

No. 58
STATE OF MICHIGAN
Journal of the Senate
96th Legislature
REGULAR SESSION OF 2012

Senate Chamber, Lansing, Tuesday, June 12, 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

Pastor Jim McFarland of Ada Bible Church of Cascade Township offered the following invocation:

Our God, we come to You this morning not out of formality, but recognizing Your goodness and Your power because You desire us to and because we believe You hear and care for us personally. We come to You because we seek Your wisdom and guidance as we go about life in the various capacities You have called us to serve and because we believe You answer prayer.

Loving God, You have blessed us as a people immeasurably, to live in a country where there are countless freedoms, where we are free to worship You, free to pursue our dreams, and where there is much hope. We do not take this for granted, and we sincerely thank You.

God, I pray for our great state Michigan, for continued recovery economically, for each Senator here in this room, for their aides and assistants, and for those unable to be here. We pray for our Governor and our representatives as well. You have given these men and women a wonderful privilege and honor to serve those who have elected them to office. Our prayer is that they will lead and represent them wisely. We ask, God, for their protection, for their families, for balancing their time and the time they serve their constituents. We pray they will run to You not only as they struggle with difficult decisions, but even when times are good.

I pray, too, for the people who reside in each of the 38 districts these Senators represent. There are many who face severe hardships. You are a God who cares for all, a God who provides peace and all we need as we face tough times in life. We know that You listen to us as we come to You and pray. We need only look to You, and You are there as we do that diligently.

So, God, as this session begins, we seek Your guidance and wisdom for these men and women. Grant them selfless and humble spirits to accomplish great things for the people of Michigan, trusting You in the process. We thank You for each of them, their hearts and their willingness to serve us.

Finally, God, I want to thank You for the hope that You give each of us as we call on You; hope not based on wishful thinking, but based on the many promises You have so richly given us. May we all learn more of what that means in each of our lives.

We pray all of this because we know You love us and desire to meet us in all of our endeavors. You are a great and good God whom we desire to love back as much as You love us.

I pray now for each of You that God, the source of hope, will fill you completely with joy and peace because you trust Him. Then You will overflow with confident hope through the power He gives us. Amen.

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

Motions and Communications

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

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.

Senator Meekhof moved that rule 3.106(c) be suspended and that the following bill, now on Committee Reports, be immediately referred to the Committee on Transportation:

Senate Bill No. 1164

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

Senator Meekhof moved that the Committee on Judiciary be discharged from further consideration of the following bill:

House Bill No. 5338, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 2251 and 7341 (MCL 333.2251 and 333.7341), section 7341 as added by 1984 PA 347.

The motion prevailed, a majority of the members serving voting therefor, and the bill was placed on the order of General Orders.

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

House Bill No. 5338

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. 5553, entitled

A bill to amend 1984 PA 431, entitled "The management and budget act," by amending section 461 (MCL 18.1461), as amended by 1999 PA 8.

House Bill No. 5595, entitled

A bill to amend 1964 PA 283, entitled "Weights and measures act," by amending sections 2, 3, 4, 5, 6, 9a, and 9b (MCL 290.602, 290.603, 290.604, 290.605, 290.606, 290.609a, and 290.609b), section 2 as amended and sections 9a and 9b as added by 2002 PA 208.

House Bill No. 5596, entitled

A bill to amend 1964 PA 283, entitled "Weights and measures act," by amending sections 10a, 10b, 28c, 28d, 29, 31, and 31a (MCL 290.610a, 290.610b, 290.628c, 290.628d, 290.629, 290.631, and 290.631a), sections 10a and 10b as amended and section 31a as added by 2002 PA 208, section 28c as amended by 2008 PA 351, section 28d as added by 2008 PA 345, section 29 as amended by 1986 PA 194, and section 31 as amended by 2006 PA 125, and by adding section 28e.

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.

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 10:07 a.m.

10:14 a.m.

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

The following communication was received and read:

Office of the Auditor General

June 6, 2012

Enclosed is a copy of the following audit report:

Performance audit of the Office of Services to the Aging's Community Services Division and State Long Term Care Ombudsman within the Department of Community Health.

Sincerely,
Thomas H. McTavish, C.P.A.
Auditor General

The audit report was referred to the Committee on Government Operations.

The Secretary announced that the following House bills were received in the Senate and filed on Thursday, June 7:

House Bill Nos.	4862	4863	5223	5246	5267	5301	5302	5313	5363	5424	5466	5541	5548	5560
	5566	5567	5568	5569	5570	5592	5629	5630	5631	5632	5633	5634	5635	5636
	5658	5688	5705											

The Secretary announced the enrollment printing and presentation to the Governor on Thursday, June 7, for his approval the following bills:

Enrolled Senate Bill No. 461 at 2:35 p.m.

Enrolled Senate Bill No. 462 at 2:37 p.m.

Enrolled Senate Bill No. 464 at 2:39 p.m.

Enrolled Senate Bill No. 468 at 2:41 p.m.
Enrolled Senate Bill No. 454 at 2:43 p.m.
Enrolled Senate Bill No. 455 at 2:45 p.m.
Enrolled Senate Bill No. 457 at 2:47 p.m.
Enrolled Senate Bill No. 459 at 2:49 p.m.
Enrolled Senate Bill No. 465 at 2:51 p.m.
Enrolled Senate Bill No. 466 at 2:53 p.m.

The Secretary announced that the following official bills were printed on Thursday, June 7, and are available at the legislative website:

Senate Bill Nos. 1173 1174 1175 1176
House Bill No. 5727

The Secretary announced that the following official bills were printed on Friday, June 8, and are available at the legislative website:

House Bill Nos. 5728 5729

Messages from the Governor

The following message from the Governor was received and read:

June 8, 2012

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

Michigan Liquor Control Commission

Edward J. Gaffney of 283 Kenwood Court, Grosse Pointe Farms, Michigan 48236, county of Wayne, a Republican, succeeding himself, is reappointed to serve a term expiring June 12, 2016.

Dennis Olshove of 29828 Lane Court, Warren, Michigan 48088, county of Macomb, a Democrat, succeeding Donald Weatherspoon, is appointed to serve the remainder of a term expiring June 12, 2014.

Edward Clemente of 1704 Riverbank, Lincoln Park, Michigan 48146, county of Wayne, a Democrat, succeeding Colleen Pobur, is appointed to serve a term expiring June 12, 2016.

Sincerely,
 Rick Snyder
 Governor

The appointments were referred to the Committee on Government Operations.

Messages from the House

House Bill No. 5364, entitled

A bill to make, supplement, and adjust appropriations for certain capital outlay projects and for certain state departments and agencies for the fiscal year ending September 30, 2012; to provide for the expenditure of the appropriations; and to prescribe certain conditions for the appropriations.

The House of Representatives has nonconcurrent in the Senate substitute (S-4) and appointed Reps. Moss, Kowall and LeBlanc as conferees.

The message was referred to the Secretary for record.

Senate Bill No. 351, 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 House of Representatives has substituted (H-5) the bill.

The House of Representatives has passed the bill as substituted (H-5), 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. 475**Yeas—26**

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

Nays—11

Anderson	Gregory	Hunter	Whitmer
Bieda	Hood	Smith	Young
Gleason	Hopgood	Warren	

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.
 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. 789, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 2251, 7201, 7202, 7203, and 7204 (MCL 333.2251, 333.7201, 333.7202, 333.7203, and 333.7204), section 7204 as amended by 1994 PA 38.

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 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 sections 7201, 7202, 7203, and 7204 (MCL 333.7201, 333.7202, 333.7203, and 333.7204), section 7204 as amended by 1994 PA 38.

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. 476

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.

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. 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.

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,

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

The motion prevailed.

Senate Bill No. 1082, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending sections 7212, 7401, 7402, 7403, and 7404 (MCL 333.7212, 333.7401, 333.7402, 333.7403, and 333.7404), section 7212 as amended by 2011 PA 88, sections 7401

and 7403 as amended by 2010 PA 352, section 7402 as amended by 2002 PA 710, and section 7404 as amended by 2010 PA 169, and by adding section 7417.

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 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. 477

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.

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. 1085, entitled

A bill to amend 2011 PA 98, entitled “Fair and open competition in governmental construction act,” by amending the title and sections 5, 7, 9, and 13 (MCL 408.875, 408.877, 408.879, and 408.883) and by adding sections 2 and 8.

The House of Representatives has amended the bill as follows:

1. Amend page 2, line 21, after “**CONTRACT**” by striking out “**AFTER JULY 19, 2011**” and inserting “**ON OR AFTER THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED SECTION 2**”.

The House of Representatives has passed the bill as amended 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. 478**Yeas—26**

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

Nays—11

Anderson	Gregory	Hunter	Whitmer
Bieda	Hood	Smith	Young
Gleason	Hopgood	Warren	

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. The Senate agreed to the full title. The bill was referred to the Secretary for enrollment printing and presentation to the Governor.

Protests

Senators Gleason and Young, under their constitutional right of protest (Art. 4, Sec. 18), protested against concurring in the House amendment to Senate Bill No. 1085.

Senator Gleason moved that the statement he made during the discussion of the bill be printed as his reasons for voting “no.”

The motion prevailed.

Senator Gleason’s statement, in which Senator Young concurred, is as follows:

We discussed this bill only a few weeks ago, and many concerns were raised about the constitutionality of this effort. You know, there are many in this room who say that we need to get government out of our lives, but for the last several decades, this has been a process used by municipalities and academic institutions, and it has been fair.

The people whom this bill is attacking, these folks spend their own money to train their own workers. I would like to ask one simple question. One of the highest moral obligations that we have if we are going to answer to public projects is to make sure that those who work on the job are as safe as they can be. I don’t want anyone hurt or killed on a public project. I don’t want them hurt or killed on a private one either.

This legislation, I don’t believe, has taken into full consideration what these project labor agreements will sustain. I would say that it is more than likely that the sponsor of this bill and those who support it didn’t spend a moment looking at the number of injuries and casualties that occur on project labor agreement jobs in our state and across this nation.

In 1991, the U.S. Supreme Court said that project labor agreements could be utilized on public works. Now here we go again and the only reason that the sponsor and others are supporting this is because project labor agreements are normally an agreement between collective bargaining units and a municipality or school in regard to a public works project. I know,

for one, that I want the highest-quality workers on these projects. Too many people say, well, we are spending too much money on this public works project. I think there is a level of responsibility that should be met with a level of qualifications.

To find a project in your area that didn't meet budget and wasn't completed ahead of schedule, these project labor agreements have worked for decades. I don't want someone who has cheated on their 1099 forms, who hasn't paid their taxes, and who hasn't insured an unemployed worker working on my state projects. This is just a unilateral attack on collective bargaining organizations once again.

Look at what our apprenticeship programs do across this state. I would invite any one of you to visit an apprentice center or training center of these organizations that you are attacking today with this legislation. We have the highest-skilled workers, and we take this seriously. I thought it was a slap in the face a few weeks ago when a guy came over and told me that he wanted GM construction workers to work on these projects. That is how little he knows about this legislation.

These people are highly qualified. You can look up their certifications in the Department of Labor. These are the same people who built the nuclear power plants, sewage treatment plants, and our schools and have done it for decades. Typically, there is a four-year apprenticeship; a very vigorous four-year apprenticeship that these tradesmen have to go through. There is no cutting corners. They are not only highly skilled, but they are trained in the safety aspects of this work as well.

This is really a wrong-headed piece of legislation, and you are attacking the wrong people. Every single public contract is available for each one of us and every citizen in this state to inspect and see if we are spending money appropriately. But to go after highly-skilled pipefitters, electricians, carpenters, and painters—these folks who have endured a very rigorous apprenticeship—in the name of politics is wrong. We shouldn't be saving money when it comes to qualifications and certainty on projects. This is a bad move today, and we should not support this.

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

The motion prevailed.

Senator Moolenaar's statement is as follows:

The House only amended Senate Bill No. 1085 to change the effective date and eliminate the retroactivity of this legislation. I welcome my colleagues' support on this important bill.

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.

The House of Representatives has amended the Senate substitute (S-1) as follows:

1. Amend page 2, line 2, by striking out all of enacting section 1 and renumbering the remaining enacting section. The House of Representatives has concurred in the Senate substitute (S-1) as amended and agreed to the full title. Pursuant to rule 3.202, the bill was laid over one day.

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.

The House of Representatives has amended the Senate substitute (S-1) as follows:

1. Amend page 3, line 20, after “**AFTER**” by striking out “**JANUARY 1, 2012**” and inserting “**THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED THIS SECTION**”.

The House of Representatives has concurred in the Senate substitute (S-1) as amended and agreed to the full title. Pursuant to rule 3.202, the bill was laid over one day.

By unanimous consent the Senate returned to the order of

Motions and Communications

Senator Meekhof moved that the Committee on Finance be discharged from further consideration of 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.

The motion prevailed, a majority of the members serving voting therefor, and the bill was placed on the order of General Orders.

Senator Meekhof moved that the bill be referred to the Committee on Government Operations.

The motion prevailed.

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 Walker as Chairperson.

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

House Bill No. 5164, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 1301, 2035, 44501, 44511, 44516, 44518, 44520, 44520a, and 44524 (MCL 324.1301, 324.2035, 324.44501, 324.44511, 324.44516, 324.44518, 324.44520, 324.44520a, and 324.44524), section 1301 as amended by 2011 PA 218, section 2035 as added and sections 44501, 44511, and 44518 as amended by 2004 PA 587, sections 44516, 44520, and 44524 as added by 1995 PA 57, and section 44520a as added by 2006 PA 183, and by adding section 44522a; and to repeal acts and parts of acts.

House Bill No. 4913, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 51108 (MCL 324.51108), as amended by 2008 PA 299.

House Bill No. 5714, entitled

A bill to amend 1969 PA 306, entitled "Administrative procedures act of 1969," by amending section 48 (MCL 24.248), as amended by 1999 PA 262.

House Bill No. 5338, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 2251 and 7341 (MCL 333.2251 and 333.7341), section 7341 as added by 1984 PA 347.

House Bill No. 4724, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," (MCL 400.1 to 400.119b) by adding section 14l.

House Bill No. 5441, entitled

A bill to amend 1998 PA 386, entitled "Estates and protected individuals code," by amending section 5305 (MCL 700.5305), as amended by 2000 PA 464.

House Bill No. 4513, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1147 (MCL 380.1147).

House Bill No. 5573, entitled

A bill to amend 1947 PA 359, entitled "The charter township act," by amending section 13a (MCL 42.13a), as added by 2006 PA 596.

House Bill No. 5553, entitled

A bill to amend 1984 PA 431, entitled "The management and budget act," by amending section 461 (MCL 18.1461), as amended by 1999 PA 8.

House Bill No. 5595, entitled

A bill to amend 1964 PA 283, entitled "Weights and measures act," by amending sections 2, 3, 4, 5, 6, 9a, and 9b (MCL 290.602, 290.603, 290.604, 290.605, 290.606, 290.609a, and 290.609b), section 2 as amended and sections 9a and 9b as added by 2002 PA 208.

House Bill No. 5596, entitled

A bill to amend 1964 PA 283, entitled "Weights and measures act," by amending sections 10a, 10b, 28c, 28d, 29, 31, and 31a (MCL 290.610a, 290.610b, 290.628c, 290.628d, 290.629, 290.631, and 290.631a), sections 10a and 10b as amended and section 31a as added by 2002 PA 208, section 28c as amended by 2008 PA 351, section 28d as added by 2008 PA 345, section 29 as amended by 1986 PA 194, and section 31 as amended by 2006 PA 125, and by adding section 28e.

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. 5058, entitled

A bill to amend 1976 PA 388, entitled "Michigan campaign finance act," by amending sections 9 and 21a (MCL 169.209 and 169.221a), section 9 as amended by 1996 PA 590 and section 21a as added by 1994 PA 411.

Substitute (S-1).

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

1. Amend page 5, following line 8, by inserting:

"Enacting section 1. This amendatory act takes effect January 1, 2013."

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.

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:
House Bill No. 5059, entitled

A bill to amend 1976 PA 388, entitled "Michigan campaign finance act," by amending sections 3, 4, 6, 11, 33, and 34 (MCL 169.203, 169.204, 169.206, 169.211, 169.233, and 169.234), section 3 as amended by 1989 PA 95, sections 4, 6, and 11 as amended by 2012 PA 31, and sections 33 and 34 as amended by 1999 PA 238.

Substitute (S-1).

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

1. Amend page 19, following line 7, by inserting:

"Enacting section 2. This amendatory act takes effect December 30, 2012."

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.

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:
House Bill No. 5061, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 761, 813, and 829 (MCL 168.761, 168.813, and 168.829), section 761 as amended by 2005 PA 71 and sections 813 and 829 as added by 2004 PA 92, and by adding section 38.

Substitute (S-1).

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

1. Amend page 10, following line 20, by inserting:

"Enacting section 1. This amendatory act takes effect August 15, 2012."

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.

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

House Bill No. 5062, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 31, 33, 514, 679a, 811, 847, 931, and 942 (MCL 168.31, 168.33, 168.514, 168.679a, 168.811, 168.847, 168.931, and 168.942), section 31 as amended by 2005 PA 71, section 33 as amended by 2002 PA 91, section 514 as amended by 1992 PA 195, section 679a as added by 2004 PA 256, sections 847 and 942 as amended by 1995 PA 261, and section 931 as amended by 1996 PA 583, and by adding section 31a.

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

1. Amend page 10, line 1, by striking out all of section 931.

2. Amend page 15, following line 3, by inserting:

"Enacting section 1. This amendatory act takes effect August 15, 2012."

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 a substitute therefor, the following bill:
House Bill No. 5142, entitled

A bill to amend 2005 PA 280, entitled "Corridor improvement authority act," by amending sections 2, 4, 6, 8, and 11 (MCL 125.2872, 125.2874, 125.2876, 125.2878, and 125.2881), sections 2 and 6 as amended by 2008 PA 44 and section 11 as amended by 2007 PA 44.

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. 5611, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 531 (MCL 436.1531), as amended by 2005 PA 97.

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. 5468, entitled

A bill to amend 1986 PA 32, entitled "Emergency 9-1-1 service enabling act," by amending sections 102, 401a, 401b, 401c, 401d, and 717 (MCL 484.1102, 484.1401a, 484.1401b, 484.1401c, 484.1401d, and 484.1717), section 102 as amended and sections 401c and 401d as added by 2007 PA 164 and sections 401a, 401b, and 717 as amended by 2008 PA 379.

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. 4723, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," (MCL 400.1 to 400.119b) by adding section 10d.

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. 5609, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," (MCL 211.1 to 211.155) by adding section 78p.

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. 5414, entitled

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

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.

During the Committee of the Whole, Senator Johnson entered the Senate Chamber.

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:

House Bill No. 5714

House Bill No. 5338

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. 5131

House Bill No. 5226

House Bill No. 4656

House Bill No. 5714

House Bill No. 5338

The motion prevailed.

The following bill was read a third time:

House Bill No. 5131, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending sections 7405, 17702, 17703, 17708, 17751, 17754, and 17763 (MCL 333.7405, 333.17702, 333.17703, 333.17708, 333.17751, 333.17754, and 333.17763), sections 7405, 17708, 17751, and 17763 as amended by 2011 PA 155 and sections 17702 and 17703 as amended and section 17754 as added by 2006 PA 672, and by adding section 17744.

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. 479

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 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;”.

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 5226, entitled

A bill to amend 1935 PA 220, entitled “An act to provide family home care for children committed to the care of the state, to create the Michigan children’s institute under the control of the Michigan social welfare commission, to prescribe the powers and duties thereof, and to provide penalties for violations of certain provisions of this act,” by amending section 9 (MCL 400.209), as amended by 2011 PA 30.

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. 480

Yeas—33

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

Nays—4

Gregory	Hood	Johnson	Warren
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Excused—0

Not Voting—1

Anderson

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. 4656, entitled

A bill to amend 1954 PA 116, entitled “Michigan election law,” (MCL 168.1 to 168.992) by adding section 931a.

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. 481**Yeas—33**

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

Nays—4

Gregory	Hood	Smith	Young
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Excused—0**Not Voting—1**

Whitmer

In The Chair: President

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

The recommendation was not concurred in, 2/3 of the members serving not voting therefor.

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

“An act to reorganize, consolidate, and add to the election laws; to provide for election officials and prescribe their powers and duties; to prescribe the powers and duties of certain state departments, state agencies, and state and local officials and employees; to provide for the nomination and election of candidates for public office; to provide for the resignation, removal, and recall of certain public officers; to provide for the filling of vacancies in public office; to provide for and regulate primaries and elections; to provide for the purity of elections; to guard against the abuse of the elective franchise; to define violations of this act; to provide appropriations; to prescribe penalties and provide remedies; and to repeal certain acts and all other acts inconsistent with this act.”.

The Senate agreed to the full title.

Senator Hunter moved that Senator Whitmer be temporarily excused from the balance of today’s session.

The motion prevailed.

Senator Whitmer entered the Senate Chamber.

The following bill was read a third time:

House Bill No. 5714, entitled

A bill to amend 1969 PA 306, entitled “Administrative procedures act of 1969,” by amending section 48 (MCL 24.248), as amended by 1999 PA 262.

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. 482**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

Senator Meekhof moved that the bill be given immediate effect.

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

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

“An act to provide for the effect, processing, promulgation, publication, and inspection of state agency rules, determinations, and other matters; to provide for the printing, publishing, and distribution of certain publications; to provide for state agency administrative procedures and contested cases and appeals from contested cases in licensing and other matters; to create and establish certain committees and offices; to provide for declaratory judgments as to rules; to repeal certain acts and parts of acts; and to repeal certain parts of this act on a specific date.”.

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 5338, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending sections 2251 and 7341 (MCL 333.2251 and 333.7341), section 7341 as added by 1984 PA 347.

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. 483**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

Senator Meekhof moved that the bill be given immediate effect.

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

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

“An act to 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.”

The Senate agreed to the full title.

By unanimous consent the Senate returned to the order of

Motions and Communications

Senator Meekhof moved that rule 3.902 be suspended to allow the guests of Senators Kahn, Colbeck and Richardville admittance to the Senate floor.

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

The following communication was received and read:

Office of the Senate Majority Leader

June 12, 2012

Pursuant to Joint Rule 3, the House having non-concurred in the Senate substitute (S-4) to House Bill 5364, the Senate appoints the following members to sit on the conference committee:

Senator Darwin Booher

Senator Roger Kahn

Senator Morris Hood III

Thank you for your prompt consideration of this matter.

Respectfully yours,
Randy Richardville
Senate Majority Leader

The communication was referred to the Secretary for record.

By unanimous consent the Senate proceeded to the order of

Introduction and Referral of Bills

Senators Johnson, Hunter, Smith, Bieda, Gregory, Hood, Young, Warren, Hopgood, Gleason and Anderson introduced **Senate Bill No. 1177, entitled**

A bill to amend 1964 PA 154, entitled “Minimum wage law of 1964,” by amending sections 4 and 7a (MCL 408.384 and 408.387a), section 4 as amended by 2006 PA 81 and section 7a as amended by 1997 PA 1.

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

Senator Booher introduced

Senate Bill No. 1178, entitled

A bill to amend 1987 PA 173, entitled "Mortgage brokers, lenders, and servicers licensing act," by amending section 33 (MCL 445.1683), as amended by 2009 PA 76.

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

Senators Proos, Pappageorge, Jansen, Walker, Colbeck, Caswell, Robertson and Booher introduced

Senate Bill No. 1179, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 321 (MCL 600.321), as amended by 2011 PA 130.

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

House Bill No. 4862, entitled

A bill to amend 1974 PA 258, entitled "Mental health code," by amending sections 100a, 100b, 100c, 100d, 161, 208, and 210 (MCL 330.1100a, 330.1100b, 330.1100c, 330.1100d, 330.1161, 330.1208, and 330.1210), sections 100a, 100b, and 161 as amended by 2004 PA 499, section 100c as amended by 2002 PA 589, and section 100d as added and sections 208 and 210 as amended by 1995 PA 290, and by adding chapter 2A; 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 Appropriations.

House Bill No. 4863, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 6233, 6235, 6236, 6237, 6238, 6241, 6243, 6251, 7408a, 16106a, and 16221 (MCL 333.6233, 333.6235, 333.6236, 333.6237, 333.6238, 333.6241, 333.6243, 333.6251, 333.7408a, 333.16106a, and 333.16221), section 7408a as amended by 1999 PA 144, section 16106a as added by 1993 PA 80, and section 16221 as amended by 2011 PA 222, and by adding sections 6230, 6234, and 6249.

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 Appropriations.

House Bill No. 5223, entitled

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

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

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

House Bill No. 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 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 Economic Development.

House Bill No. 5267, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 6 and 101 (MCL 388.1606 and 388.1701), section 6 as amended by 2012 PA 29 and section 101 as amended by 2010 PA 110, and by adding section 23a.

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 Appropriations.

House Bill No. 5301, entitled

A bill to amend 1966 PA 293, entitled "An act to provide for the establishment of charter counties; to provide for the election of charter commissioners; to prescribe their powers and duties; to prohibit certain acts of a county board of commissioners after the approval of the election of a charter commission; to prescribe the mandatory and permissive

provisions of a charter; to provide for the exercise by a charter county of certain powers whether or not authorized by its charter; and to prescribe penalties and provide remedies,” (MCL 45.501 to 45.521) by adding section 14a.

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. 5302, 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,” (MCL 247.651 to 247.675) by adding section 18j.

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. 5313, entitled

A bill to amend 1973 PA 139, entitled “An act to provide forms of county government; to provide for county managers and county executives and to prescribe their powers and duties; to abolish certain departments, boards, commissions, and authorities; to provide for transfer of certain powers and functions; to prescribe powers of a board of county commissioners and elected officials; to provide organization of administrative functions; to transfer property; to retain ordinances and laws not inconsistent with this act; to provide methods for abolition of a unified form of county government; and to prescribe penalties and provide remedies,” (MCL 45.551 to 45.573) by adding section 4a.

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. 5363, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 11506 (MCL 324.11506), as amended by 2010 PA 345.

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 Agriculture.

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 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.

Senator Pavlov moved that rule 3.203 be suspended and that the bill be referred to the Committee of the Whole and placed on the order of General Orders.

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

House Bill No. 5466, entitled

A bill to amend 1966 PA 165, entitled "An act to invalidate certain requirements for indemnity in the construction industry," by amending section 1 (MCL 691.991).

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. 5541, entitled

A bill to provide for a capital outlay program; to set forth the provisions for its implementation within the budgetary process; to make appropriations for planning and construction at state institutions and the acquisition of land; to provide for the elimination of fire hazards at the institutions; to provide for certain special maintenance, remodeling, alteration, renovation, or demolition of and additions to projects at state institutions; to provide for elimination of occupational safety and health hazards at state agencies and institutions; to provide for the award of contracts; and to provide for the expenditure thereof under the supervision of the director of the department of technology, management, and budget and the state administrative board.

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.

Senator Pavlov moved that rule 3.203 be suspended and that the bill be referred to the Committee of the Whole and placed on the order of General Orders.

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

House Bill No. 5548, entitled

A bill to amend 1957 PA 261, entitled "Michigan legislative retirement system act," by amending sections 50b and 79 (MCL 38.1050b and 38.1079), section 50b as amended by 1998 PA 501 and section 79 as amended by 2011 PA 200.

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 Reforms, Restructuring and Re-inventing.

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 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. 5566, entitled

A bill to amend 1980 PA 243, entitled "Emergency municipal loan act," by amending the title and sections 1, 2, 3, 4, 5, 6, and 7 (MCL 141.931, 141.932, 141.933, 141.934, 141.935, 141.936, and 141.937), the title as amended by 1988 PA 198, section 1 as amended by 2007 PA 178, sections 2, 3, 6, and 7 as amended by 1998 PA 528, and sections 4 and 5 as amended by 2007 PA 198, and by adding sections 3a and 6a.

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 Appropriations.

House Bill No. 5567, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 1211 and 1216 (MCL 380.1211 and 380.1216), section 1211 as amended by 2011 PA 317 and section 1216 as amended by 2003 PA 299.

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 Appropriations.

House Bill No. 5568, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending section 15 (MCL 388.1615), as amended by 2011 PA 62.

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 Appropriations.

House Bill No. 5569, entitled

A bill to amend 1855 PA 105, entitled "An act to regulate the disposition of the surplus funds in the state treasury; to provide for the deposit of surplus funds in certain financial institutions; to lend surplus funds pursuant to loan agreements secured by certain commercial, agricultural, or industrial real and personal property; to authorize the loan of surplus funds to certain municipalities; to authorize the participation in certain loan programs; to authorize an appropriation; and to prescribe the duties of certain state agencies," by amending section 1 (MCL 21.141), as amended by 1987 PA 284.

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 Appropriations.

House Bill No. 5570, entitled

A bill to amend 1985 PA 227, entitled "Shared credit rating act," by amending sections 3, 7, 8, and 13 (MCL 141.1053, 141.1057, 141.1058, and 141.1063), sections 3, 7, and 8 as amended by 2005 PA 93 and section 13 as amended by 1997 PA 27.

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 Appropriations.

House Bill No. 5592, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 4012 (MCL 600.4012), as amended by 1996 PA 10.

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. 5629, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 1230d, 1535a, and 1539b (MCL 380.1230d, 380.1535a, and 380.1539b), as amended by 2006 PA 680.

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 Education.

House Bill No. 5630, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 1711 and 1751 (MCL 380.1711 and 380.1751), as amended by 2008 PA 1; 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 Education.

House Bill No. 5631, entitled

A bill to repeal 1966 PA 156, entitled "An act to provide state scholarships for students in the field of special education; and to make an appropriation therefor," (MCL 388.1051 to 388.1055).

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 Education.

House Bill No. 5632, entitled

A bill to repeal 1982 PA 26, entitled "An act to provide for emergency financial assistance for certain school districts; to prescribe certain powers and duties of intermediate school boards, local school boards, the state board of education, the state treasurer, and the auditor general; to create an emergency loan revolving fund; to make an appropriation; and to prescribe penalties," (MCL 388.811 to 388.829).

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 Education.

House Bill No. 5633, entitled

A bill to repeal 1931 PA 205, entitled "An act to require the teaching of civics and political science in high schools, county normals and colleges, to prohibit the granting of diplomas, and degrees to students not successfully completing said courses, and to provide penalties for the violation thereof," (MCL 388.372).

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 Education.

House Bill No. 5634, entitled

A bill to repeal 1974 PA 299, entitled "Education for the gifted and/or academically talented act," (MCL 388.1091 to 388.1094).

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 Education.

House Bill No. 5635, entitled

A bill to repeal 1964 PA 238, entitled "An act to authorize the state of Michigan, boards of supervisors, local governing boards and school districts to appropriate moneys to foster and maintain demonstration educational and work experience programs through a special job upgrading program for unemployed, out of work, school dropouts; define the powers and duties of the superintendent of public instruction; and to provide for appropriations," (MCL 395.171 to 395.175).

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 Education.

House Bill No. 5636, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1277 (MCL 380.1277), as amended by 1997 PA 179; 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 Education.

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 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. 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 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. 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 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.

Statements

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

The motion prevailed.

Senator Moolenaar's statement is as follows:

Today I rise to honor the life and legacy of Judge Dennis Murphy of Gaylord, who passed away Friday, June 8. Judge Murphy enjoyed a successful legal career as an assistant prosecutor, drug unit chief, county prosecutor, and as the chief legal counsel

to the State Department of Corrections. Governor John Engler appointed him to his seat on the 46th Circuit Court in 1996, where he served the people of Crawford, Kalkaska, and Otsego Counties.

Governor Rick Snyder offered his words of appreciation for the service Judge Murphy gave to his state and his community. He said, "Judge Murphy was an accomplished and dedicated circuit court judge and public servant, and he will long be remembered for his commitment to excellence and the citizens of northern Michigan."

Judge Murphy leaves behind his wife of 27 years, Terry, his sons Tim and Dan, and his daughter Kate. Our prayers, our thoughts, and our acts are with them.

Judge Murphy was a man who treasured his family, his friends, his community, and his country. Today, as we bid farewell to Judge Murphy, I ask my colleagues to join me in remembering a dedicated public servant who will be missed.

A moment of silence was observed in memory of Circuit Court Judge Dennis Murphy.

Recess

Senator Meekhof moved that the Senate recess until 3:00 p.m.
The motion prevailed, the time being 11:44 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 Pavlov moved that the Senate recess subject to the call of the Chair.
The motion prevailed, the time being 3:01 p.m.

3:34 p.m.

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

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 Assistant President pro tempore, Senator Hansen, designated Senator Walker as Chairperson.

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

House Bill No. 5572, entitled

A bill to support voluntary home visitation programs; to authorize the promulgation of rules regarding home visitation programs; and to prescribe the powers and duties of certain state departments and agencies.

Substitute (S-2).

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

1. Amend page 2, line 9, after "provide" by inserting "culturally appropriate,".

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

Messages from the House

The House of Representatives requested the return of

Senate Bill No. 760, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending sections 222 and 223 (MCL 750.222 and 750.223), section 222 as amended by 2001 PA 135 and section 223 as amended by 1992 PA 221.

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

The motion prevailed.

The House of Representatives requested the return of

Senate Bill No. 761, entitled

A bill to amend 1927 PA 372, entitled “An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms and gas ejecting devices; to prohibit the buying, selling, or carrying of certain firearms and gas ejecting devices without a license or other authorization; to provide for the forfeiture of firearms under certain circumstances; to provide for penalties and remedies; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; to prohibit certain conduct against individuals who apply for or receive a license to carry a concealed pistol; to make appropriations; to prescribe certain conditions for the appropriations; and to repeal all acts and parts of acts inconsistent with this act,” by amending section 1 (MCL 28.421), as amended by 2008 PA 407.

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

The motion prevailed.

By unanimous consent the Senate returned 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:

Senate Bill No. 1024

Senate Bill No. 1027

The motion prevailed.

The following bill was read a third time:

Senate Bill No. 1024, entitled

A bill to prohibit persons who have certain economic relationships with Iran from submitting bids on requests for proposals with this state, political subdivisions of this state, and other public entities; to require bidders for certain public contracts to submit certification of eligibility with the bid; to require reports; and to provide for sanctions for false certification.

The question being on the passage of the bill,

Senator Kahn offered the following substitute:

Substitute (S-4).

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. 484

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: Hansen

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 1027, entitled

A bill to amend 1984 PA 270, entitled “Michigan strategic fund act,” (MCL 125.2001 to 125.2094) by adding section 15.

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. 485**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: Hansen

The Senate agreed to the title of the bill.

Recess

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

The motion prevailed, the time being 3:47 p.m.

3:55 p.m.

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

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 Assistant President pro tempore, Senator Hansen, designated Senator Walker as Chairperson.

After some time spent therein, the Committee arose; and the Assistant President pro tempore, Senator Hansen, having resumed the Chair, the Committee reported back to the Senate, favorably and with amendment, the following bill:

House Bill No. 5660, entitled

A bill to amend 1976 IL 1, entitled "A petition to initiate legislation to provide for the use of returnable containers for soft drinks, soda water, carbonated natural or mineral water, other nonalcoholic carbonated drink, and for beer, ale, or other malt drink of whatever alcoholic content, and for certain other beverage containers; to provide for the use of unredeemed bottle deposits; to prescribe the powers and duties of certain state agencies and officials; and to prescribe penalties and provide remedies," (MCL 445.571 to 445.576) by adding section 1a.

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

1. Amend page 1, line 2, after "CONTAINER" by inserting "THAT, WHEN FILLED, IS DESIGNED AND INTENDED TO BE FROZEN AND IS".

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 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:

House Bill No. 5660

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

The following bill was read a third time:

House Bill No. 5660, entitled

A bill to amend 1976 IL 1, entitled "A petition to initiate legislation to provide for the use of returnable containers for soft drinks, soda water, carbonated natural or mineral water, other nonalcoholic carbonated drink, and for beer, ale, or other malt drink of whatever alcoholic content, and for certain other beverage containers; to provide for the use of unredeemed bottle deposits; to prescribe the powers and duties of certain state agencies and officials; and to prescribe penalties and provide remedies," (MCL 445.571 to 445.576) by adding section 1a.

The question being on the passage of the bill,

Senator Warren offered the following amendments:

1. Amend page 1, line 1, after "SECTION 1" by striking out the comma and inserting a colon and:
" (A) ".

2. Amend page 1, following line 7, by inserting:

" (B) IN ADDITION TO SODA WATER, "BEVERAGE" INCLUDES ANY OTHER CARBONATED OR NONCARBONATED WATER, JUICE, AND ENERGY DRINKS. ".

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

Senator Hunter requested the yeas and nays.

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

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

Roll Call No. 486

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
Emmons
Green

Jones
Kahn
Kowall

Pappageorge
Pavlov

Schuitmaker
Walker

Excused—0

Not Voting—0

In The Chair: Hansen

Senator Bieda offered the following amendments:

1. Amend page 1, line 1, after “**SEC. 1A.**” by inserting “(1)”.
2. Amend page 1, following line 7, by inserting:

“(2) IF A CONTAINER DESCRIBED IN SUBSECTION (1) IS NOT SUBJECT TO A DEPOSIT UNDER THIS ACT BECAUSE OF THE APPLICATION OF THIS SECTION, THE MANUFACTURER OF THAT CONTAINER SHALL PAY A FEE OF 5 CENTS FOR EACH CONTAINER SOLD IN THIS STATE TO THE STATE TREASURER. THE STATE TREASURER SHALL CREDIT FEES RECEIVED UNDER THIS SUBSECTION TO THE CLEANUP AND REDEVELOPMENT TRUST FUND CREATED IN SECTION 3E.”.

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

Senator Bieda offered the following amendment:

1. Amend page 1, following line 7, by inserting:

“Enacting section 1. Section 1a of 1976 IL 1, MCL 445.571a, is repealed effective December 31, 2015.”.

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

The question being on the passage of the bill,

The bill was passed, 3/4 of the members serving voting therefor, as follows:

Roll Call No. 487

Yeas—36

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
Young

Nays—2

Warren

Whitmer

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. The Senate agreed to the title of the bill.

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. 159

The resolution consent calendar was adopted.

Senators Kowall, Marleau, Emmons, Jones, Robertson, Bieda, Hunter, Nofs, Walker, Casperson, Pappageorge, Meekhof, Moolenaar, Hildenbrand, Smith, Young, Anderson, Hood and Johnson offered the following resolution:

Senate Resolution No. 159.

A resolution to commemorate August 2012 as Automotive Heritage Month in the state of Michigan.

Whereas, Michigan inventors put the world on wheels and established the state as the world headquarters for the auto industry. Their actions and inventions have enriched and touched all our lives; and

Whereas, Michigan is synonymous with Motor City and talk of the automobile. It was Michigan's automotive heritage and prowess that led to President Franklin D. Roosevelt labeling the state as the "Arsenal of Democracy"; and

Whereas, Despite facing the most brutal and unrelenting economic times in our industrial history, Michigan is still home to 89 automotive facilities and has the highest automotive industry employment in the country, with 22 percent of the state's total workforce either directly or indirectly tied to the industry; and

Whereas, The Woodward Dream Cruise is the world's largest one-day celebration of classic car culture, attracting more than one million visitors and more than 40,000 muscle cars, street rods, custom, collector, and special interest vehicles to Michigan every year; and

Whereas, As united citizens and automobile enthusiasts, we celebrate Michigan's automotive heritage with pride and great esteem; now, therefore, be it

Resolved by the Senate, That we hereby commemorate August 2012 as Automotive Heritage Month in the state of Michigan; and be it further

Resolved, That a copy of this resolution be transmitted to members of the Woodward Dream Cruise Board, whose efforts to honor our state's great automotive heritage through the nation's largest automotive heritage cruise event serve as an important showcase to honor our past and encourage people to invest in our future.

Senators Booher, Brandenburg, Colbeck, Green, Hansen, Hoppgood, Proos, Rocca, Schuitmaker and Warren were named co-sponsors of the resolution.

Senator Warren offered the following resolution:

Senate Resolution No. 160.

A resolution designating July 2012 as Michigan Craft Beer Month and commending the Michigan craft brewers.

Whereas, Michigan craft brewers are a vibrant affirmation and expression of Michigan entrepreneurial traditions, operating as community-based small businesses and providing employment for more than 1,000 workers; and

Whereas, Craft brewers reside in every region of the state of Michigan, and there are more than 100 craft brewers statewide; and

Whereas, The Michigan Brewers Guild celebrates Michigan Craft Beer Month each year by hosting a Summer Festival in July; and

Whereas, Supporting Michigan agriculture, Michigan craft brewers purchase hops, wheat, beet sugar, cherries, apples, and numerous other fruits, herbs, and vegetables grown in Michigan; and

Whereas, Michigan craft brewers promote Michigan's spirit of independence through a renaissance in handcrafted beers like those first brought to Michigan by European settlers and produced here by our forefathers, including Bernhard Stroh, for the enjoyment of the citizenry; and

Whereas, Striving to educate legal drinking-age residents, Michigan craft brewers convey awareness about the differences in beer flavor, aroma, color, alcohol content, body, and other complex variables, as well as historic brewing traditions, beer history, and gastronomic qualities of beer; and

Whereas, Michigan craft brewers champion the message of responsible enjoyment to their customers and work within their communities to prevent alcohol abuse and underage drinking; and

Whereas, Craft brewers in Michigan produce more than 100 distinct styles of flavorful beers, the quality and diversity of which have made Michigan the envy of many beer-drinking states, thereby contributing to balanced trade by reducing Michigan dependence on imported and other regional beers, supporting Michigan exports, and promoting Michigan tourism; and

Whereas, Michigan craft brewers are vested in the future, health, and welfare of their communities as employers providing a diverse array of quality local jobs; as contributors to the local tax base; and as committed sponsors of a broad range of vital community institutions and philanthropic causes, including not-for-profit housing development associations, chambers of commerce, humane societies, athletic teams, and medical research; now, therefore, be it

Resolved by the Senate, That the members of this legislative body designate July 2012 as Michigan Craft Beer Month as a celebration of the contributions that Michigan craft brewers have made to the state's communities, economy, and history; and be it further

Resolved, That we commend Michigan craft brewers for providing jobs, improving the balance of trade, supporting Michigan agriculture, and educating residents about the history and culture of beer, while promoting the responsible consumption of beer as a beverage of moderation; and be it further

Resolved, That a copy of this resolution be transmitted to the Michigan Brewers Guild as evidence of the highest esteem of the members of the Michigan Legislature.

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

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

The resolution was adopted.

Committee Reports

The Committee on Appropriations reported

House Bill No. 5553, entitled

A bill to amend 1984 PA 431, entitled "The management and budget act," by amending section 461 (MCL 18.1461), as amended by 1999 PA 8.

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, Walker, Anderson, Gregory, Hood and Hopgood

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Agriculture reported

House Bill No. 5595, entitled

A bill to amend 1964 PA 283, entitled "Weights and measures act," by amending sections 2, 3, 4, 5, 6, 9a, and 9b (MCL 290.602, 290.603, 290.604, 290.605, 290.606, 290.609a, and 290.609b), section 2 as amended and sections 9a and 9b as added by 2002 PA 208.

With the recommendation that the bill pass.

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

Joe Hune

Chairperson

To Report Out:

Yeas: Senators Hune, Booher, Emmons and Gleason

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Agriculture reported

House Bill No. 5596, entitled

A bill to amend 1964 PA 283, entitled "Weights and measures act," by amending sections 10a, 10b, 28c, 28d, 29, 31, and 31a (MCL 290.610a, 290.610b, 290.628c, 290.628d, 290.629, 290.631, and 290.631a), sections 10a and 10b as amended and section 31a as added by 2002 PA 208, section 28c as amended by 2008 PA 351, section 28d as added by 2008 PA 345, section 29 as amended by 1986 PA 194, and section 31 as amended by 2006 PA 125, and by adding section 28e.

With the recommendation that the bill pass.

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

Joe Hune

Chairperson

To Report Out:

Yeas: Senators Hune, Booher, Emmons and Gleason

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Agriculture submitted the following:

Meeting held on Thursday, June 7, 2012, at 9:00 a.m., Room 110, Farnum Building

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

The Committee on Natural Resources, Environment and Great Lakes reported

Senate Bill No. 1057, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 9301, 9302, 9304, 9307, 9308, and 9310 (MCL 324.9301, 324.9302, 324.9304, 324.9307, 324.9308, and 324.9310), sections 9301, 9302, 9304, 9308, and 9310 as amended by 1998 PA 463 and section 9307 as amended by 2004 PA 439, and by adding sections 51301, 51302, and 51305; and to repeal acts and parts of acts.

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

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

Thomas A. Casperson

Chairperson

To Report Out:

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

Nays: None

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

The Committee on Natural Resources, Environment and Great Lakes reported

Senate Bill No. 1058, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 8703, 8707, 8708, and 8709 (MCL 324.8703, 324.8707, 324.8708, and 324.8709), as amended by 2011 PA 2.

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

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

Thomas A. Casperson

Chairperson

To Report Out:

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

Nays: None

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

The Committee on Natural Resources, Environment and Great Lakes reported

Senate Bill No. 1059, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending sections 7jj and 27a (MCL 211.7jj[1] and 211.27a), section 7jj as added by 2006 PA 378 and section 27a as amended by 2012 PA 47.

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

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

Thomas A. Casperson
Chairperson

To Report Out:

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

Nays: None

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

The Committee on Natural Resources, Environment and Great Lakes reported

Senate Bill No. 1060, entitled

A bill to amend 2006 PA 379, entitled "Qualified forest property recapture tax act," by amending section 4 (MCL 211.1034).

With the recommendation that the bill pass.

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

Thomas A. Casperson
Chairperson

To Report Out:

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

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Natural Resources, Environment and Great Lakes reported

Senate Bill No. 1061, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 50301 and 50302 (MCL 324.50301 and 324.50302), as added by 1995 PA 57.

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

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

Thomas A. Casperson
Chairperson

To Report Out:

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

Nays: None

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

The Committee on Natural Resources, Environment and Great Lakes reported

Senate Bill No. 1062, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 7dd (MCL 211.7dd), as amended by 2011 PA 320.

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

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

Thomas A. Casperson
Chairperson

To Report Out:

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

Nays: None

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

The Committee on Natural Resources, Environment and Great Lakes reported

Senate Bill No. 1164, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 502 (MCL 324.502), as amended by 2004 PA 587.

With the recommendation that the bill be referred to the Committee on Transportation.

Thomas A. Casperson
Chairperson

To Report Out:

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

Nays: None

The bill was referred to the Committee on Transportation.

The Committee on Natural Resources, Environment and Great Lakes reported

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.

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

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

Thomas A. Casperson
Chairperson

To Report Out:

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

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 Natural Resources, Environment and Great Lakes submitted the following:

Meeting held on Thursday, June 7, 2012, at 8:30 a.m., Room 210, Farnum Building

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

Excused: Senator Hood

The Committee on Economic Development reported

Senate Bill No. 1131, entitled

A bill to amend 2003 PA 258, entitled "Land bank fast track act," by amending section 23 (MCL 124.773).

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, Hunter and Smith

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Economic Development reported

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.

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, Hunter 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 Thursday, June 7, 2012, at 1:30 p.m., Room 210, Farnum Building

Present: Senators Kowall (C), Hildenbrand, Nofs, Emmons, Hansen, Hunter and Smith

The Committee on Banking and Financial Institutions reported

House Bill No. 4975, entitled

A bill to amend 1980 PA 299, entitled "Occupational code," (MCL 339.101 to 339.2919) by adding article 26A. 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.

Darwin L. Booher
Chairperson

To Report Out:

Yeas: Senators Booher, Nofs, Green, Hunter and Smith

Nays: None

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

The Committee on Banking and Financial Institutions reported

House Bill No. 5271, entitled

A bill to amend 1979 PA 152, entitled "State license fee act," (MCL 338.2201 to 338.2277) by adding section 38a. With the recommendation that the bill pass.

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

Darwin L. Booher
Chairperson

To Report Out:

Yeas: Senators Booher, Nofs, Green, Hunter and Smith

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Banking and Financial Institutions submitted the following:

Meeting held on Thursday, June 7, 2012, at 1:35 p.m., Room 100, Farnum Building

Present: Senators Booher (C), Nofs, Green, Hunter and Smith

Excused: Senators Marleau and Rocca

The Committee on Regulatory Reform reported

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.

With the recommendation that the bill pass.

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

Tory Rocca
Chairperson

To Report Out:

Yeas: Senators Rocca, Jones, Hune, Pavlov, Johnson and Warren

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Regulatory Reform reported

Senate Bill No. 808, entitled

A bill to amend 2004 PA 403, entitled "Michigan unarmed combat regulatory act," by amending the title and sections 1, 10, 11, 12, 20, 21, 22, 30, 31, 32, 33, 34, 35, 40, 41, 42, 43, 44, 45, 46, 47, 48, 50, 51, 52, 53, 54, 55, 56, 57, 58, 61, and 63 (MCL 338.3601, 338.3610, 338.3611, 338.3612, 338.3620, 338.3621, 338.3622, 338.3630, 338.3631, 338.3632, 338.3633, 338.3634, 338.3635, 338.3640, 338.3641, 338.3642, 338.3643, 338.3644, 338.3645, 338.3646, 338.3647, 338.3648, 338.3650, 338.3651, 338.3652, 338.3653, 338.3654, 338.3655, 338.3656, 338.3657, 338.3658, 338.3661, and 338.3663), sections 1, 10, 11, 12, 20, 21, 31, 32, 33, 34, 35, 47, 48, 51, 53, 54, 55, 56, 57, and 58 as amended by 2007 PA 196 and section 22 as amended by 2010 PA 100, and by adding section 23; and to repeal acts and parts of acts.

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.

Tory Rocca
Chairperson

To Report Out:

Yeas: Senators Rocca, Jones, Pavlov and Johnson

Nays: Senator Warren

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

COMMITTEE ATTENDANCE REPORT

The Committee on Regulatory Reform submitted the following:

Meeting held on Thursday, June 7, 2012, at 12:30 p.m., Room 110, Farnum Building

Present: Senators Rocca (C), Jones, Hune, Pavlov, Johnson and Warren

Excused: Senator Meekhof

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Retirement submitted the following:

Meeting held on Thursday, June 7, 2012, at 1:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building

Present: Senators Jansen (C), Caswell, Colbeck and Hood

Scheduled Meetings**Administrative Rules** - Thursday, June 14, 9:00 a.m., Room 405, Capitol Building (373-5773)**Appropriations** - Wednesday, June 13, 11:00 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-1760)**Subcommittee -****Natural Resources Department; Natural Resources, Environment and Great Lakes; and House Natural Resources, Tourism and Outdoor Recreation Subcommittee on Forestry and Mining** - Wednesday, June 13, 8:00 a.m., Room 308, South Tower, House Office Building (373-2768)**Economic Development** - Wednesday, June 13, 1:30 p.m., Room 110, Farnum Building (373-5323)**Families, Seniors and Human Services** - Wednesday, June 13, 2:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower (373-5324)**Finance** - Wednesday, June 13, 12:30 p.m., Room 210, Farnum Building (373-5307)**Health Policy** - Wednesday, June 13, 9:00 a.m., Senate Hearing Room, Ground Floor, Boji Tower (373-5314)**Legislative Council** - Thursday, June 14, 9:15 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-0212)**Local Government and Elections** - Wednesday, June 13, 2:00 p.m., Room 100, Farnum Building (373-5314)**Natural Resources, Environment and Great Lakes; Natural Resources Department Appropriations Subcommittee; and House Natural Resources, Tourism and Outdoor Recreation Subcommittee on Forestry and Mining** - Wednesday, June 13, 8:00 a.m., Room 308, South Tower, House Office Building (373-5323)**Reforms, Restructuring and Reinventing** - Wednesday, June 13, 8:15 a.m., Room 110, Farnum Building (373-5307)

Senator Meekhof moved that the Senate adjourn.

The motion prevailed, the time being 4:17 p.m.

The Assistant President pro tempore, Senator Hansen, declared the Senate adjourned until Wednesday, June 13, 2012, at 10:00 a.m.

