

No. 26
STATE OF MICHIGAN
Journal of the Senate
96th Legislature
REGULAR SESSION OF 2012

Senate Chamber, Lansing, Wednesday, March 14, 2012.

10:00 a.m.

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

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

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

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

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

Pastor Mike Harris of Crossroads Church of God of Howell offered the following invocation:

Lord God, I give You thanks for this day, for today is filled with opportunity to show kindness, to share love, and to serve humbly. I pray for each woman and man here today to see their position of leadership as the privilege it is, as it means to serve and not be served; to listen and not be deafened by pride; to have compassion rather than indifference. It is a great responsibility to represent so many by the choices they make. May they not take this responsibility lightly.

O God, I pray for our Senators to lead by example, motivated and guided by a deep sense of Your abiding presence within. My prayer is for clarity in values. Give them an even greater awareness of what is of most importance. My prayer is for courageous valor and to stand for what is best and just. My prayer is for growing victory and to see achievement and triumph for our state of Michigan.

God, these are difficult times, but difficult times demand greater dependence upon faith. I look to You, O God, for the help and strength these women and men need to change the course of our state. I thank You that they are here for such a time as this.

I seek Your blessing upon each of them. May they seek to be a blessing to others. God, hear the prayers of each leader presented here today, and hear my prayer, O Lord, for I offer my prayer through Christ. Amen.

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

Motions and Communications

Senators Kahn, Richardville, Brandenburg and Emmons entered the Senate Chamber.

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

The following communication was received and read:
Office of the Senate Majority Leader

February 29, 2012

Pursuant to PA 316 of 1986, I am making the following appointment to the Michigan Education Trust Board:
Mrs. Sarah Richardville, 2060 N. Custer Road, Monroe, Michigan 48162.

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

Sincerely,
Randy Richardville
Senate Majority Leader
17th District

The communication was referred to the Secretary for record.

The Secretary announced that the following House bills were received in the Senate and filed on Tuesday, March 13:
House Bill Nos. 4798 4799 5134 5152 5181 5182 5269

The Secretary announced that the following official bills and joint resolution were printed on Tuesday, March 13, and are available at the legislative website:

Senate Bill Nos. 1014 1015 1016 1017
Senate Joint Resolution T

Senator Johnson entered the Senate Chamber.

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

Recess

Senator Meekhof moved that the Senate recess subject to the call of the Chair.
The motion prevailed, the time being 10:07 a.m.

11:05 a.m.

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

During the recess, Senator Pappageorge entered the Senate Chamber.

By unanimous consent the Senate proceeded to the order of

Messages from the House

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

Senate Bill No. 291

The motion prevailed.

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

Senate Bill No. 683

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

Senate Bill No. 683, entitled

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

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.

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. 133

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.

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

The following messages from the Governor were received:

Date: March 13, 2012
Time: 9:30 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 611 (Public Act No. 48), being

An act to amend 1939 PA 280, entitled “An act to protect the welfare of the people of this state; to provide general assistance, hospitalization, infirmary and medical care to poor or unfortunate persons; to provide for compliance by this state with the social security act; to provide protection, welfare and services to aged persons, dependent children, the blind, and the permanently and totally disabled; to administer programs and services for the prevention and treatment of delinquency, dependency and neglect of children; to create a state department of social services; to prescribe the powers and duties of the department; to provide for the interstate and intercounty transfer of dependents; to create county and district departments of social services; to create within certain county departments, bureaus of social aid and certain divisions and offices thereunder; to prescribe the powers and duties of the departments, bureaus and officers; to provide for appeals in certain cases; to prescribe the powers and duties of the state department with respect to county and district departments; to prescribe certain duties of certain other state departments, officers, and agencies; to make an appropriation; to prescribe penalties for the violation of the provisions of this act; and to repeal certain parts of this act on specific dates,” by amending section 109 (MCL 400.109), as amended by 2011 PA 53.

(Filed with the Secretary of State on March 13, 2012, at 4:04 p.m.)

Date: March 13, 2012
Time: 9:32 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 702 (Public Act No. 49), being

An act to amend 1978 PA 368, entitled “An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to provide for the levy of taxes against certain health facilities or agencies; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for the implementation of federal law; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to provide for an appropriation and supplements; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates,” by amending section 16174 (MCL 333.16174), as amended by 2006 PA 398.

(Filed with the Secretary of State on March 13, 2012, at 4:06 p.m.)

Date: March 13, 2012
Time: 9:36 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 787 (Public Act No. 51), being

An act to amend 1978 PA 368, entitled “An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental

entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to provide for the levy of taxes against certain health facilities or agencies; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for the implementation of federal law; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to provide for an appropriation and supplements; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates,” by amending section 21313 (MCL 333.21313), as amended by 2010 PA 381.

(Filed with the Secretary of State on March 13, 2012, at 4:10 p.m.)

Date: March 13, 2012

Time: 9:38 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 788 (Public Act No. 52), being

An act to amend 1979 PA 218, entitled “An act to provide for the licensing and regulation of adult foster care facilities; to provide for the establishment of standards of care for adult foster care facilities; to prescribe powers and duties of the department of social services and other departments; to prescribe certain fees; to prescribe penalties; and to repeal certain acts and parts of acts,” by amending section 13 (MCL 400.713), as amended by 2010 PA 380.

(Filed with the Secretary of State on March 13, 2012, at 4:12 p.m.)

Respectfully,
Rick Snyder
Governor

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. 4647

Senate Bill No. 783

The motion prevailed.

The following bill was read a third time:

House Bill No. 4647, entitled

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” (MCL 600.101 to 600.9947) by adding section 2164a.

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. 134

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.

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

“An act to revise and consolidate the statutes relating to the organization and jurisdiction of the courts of this state; the powers and duties of the courts, and of the judges and other officers of the courts; the forms and attributes of civil claims and actions; the time within which civil actions and proceedings may be brought in the courts; pleading, evidence, practice, and procedure in civil and criminal actions and proceedings in the courts; to provide for the powers and duties of certain state governmental officers and entities; to provide remedies and penalties for the violation of certain provisions of this act; to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act; and to repeal acts and parts of acts.”.

The Senate agreed to the full title.

The following bill was read a third time:

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 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. 135

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 Senate agreed to the title of the bill.

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

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

The motion prevailed, and the President pro tempore, Senator Schuitmaker, designated Senator Booher 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 bills:

House Bill No. 4618, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 7d (MCL 211.7d), as amended by 2010 PA 8.

Senate Bill No. 887, entitled

A bill to amend 1939 PA 141, entitled "Grain dealers act," by amending section 8 (MCL 285.68), as amended by 2010 PA 264; and to repeal acts and parts of acts.

Senate Bill No. 1005, entitled

A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending sections 17d and 19b of chapter XIIA (MCL 712A.17d and 712A.19b), section 17d as amended by 2004 PA 475 and section 19b as amended by 2010 PA 7.

The bills were placed on the order of Third Reading of Bills.

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

House Bill No. 4691, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 1307a (MCL 600.1307a), as amended by 2004 PA 12.

Substitute (S-1).

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

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

Senate Bill No. 888, entitled

A bill to amend 2003 PA 198, entitled "Farm produce insurance act," by amending the title and sections 3, 7, 8, 9, 11, 13, 15, and 21 (MCL 285.313, 285.317, 285.318, 285.319, 285.321, 285.323, 285.325, and 285.331), the title and sections 3, 7, 9, 15, and 21 as amended by 2010 PA 300 and section 13 as amended by 2008 PA 140, and by adding section 10.

Substitute (S-1).

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

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

Senate Bill No. 756, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 320a and 732 (MCL 257.320a and 257.732), section 320a as amended by 2010 PA 58 and section 732 as amended by 2010 PA 59, and by adding section 602c.

Substitute (S-3).

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

Resolutions

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

Senate Resolution No. 34

Senate Resolution No. 67

Senate Resolution No. 85
Senate Resolution No. 105
House Concurrent Resolution No. 29
Senate Resolution No. 112
Senate Resolution No. 115
Senate Concurrent Resolution No. 26
House Concurrent Resolution No. 6
The motion prevailed.

Senator Meekhof moved that rule 3.204 be suspended to permit immediate consideration of the following resolution:

Senate Resolution No. 128

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

Senators Proos, Jansen, Meekhof and Hansen offered the following resolution:

Senate Resolution No. 128.

A resolution to support the city of New Buffalo's grant application to improve the Pere Marquette and Wolverine Intercity Passenger Rail Services.

Whereas, The Pere Marquette service operates along a rail corridor that includes the cities of Grand Rapids, Holland, Bangor, and St. Joseph, Michigan, and continues on to Chicago; and

Whereas, The Pere Marquette service provides one round trip daily between these Michigan communities and Chicago, posting both record ridership and revenue in 2011; and

Whereas, The Pere Marquette service runs on a different rail corridor than the Wolverine service just outside of New Buffalo; and

Whereas, New Buffalo is a station stop along the Wolverine and Blue Water service, which is on the federally-designated Chicago Hub (Chicago-Detroit/Pontiac) High Speed Rail Corridor, and recently was approved by the Federal Railroad Administration for passenger speeds up to 110 mph on track owned by Amtrak; and

Whereas, New Buffalo has submitted a Transportation Investment Generating Economic Recovery (TIGER) grant application to the United States Department of Transportation (USDOT) to study and design a connection of the Pere Marquette service to the federally-designated Chicago Hub (Chicago-Detroit/Pontiac) High Speed Rail Corridor just east of the city of New Buffalo; and

Whereas, This study and design will ultimately provide for the construction of a connection between the Pere Marquette and the Wolverine services; and

Whereas, This connection will provide improvements that will aid both current and future service reliability and access to higher speeds for the Pere Marquette service; and

Whereas, This project, upon completion, will improve all Michigan intercity passenger rail services; and

Whereas, This project will not only significantly improve the Pere Marquette service infrastructure, but will also contribute to the region's economic development and competitiveness; and

Whereas, The New Buffalo TIGER grant application also calls for adding additional track, known as double tracking, a 10-mile section along the Wolverine service from Dowagiac to Niles, thereby increasing capacity of passenger rail service and preparing for future service increases envisioned in the Midwest Regional Rail Initiative and the Michigan State Rail Plan; and

Whereas, Connecting the Pere Marquette service to the Wolverine service will build a safer, more integrated, and productive transportation network; and

Whereas, These improvements on the federally-designated Chicago Hub (Chicago-Detroit/Pontiac) High Speed Rail Corridor will provide for future increases to passenger rail traffic and reduce congestion, which will also benefit the Blue Water service (Port Huron-Chicago) which merges with the Wolverine service at Battle Creek; and

Whereas, The New Buffalo TIGER grant application will provide an integrated rail service in West Michigan and create an opportunity for increasing economic development and tourism along all of Michigan's passenger rail corridors; and

Whereas, Michigan's success with passenger rail service is due to the collaboration by communities along the rail corridors on projects like this; now, therefore, be it

Resolved by the Senate, That we strongly endorse and support New Buffalo's application for a 2012 TIGER Grant from the United States Department of Transportation to improve the Pere Marquette and Wolverine Intercity Passenger Rail Services; and be it further

Resolved, That copies of this resolution be transmitted to Michigan's congressional delegation and the United States Secretary of Transportation.

The question being on the adoption of the resolution,

The resolution was adopted.

Senators Booher, Brandenburg, Colbeck, Hopgood, Marleau and Nofs were named co-sponsors of the resolution.

Introduction and Referral of Bills

Senators Hildenbrand, Pavlov, Booher, Colbeck, Kowall, Robertson, Emmons, Proos, Brandenburg, Walker, Caswell, Caspersen, Jones, Hansen, Meekhof, Moolenaar, Pappageorge, Green, Marleau, Jansen, Schuitmaker and Hune introduced **Senate Bill No. 1018, entitled**

A bill to amend 1947 PA 336, entitled "An act to prohibit strikes by certain public employees; to provide review from disciplinary action with respect thereto; to provide for the mediation of grievances and the holding of elections; to declare and protect the rights and privileges of public employees; to require certain provisions in collective bargaining agreements; and to prescribe means of enforcement and penalties for the violation of the provisions of this act," by amending sections 1 and 14 (MCL 423.201 and 423.214), section 1 as amended by 1999 PA 204.

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

Senators Warren, Young, Hopgood, Smith, Hood and Gleason introduced

Senate Bill No. 1019, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 21525.

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

House Bill No. 4798, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 161 of chapter XVII (MCL 777.161), as amended by 2011 PA 202.

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.

House Bill No. 4799, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 213a.

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.

House Bill No. 5134, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 17515 (MCL 333.17515), as added by 1993 PA 133, and by adding section 17015a.

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.

House Bill No. 5152, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 62 and 705 (MCL 257.62 and 257.705), section 62 as amended by 1992 PA 119 and section 705 as amended by 2011 PA 151.

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

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

House Bill No. 5181, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," (MCL 600.101 to 600.9947) by adding section 2977.

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.

House Bill No. 5182, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 17015 (MCL 333.17015), as amended by 2006 PA 77.

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.

House Bill No. 5269, entitled

A bill to amend 2003 PA 238, entitled “Michigan notary public act,” by amending section 41 (MCL 55.301).

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

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

Statements

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

The motion prevailed.

Senator Kahn’s statement is as follows:

Over the past week, I have noticed that there have been at least two of our colleagues who have risen to talk about MPSERS. Indeed, I don’t think there is any doubt that the Michigan Public School Employees Retirement System is in trouble and, in fact, likely on an unsustainable course. This is due to the legacy costs which yearly demand increases in contributions, and these contributions take dollars out of the classroom; take dollars away from physical education, vocational education, sports, bands, and, of course, result in an ever-increasing class size which is, in particular, detrimental to our youngest kids. These dollars are no longer available for direct teaching, and the value-added parts of education disappear.

More and more people are retiring, and that means the number of retirees drawing on the system grows year by year. Fewer and fewer people are paying into the system. That mismatch destabilizes MPSERS. One of our Michigan Teamsters retirement systems collapsed because of that exact problem—too few paying in, too many taking out. Now those who are left only have one-third of the benefit that they had expected to have.

What has been the funding for MPSERS? In fact, most school employees hired before 1990 pay nothing toward their retirement benefits. On average, those hired between 1990 and 2008 are paying only 4 percent of their salary. Taxpayers are funding the remainder of the liability. What liability? This liability is at staggering levels: \$45 billion—\$27 billion in the health care system and \$17 billion in the pension system.

Earlier in the year, we addressed the State Employees’ Retirement System and their health care and put that on a better path. Now has come the time for us to address MPSERS. That is our responsibility to Michigan’s current employees, its future employees, and the children in those classes. Our priority needs to be restoring and passing a sound and affordable retirement system.

Committee Reports

The Committee on Judiciary reported

Senate Bill No. 974, entitled

A bill to amend 2008 IL 1, entitled “Michigan medical marihuana act,” by amending section 7 (MCL 333.26427).

With the recommendation that the bill pass.

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

Rick Jones
Chairperson

To Report Out:

Yeas: Senators Jones, Schuitmaker and Rocca

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Judiciary reported

House Bill No. 4393, entitled

A bill to amend 1998 PA 58, entitled “Michigan liquor control code of 1998,” by amending section 703 (MCL 436.1703), as amended by 2006 PA 443.

With the recommendation that the bill pass.

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

Rick Jones
Chairperson

To Report Out:

Yeas: Senators Jones, Rocca and Bieda

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Judiciary submitted the following:

Meeting held on Tuesday, March 13, 2012, at 2:30 p.m., Room 110, Farnum Building

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

The Committee on Energy and Technology reported

Senate Concurrent Resolution No. 28.

A concurrent resolution to memorialize Congress to fund the Facility for Rare Isotope Beams (FRIB) at Michigan State University to its full scheduled appropriation level.

(For text of resolution, see Senate Journal No. 17, p. 237.)

With the recommendation that the following substitute (S-1) be adopted and that the concurrent resolution then be adopted:

A concurrent resolution to memorialize Congress to fund the Facility for Rare Isotope Beams (FRIB) at Michigan State University to its full scheduled appropriation level.

Whereas, In the proposed budget for fiscal year 2013, the White House has presented its intention to fund the Facility for Rare Isotope Beams (FRIB) at Michigan State University at a level of \$22 million. This amount is less than half of the agreed-upon \$55 million needed to maintain this critically important scientific project on its schedule for the completion of construction and the commencement of its service to our country's scientific research efforts; and

Whereas, The FRIB project is an effort that reflects many years of preparation, planning, and coordination between Michigan State University and the Department of Energy. This highly complex undertaking involves not only the Department of Energy and Michigan State University, but also numerous contracted companies and scientists. The serious underfunding will undermine this effort and likely result in higher overall costs. With this project already pared down dramatically from its initial scope, a thoughtful reduction that decreased total costs by \$500 million, it is shortsighted to lose some of these savings by lengthening the time required to complete the project; and

Whereas, Many people have remarked on the fact that the proposed federal budget includes funding for an international nuclear science project located in France. The U.S. Department of Energy is asking to appropriate \$150 million to the ITER fusion project in Cadarache, France, for fiscal year 2013. This is nearly three times more than what is needed to maintain the FRIB. Clearly, American interests would be better served by fully funding the FRIB, a nuclear science project located within our shores, than by sending money to a project located overseas; and

Whereas, The FRIB is a major commitment that represents an effort by our country to maintain its long-held leadership in basic scientific research. The work that will take place at the completed FRIB could reap rewards in any number of vital fields, with possible applications in medicine, materials, security, the environment, and many others. The location of the FRIB at a major research university represents an investment in the education of the next generation of America's nuclear scientists. Any steps taken to delay this endeavor through a reduction of funding could prove harmful to our nation's long-term interests; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That we memorialize Congress to fund the Facility for Rare Isotope Beams (FRIB) at Michigan State University to its full scheduled appropriation level; and be it further

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

Mike Nofs
Chairperson

To Report Out:

Yeas: Senators Nofs, Proos, Jones, Marleau, Schuitmaker, Walker, Hopgood, Bieda and Young

Nays: None

The concurrent resolution and the substitute recommended by the committee were placed on the order of Resolutions.

COMMITTEE ATTENDANCE REPORT

The Committee on Energy and Technology submitted the following:

Meeting held on Tuesday, March 13, 2012, at 1:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower

Present: Senators Nofs (C), Proos, Jones, Marleau, Schuitmaker, Walker, Hopgood, Bieda and Young

COMMITTEE ATTENDANCE REPORT

The Subcommittee on General Government submitted the following:

Meeting held on Tuesday, March 13, 2012, at 2:30 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building
Present: Senators Pappageorge (C), Jansen, Colbeck and Johnson

Scheduled Meetings

Agriculture - Thursday, March 15, 9:00 a.m., Room 110, Farnum Building (373-5312)

Appropriations -**Subcommittees -**

Community Colleges - Wednesday, March 28, 12:00 noon, Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

Community Colleges and House Community Colleges Appropriations Subcommittee - Friday, March 16, 3:30 p.m., Kalamazoo Valley Community College, 7107 Elm Valley Drive, Room A1020, Kalamazoo (373-2768)

Community Health Department - Thursdays, March 15 and March 22, 1:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

General Government - Tuesdays, March 20 and March 27, 2:30 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

Higher Education - Thursday, March 29, 8:30 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

Human Services Department - Tuesday, March 27, 2:00 p.m., Room 210, Farnum Building (373-2768)

Judiciary - Thursday, March 15, 3:30 p.m., Room 110, Farnum Building (373-2768)

K-12, School Aid, Education - Wednesday, March 21, 9:00 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

Licensing and Regulatory Affairs Department - Thursday, March 15, 1:30 p.m., Room 405, Capitol Building (373-2768)

State Police and Military Affairs - Thursday, March 15, 3:00 p.m., Room 405, Capitol Building; and Thursdays, March 22 and March 29, Rooms 402 and 403, Capitol Building (373-2768)

Health Policy - Thursday, March 15, 1:30 p.m., Senate Hearing Room, Ground Floor, Boji Tower (373-5314)

Natural Resources, Environment and Great Lakes - Thursday, March 15, 8:30 a.m., Room 210, Farnum Building (373-5323)

Outdoor Recreation and Tourism - Thursday, March 15, 12:30 p.m., Room 210, Farnum Building (373-5323)

Senate Fiscal Agency Board of Governors - Thursday, March 22, 9:00 a.m., Room S-324, Capitol Building (373-2768)

State Drug Treatment Court Advisory Committee - Tuesday, March 27, 9:30 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 11:31 a.m.

The President pro tempore, Senator Schuitmaker, declared the Senate adjourned until Thursday, March 15, 2012, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate