 38.

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. 526**Yeas—26**

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

Nays—12

Anderson	Gregory	Hunter	Warren
Bieda	Hood	Johnson	Whitmer
Gleason	Hopgood	Smith	Young

Excused—0

Not Voting—0

In The Chair: President

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 meet deficiencies in state funds by providing for the imposition, levy, computation, collection, assessment, and enforcement by lien and otherwise of taxes on or measured by net income; to prescribe the manner and time of making reports and paying the taxes, and the functions of public officers and others as to the taxes; to permit the inspection of the records of taxpayers; to provide for interest and penalties on unpaid taxes; to provide exemptions, credits and refunds of the taxes; to prescribe penalties for the violation of this act; to provide an appropriation; and to repeal certain acts and parts of acts.”

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 4964, entitled

A bill to amend 1967 PA 281, entitled “Income tax act of 1967,” by amending section 605 (MCL 206.605), as added by 2011 PA 38.

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. 527**Yeas—26**

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

Nays—12

Anderson	Gregory	Hunter	Warren
Bieda	Hood	Johnson	Whitmer
Gleason	Hopgood	Smith	Young

Excused—0**Not Voting—0**

In The Chair: President

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 meet deficiencies in state funds by providing for the imposition, levy, computation, collection, assessment, and enforcement by lien and otherwise of taxes on or measured by net income; to prescribe the manner and time of making reports and paying the taxes, and the functions of public officers and others as to the taxes; to permit the inspection of

the records of taxpayers; to provide for interest and penalties on unpaid taxes; to provide exemptions, credits and refunds of the taxes; to prescribe penalties for the violation of this act; to provide an appropriation; and to repeal certain acts and parts of acts.”.

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 4966, entitled

A bill to amend 1967 PA 281, entitled “Income tax act of 1967,” by amending section 522 (MCL 206.522), as amended by 2011 PA 38.

The question being on the passage of the bill,

Senator Meekhof moved that further consideration of the bill be postponed temporarily.

The motion prevailed.

The following bill was read a third time:

House Bill No. 4967, entitled

A bill to amend 1967 PA 281, entitled “Income tax act of 1967,” (MCL 206.1 to 206.713) by adding section 673.

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. 528

Yeas—26

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

Nays—12

Anderson	Gregory	Hunter	Warren
Bieda	Hood	Johnson	Whitmer
Gleason	Hopgood	Smith	Young

Excused—0

Not Voting—0

In The Chair: President

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 meet deficiencies in state funds by providing for the imposition, levy, computation, collection, assessment, and enforcement by lien and otherwise of taxes on or measured by net income; to prescribe the manner and time of making reports and paying the taxes, and the functions of public officers and others as to the taxes; to permit the inspection of the records of taxpayers; to provide for interest and penalties on unpaid taxes; to provide exemptions, credits and refunds of the taxes; to prescribe penalties for the violation of this act; to provide an appropriation; and to repeal certain acts and parts of acts.”.

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 4968, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 607 (MCL 206.607), as added by 2011 PA 38.

The question being on the passage of the bill,

Senator Brandenburg offered the following substitute:

Substitute (S-1).

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

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. 529

Yeas—26

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

Nays—12

Anderson	Gregory	Hunter	Warren
Bieda	Hood	Johnson	Whitmer
Gleason	Hopgood	Smith	Young

Excused—0

Not Voting—0

In The Chair: President

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 meet deficiencies in state funds by providing for the imposition, levy, computation, collection, assessment, and enforcement by lien and otherwise of taxes on or measured by net income; to prescribe the manner and time of making reports and paying the taxes, and the functions of public officers and others as to the taxes; to permit the inspection of the records of taxpayers; to provide for interest and penalties on unpaid taxes; to provide exemptions, credits and refunds of the taxes; to prescribe penalties for the violation of this act; to provide an appropriation; and to repeal certain acts and parts of acts."

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 4915, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 5522 (MCL 324.5522), as amended by 2007 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. 530**Yeas—26**

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

Nays—12

Anderson	Gregory	Hunter	Warren
Bieda	Hood	Johnson	Whitmer
Gleason	Hopgood	Smith	Young

Excused—0**Not Voting—0**

In The Chair: President

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

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

“An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, assessments, and donations; to provide certain appropriations; to prescribe penalties and provide remedies; and to repeal acts and parts of acts.”

The Senate agreed to the full title.

Recess

Senator Meekhof moved that the Senate recess until 3:30 p.m.
The motion prevailed, the time being 12:14 p.m.

The Senate reconvened at the expiration of the recess and was called to order by the President, Lieutenant Governor Calley.

Recess

Senator Meekhof moved that the Senate recess subject to the call of the Chair.
The motion prevailed, the time being 3:32 p.m.

3:39 p.m.

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

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

Senate Bill No. 160, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 90h. The House of Representatives has amended the bill as follows:

1. Amend page 2, following line 18, by inserting:

"(6) THIS SECTION DOES NOT CREATE A RIGHT TO ABORTION.

(7) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION, A PERSON SHALL NOT PERFORM AN ABORTION THAT IS PROHIBITED BY LAW.

(8) NOTHING IN THIS SECTION SHALL BE CONSTRUED TO REPEAL OR AMEND, EXPLICITLY OR BY IMPLICATION, ANY PROVISION OF LAW PROHIBITING OR REGULATING ABORTION, INCLUDING, BUT NOT LIMITED TO, SECTION 14, 15, 322, OR 323." and renumbering the remaining subsection.

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

Pending the order that, under rule 3.202, the bill be laid over one day, Senator Meekhof moved that the rule be suspended.

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

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

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

Roll Call No. 531

Yeas—29

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

Nays—9

Anderson	Hopgood	Smith	Whitmer
Gregory	Johnson	Warren	Young
Hood			

Excused—0

Not Voting—0

In The Chair: President

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

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

Senate Bill No. 237, 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 House of Representatives has substituted (H-1) the bill.

The House of Representatives has passed the bill as substituted (H-1) and ordered that it be given immediate effect.

Pending the order that, under rule 3.202, the bill be laid over one day,

Senator Meekhof moved that the rule be suspended.

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

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. 532**Yeas—33**

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

Nays—5

Booher	Meekhof	Robertson	Schuitmaker
Hune			

Excused—0**Not Voting—0**

In The Chair: President

The question being on concurring in the committee recommendation to give the bill immediate effect,

The recommendation was concurred in, 2/3 of the members serving voting therefor.

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

Senate Bill No. 494, entitled

A bill to amend 1972 PA 222, entitled "An act to provide for an official personal identification card; to provide for its form, issuance and use; to regulate the use and disclosure of information obtained from the card; to prescribe the powers and duties of the secretary of state; to prescribe fees; to prescribe certain penalties for violations; and to provide an appropriation for certain purposes," by amending sections 1, 2, 3, 5, and 7 (MCL 28.291, 28.292, 28.293, 28.295, and 28.297), section 1 as amended by 2008 PA 31, section 2 as amended by 2008 PA 40, section 3 as amended by 1998 PA 2, section 5 as amended by 2004 PA 149, and section 7 as amended by 2009 PA 101.

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

The House of Representatives has passed the bill as substituted (H-1) and ordered that it be given immediate effect.

Pending the order that, under rule 3.202, the bill be laid over one day,

Senator Meekhof moved that the rule be suspended.

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

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. 533**Yeas—27**

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

Nays—11

Bieda	Hood	Johnson	Whitmer
Gleason	Hopgood	Smith	Young
Gregory	Hunter	Warren	

Excused—0**Not Voting—0**

In The Chair: President

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

Senate Bill No. 495, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 57, 208b, 217a, 232, 301, 303, 306, 307, 307a, 312e, 312f, 312h, 314, 319b, 319d, 319f, 319g, 320a, 602b, 605, 732, 801, 801g, 802, 803b, 803r, 804, 806, 809, 811e, 811h, and 907 (MCL 257.57, 257.208b, 257.217a, 257.232, 257.301, 257.303, 257.306, 257.307, 257.307a, 257.312e, 257.312f, 257.312h, 257.314, 257.319b, 257.319d, 257.319f, 257.319g, 257.320a, 257.602b, 257.605, 257.732, 257.801, 257.801g, 257.802, 257.803b, 257.803r, 257.804, 257.806, 257.809, 257.811e, 257.811h, and 257.907), sections 57 and 301 as amended by 1988 PA 346, sections 208b, 217a, 232, 801, 802, 803b, 803r, 804, 806, 809, 811e, and 811h as amended by 2009 PA 99, section 303 as amended by 2010 PA 155, sections 306, 307a, 312e, 312f, 319f, and 319g as amended by 2006 PA 298, section 307 as amended by 2008 PA 36, section 312h as amended by 2003 PA 152, section 314 as amended by 2008 PA 7, section 319b as amended by 2008 PA 463, section 319d as amended by 1996 PA 404, section 320a as amended by 2010 PA 58, section 602b as added by 2010 PA 60, section 605 as amended by 2000 PA 97, sections 732 and 907 as amended by 2010 PA 59, and section 801g as amended by 1992 PA 29, and by adding section 36b.

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

The House of Representatives has passed the bill as substituted (H-1), ordered that it be given immediate effect and amended the title to read as follows:

A bill to amend 1949 PA 300, entitled "An act to provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or generally accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways; to create certain funds; to provide penalties and sanctions for a violation of this act; to provide for civil liability of owners and operators of vehicles and service of process on residents and nonresidents; to regulate the introduction and use of certain evidence; to provide for the levy of certain assessments; to provide for the enforcement

of this act; to provide for the creation of and to prescribe the powers and duties of certain state and local agencies; to impose liability upon the state or local agencies; to provide appropriations for certain purposes; to repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date,” by amending sections 57, 208b, 217a, 232, 301, 303, 306, 307, 307a, 312e, 312f, 312h, 314, 319b, 319d, 319f, 319g, 320a, 602b, 605, 732, 801, 801g, 802, 803b, 803r, 804, 806, 809, 811e, 811h, and 907 (MCL 257.57, 257.208b, 257.217a, 257.232, 257.301, 257.303, 257.306, 257.307, 257.307a, 257.312e, 257.312f, 257.312h, 257.314, 257.319b, 257.319d, 257.319f, 257.319g, 257.320a, 257.602b, 257.605, 257.732, 257.801, 257.801g, 257.802, 257.803b, 257.803r, 257.804, 257.806, 257.809, 257.811e, 257.811h, and 257.907), sections 57 and 301 as amended by 1988 PA 346, sections 208b, 217a, 232, 801, 802, 803b, 803r, 804, 806, 809, and 811h as amended by 2009 PA 99, section 303 as amended by 2010 PA 155, sections 306, 307a, 312e, 312f, 319f, and 319g as amended by 2006 PA 298, section 307 as amended by 2008 PA 36, section 312h as amended by 2003 PA 152, section 314 as amended by 2008 PA 7, section 319b as amended by 2008 PA 463, section 319d as amended by 1996 PA 404, section 320a as amended by 2010 PA 58, section 602b as added by 2010 PA 60, section 605 as amended by 2000 PA 97, sections 732 and 907 as amended by 2010 PA 59, section 801g as amended by 1992 PA 29, and section 811e as amended by 2011 PA 66, and by adding section 36b.

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

Senate Bill No. 496, entitled

A bill to amend 1963 PA 181, entitled “Motor carrier safety act of 1963,” by amending sections 1a, 2d, and 5 (MCL 480.11a, 480.12d, and 480.15), section 1a as amended by 2006 PA 50, section 2d as amended by 2005 PA 177, and section 5 as amended by 2006 PA 595; and to repeal acts and parts of acts.

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

The House of Representatives has passed the bill as substituted (H-1), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

Pending the order that, under rule 3.202, the bill be laid over one day,

Senator Meekhof moved that the rule be suspended.

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

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. 534

Yeas—26

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

Nays—12

Anderson	Gregory	Hunter	Warren
Bieda	Hood	Johnson	Whitmer
Gleason	Hopgood	Smith	Young

Excused—0

Not Voting—0

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

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

Senate Bill No. 495

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

Senate Bill No. 495, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 57, 208b, 217a, 232, 301, 303, 306, 307, 307a, 312e, 312f, 312h, 314, 319b, 319d, 319f, 319g, 320a, 602b, 605, 732, 801, 801g, 802, 803b, 803r, 804, 806, 809, 811e, 811h, and 907 (MCL 257.57, 257.208b, 257.217a, 257.232, 257.301, 257.303, 257.306, 257.307, 257.307a, 257.312e, 257.312f, 257.312h, 257.314, 257.319b, 257.319d, 257.319f, 257.319g, 257.320a, 257.602b, 257.605, 257.732, 257.801, 257.801g, 257.802, 257.803b, 257.803r, 257.804, 257.806, 257.809, 257.811e, 257.811h, and 257.907), sections 57 and 301 as amended by 1988 PA 346, sections 208b, 217a, 232, 801, 802, 803b, 803r, 804, 806, 809, 811e, and 811h as amended by 2009 PA 99, section 303 as amended by 2010 PA 155, sections 306, 307a, 312e, 312f, 319f, and 319g as amended by 2006 PA 298, section 307 as amended by 2008 PA 36, section 312h as amended by 2003 PA 152, section 314 as amended by 2008 PA 7, section 319b as amended by 2008 PA 463, section 319d as amended by 1996 PA 404, section 320a as amended by 2010 PA 58, section 602b as added by 2010 PA 60, section 605 as amended by 2000 PA 97, sections 732 and 907 as amended by 2010 PA 59, and section 801g as amended by 1992 PA 29, and by adding section 36b.

(This bill was returned from the House with a substitute earlier today and laid over under the rules. See p. 2227.)

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. 535

Yeas—24

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

Nays—14

Anderson	Hood	Johnson	Warren
Bieda	Hopgood	Kahn	Whitmer
Gleason	Hune	Smith	Young
Gregory	Hunter		

Excused—0

Not Voting—0

In The Chair: President

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

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

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

After some time spent therein, the Committee arose; and the President, Lieutenant Governor Calley, having resumed the Chair, the Committee reported back to the Senate, favorably and without amendment, the following bill:

House Bill No. 4110, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16d of chapter XVII (MCL 777.16d), as amended by 2010 PA 132.

The bill 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. 4110

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:

House Bill No. 4110

House Bill No. 4946

Senate Bill No. 670

House Bill No. 4966

The motion prevailed.

The following bill was read a third time:

House Bill No. 4110, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16d of chapter XVII (MCL 777.16d), as amended by 2010 PA 132.

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. 536

Yeas—29

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

Nays—9

Anderson	Hopgood	Smith	Whitmer
Gregory	Johnson	Warren	Young
Hood			

Excused—0

Not Voting—0

In The Chair: President

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

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

“An act to revise, consolidate, and codify the laws relating to criminal procedure and to define the jurisdiction, powers, and duties of courts, judges, and other officers of the court under the provisions of this act; to provide laws relative to the rights of persons accused of criminal offenses and ordinance violations; to provide for the arrest of persons charged with or suspected of criminal offenses and ordinance violations; to provide for bail of persons arrested for or accused of criminal offenses and ordinance violations; to provide for the examination of persons accused of criminal offenses; to regulate the procedure relative to grand juries, indictments, informations, and proceedings before trial; to provide for trials of persons complained of or indicted for criminal offenses and ordinance violations and to provide for the procedure in those trials; to provide for judgments and sentences of persons convicted of criminal offenses and ordinance violations; to establish a sentencing commission and to prescribe its powers and duties; to provide for procedure relating to new trials and appeals in criminal and ordinance violation cases; to provide a uniform system of probation throughout this state and the appointment of probation officers; to prescribe the powers, duties, and compensation of probation officers; to provide penalties for the violation of the duties of probation officers; to provide for procedure governing proceedings to prevent crime and proceedings for the discovery of crime; to provide for fees of officers, witnesses, and others in criminal and ordinance violation cases; to set forth miscellaneous provisions as to criminal procedure in certain cases; to provide penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act.”

The Senate agreed to the full title.

By unanimous consent the Senate returned to consideration of the following bill:

House Bill No. 4946, entitled

A bill to amend 1967 PA 281, entitled “Income tax act of 1967,” by amending section 611 (MCL 206.611), as added by 2011 PA 38.

(This bill was read a third time earlier today and consideration postponed. See p. 2214.)

The question being on the passage of the bill,

Senator Brandenburg offered the following amendment:

1. Amend page 3, line 23, after “code” by striking out the balance of the subsection and inserting a period. The amendment was adopted, a majority of the members serving voting therefor.

Senator Warren offered the following amendments:

1. Amend page 3, line 3, after “a” by striking out the balance of the line through “institution,” on line 4 and inserting “PERSON”.
2. Amend page 3, line 9, after “a” by striking out “corporation or” and inserting “PERSON OTHER THAN”.
3. Amend page 3, line 11, after “a” by striking out “corporation or” and inserting “PERSON OTHER THAN”.

The amendments were not adopted, a majority of the members serving not voting therefor.

Senator Hunter requested the yeas and nays.

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

The amendments were not adopted, a majority of the members serving not voting therefor, as follows:

Roll Call No. 537

Yeas—10

Bieda	Hopgood	Smith	Whitmer
Gregory	Hunter	Warren	Young
Hood	Johnson		

Nays—28

Anderson	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

Excused—0

Not Voting—0

In The Chair: President

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. 538

Yeas—26

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

Nays—12

Anderson	Gregory	Hunter	Warren
Bieda	Hood	Johnson	Whitmer
Gleason	Hopgood	Smith	Young

Excused—0

Not Voting—0

In The Chair: President

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 meet deficiencies in state funds by providing for the imposition, levy, computation, collection, assessment, and enforcement by lien and otherwise of taxes on or measured by net income; to prescribe the manner and time of making reports and paying the taxes, and the functions of public officers and others as to the taxes; to permit the inspection of the records of taxpayers; to provide for interest and penalties on unpaid taxes; to provide exemptions, credits and refunds of the taxes; to prescribe penalties for the violation of this act; to provide an appropriation; and to repeal certain acts and parts of acts.”

The Senate agreed to the full title.

By unanimous consent the Senate returned to consideration of the following bill:

Senate Bill No. 670, entitled

A bill to amend 1967 PA 281, entitled “Income tax act of 1967,” by amending section 703 (MCL 206.703), as added by 2011 PA 38.

(This bill was read a third time earlier today and consideration postponed. See p. 2210.)

The question being on the passage of the bill,

Senator Anderson offered the following amendment:

1. Amend page 8, following line 1, by inserting:

“Enacting section 2. This amendatory act does not take effect unless Senate Bill No. 686 of the 96th Legislature is enacted into law.”.

The amendment was not adopted, a majority of the members serving not voting therefor.

Senator Anderson requested the yeas and nays.

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

The amendment was not adopted, a majority of the members serving not voting therefor, as follows:

Roll Call No. 539

Yeas—15

Anderson	Green	Hunter	Warren
Bieda	Gregory	Johnson	Whitmer
Emmons	Hildenbrand	Rocca	Young
Gleason	Hopgood	Smith	

Nays—22

Booher	Hune	Meekhof	Proos
Brandenburg	Jansen	Moolenaar	Richardville
Casperson	Jones	Nofs	Robertson
Caswell	Kahn	Pappageorge	Schuitmaker
Colbeck	Kowall	Pavlov	Walker
Hansen	Marleau		

Excused—0

Not Voting—1

Hood

In The Chair: President

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. 540

Yeas—26

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

Nays—12

Anderson	Gregory	Hunter	Warren
Bieda	Hood	Johnson	Whitmer
Gleason	Hopgood	Smith	Young

Excused—0

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

Senator Anderson asked and was granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator Anderson's first statement is as follows:

Members, I rise to call attention to this amendment which would tie-bar this bill to my legislation which would repeal the pension tax if the Michigan Supreme Court rules that it is unconstitutional to tax public pensions. I know that a number of members a couple weeks ago co-sponsored the bill, and I appreciate that. It is common-sense legislation that everyone should support. If a law is deemed unconstitutional for the public employees by our state's highest legal body, it should be repealed expeditiously.

Senate Bill No. 686, as I said, was co-sponsored by many on both sides of the aisle, so I would urge passage of this amendment.

Senator Anderson's second statement is as follows:

I understand that the previous speaker was one of the first to come over and sign onto my bill. I hope that what was good enough last week for a co-sponsor signature would be good enough this week to vote "yes."

By unanimous consent the Senate returned to consideration of the following bill:

House Bill No. 4966, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 522 (MCL 206.522), as amended by 2011 PA 38.

(This bill was read a third time earlier today and consideration postponed. See p. 2222.)

The question being on the passage of the bill,

Senator Smith offered the following amendments:

1. Amend page 1, line 3, after "claimant" by striking out "who is not a senior citizen".
2. Amend page 1, line 9, by striking out all of subdivision (b) and relettering the remaining subdivisions.
3. Amend page 4, line 3, after "citizen" by striking out "**WITH TOTAL HOUSEHOLD RESOURCES OF \$21,000.00 OR LESS**".

The question being on the adoption of the amendments,

Senator Hunter requested the yeas and nays.

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

The amendments were not adopted, a majority of the members serving not voting therefor, as follows:

Roll Call No. 541

Yeas—18

Anderson	Green	Hopgood	Smith
Bieda	Gregory	Hunter	Warren
Casperson	Hansen	Johnson	Whitmer
Emmons	Hildenbrand	Rocca	Young
Gleason	Hood		

Nays—20

Booher	Jansen	Meekhof	Proos
Brandenburg	Jones	Moolenaar	Richardville
Caswell	Kahn	Nofs	Robertson
Colbeck	Kowall	Pappageorge	Schuitmaker
Hune	Marleau	Pavlov	Walker

Excused—0

Not Voting—0

In The Chair: President

Senator Gleason offered the following amendments:

1. Amend page 6, line 15, after “(8)” by striking out “The” and inserting “NOT INCLUDING THE CREDIT ALLOWED UNDER SUBSECTION (10), THE”.

2. Amend page 6, line 17, after “(9)” by striking out “The” and inserting “NOT INCLUDING THE CREDIT ALLOWED UNDER SUBSECTION (10), THE”.

3. Amend page 6, following line 24, by inserting:

“(10) A TAXPAYER MAY CLAIM A CREDIT AGAINST THE TAX IMPOSED BY THIS PART EQUAL TO 50% OF THE COST PAID BY THE TAXPAYER, NOT TO EXCEED \$5,000.00, FOR QUALIFIED RENOVATIONS MADE TO THE HOME OF THE TAXPAYER IF THE TAXPAYER IS EITHER OF THE FOLLOWING:

(A) A PERSON WITH A DISABILITY WHO MAKES RENOVATIONS TO HIS OR HER OWN HOME.

(B) A TAXPAYER, OTHER THAN A TAXPAYER DESCRIBED IN SUBDIVISION (A), IF A PERSON WITH A DISABILITY LIVES IN THE HOME OF THE TAXPAYER WHO MAKES THE QUALIFIED RENOVATIONS.

(11) THE CREDIT ALLOWED UNDER SUBSECTION (10) SHALL BE TAKEN ONLY IN THE YEAR IN WHICH ALL QUALIFIED RENOVATIONS FOR WHICH A CREDIT UNDER SUBSECTION (10) WILL BE CLAIMED ARE COMPLETED AND SHALL BE CLAIMED FOR ONLY 1 TAX YEAR FOR QUALIFIED RENOVATIONS MADE BY OR ON BEHALF OF ANY 1 PERSON WITH A DISABILITY. IF THE CREDIT ALLOWED UNDER SUBSECTION (10) EXCEEDS THE TAX LIABILITY OF THE TAXPAYER FOR THE TAX YEAR, THE AMOUNT BY WHICH THE CREDIT EXCEEDS THE TAXPAYER’S TAX LIABILITY SHALL BE REFUNDED. AS USED IN THIS SUBSECTION AND SUBSECTION (10):

(A) “HOME” MEANS A PRINCIPAL RESIDENCE EXEMPT UNDER SECTION 7CC OF THE GENERAL PROPERTY TAX ACT, 1893 PA 206, MCL 211.7CC.

(B) “QUALIFIED RENOVATIONS” MEANS RENOVATIONS, ADDITIONS, OR OTHER CONSTRUCTION MADE TO A HOME THAT ARE ANY OF THE FOLLOWING:

(i) CHANGES TO ACCOMMODATE THE PHYSICAL NEEDS OF A PERSON WITH A DISABILITY, INCLUDING, BUT NOT LIMITED TO, BATH BARS, RAMPS, DOOR WIDENING, ACCESS CHANGES, AND REFITTING OF FIXTURES.

(ii) ADDITION OF A ROOM.

(iii) ANY CHANGE TO THE HOME THAT IS MADE TO MEET LOCAL OR STATE BUILDING CODES, ORDINANCES, STATUTES, OR RULES THAT REGULATE HOUSING FOR PERSONS WITH DISABILITIES.

(iv) SAFETY FEATURES.

(C) “PERSON WITH A DISABILITY” MEANS THAT TERM AS DEFINED IN SECTION 103 OF THE PERSONS WITH DISABILITIES CIVIL RIGHTS ACT, 1976 PA 220, MCL 37.1103.”.

The amendments were not adopted, a majority of the members serving not voting therefor.

Senator Hunter requested the yeas and nays.

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

The amendments were not adopted, a majority of the members serving not voting therefor, as follows:

Roll Call No. 542

Yeas—14

Anderson
Bieda
Gleason
Gregory

Hood
Hopgood
Hunter
Johnson

Nofs
Rocca
Smith

Warren
Whitmer
Young

Nays—24

Booher
Brandenburg

Green
Hansen

Kahn
Kowall

Pavlov
Proos

Casperson	Hildenbrand	Marleau	Richardville
Caswell	Hune	Meekhof	Robertson
Colbeck	Jansen	Moolenaar	Schuitmaker
Emmons	Jones	Pappageorge	Walker

Excused—0

Not Voting—0

In The Chair: President

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. 543

Yeas—27

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

Nays—11

Anderson	Hood	Johnson	Whitmer
Bieda	Hopgood	Smith	Young
Gregory	Hunter	Warren	

Excused—0

Not Voting—0

In The Chair: President

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 meet deficiencies in state funds by providing for the imposition, levy, computation, collection, assessment, and enforcement by lien and otherwise of taxes on or measured by net income; to prescribe the manner and time of making reports and paying the taxes, and the functions of public officers and others as to the taxes; to permit the inspection of the records of taxpayers; to provide for interest and penalties on unpaid taxes; to provide exemptions, credits and refunds of the taxes; to prescribe penalties for the violation of this act; to provide an appropriation; and to repeal certain acts and parts of acts.”.

The Senate agreed to the full title.

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

The motion prevailed.

Senator Smith's statement is as follows:

Today, I rise to ask for support of this amendment. This was one of several tax increases passed, and this bill that we are about to vote on now was one of several tax increases for seniors, including the complex and unfair pension tax. We should not be overtaxing our seniors so we can award a massive tax break for corporations—a tax break that has no promise of creating jobs or improving our economy.

Michigan seniors have worked hard and don't deserve these unfair attacks on minimum incomes. I offer this amendment to restore the senior preference in the Homestead Property Tax Credit, an effort to correct the unjust actions taken by this body earlier this year. With that being said, I ask my colleagues to support it.

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.

Senators Colbeck, Casperson, Caswell, Kowall and Richardville offered the following concurrent resolution:

Senate Concurrent Resolution No. 19.

A concurrent resolution to memorialize Congress and the U.S. Department of Transportation to approve a grant for a project at the I-275 and Ford Road interchange under the Transportation Investment Generating Economic Recovery Discretionary Grant program.

Whereas, Michigan State Police data identified two locations on Ford Road in Canton Township as having the most traffic accidents in Southeast Michigan. In 2008, there were a total of 248 traffic accidents on Ford Road between Lilly Road and Ikea Drive and between Haggerty Road and the South I-275 ramp. As Ford Road carries as many as 50,000 vehicles per day through this interchange, and with the steady rise in population in Canton Township, the situation continues to worsen; and

Whereas, A 2006 regional transportation study recommended reconfiguring the I-275-Ford Road interchange in order to maximize efficiency and safety. To that end, Canton Township recently applied for a federal Transportation Investment Generating Economic Recovery (TIGER) grant which would provide \$20.3 million in federal funds to reconfigure the interchange to reduce congestion delays on the Ford Road corridor and reduce traffic backups on southbound I-275; and

Whereas, This project would make the region safer and more livable, and it has received overwhelming support from surrounding municipal governments. Not only would the interchange reconfiguration reduce accident rates, it would also reduce emissions, create jobs, and encourage economic development. Less congestion will result in an estimated 10 percent decrease in vehicle hours traveled, which will lower emissions. An average of 216 jobs per year will be generated by the project, mostly in construction. The interchange reconfiguration would spur economic growth in the region, especially among green energy companies; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That we memorialize Congress and the U.S. Department of Transportation to approve a grant for a project at the I-275 and Ford Road interchange under the Transportation Investment Generating Economic Recovery Discretionary Grant program; and be it further

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

Pending the order that, under rule 3.204, the concurrent resolution be referred to the Committee on Government Operations,

Senator Meekhof moved that the rule be suspended.

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

The question being on the adoption of the concurrent resolution,

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

The motion prevailed.

Statements

Senators Johnson, Casperson, Bieda and Pappageorge asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator Johnson's statement is as follows:

I rise today to speak about the impending closure of the Mound Correctional Facility which is located in my district. The real tragedy in this decision is not whether or not the Legislature considered this earlier in the year or the mere closure of a prison. The real tragedy here is that, once again, the state of Michigan is reneging on its commitments to its citizens, hurting its citizens, and abdicating itself from its responsibilities to its citizens.

Many years ago, when the Mound Correctional Facility was originally built, there was a community benefits agreement that called for 23 items that would mitigate the negative impact on area residents. Not only did the residents in the area known as the Krainz Woods neighborhood not get what they were promised, they were harmed irreparably by the construction of this prison.

Lead seeped into the soil, unbeknownst to local residents. Folks planted gardens and ate the produce they grew themselves. Many got sick with untreatable mental conditions. Pollution was transmitted by air as well, causing extremely damaging respiratory issues. The pollution from this facility was the No. 1 cause of Down's syndrome in the area. This isn't one or two people; this is a plurality of an entire neighborhood.

Now we are moving to leave an industrial park half barren because of this closure—another blighted, decaying building in our community; another building contributing nothing to the good of the city or the state, but eating up state resources with the obligatory security that will be needed.

Over a thousand prisoners will be shipped elsewhere throughout the state, farther from families and loved ones that keep them strong, grounded, and connected to the life many of them will eventually return to after completing their sentence. And this is all not to mention the loss of hundreds of good, local Detroit jobs.

This is yet another broken promise and failed initiative by a state government that now wants to build a bridge in this same community, the city of Detroit. The city of Detroit is great, as is the state of Michigan. But we in Detroit are tired of having our city used for the benefit of all and then left behind on the whim of a state bureaucrat appointed to run the entire state corrections agency after being plucked out of obscurity as the Jackson County sheriff. This gentleman stated that he chose the Mound Facility independently of whatever analysis the Legislature has done. In fact, he ought to seek the wisdom of the Legislature, particularly those of us who represent the area. It would suit him well to study some critical analysis, rather than rely on an obtuse thought process with no regard for real-world results and consequences.

Senator Casperson's statement is as follows:

I rise today to discuss an issue that has to do with procedure agendas and where we are heading, more than anything. I want to preface what I say to myself as well as anyone in this chamber. I want to start out with what was said this morning when we opened this session with prayer. Pastor Kiser told us that our nation—I will change that briefly and say our Michigan needs help. "You are our ultimate source of help." He was referring to the Lord when he said that.

I want to talk about procedures and policies that are happening in our government. I want to share with you one story. I only have five minutes, so I am only going to give you one. I am going to walk you through this and explain to you my journey dealing with my government.

We started out several years ago when I was in the House. Many of you are aware of this issue. In fact, you roll your eyes many times when I bring it up, but I am going to use this one; I know it well. I want to share with everyone what we have gone through. It is the equine issue with our citizens of the state of Michigan wanting to use state-owned land to ride their horses on state of Michigan land. That is our land.

Out of this came legislation. A former Senator introduced legislation and ran it through to completion, and it was passed and the law of the land. I am going to read something from it: "The equine trailways subcommittee shall do all of the following: (a) Within 1 year after the appointment of its members, prepare and submit to the advisory council a recommended plan for a statewide network of pack and saddle trailways. The recommended plan for a statewide pack and saddle trailways network shall include both of the following." You can go through the list and see it talks about advise and goes down the list.

Why do I bring that up? Because the law of the land says that the equestrian task force was to come up with a plan and submit it to the department. That is what the law said, but what did we do? Well, what we did—and I went to the last meeting of the task force—what we had was the department coming in and telling them what we were going to do. So the department did not follow the law, and that now is what is going to be recommended. We have disrespect for the law that needs to be straightened out.

Why do I bring all this up? Because I want all of my colleagues to know that shortly there is going to be an order issued from the department. The order is going to lead you to believe that they solved the problem. Here is how the game is played. We were told that it is going to get corrected, and you will probably get 80 percent to 90 percent of what you had. Well, most of the equine people felt that was fair, and they could live with that compromise. Well, truth be told, remember that word "truth." They are going to get about 25 percent to 30 percent of what they originally had and that is just one area, the Pigeon River. Again, I bring this issue up because I know it well.

We have gone around and around on this issue and have had hundreds of people show up and beg this department to fix this problem. They were wrong. Why were they wrong? Because I stood in meetings twice and heard my government tell us they had a document that they did not have. The whole foundation of this issue was based on that document. We are still here today, Mr. President, dealing with this issue. Is there any wonder why people are upset with their government?

Psalm 85:11 says, "Truth will spring up from the earth; righteousness will look down from heaven." Getting back to the prayer this morning, "You have called us to be ambassadors of truth and agents of righteousness in this land. You have called these people to be your ministers of justice and truth." We have a responsibility to stand up for truth. Isaiah 59 says, "Justice is turned back and righteousness stands far off. For the truth has stumbled in the public square of honesty and honesty cannot enter."

Senator Bieda's statement is as follows:

Today, I am rising to note a sad occasion, the loss of a dear friend and also a very tireless advocate for the rights of the disabled. On September 16, Theresa Arini passed away. I have known Theresa for roughly 20 years. She was a person with some disabilities as she liked to call differently-abled. She was a tireless advocate for the disabled.

She was up at the Capitol as recently as May 11 of this year for the event that was held in front of the Capitol, which they refer to as "Walk a Mile in Her Shoes." She always had a smile on her face. She is going to be dearly missed by her friends and family. She was also very active in a number of other community events.

I wanted to make some small note of this today in the chamber to realize that there are so many different people who have so many different challenges that they face on a day-to-day basis, but to also note that there are people who rise above those challenges, and one of those people was Theresa Arini, formerly of Sterling Heights and most recently of Holly, Michigan. She is going to be dearly missed by those who knew her.

Senator Pappageorge's statement is as follows:

With regard to the comments made earlier by the Senator from the 38th District, I would like to remind everyone that our job does not end when we pass a law. We are responsible to look at the rules that are promulgated, and make sure that they have not changed the intent of the law or unnecessarily burdened individuals, locals, and businessmen. That is why we have a Joint Committee on Administrative Rules, which I co-chair. If someone knows of a rule that they don't think is right, please let me know and we will take it up in JCAR.

Committee Reports

The Committee on Appropriations reported

House Bill No. 4915, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 5522 (MCL 324.5522), as amended by 2007 PA 75.

With the recommendation that the bill pass.

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

Roger Kahn, M.D.

Chairperson

To Report Out:

Yeas: Senators Kahn, Moolenaar, Jansen, Pappageorge, Booher, Caswell, Colbeck, Green, Proos, Schuitmaker and Walker

Nays: Senators Anderson, Gregory and Johnson

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Appropriations submitted the following:

Meeting held on Tuesday, September 27, 2011, at 1:00 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, Hopgood and Johnson

Excused: Senator Hood

The Committee on Transportation reported

Senate Bill No. 35, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 719 and 721 (MCL 257.719 and 257.721), section 719 as amended by 2009 PA 37 and section 721 as amended by 2000 PA 154.

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.

Thomas A. Casperson

Chairperson

To Report Out:

Yeas: Senators Casperson, Kowall, Pavlov and Gleason

Nays: Senator Hood

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

The Committee on Transportation reported

Senate Bill No. 534, entitled

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

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.

Thomas A. Casperson
Chairperson

To Report Out:

Yeas: Senators Casperson, Kowall, Pavlov, Gleason and Hood

Nays: None

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

COMMITTEE ATTENDANCE REPORT

The Committee on Transportation submitted the following:

Meeting held on Tuesday, September 27, 2011, at 12:30 p.m., Room 100, Farnum Building

Present: Senators Casperson (C), Kowall, Pavlov, Gleason and Hood

Excused: Senator Brandenburg

The Committee on Judiciary reported

House Bill No. 4110, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16d of chapter XVII (MCL 777.16d), as amended by 2010 PA 132.

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 Tuesday, September 27, 2011, at 2:30 p.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 Tuesday, September 27, 2011, at 2:30 p.m., 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 Wednesday, September 28, 2011, at 8:32 a.m., Rooms 402 and 403, Capitol Building

Present: Senators Jansen (C), Colbeck, Casperson, Kowall, Robertson, Young and Warren

Scheduled Meetings

Administrative Rules - Thursday, October 6, 9:00 a.m., Room 426, Capitol Building (373-5773)

Appropriations -**Subcommittees -**

Human Services Department - Thursday, September 29, 9:00 a.m., Senate Hearing Room, Ground Floor, Boji Tower (373-2768)

Human Services Department; Families, Seniors and Human Services; House Human Services Appropriations Subcommittee; and House Families, Children, and Seniors - Thursday, October 6, 8:00 a.m., House Appropriations Room, 3rd Floor, Capitol Building (373-2768)

State Police and Military Affairs - Thursday, September 29, 1:00 p.m., Rooms 402 and 403, Capitol Building (373-2768) (CANCELED)

State Police and Military Affairs and House Military and Veterans Affairs Appropriations Subcommittee - Thursday, October 6, 2:00 p.m., Rooms 402 and 403, Capitol Building (373-2768)

Michigan Law Revision Commission - Thursday, October 13, 11:00 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 4:51 p.m.

In pursuance of the order previously made, the President, Lieutenant Governor Calley, declared the Senate adjourned until Tuesday, October 4, 2011, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate

