

No. 60
STATE OF MICHIGAN
Journal of the Senate
96th Legislature
REGULAR SESSION OF 2012

Senate Chamber, Lansing, Thursday, June 14, 2012.

10:00 a.m.

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

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

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

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

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

Reverend A. Richard Doss of Fewes Memorial Christian Methodist Episcopal Church of River Rouge offered the following invocation:

Eternal God, we give You thanks for the opportunity and privilege to be alive and in this place; yes, Lord, for the challenge that You have given us for this time. We pause, Lord, in the spirit of thankfulness on this day, June 14, as we celebrate Flag Day in our nation; as we are mindful of the symbol of freedom which our flag represents and how we are all covered under that flag, even as we are covered under the awesomeness of Your grace and mercy.

We ask, Lord, that You would bless us as we celebrate this coming Juneteenth freedom weekend, as we are reminded of the gift of freedom that we have been so blessed with, especially in this state of Michigan.

Now, Lord, we ask Your blessings on our men and women in uniform who have and continue to serve. Not only these, Lord, but their families who in many cases are here still on the job, even though their loved ones are away on battlefields. Please bless them and keep their families.

Lord, we ask Your blessings on these who gather to share in the process of government. It is a rather difficult job in order to keep this state going, even as we begin to see the signs of turnaround. Father, we ask that even as they make these difficult choices to keep our state going forward that You would bless them, Lord, with that special insight not only to keep us going forward, but even in the midst to remember the least of these in our state who are still struggling. We pray for more turnaround that is still partially a dream.

And now, Lord, these and other blessing we ask from You in the mighty and matchless name of Jesus. Amen.

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

Motions and Communications

Senators Jones, Rocca, Emmons and Casperson entered the Senate Chamber.

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

Senator Young entered the Senate Chamber.

The following communication was received:
Department of Licensing and Regulatory Affairs

June 8, 2012

Enclosed is a copy of the Bureau of Health Professions annual report required by Public Act 368 of 1978 [MCL 333.16143(2)] and Public Act 79 of 1993 [MCL 333.16241(8)]. The data contained in the reports covers the time period of October 1, 2009 through September 30, 2010.

If you need additional copies of the reports, please contact Angela Awrey at 517-373-8068.

Sincerely,
Rae Ramsdell, Director
Bureau of Health Professions

The communication was referred to the Secretary for record.

Senator Meekhof moved that a respectful message be sent to the House of Representatives requesting the return of the following bill:

Senate Bill No. 1130

The motion prevailed.

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

Senate Resolution No. 158

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

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. 5699

House Bill No. 5700

Senate Bill No. 1129**House Bill No. 5717**

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

The Secretary announced that the following House bills were received in the Senate and filed on Wednesday, June 13:
House Bill Nos. 5040 5225 5498 5499 5711

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

House Bill Nos. 5730 5731 5732

Messages from the Governor

The following messages from the Governor were received:

Date: June 12, 2012

Time: 3:12 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 320 (Public Act No. 163), being

An act to amend 1939 PA 288, entitled “An act to revise and consolidate the statutes relating to certain aspects of the family division of circuit court, to the jurisdiction, powers, and duties of the family division of circuit court and its judges and other officers, to the change of name of adults and children, and to the adoption of adults and children; to prescribe certain jurisdiction, powers, and duties of the family division of circuit court and its judges and other officers; to prescribe the manner and time within which certain actions and proceedings may be brought in the family division of the circuit court; to prescribe pleading, evidence, practice, and procedure in certain actions and proceedings in the family division of circuit court; to provide for appeals from certain actions in the family division of circuit court; to prescribe the powers and duties of certain state departments, agencies, and officers; to provide for certain immunity from liability; and to provide remedies and penalties,” by amending sections 10, 13a, and 14 of chapter XIIA (MCL 712A.10, 712A.13a, and 712A.14), section 10 as amended by 1988 PA 92, section 13a as amended by 2012 PA 115, and section 14 as amended by 2001 PA 211, and by adding sections 14a and 14b to chapter XIIA.

(Filed with the Secretary of State on June 12, 2012, at 4:36 p.m.)

Date: June 12, 2012

Time: 3:14 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 560 (Public Act No. 160), being

An act to amend 1998 PA 386, entitled “An act to codify, revise, consolidate, and classify aspects of the law relating to wills and intestacy, relating to the administration and distribution of estates of certain individuals, relating to trusts, and relating to the affairs of certain individuals under legal incapacity; to provide for the powers and procedures of the court that has jurisdiction over these matters; to provide for the validity and effect of certain transfers, contracts, and deposits that relate to death; to provide procedures to facilitate enforcement of certain trusts; and to repeal acts and parts of acts,” by amending section 2114 (MCL 700.2114), as amended by 2004 PA 314.

(Filed with the Secretary of State on June 12, 2012, at 4:30 p.m.)

Date: June 12, 2012

Time: 3:38 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 557 (Public Act No. 159), being

An act to provide procedures to determine the paternity of children in certain circumstances; to allow acknowledgments, determinations, and judgments relating to paternity to be set aside in certain circumstances; to provide for the powers and duties of certain state and local governmental officers and entities; and to provide remedies.

(Filed with the Secretary of State on June 12, 2012, at 4:28 p.m.)

Respectfully,
Rick Snyder
Governor

The following messages from the Governor were received and read:

June 12, 2012

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

Talent Investment Board

Tony N. Day of 1340 Cherokee Drive, Union City, Michigan 49094, county of Branch, representing individuals with expertise relating to Native American programs, is appointed for a term expiring at the pleasure of the Governor.

June 12, 2012

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

Michigan Tax Tribunal

Victoria L. Enyart of 809 W. Michigan Avenue, #207E, Jackson, Michigan 49202, county of Jackson, representing Certified Level IV Assessors, is reappointed for a term expiring June 30, 2016.

Sincerely,
Rick Snyder
Governor

The appointments were referred to the Committee on Government Operations.

By unanimous consent the Senate proceeded to the order of

Third Reading of Bills

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

House Bill No. 5044

House Bill No. 5045

House Bill No. 5414

House Bill No. 5158

House Bill No. 4116

Senate Bill No. 402

Senate Bill No. 403

Senate Bill No. 1004

House Bill No. 5340

House Bill No. 5543

Senate Bill No. 1167

House Bill No. 5646

House Bill No. 5560

House Bill No. 5658

House Bill No. 4146

House Bill No. 5007

House Bill No. 4455

House Bill No. 5424

House Bill No. 4025

House Bill No. 5562

House Bill No. 5563

Senate Bill No. 577

The motion prevailed.

The following bill was read a third time:

House Bill No. 5044, entitled

A bill to amend 2001 PA 142, entitled "Michigan memorial highway act," (MCL 250.1001 to 250.2080) by adding section 1070.

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—37

Anderson
Bieda

Gregory
Hansen

Kahn
Kowall

Richardville
Robertson

Booher	Hildenbrand	Marleau	Rocca
Brandenburg	Hood	Meekhof	Schuitmaker
Casperson	Hopgood	Moolenaar	Smith
Caswell	Hune	Nofs	Walker
Colbeck	Hunter	Pappageorge	Warren
Emmons	Jansen	Pavlov	Whitmer
Gleason	Jones	Proos	Young
Green			

Nays—0

Excused—1

Johnson

Not Voting—0

In The Chair: President

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

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

“An act to consolidate prior acts naming certain Michigan highways; to provide for the naming of certain highways; to prescribe certain duties of the state transportation department; and to repeal acts and parts of acts and certain resolutions.”.

The Senate agreed to the full title.

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

The motion prevailed.

Senator Hopgood’s statement is as follows:

I rise today to speak in support of House Bill No. 5044. This is a good and decent thing that we are doing here this morning. I wanted to express my appreciation to Senate leadership and to the chair of the Senate Transportation Committee for allowing us consideration of this bill, which would create the Auxiliary Lieutenant Dan Kromer Memorial Highway on I-94 within the city of Taylor.

Taylor Auxiliary Police Lieutenant Dan Kromer was the first auxiliary police member to be killed in the line of duty in the history of the Taylor Police Department. Lieutenant Kromer was a twenty-year veteran of the police force and also a Federal Protective Service member guarding federal buildings.

On September 7, 2010, Lieutenant Kromer was killed in the line of duty on I-94 assisting a motorist. Lieutenant Kromer was killed when he was struck by a car in a hit-and-run accident. Lieutenant Kromer was 54 years old when he passed away. He is survived by his wife Joyce, and he is also a father.

This is a fitting tribute to his life, his service, and his death in the line of duty serving to protect our communities and keep us safe. I would ask that my colleagues support this legislation to help honor his service and his life.

The following bill was read a third time:

House Bill No. 5045, entitled

A bill to amend 2001 PA 142, entitled “Michigan memorial highway act,” (MCL 250.1001 to 250.2080) by adding section 1071.

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—37**

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

Nays—0**Excused—1**

Johnson

Not Voting—0

In The Chair: President

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

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

“An act to consolidate prior acts naming certain Michigan highways; to provide for the naming of certain highways; to prescribe certain duties of the state transportation department; and to repeal acts and parts of acts and certain resolutions.”.
The Senate agreed to the full title.

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

The motion prevailed.

Senator Hopgood’s statement is as follows:

I rise to, as with the previous bill, speak in support of House Bill No. 5045. The year 2010 was an especially difficult year for the city of Taylor and the Taylor Police Department. In 2005, the first police officer in the history of the department was killed in the line of duty, Corporal Matthew Edwards. This bill would rename a portion of US 24, Telegraph Road, the Corporal Matthew Edwards Memorial Highway. This was just 47 days before the death of Lieutenant Kromer, and certainly, the entire community and area and law enforcement officials throughout the region have felt these losses.

Corporal Edwards was with the department since 2005. He is a graduate of the Detroit Police Academy, beginning his career with the Detroit Police Department. He was Officer of the Year in 2008, the POAM. Corporal Edwards was killed on July 23 in the line of duty investigating a reported burglary. He was shot in response to that call in what can only be described as senseless violence. He was 31 years old when he died in 2010. He is survived by his wife and two young children.

Again, I would ask my colleagues to support this bill to honor his life, his service, and his death in the line of duty to protect us and our communities.

The following bill was announced:

House Bill No. 5414, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 75101, 75102, and 75104 (MCL 324.75101, 324.75102, and 324.75104), as added by 1995 PA 58.

(This bill was read a third time on June 13 and consideration postponed. See Senate Journal No. 59, p. 1745)

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**

Anderson	Hood	Kowall	Schuitmaker
Bieda	Hopgood	Marleau	Smith
Brandenburg	Hune	Pappageorge	Walker
Gleason	Hunter	Proos	Warren
Green	Jansen	Richardville	Whitmer
Gregory	Jones	Rocca	Young
Hildenbrand	Kahn		

Nays—10

Booher	Colbeck	Moolenaar	Pavlov
Casperson	Emmons	Nofs	Robertson
Caswell	Meekhof		

Excused—1

Johnson

Not Voting—1

Hansen

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.

Senator Johnson entered the Senate Chamber.

The following bill was read a third time:

House Bill No. 5158, entitled

A bill to amend 1984 PA 431, entitled “The management and budget act,” (MCL 18.1101 to 18.1594) by adding section 470.

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—37**

Anderson	Hansen	Kahn	Richardville
Bieda	Hildenbrand	Kowall	Robertson

Booher	Hood	Marleau	Rocca
Brandenburg	Hopgood	Meekhof	Schuitmaker
Casperson	Hune	Moolenaar	Smith
Caswell	Hunter	Nofs	Walker
Colbeck	Jansen	Pappageorge	Warren
Emmons	Johnson	Pavlov	Whitmer
Gleason	Jones	Proos	Young
Green			

Nays—0

Excused—0

Not Voting—1

Gregory

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 prescribe the powers and duties of the department of management and budget; to define the authority and functions of its director and its organizational entities; to authorize the department to issue directives; to provide for the capital outlay program; to provide for the leasing, planning, constructing, maintaining, altering, renovating, demolishing, conveying of lands and facilities; to provide for centralized administrative services such as purchasing, payroll, record retention, data processing, and publishing and for access to certain services; to provide for a system of internal accounting and administrative control for certain principal departments; to provide for an internal auditor in certain principal departments; to provide for certain powers and duties of certain state officers and agencies; to codify, revise, consolidate, classify, and add to the powers, duties, and laws relative to budgeting, accounting, and the regulating of appropriations; to provide for the implementation of certain constitutional provisions; to create funds and accounts; to make appropriations; to prescribe remedies and penalties; to rescind certain executive reorganization orders; to prescribe penalties; 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. 4116, entitled

A bill to amend 1846 RS 12, entitled “Of certain state officers,” (MCL 14.28 to 14.35) by adding section 32a.

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—38

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

Gleason
GreenJohnson
Jones

Proos

Young

Nays—0**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 of the bill.

The following bill was read a third time:

Senate Bill No. 402, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 5139.

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—23**Booher
Brandenburg
Casperson
Colbeck
Emmons
HansenHildenbrand
Hune
Jansen
Jones
Kahn
KowallMarleau
Meekhof
Moolenaar
Nofs
Pappageorge
PavlovProos
Richardville
Robertson
Schuitmaker
Walker**Nays—15**Anderson
Bieda
Caswell
GleasonGreen
Gregory
Hood
HopgoodHunter
Johnson
Rocca
SmithWarren
Whitmer
Young**Excused—0****Not Voting—0**

In The Chair: President

The Senate agreed to the title of the bill.

The President pro tempore, Senator Schuitmaker, assumed the Chair.

The following bill was read a third time:

Senate Bill No. 403, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 309 (MCL 257.309), as amended by 2004 PA 362.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

Roll Call No. 531

Yeas—23

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

Nays—15

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

Excused—0

Not Voting—0

In The Chair: Schuitmaker

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 1004, entitled

A bill to amend 1993 PA 327, entitled "Tobacco products tax act," by amending sections 7 and 11 (MCL 205.427 and 205.431), section 7 as amended by 2008 PA 458 and section 11 as amended by 2004 PA 474.

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. 532

Yeas—35

Anderson	Green	Jones	Proos
Bieda	Gregory	Kahn	Richardville
Booher	Hansen	Kowall	Robertson
Brandenburg	Hildenbrand	Marleau	Rocca
Casperson	Hopgood	Meekhof	Schuitmaker
Caswell	Hune	Moolenaar	Smith
Colbeck	Hunter	Nofs	Walker

Emmons
Gleason

Jansen
Johnson

Pappageorge
Pavlov

Whitmer

Nays—1

Warren

Excused—0

Not Voting—2

Hood

Young

In The Chair: Schuitmaker

The Senate agreed to the title of the bill.

The following bill was read a third time:

House Bill No. 5340, entitled

A bill to amend 1973 PA 186, entitled "Tax tribunal act," by amending section 37 (MCL 205.737), as amended by 2006 PA 174.

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. 533

Yeas—38

Anderson
Bieda
Booher
Brandenburg
Casperson
Caswell
Colbeck
Emmons
Gleason
Green

Gregory
Hansen
Hildenbrand
Hood
Hopgood
Hune
Hunter
Jansen
Johnson
Jones

Kahn
Kowall
Marleau
Meekhof
Moolenaar
Nofs
Pappageorge
Pavlov
Proos

Richardville
Robertson
Rocca
Schuitmaker
Smith
Walker
Warren
Whitmer
Young

Nays—0

Excused—0

Not Voting—0

In The Chair: Schuitmaker

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

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

“An act to create the tax tribunal; to provide for personnel, jurisdiction, functions, practice and procedure; to provide for appeals; and to prescribe the powers and duties of certain state agencies; and to abolish certain boards.”.

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 5543, entitled

A bill to amend 1941 PA 122, entitled “An act to establish the revenue collection duties of the department of treasury; to prescribe its powers and duties as the revenue collection agency of this state; to prescribe certain powers and duties of the state treasurer; to establish the collection duties of certain other state departments for money or accounts owed to this state; to regulate the importation, stamping, and disposition of certain tobacco products; to provide for the transfer of powers and duties now vested in certain other state boards, commissions, departments, and offices; to prescribe certain duties of and require certain reports from the department of treasury; to provide procedures for the payment, administration, audit, assessment, levy of interests or penalties on, and appeals of taxes and tax liability; to prescribe its powers and duties if an agreement to act as agent for a city to administer, collect, and enforce the city income tax act on behalf of a city is entered into with any city; to provide an appropriation; to abolish the state board of tax administration; to prescribe penalties and provide remedies; and to declare the effect of this act,” by amending section 27a (MCL 205.27a), as amended by 2011 PA 304.

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. 534

Yeas—38

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

Nays—0

Excused—0

Not Voting—0

In The Chair: Schuitmaker

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

The following bill was read a third time:

Senate Bill No. 1167, entitled

A bill to amend 1909 PA 278, entitled “The home rule village act,” (MCL 78.1 to 78.28) by amending the title, as amended by 1998 PA 148, and by adding sections 27a, 27b, 27c, 27d, 27e, 27f, 27g, 27h, 27i, 27j, 27k, 27l, 27m, and 27n.

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. 535

Yeas—37

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

Nays—1

Emmons

Excused—0

Not Voting—0

In The Chair: Schuitmaker

The Senate agreed to the title of the bill.

The following bill was read a third time:

House Bill No. 5646, entitled

A bill to amend 2003 PA 260, entitled “Tax reverted clean title act,” by amending section 5 (MCL 211.1025) and by adding section 5a; and to repeal acts and parts of acts.

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—36

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

Nays—2

Meekhof

Young

Excused—0

Not Voting—0

In The Chair: Schuitmaker

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

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

“An act to provide for the exemption of certain property from certain taxes; to levy and collect a specific tax upon the owners of certain property; to provide for the disposition of the tax; to clarify the ownership of certain parcels of property; to prescribe the powers and duties of certain local government officials; and to provide penalties.”.

The Senate agreed to the full title.

The Assistant President pro tempore, Senator Hansen, assumed the Chair.

The following bill was read a third time:

House Bill No. 5560, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending section 169 (MCL 750.169).

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. 537

Yeas—36

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

Nays—2

Warren	Young
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Excused—0

Not Voting—0

In The Chair: Hansen

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, codify, and add to the statutes relating to crimes; to define crimes and prescribe the penalties and remedies; to provide for restitution under certain circumstances; to provide for the competency of evidence at the trial of persons accused of crime; to provide immunity from prosecution for certain witnesses appearing at criminal trials; to provide for liability for damages; and to repeal certain acts and parts of acts inconsistent with or contravening any of the provisions of this act.”.

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 5658, entitled

A bill to amend 1968 PA 15, entitled “Correctional industries act,” by amending sections 2, 6, and 7a (MCL 800.322, 800.326, and 800.327a), section 2 as amended and section 7a as added by 1996 PA 537 and section 6 as amended by 2010 PA 308.

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—20

Booher	Hune	Marleau	Proos
Brandenburg	Jansen	Meekhof	Richardville
Colbeck	Jones	Moolenaar	Robertson
Green	Kahn	Pappageorge	Rocca
Hildenbrand	Kowall	Pavlov	Schuitmaker

Nays—18

Anderson	Gleason	Hunter	Walker
Bieda	Gregory	Johnson	Warren
Casperson	Hansen	Nofs	Whitmer
Caswell	Hood	Smith	Young
Emmons	Hopgood		

Excused—0

Not Voting—0

In The Chair: Hansen

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 provide for the employment of inmate labor in the correctional institutions of this state; to provide for the employment of inmate labor in certain private enterprises under certain conditions; to provide for certain powers and duties of the department of corrections, the governor, and other officers and agencies in relation to correctional institutions; to provide for the requisitioning and disbursement of correctional industries products; to provide for the disposition of the proceeds of correctional industries and farms; to provide for purchasing and accounting procedures; to regulate the sale or disposition of inmate labor and products; to provide for the requisitioning, purchases, and supply of correctional industries products; to provide penalties for violations of this act; and to repeal acts and parts of acts.”.

The Senate agreed to the full title.

The President pro tempore, Senator Schuitmaker, resumed the Chair.

The following bill was read a third time:

House Bill No. 4146, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending section 698 (MCL 257.698), as amended by 1998 PA 247 and by adding section 682c.

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. 539

Yeas—30

Anderson	Hildenbrand	Marleau	Robertson
Bieda	Hood	Moolenaar	Rocca
Booher	Hopgood	Nofs	Schuitmaker
Casperson	Hunter	Pappageorge	Smith
Colbeck	Johnson	Pavlov	Warren
Gleason	Jones	Proos	Whitmer
Gregory	Kahn	Richardville	Young
Hansen	Kowall		

Nays—8

Brandenburg	Emmons	Hune	Meekhof
Caswell	Green	Jansen	Walker

Excused—0

Not Voting—0

In The Chair: Schuitmaker

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

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

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

“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.”.

The Senate agreed to the full title.

The President, Lieutenant Governor Calley, resumed the Chair.

The following bill was read a third time:

House Bill No. 5007, entitled

A bill to amend 1951 PA 51, entitled “An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set

up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to promote safe and efficient travel for motor vehicle drivers, bicyclists, pedestrians, and other legal users of roads, streets, and highways; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, local bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts," by amending sections 10c, 12, and 13 (MCL 247.660c, 247.662, and 247.663), section 10c as amended by 2010 PA 257, section 12 as amended by 2010 PA 143, and section 13 as amended by 2010 PA 261.

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—36

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

Nays—2

Caswell	Young
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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 of the bill.

The following bill was read a third time:

House Bill No. 4455, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending sections 3171, 3172, 3173a, 3174, 3175, 3320, and 3330 (MCL 500.3171, 500.3172, 500.3173a, 500.3174, 500.3175, 500.3320, and 500.3330), sections 3172 and 3175 as amended and section 3173a as added by 1984 PA 426 and section 3320 as amended by 1980 PA 461.

The question being on the passage of the bill,

Senator Hune offered the following amendments:

1. Amend page 1, following "**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**" by inserting:

"Sec. 1910. (1) Insurance shall not be placed by a licensee with an unauthorized insurer ~~when~~ **IF** coverage is available from an authorized insurer.

(2) There ~~shall be~~ **IS** a rebuttable presumption that the following coverages are available from an authorized insurer:

(a) No-fault automobile insurance, as required by section 3101, which is not written for a person who is self-insuring motor vehicles pursuant to section 531 of Act No. 300 of the Public Acts of 1949, being section 257.531 of the Michigan Compiled Laws **UNDER SECTION 3101D**.

(b) Private passenger automobile physical damage coverage.

(c) Homeowners and property insurance on owner-occupied dwellings, the value of which is less than the maximum limits of coverage ~~which~~ **THAT** are available for the property under the general rules of the Michigan basic property insurance association.

(d) Any coverage readily available from 3 or more authorized insurers, unless the authorized insurers quote a premium and terms not competitive with the premium and terms quoted by an unauthorized insurer.

(e) Worker's compensation insurance ~~which~~ **THAT** is not written for an employer ~~which~~ **THAT** is partially self-insured pursuant to **UNDER** section 611 of Act No. 317 of the Public Acts of 1969, as amended, being section **THE WORKER'S DISABILITY COMPENSATION ACT OF 1969, 1969 PA 317, MCL 418.611**. of the Michigan Compiled Laws.

(3) There ~~shall be~~ **IS** a rebuttable presumption that the following coverages are unavailable from an authorized insurer:

(a) Coverages ~~where~~ **WITH RESPECT TO WHICH** 1 portion of the risk is acceptable to authorized insurers, but another portion of the same risk is not acceptable. The entire coverage may be placed with eligible unauthorized insurers if it can be shown that eligible unauthorized insurers will accept the entire coverage but not the rejected portion alone.

(b) Any coverage that the licensee is unable to procure after diligent search among authorized insurers.

(4) The commissioner shall maintain, on a current basis, a list of those lines of insurance for which coverages are determined by the commissioner to be generally unavailable in the authorized insurance market. Any person may request in writing that the commissioner add or remove a coverage from the current list. The commissioner shall grant or deny a request within 30 days after receiving the written request. The commissioner shall encourage dissemination of information regarding the availability of coverages ~~for~~ for which the public interest necessitates additions to or deletions from the list. The list shall be published at least quarterly and shall be revised as required. The commissioner shall make the list available to all licensees and other members of the public, upon request.

SEC. 3101D. (1) A PERSON IN WHOSE NAME MORE THAN 25 MOTOR VEHICLES ARE REGISTERED MAY QUALIFY AS A SELF-INSURER BY OBTAINING A CERTIFICATE OF SELF-INSURANCE ISSUED BY THE COMMISSIONER UNDER SUBSECTION (2).

(2) THE COMMISSIONER MAY, IN HIS OR HER DISCRETION, ON THE APPLICATION OF A PERSON WHO WISHES TO QUALIFY UNDER SUBSECTION (1), ISSUE A CERTIFICATE OF SELF-INSURANCE TO THE PERSON IF THE COMMISSIONER IS SATISFIED THAT THE PERSON HAS AND WILL CONTINUE TO HAVE THE ABILITY TO PAY JUDGMENTS OBTAINED AGAINST THE PERSON.

(3) ON NOT LESS THAN 5 DAYS' NOTICE AND A HEARING IN ACCORDANCE WITH THE NOTICE, THE COMMISSIONER MAY ON REASONABLE GROUNDS CANCEL A CERTIFICATE OF SELF-INSURANCE ISSUED UNDER THIS SECTION. FAILURE TO PAY A JUDGMENT WITHIN 30 DAYS AFTER THE JUDGMENT BECOMES FINAL IS A REASONABLE GROUND FOR THE CANCELLATION OF A CERTIFICATE OF SELF-INSURANCE."

2. Amend page 15, following line 24, by inserting:

"Enacting section 2. Section 1910 of the insurance code of 1956, 1956 PA 218, MCL 500.1910, as amended by this amendatory act, and section 3101d of the insurance code of 1956, 1956 PA 218, as added by this amendatory act, take effect January 1, 2013.

Enacting section 3. Section 531 of the Michigan vehicle code, 1949 PA 300, MCL 257.531, is repealed effective January 1, 2013."

The amendments were 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. 541**Yeas—35**

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

Nays—3

Hood	Warren	Young
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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.

Senator Hune offered to amend the title to read as follows:

A bill to amend 1956 PA 218, entitled "An act to revise, consolidate, and classify the laws relating to the insurance and surety business; to regulate the incorporation or formation of domestic insurance and surety companies and associations and the admission of foreign and alien companies and associations; to provide their rights, powers, and immunities and to prescribe the conditions on which companies and associations organized, existing, or authorized under this act may exercise their powers; to provide the rights, powers, and immunities and to prescribe the conditions on which other persons, firms, corporations, associations, risk retention groups, and purchasing groups engaged in an insurance or surety business may exercise their powers; to provide for the imposition of a privilege fee on domestic insurance companies and associations and the state accident fund; to provide for the imposition of a tax on the business of foreign and alien companies and associations; to provide for the imposition of a tax on risk retention groups and purchasing groups; to provide for the imposition of a tax on the business of surplus line agents; to provide for the imposition of regulatory fees on certain insurers; to provide for assessment fees on certain health maintenance organizations; to modify tort liability arising out of certain accidents; to provide for limited actions with respect to that modified tort liability and to prescribe certain procedures for maintaining those actions; to require security for losses arising out of certain accidents; to provide for the continued availability and affordability of automobile insurance and homeowners insurance in this state and to facilitate the purchase of that insurance by all residents of this state at fair and reasonable rates; to provide for certain reporting with respect to insurance and with respect to certain claims against uninsured or self-insured persons; to prescribe duties for certain state departments and officers with respect to that reporting; to provide for certain assessments; to establish and continue certain state insurance funds; to modify and clarify the status, rights, powers, duties, and operations of the nonprofit malpractice insurance fund; to provide for the departmental supervision and regulation of the insurance and surety business within this state; to provide for regulation over worker's compensation self-insurers; to provide for the conservation, rehabilitation, or liquidation of unsound or insolvent insurers; to provide for the protection of policyholders, claimants, and creditors of unsound or insolvent insurers; to provide for associations of insurers to protect policyholders and claimants in the event of insurer insolvencies; to prescribe educational requirements for insurance agents and solicitors; to provide for the regulation of multiple employer welfare arrangements; to create an automobile theft prevention authority to reduce the number of automobile thefts in this state; to prescribe the

powers and duties of the automobile theft prevention authority; to provide certain powers and duties upon certain officials, departments, and authorities of this state; to provide for an appropriation; to repeal acts and parts of acts; and to provide penalties for the violation of this act,” by amending sections 1910, 3171, 3172, 3173a, 3174, 3175, 3320, and 3330 (MCL 500.1910, 500.3171, 500.3172, 500.3173a, 500.3174, 500.3175, 500.3320, and 500.3330), sections 3172 and 3175 as amended and section 3173a as added by 1984 PA 426 and section 3320 as amended by 1980 PA 461, and by adding sections 3101d and 3178; and to repeal acts and parts of acts.

The amendment to the title was adopted.

The Senate agreed to the title as amended.

The following bill was read a third time:

House Bill No. 5424, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending sections 722 and 724 (MCL 257.722 and 257.724), section 722 as amended by 2009 PA 146 and section 724 as amended by 2009 PA 169.

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. 4025, entitled

A bill to amend 1933 PA 167, entitled “General sales tax act,” by amending section 25 (MCL 205.75), as amended by 2010 PA 160.

The question being on the passage of the bill,

Senator Casperson offered the following substitute:

Substitute (S-2).

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. 542

Yeas—37

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

Nays—1

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.

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

“An act to provide for the raising of additional public revenue by prescribing certain specific taxes, fees, and charges to be paid to the state for the privilege of engaging in certain business activities; to provide, incident to the enforcement thereof, for the issuance of licenses to engage in such occupations; to provide for the ascertainment, assessment and collection thereof; to appropriate the proceeds thereof; and to prescribe penalties for violations of the provisions of this act.”.

The Senate agreed to the full title.

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

The motion prevailed.

Senator Anderson’s statement is as follows:

I would like to say farewell to someone today. You may recognize her; Eftjona Cobani who is an intern in my office. She has been with us since January. Before coming to my office, she worked here on the Senate floor and basically was an intern for all of us.

She has been a tremendous asset to my office. She worked very closely with constituent issues and doing anything else that we needed her to do. She graduated from Central Michigan University last month, majoring in political science and international affairs. She has been a tireless advocate for the constituents in our district. She is extremely intelligent and has a tremendous work ethic and degree of professionalism not often seen in someone her age. She assisted my staff in many of the areas critical to the smooth functionality of a Senate office, including district correspondence and, as I mentioned, constituent casework and legislative tracking.

I wish her the best of luck in all of her future endeavors, and I want her to know that she will truly be missed. I would ask my colleagues to join me in thanking Efti for all of her hard work for the citizens of the 6th District, as well as for the time that she assisted all of us when she was on the Senate floor.

The following bill was read a third time:

House Bill No. 5562, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending section 136b (MCL 750.136b), as amended by 2008 PA 577, and by adding section 136d.

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—38

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

Nays—0

Excused—0

Not Voting—0

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, codify, and add to the statutes relating to crimes; to define crimes and prescribe the penalties and remedies; to provide for restitution under certain circumstances; to provide for the competency of evidence at the trial of persons accused of crime; to provide immunity from prosecution for certain witnesses appearing at criminal trials; to provide for liability for damages; and to repeal certain acts and parts of acts inconsistent with or contravening any of the provisions of this act;”.

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 5563, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 16g of chapter XVII (MCL 777.16g), as amended by 2008 PA 521.

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. 544

Yeas—38

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

Nays—0

Excused—0

Not Voting—0

In The Chair: 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.

The following bill was read a third time:

Senate Bill No. 577, entitled

A bill to amend 2004 PA 403, entitled “Michigan unarmed combat regulatory act,” by amending sections 20 and 33 (MCL 338.3620 and 338.3633), as amended by 2007 PA 196, and by adding section 61a.

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. 545

Yeas—38

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

Nays—0

Excused—0

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

By unanimous consent the Senate returned to the order of

Motions and Communications

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

House Bill No. 5246

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

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 Hopgood as Chairperson.

After some time spent therein, the Committee arose; and the President, Lieutenant Governor Calley, having resumed the Chair, the Committee reported back to the Senate, favorably and with a substitute therefor, the following bill:

Senate Bill No. 1129, entitled

A bill to amend 2001 PA 34, entitled "Revised municipal finance act," by amending sections 103, 305, and 503 (MCL 141.2103, 141.2305, and 141.2503) and by adding section 518.

Substitute (S-2).

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

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

House Bill No. 5246, entitled

A bill to amend 1986 PA 281, entitled "The local development financing act," by amending sections 2, 3, 4, 11b, 12, 12a, 12c, and 12c (MCL 125.2152, 125.2153, 125.2154, 125.2161b, 125.2162, 125.2162a, 125.2162c, and 125.2162c[1]), section 2 as amended by 2010 PA 376, sections 3, 4, and 12 as amended and section 12c as added by 2010 PA 276, section 11b as amended by 2010 PA 127, and section 12a as amended and section 12c as added by 2009 PA 162.

Substitute (S-1).

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

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

House Bill No. 5717, entitled

A bill to establish an agricultural loan origination program; to authorize certain loan guarantees and collateral support mechanisms; to prescribe the powers and duties of certain state agencies and officials; to provide for an appropriation; and to repeal acts and parts of acts.

Substitute (S-2).

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

1. Amend page 4, line 14, after "September 30," by striking out "2016" and inserting "2017".
2. Amend page 6, line 27, after "September 30," by striking out "2016" and inserting "2017".

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

By unanimous consent the Senate returned to the order of

Third Reading of Bills

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

Senate Bill No. 1129

House Bill No. 5246

House Bill No. 5717

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

The following bill was read a third time:

Senate Bill No. 1129, entitled

A bill to amend 2001 PA 34, entitled "Revised municipal finance act," by amending sections 103, 305, and 503 (MCL 141.2103, 141.2305, and 141.2503) and by adding section 518.

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. 546

Yeas—25

Booher
Casperson
Caswell

Hildenbrand
Hune
Jansen

Marleau
Meekhof
Moolenaar

Proos
Richardville
Robertson

Colbeck
Emmons
Green
Hansen

Jones
Kahn
Kowall

Nofs
Pappageorge
Pavlov

Rocca
Schuitmaker
Walker

Nays—11

Anderson
Bieda
Gleason

Gregory
Hopgood
Hunter

Johnson
Smith
Warren

Whitmer
Young

Excused—0

Not Voting—2

Brandenburg

Hood

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

House Bill No. 5246, entitled

A bill to amend 1986 PA 281, entitled “The local development financing act,” by amending sections 2, 3, 4, 11b, 12, 12a, 12c, and 12c (MCL 125.2152, 125.2153, 125.2154, 125.2161b, 125.2162, 125.2162a, 125.2162c, and 125.2162c[1]), section 2 as amended by 2010 PA 376, sections 3, 4, and 12 as amended and section 12c as added by 2010 PA 276, section 11b as amended by 2010 PA 127, and section 12a as amended and section 12c as added by 2009 PA 162.

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. 547

Yeas—28

Anderson
Bieda
Booher
Emmons
Gleason
Green
Gregory

Hansen
Hildenbrand
Hopgood
Hunter
Jansen
Johnson
Jones

Kahn
Kowall
Moolenaar
Nofs
Pappageorge
Pavlov
Proos

Richardville
Schuitmaker
Smith
Walker
Warren
Whitmer
Young

Nays—8

Casperson
Caswell

Colbeck
Hune

Marleau
Meekhof

Robertson
Rocca

Excused—0

Not Voting—2

Brandenburg

Hood

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 encourage local development to prevent conditions of unemployment and promote economic growth; to provide for the establishment of local development finance authorities and to prescribe their powers and duties; to provide for the creation of a board to govern an authority and to prescribe its powers and duties; to provide for the creation and implementation of development plans; to authorize the acquisition and disposal of interests in real and personal property; to permit the issuance of bonds and other evidences of indebtedness by an authority; to prescribe powers and duties of certain public entities and state officers and agencies; to reimburse authorities for certain losses of tax increment revenues; and to authorize and permit the use of tax increment financing.”.

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 5717, entitled

A bill to establish an agricultural loan origination program; to authorize certain loan guarantees; to prescribe the powers and duties of certain state agencies and officials; to provide for an appropriation; and to repeal acts and parts of acts.

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. 548**Yeas—38**

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

Nays—0**Excused—0****Not Voting—0**

In The Chair: 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 of the bill.

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

Senator Meekhof moved that consideration of the following bill be postponed temporarily:

Senate Bill No. 1045

The motion prevailed.

House Bill No. 4593, entitled

A bill to amend 1956 PA 218, entitled "An act to revise, consolidate, and classify the laws relating to the insurance and surety business; to regulate the incorporation or formation of domestic insurance and surety companies and associations and the admission of foreign and alien companies and associations; to provide their rights, powers, and immunities and to prescribe the conditions on which companies and associations organized, existing, or authorized under this act may exercise their powers; to provide the rights, powers, and immunities and to prescribe the conditions on which other persons, firms, corporations, associations, risk retention groups, and purchasing groups engaged in an insurance or surety business may exercise their powers; to provide for the imposition of a privilege fee on domestic insurance companies and associations and the state accident fund; to provide for the imposition of a tax on the business of foreign and alien companies and associations; to provide for the imposition of a tax on risk retention groups and purchasing groups; to provide for the imposition of a tax on the business of surplus line agents; to provide for the imposition of regulatory fees on certain insurers; to provide for assessment fees on certain health maintenance organizations; to modify tort liability arising out of certain accidents; to provide for limited actions with respect to that modified tort liability and to prescribe certain procedures for maintaining those actions; to require security for losses arising out of certain accidents; to provide for the continued availability and affordability of automobile insurance and homeowners insurance in this state and to facilitate the purchase of that insurance by all residents of this state at fair and reasonable rates; to provide for certain reporting with respect to insurance and with respect to certain claims against uninsured or self-insured persons; to prescribe duties for certain state departments and officers with respect to that reporting; to provide for certain assessments; to establish and continue certain state insurance funds; to modify and clarify the status, rights, powers, duties, and operations of the nonprofit malpractice insurance fund; to provide for the departmental supervision and regulation of the insurance and surety business within this state; to provide for regulation over worker's compensation self-insurers; to provide for the conservation, rehabilitation, or liquidation of unsound or insolvent insurers; to provide for the protection of policyholders, claimants, and creditors of unsound or insolvent insurers; to provide for associations of insurers to protect policyholders and claimants in the event of insurer insolvencies; to prescribe educational requirements for insurance agents and solicitors; to provide for the regulation of multiple employer welfare arrangements; to create an automobile theft prevention authority to reduce the number of automobile thefts in this state; to prescribe the powers and duties of the automobile theft prevention authority; to provide certain powers and duties upon certain officials, departments, and authorities of this state; to provide for an appropriation; to repeal acts and parts of acts; and to provide penalties for the violation of this act," (MCL 500.100 to 500.8302) by adding sections 2159 and 2161.

(For text of amendment, see Senate Journal No. 58, p. 1697.)

The question being on concurring in the House amendment made to the Senate substitute,

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

Roll Call No. 549

Yeas—37

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

Nays—1

Young

Excused—0

Not Voting—0

In The Chair: President

House Bill No. 4594, entitled

A bill to amend 1956 PA 218, entitled “An act to revise, consolidate, and classify the laws relating to the insurance and surety business; to regulate the incorporation or formation of domestic insurance and surety companies and associations and the admission of foreign and alien companies and associations; to provide their rights, powers, and immunities and to prescribe the conditions on which companies and associations organized, existing, or authorized under this act may exercise their powers; to provide the rights, powers, and immunities and to prescribe the conditions on which other persons, firms, corporations, associations, risk retention groups, and purchasing groups engaged in an insurance or surety business may exercise their powers; to provide for the imposition of a privilege fee on domestic insurance companies and associations and the state accident fund; to provide for the imposition of a tax on the business of foreign and alien companies and associations; to provide for the imposition of a tax on risk retention groups and purchasing groups; to provide for the imposition of a tax on the business of surplus line agents; to provide for the imposition of regulatory fees on certain insurers; to provide for assessment fees on certain health maintenance organizations; to modify tort liability arising out of certain accidents; to provide for limited actions with respect to that modified tort liability and to prescribe certain procedures for maintaining those actions; to require security for losses arising out of certain accidents; to provide for the continued availability and affordability of automobile insurance and homeowners insurance in this state and to facilitate the purchase of that insurance by all residents of this state at fair and reasonable rates; to provide for certain reporting with respect to insurance and with respect to certain claims against uninsured or self-insured persons; to prescribe duties for certain state departments and officers with respect to that reporting; to provide for certain assessments; to establish and continue certain state insurance funds; to modify and clarify the status, rights, powers, duties, and operations of the nonprofit malpractice insurance fund; to provide for the departmental supervision and regulation of the insurance and surety business within this state; to provide for regulation over worker’s compensation self-insurers; to provide for the conservation, rehabilitation, or liquidation of unsound or insolvent insurers; to provide for the protection of policyholders, claimants, and creditors of unsound or insolvent insurers; to provide for associations of insurers to protect policyholders and claimants in the event of insurer insolvencies; to prescribe educational requirements for insurance agents and solicitors; to provide for the regulation of multiple employer welfare arrangements; to create an automobile theft prevention authority to reduce the number of automobile thefts in this state; to prescribe the powers and duties of the automobile theft prevention authority; to provide certain powers and duties upon certain officials, departments, and authorities of this state; to provide for an appropriation; to repeal acts and parts of acts; and to provide penalties for the violation of this act,” (MCL 500.100 to 500.8302) by adding sections 2153 and 2156.

(For text of amendment, see Senate Journal No. 58, p. 1698.)

The question being on concurring in the House amendment made to the Senate substitute,

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

Roll Call No. 550

Yeas—36

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

Nays—2

Hood

Young

Excused—0

Not Voting—0

In The Chair: President

By unanimous consent the Senate proceeded to the order of
Resolutions

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

Senate Resolution No. 115
Senate Concurrent Resolution No. 26
Senate Resolution No. 34
Senate Resolution No. 85
Senate Resolution No. 105
House Concurrent Resolution No. 29
Senate Resolution No. 112
House Concurrent Resolution No. 6
Senate Resolution No. 120
Senate Resolution No. 127
House Concurrent Resolution No. 49
House Concurrent Resolution No. 53
House Concurrent Resolution No. 54
Senate Concurrent Resolution No. 27

The motion prevailed.

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

Senate Resolution No. 163
Senate Resolution No. 165

The resolution consent calendar was adopted.

Senators Rocca and Bieda offered the following resolution:

Senate Resolution No. 163.

A resolution to recognize July 2012 as Parks and Recreation Month in the state of Michigan.

Whereas, Parks and recreation programs are an integral part of communities throughout the United States and Michigan; and

Whereas, Michigan's parks and recreation services are vitally important to establishing and maintaining the quality of life in our communities, ensuring the health of all citizens, and contributing to the economic and environmental well-being of a community and region; and

Whereas, Parks and recreation programs build healthy, active communities that aid in the prevention of chronic disease, provide therapeutic recreation services for those who have a mental or physical disability, and also improve the mental and emotional health of all citizens; and

Whereas, Parks and recreation services develop a sense of place, create vibrant communities, and provide the amenities necessary to attract and retain residents in the 21st century; and

Whereas, These vital programs increase economic prosperity through increased property values, expansion of the local tax base, greater tourism, the attraction and retention of businesses, and crime reduction; and

Whereas, Parks and recreation areas are fundamental to the environmental well-being of our community, improving water quality, protecting groundwater, preventing flooding, enhancing the quality of the air we breathe, providing vegetative buffers to development, and producing habitat for wildlife; and

Whereas, Michigan's parks and recreation areas ensure the ecological beauty of our community and provide a place for children and adults to connect with nature and recreate outdoors; and

Whereas, America has celebrated July as the nation's official Park and Recreation Month; now, therefore, be it

Resolved by the Senate, That we recognize July 2012 as Parks and Recreation Month in the state of Michigan; and be it further

Resolved, That a copy of this resolution be transmitted to the Michigan Recreation and Park Association.

Senators Anderson, Booher, Brandenburg, Gleason, Green, Hopgood, Jones, Marleau, Moolenaar, Pappageorge, Proos and Warren were named co-sponsors of the resolution.

Senator Hansen offered the following resolution:

Senate Resolution No. 165.

A resolution to declare June 9-17, 2012, as Aquatic Invasive Species Awareness Week in the state of Michigan.

Whereas, Michigan and its economy are defined by the Great Lakes and depend on its great abundance of freshwater for manufacturing, tourism, fishing, public water supplies, agriculture, and numerous other uses; and

Whereas, Preventing the introduction of aquatic invasive species ultimately benefits the state of Michigan, and stopping the introduction of these species would eliminate the need of the state of Michigan, business, industry, and citizens from employing costly methods to control and manage them; and

Whereas, Michigan has taken the lead in protecting the Great Lakes from aquatic invasive species from a number of pathways, including ballast water, canals and waterways, organisms in trade, and recreational activities; and

Whereas, More than 180 nonindigenous aquatic invasive species have been introduced to the Great Lakes, many of which are displacing native species, disrupting habitats, and degrading natural, managed, and agricultural landscapes, requiring millions of dollars for control efforts each year; and

Whereas, Michigan has more than 1 million registered boaters and many other recreational, commercial, and industrial users of more than 11,000 lakes and ponds and over 36,000 miles of streams in the state, many of which are impacted by aquatic invasive species; and

Whereas, Aquatic invasive species awareness is an important first step toward behavior change, which prevents the introduction and spread of aquatic invasive species; and

Whereas, Spring marks the beginning of water-related recreational activities in Michigan; and

Whereas, Aquatic Invasive Species Awareness Week is an opportunity for government to join forces with business, industry, environmental groups, community organizations, and citizens to take action against the introduction and spread of aquatic invasive species; now, therefore, be it

Resolved by the Senate, That the members of this legislative body declare June 9-17, 2012, as Aquatic Invasive Species Awareness Week in the state of Michigan; and be it further

Resolved, That all citizens are encouraged to increase their understanding and awareness of aquatic invasive species and their ecological and economic impacts, and take preventative measures to stop the spread and introduction of aquatic invasive species; and be it further

Resolved, That a copy of this resolution be transmitted to the Michigan Department of Environmental Quality, Michigan Department of Agriculture and Rural Development, Michigan Department of Natural Resources, Michigan Department of Transportation, Great Lakes Fishery Commission, Council of Great Lakes Governors, Michigan congressional delegation, and Great Lakes Commission.

Senators Jansen, Pappageorge and Marleau offered the following resolution:

Senate Resolution No. 164.

A resolution to express opposition to the proposed constitutional amendment by Citizens for More Michigan Jobs that would authorize the establishment of eight new casinos and to urge voters not to sign petitions placing this amendment on the statewide ballot.

Whereas, This proposed amendment will take away the public's right to determine the establishment of gaming enterprises in our state by eliminating the requirement found in Article IV, Section 41 of the *Constitution of the State of Michigan of 1963* mandating that the expansion of gaming must be approved by the majority of statewide voters as well as the majority of voters in the local municipality where the expansion will take place; and

Whereas, The proposed amendment violates basic tenets of public participation by failing to publicly disclose the names and identities of the individuals and businesses that would own the eight proposed casinos. Further, the amendment would also guarantee these unnamed entities the right to own eight new casinos. These unnamed entities would not be subject to background checks or need to meet other rigorous regulatory standards required by the Liquor Control Commission; and

Whereas, There are currently 25 operating casinos, plus Club Keno and charity gambling operations in the state of Michigan, more than enough to satisfy the gaming needs of Michigan residents; now, therefore, be it

Resolved by the Senate, That we hereby express strong opposition to the proposed constitutional amendment by Citizens for More Michigan Jobs that would authorize the establishment of eight new casinos and eliminate for Michigan residents and communities the right to vote on new casinos in the future; and be it further

Resolved, That we urge voters not to sign petitions placing this amendment on the statewide ballot; and be it further

Resolved, That copies of this resolution be transmitted to Protect MI Vote.

Pursuant to rule 3.204, the resolution was referred to the Committee on Government Operations.

Senators Brandenburg, Colbeck, Green, Hunter, Moolenaar and Proos were named co-sponsors of the resolution.

Senate Resolution No. 158.

A resolution to urge the President of the United States to declare a major disaster or emergency for areas in Michigan's Upper Peninsula impacted by the Duck Lake wildfire.

The question being on the adoption of the resolution,

The resolution was adopted.

Senator Meekhof offered the following concurrent resolution:

Senate Concurrent Resolution No. 29.

A concurrent resolution prescribing the legislative schedule.

Resolved by the Senate (the House of Representatives concurring), That when the Senate adjourns on Thursday, June 14, 2012, it stands adjourned until Wednesday, July 18, 2012, at 12:00 noon; when it adjourns on Wednesday, July 18, 2012, it stands adjourned until Thursday, August 16, 2012, at 12:00 noon; and when it adjourns on Thursday, August 16, 2012, it stands adjourned until Tuesday, September 11, 2012, at 10:00 a.m.; and be it further

Resolved, That when the House of Representatives adjourns on Thursday, June 14, 2012, it stands adjourned until Wednesday, July 18, 2012, at 10:00 a.m.; when it adjourns on Wednesday, July 18, 2012, it stands adjourned until Wednesday, August 15, 2012, at 10:00 a.m.; and when it adjourns on Wednesday, August 15, 2012, it stands adjourned until Tuesday, September 11, 2012, at 1:30 p.m.

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 concurrent resolution was adopted.

Senator Meekhof offered the following concurrent resolution:

Senate Concurrent Resolution No. 30.

A concurrent resolution prescribing the legislative schedule.

Resolved by the Senate (the House of Representatives concurring), That when the Senate adjourns on Thursday, June 14, 2012, it stands adjourned until Wednesday, July 18, 2012, at 12:00 noon; when it adjourns on Wednesday, July 18, 2012, it stands adjourned until Thursday, August 16, 2012, at 12:00 noon; and when it adjourns on Thursday, August 16, 2012, it stands adjourned until Tuesday, September 11, 2012, at 10:00 a.m.; and be it further

Resolved, That when the House of Representatives adjourns on Friday, June 15, 2012, it stands adjourned until Wednesday, July 18, 2012, at 10:00 a.m.; when it adjourns on Wednesday, July 18, 2012, it stands adjourned until Wednesday, August 15, 2012, at 10:00 a.m.; and when it adjourns on Wednesday, August 15, 2012, it stands adjourned until Tuesday, September 11, 2012, at 1:30 p.m.

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 concurrent resolution was adopted.

By unanimous consent the Senate returned to the order of

Third Reading of Bills

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

House Bill No. 5424, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 722 and 724 (MCL 257.722 and 257.724), section 722 as amended by 2009 PA 146 and section 724 as amended by 2009 PA 169.

(This bill was read a third time earlier today and consideration postponed. See p. 1802.)

The question being on the passage of the bill,

Senator Proos offered the following substitute:

Substitute (S-3).

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. 551

Yeas—36

Anderson	Gregory	Jones	Proos
Bieda	Hansen	Kahn	Richardville
Booher	Hildenbrand	Kowall	Robertson
Brandenburg	Hood	Marleau	Rocca
Casperson	Hopgood	Meekhof	Schuitmaker
Caswell	Hune	Moolenaar	Smith

Emmons
Gleason
Green

Hunter
Jansen
Johnson

Nofs
Pappageorge
Pavlov

Walker
Warren
Whitmer

Nays—2

Colbeck

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.

Senator Proos offered to amend 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 627, 688, 722, and 724 (MCL 257.627, 257.688, 257.722, and 257.724), section 627 as amended by 2006 PA 85, section 688 as amended by 2006 PA 14, section 722 as amended by 2009 PA 146, and section 724 as amended by 2009 PA 169, and by adding section 30c.

The amendment to the title was adopted.

The Senate agreed to the title as amended.

Recess

Senator Meekhof moved that the Senate recess until 1:00 p.m.

The motion prevailed, the time being 11:54 a.m.

The Senate reconvened at the expiration of the recess and was called to order by the Assistant President pro tempore, Senator Hansen.

Recess

Senator Jansen moved that the Senate recess subject to the call of the Chair.

The motion prevailed, the time being 1:01 p.m.

2:40 p.m.

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

By unanimous consent the Senate proceeded to the order of

Introduction and Referral of Bills

Senators Bieda, Kowall, Jones, Nofs, Marleau, Colbeck, Emmons, Hopgood, Casperson and Young introduced

Senate Bill No. 1182, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 1310 and 1311a (MCL 380.1310 and 380.1311a), section 1310 as amended by 2000 PA 230 and section 1311a as amended by 2007 PA 138.

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

Senator Booher introduced

Senate Bill No. 1183, entitled

A bill to amend 1973 PA 186, entitled "Tax tribunal act," by amending sections 34 and 62 (MCL 205.734 and 205.762), section 34 as amended by 1980 PA 437 and section 62 as amended by 2008 PA 128.

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

Senator Hune introduced

Senate Bill No. 1184, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 9207 (MCL 333.9207), as amended by 2006 PA 91.

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

Senator Hune introduced

Senate Bill No. 1185, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 20174.

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

Senator Hune introduced

Senate Bill No. 1186, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 465 (MCL 750.465) and by adding section 465b.

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

Senator Hune introduced

Senate Bill No. 1187, entitled

A bill to regulate the issuance and resale of tickets to certain entertainment events; to provide consumer protections for ticket purchasers; to prescribe powers and duties of certain state governmental officers and agencies; to provide remedies; and to provide for the promulgation of rules.

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

Senator Hune introduced

Senate Bill No. 1188, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 252d, 252g, and 252k (MCL 257.252d, 257.252g, and 257.252k), as amended by 2008 PA 539.

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

Senators Jansen, Nofs, Pavlov, Young, Colbeck, Booher, Anderson, Kahn, Hansen and Pappageorge introduced

Senate Bill No. 1189, entitled

A bill to amend 2002 PA 100, entitled "Public employee retirement benefit protection act," (MCL 38.1681 to 38.1689) by amending the title and by adding section 8a.

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

Senator Gleason introduced

Senate Bill No. 1190, entitled

A bill to amend 1968 PA 330, entitled "Private security business and security alarm act," by amending section 33 (MCL 338.1083), as amended by 2000 PA 411.

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

Senator Gleason introduced

Senate Bill No. 1191, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 43526 (MCL 324.43526), as amended by 1996 PA 585.

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

Senator Gleason introduced

Senate Bill No. 1192, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 640 (MCL 257.640).

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

Senator Gleason introduced

Senate Bill No. 1193, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 303 and 320 (MCL 257.303 and 257.320), section 303 as amended by 2011 PA 159 and section 320 as amended by 2004 PA 362.

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

Senator Johnson introduced

Senate Bill No. 1194, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 5427.

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

Senator Caswell introduced

Senate Bill No. 1195, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," (MCL 400.1 to 400.119b) by adding section 109k.

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

Senator Caswell introduced

Senate Bill No. 1196, entitled

A bill to amend 1974 PA 258, entitled "Mental health code," by amending sections 204, 224, and 232a (MCL 330.1204, 330.1224, and 330.1232a), sections 204 and 224 as amended and section 232a as added by 1995 PA 290; 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 Appropriations.

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

Senate Bill No. 1197, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," (MCL 168.1 to 168.992) by adding section 493a.

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

House Bill No. 5040, entitled

A bill to protect the right of a student to assert conscientious objection to providing certain counseling or other services; to prohibit certain actions by institutions of higher education; and to provide remedies.

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 Government Operations.

House Bill No. 5225, entitled

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

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 Judiciary.

House Bill No. 5498, entitled

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

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 Judiciary.

House Bill No. 5499, entitled

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

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 Judiciary.

House Bill No. 5711, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 2803, 2804, 2834, 2848, 13807, 16221, 16226, 16299, 17015, 17515, 20115, and 22224 (MCL 333.2803, 333.2804, 333.2834, 333.2848, 333.13807, 333.16221, 333.16226, 333.16299, 333.17015, 333.17515, 333.20115, and 333.22224), sections 2803, 2834, and 2848 as amended by 2002 PA 562, section 2804 as amended by 1990 PA 149, section 13807 as added by 1990 PA 21, section 16221 as amended by 2011 PA 222, section 16226 as amended by 2011 PA 224, section 16299 as amended by 2002 PA 685, section 17015 as amended by 2006 PA 77, section 17515 as added by 1993 PA 133, and section 20115 as amended and section 22224 as added by 1999 PA 206, and by adding sections 2836, 2854, 17015a, 17017, 17019, 17517, and 17519.

The House of Representatives has passed the bill.

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

By unanimous consent the Senate returned to the order of

Messages from the House**Senate Bill No. 853, entitled**

A bill to amend 2006 PA 384, entitled "Driver education provider and instructor act," by amending sections 29, 35, and 59 (MCL 256.649, 256.655, and 256.679).

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

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

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

The Senate agreed to the full title.

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

Senate Bill No. 1030, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 682 (MCL 257.682), as amended by 1990 PA 188.

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

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

Senate Bill No. 717, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 43526a; and to repeal acts and parts of acts.

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

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

Senate Bill No. 995, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 20934 (MCL 333.20934), as amended by 2000 PA 375.

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

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

Senate Bill No. 1106, entitled

A bill to amend 1936 (Ex Sess) PA 1, entitled "Michigan employment security act," by amending section 46 (MCL 421.46), as amended by 2011 PA 269.

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

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

Senate Bill No. 1107, entitled

A bill to amend 1936 (Ex Sess) PA 1, entitled "Michigan employment security act," by amending section 13m (MCL 421.13m), as amended by 2011 PA 269.

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

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

Senate Bill No. 1146, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 20a (MCL 257.20a), as added by 1996 PA 404.

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

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

Senators Anderson, Bieda, Booher, Casperson, Caswell, Emmons, Gleason, Green, Gregory, Hildenbrand, Hood, Hopgood, Jansen, Jones, Marleau, Meekhof, Moolenaar, Nofs, Pappageorge, Proos, Richardville, Robertson, Rocca, Schuitmaker, Walker, Warren and Young were named co-sponsors of the bill.

Recess

Senator Meekhof moved that the Senate recess subject to the call of the Chair.
The motion prevailed, the time being 3:02 p.m.

3:07 p.m.

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

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 pro tempore, Senator Schuitmaker, designated Senator Hopgood as Chairperson.

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

Senate Bill No. 1121, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 21, 59, and 73 (MCL 257.21, 257.59, and 257.73), section 21 as amended by 1985 PA 32.

Substitute (S-1).

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

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

"Sec. 717. (1) The total outside width of a vehicle or the load on a vehicle shall not exceed 96 inches, except as otherwise provided in this section.

(2) A person may operate or move an implement of husbandry of any width on a highway as required, designed, and intended for farming operations, including the movement of implements of husbandry being driven or towed and not hauled on a trailer, without obtaining a special permit for an excessively wide vehicle or load under section 725. The operation or movement of the implement of husbandry shall be in a manner so as to minimize the interruption of traffic flow. A person shall not operate or move an implement of husbandry to the left of the center of the roadway from a half hour after sunset to a half hour before sunrise, under the conditions specified in section 639, or at any time visibility is substantially diminished due to weather conditions. A person operating or moving an implement of husbandry shall follow all traffic regulations.

(3) The total outside width of the load of a vehicle hauling concrete pipe, agricultural products, or unprocessed logs, pulpwood, or wood bolts shall not exceed 108 inches.

(4) Except as provided in subsections (2) and (5) and this subsection, if a vehicle that is equipped with pneumatic tires is operated on a highway, the maximum width from the outside of 1 wheel and tire to the outside of the opposite wheel and tire shall not exceed 102 inches, and the outside width of the body of the vehicle or the load on the vehicle shall not exceed 96 inches. However, a truck and trailer or a tractor and semitrailer combination hauling pulpwood or unprocessed logs may be operated with a maximum width of not to exceed 108 inches in accordance with a special permit issued under section 725.

(5) The total outside body width of a bus, a trailer coach, a trailer, a semitrailer, a truck camper, or a motor home shall not exceed 102 inches. However, an appurtenance of a trailer coach, a truck camper, or a motor home that extends not more than 6 inches beyond the total outside body width is not a violation of this section.

(6) THE TOTAL OUTSIDE BODY WIDTH OF A CRIB VEHICLE SHALL NOT EXCEED 108 INCHES.

(7) ~~(6)~~ A vehicle shall not extend beyond the center line of a state trunk line highway except when authorized by law. Except as provided in subsection (2), if the width of the vehicle makes it impossible to stay away from the center line, a permit shall be obtained under section 725.

(8) ~~(7)~~ The director of the state transportation department, a county road commission, or a local authority may designate a highway under the agency's jurisdiction as a highway on which a person may operate a vehicle or vehicle combination that is not more than 102 inches in width, including load, the operation of which would otherwise be prohibited by this section. The agency making the designation may require that the owner or lessee of the vehicle or of each vehicle in the vehicle combination secure a permit before operating the vehicle or vehicle combination. This subsection does not restrict the issuance of a special permit under section 725 for the operation of a vehicle or vehicle combination. This subsection does not permit the operation of a vehicle or vehicle combination described in section 722a carrying a load described in that section if the operation would otherwise result in a violation of that section.

(9) ~~(8)~~—The director of the state transportation department, a county road commission, or a local authority may issue a special permit under section 725 to a person operating a vehicle or vehicle combination if all of the following are met:

(a) The vehicle or vehicle combination, including load, is not more than 106 inches in width.

(b) The vehicle or vehicle combination is used solely to move new motor vehicles or parts or components of new motor vehicles between facilities that meet all of the following:

(i) New motor vehicles or parts or components of new motor vehicles are manufactured or assembled in the facilities.

(ii) The facilities are located within 10 miles of each other.

(iii) The facilities are located within the city limits of the same city and the city is located in a county that has a population of more than 400,000 and less than 500,000 according to the most recent federal decennial census.

(c) The special permit and any renewals are each issued for a term of 1 year or less.

(10) ~~(9)~~—A person may move or operate a boat lift of any width or an oversized hydraulic boat trailer owned and operated by a marina or watercraft dealer in a commercial boat storage operation on a highway under a multiple trip permit issued on an annual basis as specified under section 725. The operation or movement of the boat lift or trailer shall minimize the interruption of traffic flow. It shall be used exclusively to transport a boat between a place of storage and a marina or in and around a marina. A boat lift or oversized hydraulic boat trailer may be operated, drawn, or towed on a street or highway only when transporting a vessel between a body of water and a place of storage or when traveling empty to or from transporting a vessel. A boat lift shall not be operated on limited access highways. A person moving or operating a boat lift or oversized hydraulic boat trailer shall follow all traffic regulations and shall ensure the route selected has adequate power and utility wire height clearance.

(11) ~~(10)~~—A person who violates this section is responsible for a civil infraction. The owner of the vehicle may be charged with a violation of this section.”

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

By unanimous consent the Senate returned to the order of

Third Reading of Bills

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 at the head of the Third Reading of Bills calendar:

Senate Bill No. 1121

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

The following bill was read a third time:

Senate Bill No. 1121, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending sections 21, 59, 73, 312a, 312b, and 658 (MCL 257.21, 257.59, 257.73, 257.312a, 257.312b, and 257.658), section 21 as amended by 1985 PA 32, section 312b as amended by 2004 PA 362, and section 658 as amended by 2012 PA 98.

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. 552

Yeas—38

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

Nays—0

Excused—0

Not Voting—0

In The Chair: Schuitmaker

Senator Casperson offered to amend the title to read as follows:

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending sections 21, 59, 73, 312a, 312b, 658, and 717 (MCL 257.21, 257.59, 257.73, 257.312a, 257.312b, 257.658, and 257.717), section 21 as amended by 1985 PA 32, section 312b as amended by 2004 PA 362, section 658 as amended by 2012 PA 98, and section 717 as amended by 2008 PA 539.

The amendment to the title was adopted.

The Senate agreed to the title as amended.

By unanimous consent the Senate returned to the order of

Messages from the House

Senate Bill No. 543, entitled

A bill to amend 1953 PA 192, entitled “An act to create a county department of veterans’ affairs in certain counties, and to prescribe its powers and duties; and to transfer the powers and duties of the soldiers’ relief commission in such counties,” by amending section 1 (MCL 35.621), as amended by 2004 PA 11.

The House of Representatives has amended the bill as follows:

1. Amend page 2, line 1, after “county.” by inserting “**EACH MEMBER APPOINTED SHALL HAVE DEMONSTRATED KNOWLEDGE, SKILLS, AND EXPERIENCE IN PUBLIC SERVICE, BUSINESS, OR FINANCE.**”.

The House of Representatives has passed the bill as amended 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 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. 553

Yeas—38

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

Nays—0

Excused—0

Not Voting—0

In The Chair: Schuitmaker

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

Senate Bill No. 582, entitled

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

The House of Representatives has substituted (H-3) the bill.

The House of Representatives has passed the bill as substituted (H-3), 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 section 719 (MCL 257.719), as amended by 2012 PA 80.

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. 554

Yeas—38

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

Nays—0

Excused—0

Not Voting—0

In The Chair: Schuitmaker

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

The Senate agreed to the title as amended.

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

Senate Bill No. 783, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 2962 (MCL 600.2962), as added by 1995 PA 249.

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. 555**Yeas—31**

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

Nays—7

Gregory	Hopgood	Warren	Young
Hood	Smith	Whitmer	

Excused—0**Not Voting—0**

In The Chair: Schuitmaker

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

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

The Senate agreed to the full title.

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

Senate Bill No. 1034, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 732a (MCL 257.732a), as amended by 2011 PA 255.

The House of Representatives has amended the bill as follows:

1. Amend page 4, line 19, after "subsection" by striking out "**3 TIMES**" and inserting "once. **NOT LATER THAN APRIL 1, 2013, THE SECRETARY OF STATE SHALL ONLY REINSTATE A LICENSE UNDER THIS SUBSECTION 3 TIMES.**".

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. 556**Yeas—38**

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

Nays—0**Excused—0****Not Voting—0**

In The Chair: Schuitmaker

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

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

Senate Bill No. 1052, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 30301, 30305, 30306, 30312, 32501, 32503, 32512, 32512a, and 32513 (MCL 324.30301, 324.30305, 324.30306, 324.30312, 324.32501, 324.32503, 324.32512, 324.32512a, and 324.32513), sections 30301, 30306, 30312, and 32512a as amended by 2009 PA 120, sections 30305, 32501, and 32512 as amended by 2003 PA 14, section 32503 as amended by 2004 PA 325, and section 32513 as amended by 2011 PA 90; 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 amended the title to read as follows:

A bill to amend 1994 PA 451, entitled “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,” by amending sections 1301, 30301, 30305, 30306, 30312, 32501, 32503, 32512, 32512a, and 32513 (MCL 324.1301, 324.30301, 324.30305, 324.30306, 324.30312, 324.32501, 324.32503, 324.32512, 324.32512a, and 324.32513), section 1301 as amended by 2011 PA 218, sections 30301, 30306, 30312, and 32512a as amended by 2009 PA 120, sections 30305, 32501, and 32512 as amended by 2003 PA 14, section 32503 as amended by 2004 PA 325, and section 32513 as amended by 2011 PA 90, and by adding section 41412; and to repeal acts and parts of acts.

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. 557**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: Schuitmaker

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

Senate Bill No. 1094, entitled

A bill to amend 1936 (Ex Sess) PA 1, entitled “Michigan employment security act,” (MCL 421.1 to 421.75) by adding sections 28b, 28c, 28d, 28e, 28f, 28g, 28h, 28i, 28j, 28k, 28l, and 28m.

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. 558**Yeas—38**

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

Gleason
Green

Johnson
Jones

Proos

Young

Nays—0

Excused—0

Not Voting—0

In The Chair: Schuitmaker

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

Senate Bill No. 1104, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 703 (MCL 206.703), as amended by 2011 PA 188.

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. 559

Yeas—38

Anderson
Bieda
Booher
Brandenburg
Casperson
Caswell
Colbeck
Emmons
Gleason
Green

Gregory
Hansen
Hildenbrand
Hood
Hopgood
Hune
Hunter
Jansen
Johnson
Jones

Kahn
Kowall
Marleau
Meekhof
Moolenaar
Nofs
Pappageorge
Pavlov
Proos

Richardville
Robertson
Rocca
Schuitmaker
Smith
Walker
Warren
Whitmer
Young

Nays—0

Excused—0

Not Voting—0

In The Chair: Schuitmaker

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

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

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

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

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

House Bill No. 5699, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 51 (MCL 206.51), as amended by 2011 PA 38.

The bill was placed on the order of Third Reading of Bills.

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

House Bill No. 5688, entitled

A bill to provide for the creation of certain lighting authorities for the purpose of operating lighting systems; to provide for the powers and duties of the authorities; to provide for the conveyance of operational jurisdiction over certain operations to authorities; to provide for the assumption of certain contracts, bonds, notes, and other evidences of indebtedness and liabilities related to the provision of lighting authorities; to authorize expenditures from certain funds; to finance the acquisition of property and the development of certain public improvements or related facilities; to provide for the issuance of bonds and notes; to authorize certain investments; and to impose certain powers and duties upon state and local departments, agencies, and officers.

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

1. Amend page 7, line 18, after "5" by inserting "or 8".
2. Amend page 7, line 20, after "(2)" by striking out "IF" and inserting "Except as otherwise provided in subsection (3), if".
3. Amend page 7, line 26, after the second "of" by striking out "6" and inserting "4".
4. Amend page 8, line 9, after the first "of" by striking out "6" and inserting "4".
5. Amend page 8, following line 14, by inserting:

"(3) If an authority has only 1 local government as a member, and that local government has a population of 600,000 or more, the board shall be appointed as follows:

 - (a) One member appointed by the governor for a term of service of 3 years.
 - (b) One member appointed by the governor upon the recommendation from the senate majority leader for a term of service of 3 years.
 - (c) One member appointed by the governor upon the recommendation from the speaker of the house of representatives for a term of service of 3 years.
 - (d) Five members who are residents of the local government appointed by the governing body of the local government for a term of service of 3 years, except that for the first appointments to the board, 2 of the members shall be appointed for a term of service of 4 years. If the governing body of the local government fails to make an appointment to the board of directors within 42 days after the authority is created or fails to fill a vacancy on the authority within 70 days of the vacancy occurring, then the chief executive officer of that local government has the power to make the appointment." and renumbering the remaining subsections.
6. Amend page 10, line 21, by striking out "fifth" and inserting "last".
7. Amend page 15, line 24, by striking out all of subsection (9) and inserting:

"(9) Except as otherwise provided in this subsection, a plan adopted by the board may be amended by a vote of 4 of the 5 members on the board. If the board consists of 8 members as provided in section 13(3), a plan adopted by the board may be amended by a vote of 6 of the 8 members on the board."
8. Amend page 26, following line 21, by striking out all of enacting section 1 and inserting:

"Enacting section 1. This act does not take effect unless all of the following bills of the 96th Legislature are enacted into law:

- (a) Senate Bill No. 970.
- (b) House Bill No. 5705."

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

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

House Bill No. 5705, entitled

A bill to amend 1990 PA 100, entitled "City utility users tax act," by amending section 2 of chapter 1 and sections 2 and 3 of chapter 2 (MCL 141.1152, 141.1162, and 141.1163), section 2 of chapter 1 as amended by 2011 PA 57, and by adding sections 8a and 8b to chapter 1.

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

1. Amend page 5, line 2, by striking out all of line 2 through "electric utility." on line 21 of page 7.

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

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

Senate Bill No. 970, entitled

A bill to amend 1964 PA 284, entitled "City income tax act," by amending section 3 of chapter 1 (MCL 141.503), as amended by 2011 PA 56.

Substitute (S-1).

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

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

House Bill No. 5700, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.713) by adding section 30a.

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

1. Amend page 2, line 4, after "\$3,950.00." by inserting "**THE DEPARTMENT SHALL ANNUALIZE THE PERSONAL EXEMPTION DEDUCTION FOR THE 2012 TAX YEAR, ROUNDED TO THE NEAREST \$1.00.**".

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

By unanimous consent the Senate returned to the order of

Third Reading of Bills

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

Senate Bill No. 970

House Bill No. 5688

House Bill No. 5705

House Bill No. 5699

House Bill No. 5700

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. 5688

House Bill No. 5705

Senate Bill No. 970

House Bill No. 5699

House Bill No. 5700

The motion prevailed.

The following bill was read a third time:

House Bill No. 5688, entitled

A bill to provide for the creation of certain lighting authorities for the purpose of operating lighting systems; to provide for the powers and duties of the authorities; to provide for the conveyance of operational jurisdiction over certain operations to authorities; to provide for the assumption of certain contracts, bonds, notes, and other evidences of indebtedness and liabilities related to the provision of lighting authorities; to authorize expenditures from certain funds;

to finance the acquisition of property and the development of certain public improvements or related facilities; to provide for the issuance of bonds and notes; to authorize certain investments; and to impose certain powers and duties upon state and local departments, agencies, and officers.

The question being on the passage of the bill,

Senator Johnson offered the following amendment:

1. Amend page 26, following line 21, by striking out all of enacting section 1 and inserting:

“Enacting section 1. This act does not take effect unless House Bill No. 5705 of the 96th Legislature is enacted into law.”.

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. 560

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: Schuitmaker

Senator Johnson offered the following amendment:

1. Amend page 16, following line 1, by striking out all of subsection (12).

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. 561

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: Schuitmaker

The question being on the passage of the bill,
 Senator Meekhof moved that further consideration of the bill be postponed for today.
 The motion prevailed.

The following bill was read a third time:

House Bill No. 5705, entitled

A bill to amend 1990 PA 100, entitled “City utility users tax act,” by amending section 2 of chapter 1 and sections 2 and 3 of chapter 2 (MCL 141.1152, 141.1162, and 141.1163), section 2 of chapter 1 as amended by 2011 PA 57, and by adding sections 8a and 8b to chapter 1.

The question being on the passage of the bill,

Senator Johnson offered the following amendment:

1. Amend page 7, following line 21, by striking out all of enacting section 1 and inserting:

“Enacting section 1. This amendatory act does not take effect unless House Bill No. 5688 of the 96th Legislature is enacted into law.”.

The question being on the adoption of the amendment,

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

The motion prevailed.

The following bill was read a third time:

Senate Bill No. 970, entitled

A bill to amend 1964 PA 284, entitled “City income tax act,” by amending section 3 of chapter 1 (MCL 141.503), as amended by 2011 PA 56.

The question being on the passage of the bill,

Senator Johnson offered the following amendment:

1. Amend page 7, line 22, by striking out all of enacting section 1.

The question being on the adoption of the amendment,

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

The motion prevailed.

The following bill was read a third time:

House Bill No. 5699, entitled

A bill to amend 1967 PA 281, entitled “Income tax act of 1967,” by amending section 51 (MCL 206.51), as amended by 2011 PA 38.

The question being on the passage of the bill,

Senator Young offered the following amendment:

1. Amend page 2, line 9, by striking out “4.25%” and inserting “0%”.

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. 562**Yeas—16**

Bieda	Gregory	Hunter	Robertson
Caswell	Hildenbrand	Johnson	Rocca
Gleason	Hood	Jones	Smith
Green	Hune	Nofs	Young

Nays—21

Booher	Hopgood	Meekhof	Richardville
Brandenburg	Jansen	Moolenaar	Schuitmaker
Casperson	Kahn	Pappageorge	Walker
Colbeck	Kowall	Pavlov	Warren
Emmons	Marleau	Proos	Whitmer
Hansen			

Excused—0**Not Voting—1**

Anderson

In The Chair: Schuitmaker

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. 563**Yeas—31**

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

Nays—7

Gregory	Hopgood	Smith	Young
Hood	Johnson	Warren	

Excused—0

Not Voting—0

In The Chair: Schuitmaker

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

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

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, reporting, payment, and enforcement by lien and otherwise of taxes on or measured by net income and on certain commercial, business, and financial activities; 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 acts and parts of acts.”.

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 5700, entitled

A bill to amend 1967 PA 281, entitled “Income tax act of 1967,” (MCL 206.1 to 206.713) by adding section 30a.

The question being on the passage of the bill,

Senator Young offered the following amendment:

1. Amend page 1, line 6, after “**SHALL**” by striking out the balance of the section and inserting a comma and “**EXCEPT AS OTHERWISE PROVIDED UNDER THIS SECTION, CLAIM A PERSONAL EXEMPTION OF \$4,200.00 MULTIPLIED BY THE NUMBER OF PERSONAL OR DEPENDENCY EXEMPTIONS ALLOWABLE ON THE TAXPAYER’S FEDERAL INCOME TAX RETURN PURSUANT TO THE INTERNAL REVENUE CODE. FOR EACH TAX YEAR BEGINNING ON AND AFTER JANUARY 1, 2013, THE PERSONAL EXEMPTION ALLOWED UNDER THIS SECTION SHALL BE ADJUSTED BY MULTIPLYING THE EXEMPTION FOR THE TAX YEAR BEGINNING IN 2012 BY A FRACTION, THE NUMERATOR OF WHICH IS THE UNITED STATES CONSUMER PRICE INDEX FOR THE STATE FISCAL YEAR ENDING IN THE TAX YEAR PRIOR TO THE TAX YEAR FOR WHICH THE ADJUSTMENT IS BEING MADE AND THE DENOMINATOR OF WHICH IS THE UNITED STATES CONSUMER PRICE INDEX FOR THE 2010-2011 STATE FISCAL YEAR. THE RESULTANT PRODUCT SHALL BE ROUNDED TO THE NEAREST \$100.00 INCREMENT. AS USED IN THIS SECTION, “UNITED STATES CONSUMER PRICE INDEX” MEANS THE UNITED STATES CONSUMER PRICE INDEX FOR ALL URBAN CONSUMERS AS DEFINED AND REPORTED BY THE UNITED STATES DEPARTMENT OF LABOR, BUREAU OF LABOR STATISTICS.**”.

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. 564

Yeas—18

Anderson	Green	Hunter	Rocca
Bieda	Gregory	Johnson	Smith
Casperson	Hildenbrand	Jones	Whitmer
Caswell	Hood	Nofs	Young
Gleason	Hune		

Nays—20

Booher	Hopgood	Meekhof	Richardville
Brandenburg	Jansen	Moolenaar	Robertson

Colbeck
Emmons
Hansen

Kahn
Kowall
Marleau

Pappageorge
Pavlov
Proos

Schuitmaker
Walker
Warren

Excused—0

Not Voting—0

In The Chair: Schuitmaker

Senator Young offered the following amendment:

1. Amend page 2, following line 6, by inserting:

“Enacting section 1. This amendatory act does not take effect unless Senate Bill No. 519 of the 96th Legislature is enacted into law.”.

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. 565

Yeas—18

Anderson
Bieda
Gleason
Green
Gregory

Hildenbrand
Hood
Hopgood
Hune
Hunter

Johnson
Jones
Robertson
Rocca

Smith
Warren
Whitmer
Young

Nays—20

Booher
Brandenburg
Casperson
Caswell
Colbeck

Emmons
Hansen
Jansen
Kahn
Kowall

Marleau
Meekhof
Moolenaar
Nofs
Pappageorge

Pavlov
Proos
Richardville
Schuitmaker
Walker

Excused—0

Not Voting—0

In The Chair: Schuitmaker

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. 566

Yeas—32

Anderson
Bieda

Gleason
Green

Kahn
Kowall

Proos
Richardville

Booher	Hansen	Marleau	Robertson
Brandenburg	Hildenbrand	Meekhof	Rocca
Casperson	Hune	Moolenaar	Schuitmaker
Caswell	Hunter	Nofs	Smith
Colbeck	Jansen	Pappageorge	Walker
Emmons	Jones	Pavlov	Whitmer

Nays—6

Gregory	Hopgood	Warren	Young
Hood	Johnson		

Excused—0**Not Voting—0**

In The Chair: Schuitmaker

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

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, reporting, payment, and enforcement by lien and otherwise of taxes on or measured by net income and on certain commercial, business, and financial activities; 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 acts and parts of acts.”

The Senate agreed to the full title.

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

The motion prevailed.

Senator Young’s first statement is as follows:

I would like to start with a quote: “America is not just a power; it is a promise. It is not enough for our country or our state to be extraordinary in might; it must be exemplary in meaning.” Nelson Rockefeller. Madam President, I am offering this amendment today in the interest of real tax reform. To be blunt, the so-called reform before us today is nothing more than an election-year stunt designed to make the voters forget that you raised their taxes last year.

In fiscal year 2012-2013, the majority party raised taxes on individuals by more than \$1.4 billion. This so-called rollback that you are offering is only \$103 million. That is a joke wrapped in embarrassment submerged in humiliation. Even with this rollback, you have raised taxes by \$1.3 billion.

My amendment seeks meaningful reform for the citizens on Michigan by proposing to raise the personal exemption to \$4,200. That will put real money back in the pockets of middle-class families and increase their purchasing power. If we are going to cut taxes to simulate the economy, then let’s give people enough money to actually spend. Let’s end the election-year games and make room for real reform. You have already slashed taxes for businesses and failed to create jobs. In fact, the report released today suggests that your previous actions have made the situation much worse.

Let’s give the people of Michigan a fighting chance and boost their pocketbooks for a change. I appreciate and demand bipartisan support on these tax cuts for Michigan citizens and families.

Senator Young’s second statement is as follows:

Madam President, I would like to start with a quote: “We must not only affirm the brotherhood of man, we must live it.” Henry Potter. Madam President, I am introducing an amendment today to tie-bar this bill to legislation that would repeal the pension tax that was placed on our seniors last year. This new tax has placed a great burden on our seniors, many of whom live on fixed incomes. This new tax on seniors is forcing many people to choose between medication and groceries. This tax is overly burdensome on our seniors. It is now producing a drag on our economy as seniors’ incomes have diminished.

This was one of the largest tax increases in Michigan history, and it was placed on those who could least afford it. Otherwise, Madam President, let us not light Grandpa's hair on fire anymore. This bill will be the extinguisher to that fire. If the rollback of the income tax is justified because it puts more money in the pockets of citizens, then surely the same rationale applies to the onerous, disgusting pigeon tax. Let' all make the right vote today and cut taxes.

The majority party claims to be the party of cutting taxes, so I suspect this amendment should broadly have bipartisan support. You know, put your money where your mouth is. You know, walk the talk, not just talk the talk— okay? Passing it will help seniors and grandparents. It will also help our economy by returning money to the taxpayers. You know all the reasons why eliminating this tax on seniors is good. You make the same arguments about cutting taxes on businesses. Let's put the people first today.

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

Senate Bill No. 871, entitled

A bill to make, supplement, and adjust appropriations for various state departments and agencies, the judicial branch, and the legislative branch for the fiscal year ending September 30, 2012; to provide for the expenditure of the appropriations; and to repeal acts and parts of acts.

The House of Representatives has substituted (H-2) the bill.

The House of Representatives has passed the bill as substituted (H-2) 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. 567

Yeas—26

Anderson	Gleason	Johnson	Nofs
Booher	Gregory	Jones	Pappageorge
Brandenburg	Hansen	Kahn	Pavlov
Casperson	Hildenbrand	Kowall	Proos
Caswell	Hune	Marleau	Richardville
Colbeck	Hunter	Moolenaar	Robertson
Emmons	Jansen		

Nays—11

Bieda	Meekhof	Smith	Whitmer
Green	Rocca	Walker	Young
Hood	Schuitmaker	Warren	

Excused—0

Not Voting—1

Hopgood

In The Chair: Schuitmaker

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

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

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

The House of Representatives returned, in accordance with the request of the Senate

Senate Bill No. 1130, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 35301, 35302, 35304, 35305, 35306, 35310, 35311, 35312, 35313, 35316, 35317, 35319, 35320, 35321, 35322, and 35323 (MCL 324.35301, 324.35302, 324.35304, 324.35305, 324.35306, 324.35310, 324.35311, 324.35312, 324.35313, 324.35316, 324.35317, 324.35319, 324.35320, 324.35321, 324.35322, and 324.35323), sections 35301, 35316, and 35317 as amended by 1995 PA 262, sections 35302, 35305, 35306, 35310, 35311, 35312, 35313, 35319, 35320, 35321, 35322, and 35323 as added by 1995 PA 59, and section 35304 as amended by 2004 PA 325, and by adding sections 35311a and 35311b; and to repeal acts and parts of acts.

Senate Bill No. 1045, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 40111, 81101, and 81133 (MCL 324.40111, 324.81101, and 324.81133), section 40111 as added by 1995 PA 57, section 81101 as amended by 2009 PA 200, and section 81133 as amended by 2008 PA 365.

(This bill was returned from the House without amendment on June 12 and the recommendation for immediate effect postponed. See Senate Journal No. 58, p. 1694.)

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

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

The Senate agreed to the full title.

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

By unanimous consent the Senate returned to the order of

Motions and Communications

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.

Recess

Senator Meekhof moved that the Senate recess subject to the call of the Chair.

The motion prevailed, the time being 4:35 p.m.

4:43 p.m.

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

Committee Reports

The Committee on Natural Resources, Environment and Great Lakes reported

Senate Resolution No. 158.

A resolution to urge the President of the United States to declare a major disaster or emergency for areas in Michigan's Upper Peninsula impacted by the Duck Lake wildfire.

(For text of resolution, see Senate Journal No. 57, p. 1679.)

With the recommendation that the resolution be adopted.

Thomas A. Casperson
Chairperson

To Report Out:

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

Nays: None

The resolution was placed on the order of Resolutions.

COMMITTEE ATTENDANCE REPORT

The Committee on Natural Resources, Environment and Great Lakes submitted the following:
Joint meeting held on Wednesday, June 13, 2012, at 8:00 a.m., Room 308, South Tower, House Office Building
Present: Senators Casperson (C), Pavlov, Green, Kowall, Meekhof and Warren
Excused: Senator Hood

The Committee on Health Policy reported

House Bill No. 4718, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 16626.
With the recommendation that the bill pass.

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

James A. Marleau
Chairperson

To Report Out:

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

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Health Policy submitted the following:

Meeting held on Wednesday, June 13, 2012, at 9:00 a.m., Senate Hearing Room, Ground Floor, Boji Tower
Present: Senators Marleau (C), Robertson, Emmons, Hune, Jones, Schuitmaker, Warren and Gleason

The Committee on Finance reported

House Bill No. 4753, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 27a (MCL 211.27a), as amended by 2012 PA 47.

With the recommendation that the bill pass.

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

Jack M. Brandenburg
Chairperson

To Report Out:

Yeas: Senators Brandenburg, Jansen, Pappageorge, Proos, Robertson and Bieda

Nays: Senator Warren

The bill was referred to the Committee of the Whole.

The Committee on Finance reported

House Bill No. 5699, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 51 (MCL 206.51), as amended by 2011 PA 38.

With the recommendation that the bill pass.

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

Jack M. Brandenburg
Chairperson

To Report Out:

Yeas: Senators Brandenburg, Jansen, Pappageorge, Proos, Robertson and Bieda

Nays: Senator Warren

The bill was referred to the Committee of the Whole.

The Committee on Finance reported

House Bill No. 5700, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.713) by adding section 30a.

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

Jack M. Brandenburg
Chairperson

To Report Out:

Yeas: Senators Brandenburg, Jansen, Pappageorge, Proos, Robertson and Bieda
Nays: Senator Warren
The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Finance submitted the following:
Meeting held on Wednesday, June 13, 2012, at 12:30 p.m., Room 210, Farnum Building
Present: Senators Brandenburg (C), Jansen, Pappageorge, Proos, Robertson, Bieda and Warren

The Committee on Economic Development reported

House Bill No. 5246, entitled

A bill to amend 1986 PA 281, entitled "The local development financing act," by amending sections 2, 3, 4, 11b, 12, 12a, 12c, and 12c (MCL 125.2152, 125.2153, 125.2154, 125.2161b, 125.2162, 125.2162a, 125.2162c, and 125.2162c[1]), section 2 as amended by 2010 PA 376, sections 3, 4, and 12 as amended and section 12c as added by 2010 PA 276, section 11b as amended by 2010 PA 127, and section 12a as amended and section 12c as added by 2009 PA 162.

With the recommendation that the substitute (S-1) be adopted and that the bill then pass.

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

Michael W. Kowall
Chairperson

To Report Out:

Yeas: Senators Kowall, Hildenbrand, Nofs, Emmons, Hansen and Smith
Nays: None

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

The Committee on Economic Development reported

House Bill No. 5577, entitled

A bill to amend 1995 PA 29, entitled "Uniform unclaimed property act," by amending sections 30 and 32 (MCL 567.250 and 567.252), section 30 as amended by 2008 PA 208.

With the recommendation that the bill pass.

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

Michael W. Kowall
Chairperson

To Report Out:

Yeas: Senators Kowall, Hildenbrand, Nofs, Emmons, Hansen and Smith
Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Economic Development submitted the following:
Meeting held on Wednesday, June 13, 2012, at 1:30 p.m., Room 110, Farnum Building
Present: Senators Kowall (C), Hildenbrand, Nofs, Emmons, Hansen and Smith
Excused: Senator Hunter

The Committee on Finance reported

House Bill No. 5463, entitled

A bill to amend 1975 PA 197, entitled "An act to provide for the establishment of a downtown development authority; to prescribe its powers and duties; to correct and prevent deterioration in business districts; to encourage historic preservation; to authorize the acquisition and disposal of interests in real and personal property; to authorize the creation and implementation of development plans in the districts; to promote the economic growth of the districts; to create a board; to prescribe its powers and duties; to authorize the levy and collection of taxes; to authorize the issuance of bonds and other

evidences of indebtedness; to authorize the use of tax increment financing; to reimburse downtown development authorities for certain losses of tax increment revenues; and to prescribe the powers and duties of certain state officials," by amending section 4 (MCL 125.1654), as amended by 2006 PA 279, and by adding section 28a.

With the recommendation that the bill pass.

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

Jack M. Brandenburg
Chairperson

To Report Out:

Yeas: Senators Brandenburg, Robertson, Bieda and Warren

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Appropriations reported

Senate Bill No. 1129, entitled

A bill to amend 2001 PA 34, entitled "Revised municipal finance act," by amending sections 103, 305, and 503 (MCL 141.2103, 141.2305, and 141.2503) and by adding section 518.

With the recommendation that the substitute (S-2) be adopted and that the bill then pass.

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

Roger Kahn, M.D.
Chairperson

To Report Out:

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

Nays: None

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

The Committee on Appropriations reported

Senate Bill No. 1175, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending section 55 (MCL 400.55), as amended by 1998 PA 516.

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: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Appropriations submitted the following:

Meeting held on Wednesday, June 13, 2012, at 1:01 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building

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

The Committee on Agriculture reported

House Bill No. 5717, entitled

A bill to establish an agricultural loan origination program; to authorize certain loan guarantees and collateral support mechanisms; to prescribe the powers and duties of certain state agencies and officials; to provide for an appropriation; and to repeal acts and parts of acts.

With the recommendation that the substitute (S-2) be adopted and that the bill then pass.

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

Joe Hune
Chairperson

To Report Out:

Yeas: Senators Hune, Booher, Emmons, Hansen and Gleason

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 Agriculture submitted the following:

Meeting held on Thursday, June 14, 2012, at 9:00 a.m., Room 110, Farnum Building

Present: Senators Hune (C), Booher, Emmons, Hansen and Gleason

COMMITTEE ATTENDANCE REPORT

The Joint Committee on Administrative Rules submitted the following:

Meeting held on Thursday, June 14, 2012, at 9:00 a.m., Room 405, Capitol Building

Present: Senators Pappageorge (C), Meekhof and Marleau

Excused: Senators Hunter and Johnson

COMMITTEE ATTENDANCE REPORT

The Legislative Council submitted the following:

Meeting held on Thursday, June 14, 2012, at 9:15 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building

Present: Senators Richardville (C), Rocca, Schuitmaker, Jansen, Hildenbrand (Alternate) and Whitmer

Excused: Senator Hunter

Scheduled Meetings

Government Operations - Wednesday, July 18, 1:00 p.m., Rooms 402 and 403, Capitol Building (373-3543)

Michigan Law Revision Commission - Thursday, June 21, 11:30 a.m., Legislative Council Conference Room, 3rd Floor, Boji Tower (373-0212)

Senator Meekhof moved that the Senate adjourn.

The motion prevailed, the time being 4:44 p.m.

Pursuant to Senate Concurrent Resolution No. 29, the President pro tempore, Senator Schuitmaker, declared the Senate adjourned until Wednesday, July 18, 2012, at 12:00 noon.

CAROL MOREY VIVENTI
Secretary of the Senate