

No. 64
STATE OF MICHIGAN
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REGULAR SESSION OF 2012

Senate Chamber, Lansing, Wednesday, September 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 Philip Smith of Eternal Word Church of Grandville offered the following invocation:

Heavenly Father, in Jesus' name we thank You for this great nation, the United States of America, and especially for the great state of Michigan. We thank You for the wisdom of our forefathers to establish the Declaration of Independence, from which came our Constitution and Bill of Rights. May we always be independent and never in bondage to another nation or another god other than the Lord our Creator, who has established this nation for His purpose and for His pleasure that all nations of the earth would have the privilege of knowing our God and Savior, the Lord Jesus Christ.

We recognize that we have fallen short and haven't remained steadfast and committed to Your ways and to Your laws. Forgive us, Lord, for putting our laws above Your laws and our ways above Yours. Forgive us for the genocide that is happening in our nation's cities. Forgive us for the murder, hatred, and the apathy; all the unlawful mixing of man's seed outside of the bonds of marriage and all other wicked practices.

We lift up Governor Snyder, the Michigan State Senate, and the Michigan State House of Representatives. Give them wisdom to accomplish the purpose for which You have brought them here for such a time as this in our history; that they will honorably execute the offices to which You have called them and they were duly elected to by the citizens of this great state; that righteousness will exalt this state to heights never before seen in this nation; and to God be the glory for it all. In Jesus' name. Amen.

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

Motions and Communications

Senators Gleason, Smith, Caswell and Marleau entered the Senate Chamber.

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

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:

Senate Bill No. 388

Senate Bill No. 1211

Senate Bill No. 1213

Senate Bill No. 1214

Senate Bill No. 1221

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

The Secretary announced that the following official bills were printed on Tuesday, September 11, and are available at the legislative website:

Senate Bill Nos.	1239	1240	1241	1242	1243	1244	1245	1246	1247	1248	1249	1250	1251	1252
	1253	1254	1255	1256	1257	1258	1259	1260						

Recess

Senator Meekhof moved that the Senate recess subject to the call of the Chair. The motion prevailed, the time being 10:06 a.m.

11:18 a.m.

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

During the recess, Senators Hood, Young, Hunter and Johnson entered the Senate Chamber.

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

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

House Bill No. 4928

House Bill No. 5154

House Bill No. 5237

House Bill No. 5124

House Bill No. 5592

The motion prevailed.

The following bill was read a third time:

House Bill No. 4928, entitled

A bill to amend 1915 PA 123, entitled "An act to provide for the recording and use in evidence of affidavits affecting real property; and to provide a penalty for the making of false affidavits," (MCL 565.451a to 565.453) by adding section 1d. 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. 618

Yeas—38

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

Nays—0

Excused—0

Not Voting—0

In The Chair: President

The 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. 5154, entitled

A bill to amend 2004 PA 159, entitled "Uniform principal and income act," by amending sections 409 and 505 (MCL 555.809 and 555.905) and by adding section 606.

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. 619**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 enact the uniform principal and income act; to prescribe the manner in which receipts and expenditures of trusts and estates are credited and charged between income and principal, and the manner in which income is apportioned among beneficiaries at the beginning and upon the termination of a trust or estate; to make uniform the law with respect to principal and income allocation; and to repeal acts and parts of acts,”.

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 5237, entitled

A bill to amend 1998 PA 386, entitled “Estates and protected individuals code,” by amending section 2723 (MCL 700.2723), as added by 2010 PA 224.

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. 620**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 codify, revise, consolidate, and classify aspects of the law relating to wills and intestacy, relating to the administration and distribution of estates of certain individuals, relating to trusts, and relating to the affairs of certain individuals under legal incapacity; to provide for the powers and procedures of the court that has jurisdiction over these matters; to provide for the validity and effect of certain transfers, contracts, and deposits that relate to death; to provide procedures to facilitate enforcement of certain trusts; and to repeal acts and parts of acts.”

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 5124, entitled

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending sections 401, 406, 407, 408, 410, 601, 841, and 8304 (MCL 600.401, 600.406, 600.407, 600.408, 600.410, 600.601, 600.841, and 600.8304), sections 401, 406, 407, 408, and 8304 as added by 2002 PA 678 and sections 410, 601, and 841 as amended by 2005 PA 326, and by adding section 412; and to repeal acts and parts of acts.

The question being on the passage of the bill,

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

Roll Call No. 621

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.

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

A bill to amend 1961 PA 236, entitled "An act to revise and consolidate the statutes relating to the organization and jurisdiction of the courts of this state; the powers and duties of the courts, and of the judges and other officers of the courts; the forms and attributes of civil claims and actions; the time within which civil actions and proceedings may be brought in the courts; pleading, evidence, practice, and procedure in civil and criminal actions and proceedings in the courts; to provide for the powers and duties of certain state governmental officers and entities; to provide remedies and penalties for the violation of certain provisions of this act; to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act; and to repeal acts and parts of acts," by amending sections 401, 406, 407, 408, 410, 601, 841, and 8304 (MCL 600.401, 600.406, 600.407, 600.408, 600.410, 600.601, 600.841, and 600.8304), sections 401, 406, 407, 408, and 8304 as added by 2002 PA 678 and sections 410, 601, and 841 as amended by 2005 PA 326, and by adding sections 412 and 413; and to repeal acts and parts of acts.

The amendment to the title was adopted.

The Senate agreed to the title as amended.

The following bill was read a third time:

House Bill No. 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 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. 622

Yeas—38

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

Nays—0

Excused—0

Not Voting—0

In The Chair: President

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

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

"An act to revise and consolidate the statutes relating to the organization and jurisdiction of the courts of this state; the powers and duties of the courts, and of the judges and other officers of the courts; the forms and attributes of civil claims and actions; the time within which civil actions and proceedings may be brought in the courts; pleading, evidence, practice, and procedure in civil and criminal actions and proceedings in the courts; to provide for the powers and duties

of certain state governmental officers and entities; to provide remedies and penalties for the violation of certain provisions of this act; to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act; and to repeal acts and parts of acts.”

The Senate agreed to the full title.

Senator Hunter moved that the Senate proceed to consideration of the following bill:

Senate Bill No. 970

The motion did not prevail.

Senator Hunter requested the yeas and nays.

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

The motion prevailed, a majority of the members voting therefor, as follows:

Roll Call No. 623

Yeas—37

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

Nays—1

Young

Excused—0

Not Voting—0

In The Chair: President

Senator Meekhof moved that the following bills, now on the order of Third Reading of Bills, be referred to the Committee on Government Operations:

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.

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.

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.

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 Booher 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. 5452, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by repealing section 48501 (MCL 324.48501).

Senate Bill No. 1213, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending sections 448 and 451 (MCL 750.448 and 750.451), section 448 as amended by 2002 PA 45 and section 451 as amended by 2002 PA 44.

Senate Bill No. 1221, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16w of chapter XVII (MCL 777.16w), as amended by 2010 PA 361.

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. 5322, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 40111 and 81133 (MCL 324.40111 and 324.81133), as amended by 2012 PA 246.

Substitute (S-1).

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

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

Senate Bill No. 1133, entitled

A bill to authorize the state administrative board to convey certain parcels of state-owned property in Washtenaw county; to prescribe conditions for the conveyance; to provide for certain powers and duties of certain state departments in regard to the property; and to provide for disposition of revenue derived from the conveyance.

Substitute (S-1).

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

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

Senate Bill No. 388, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16x of chapter XVII (MCL 777.16x), as amended by 2006 PA 234.

Substitute (S-3).

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

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:
Senate Bill No. 1211, entitled

A bill to amend 1985 PA 87, entitled "William Van Regenmorter crime victim's rights act," by amending sections 19, 20, and 21 (MCL 780.769, 780.770, and 780.771), as amended by 2005 PA 184.

Substitute (S-1).

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

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:
Senate Bill No. 1214, entitled

A bill to amend 1953 PA 232, entitled "Corrections code of 1953," by amending section 34 (MCL 791.234), as amended by 2010 PA 353.

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.

Resolutions

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

Senate Resolution No. 171

The resolution consent calendar was adopted.

Senator Hunter offered the following resolution:

Senate Resolution No. 171.

A resolution recognizing September 2012 as Sickle Cell Disease Awareness Month in the state of Michigan.

Whereas, Sickle cell disease is an inherited blood disorder that was first diagnosed in the United States in 1910; and

Whereas, Sickle cell disease causes the rapid destruction of red blood cells, which results in multiple medical complications, including anemia, jaundice, gallstones, strokes, and restricted blood flow, damaging tissue in the liver, spleen, and kidneys, and death; and

Whereas, More than 2 million Americans have the sickle cell trait, and 1 in 10 African Americans carry the trait, which means that they carry the gene for the condition; and

Whereas, Approximately 1,000 babies are born with sickle cell disease each year in the United States, with the disease occurring in approximately 1 in 500 African-American infants; 1 in 1,000 Hispanic-American infants; and is found in persons of Greek, Italian, East Indian, Saudi Arabian, Asian, Syrian, Turkish, Cypriot, Sicilian, and Caucasian origins; and

Whereas, The life expectancy of a person with sickle cell disease is severely limited, with an average lifespan of 45 years for an adult; and

Whereas, Though there is no cure for this painful disease, advances in treating the associated complications have occurred; and

Whereas, Researchers are hopeful that in less than two decades sickle cell disease may join the ranks of chronic illnesses that, when properly treated, do not interfere with the activity, growth, or mental development of affected children; and

Whereas, The Sickle Cell Disease Association of America, Michigan Chapter, Inc., remains the preeminent advocacy organization in the state of Michigan that serves the sickle cell community by providing free testing, education and genetic counseling, follow-up laboratory testing, medical referrals, program assistance and career development, and a parent club support group; and

Whereas, Education about sickle cell disease is a critical part of increasing early diagnosis and intervention for individuals with this disease; now, therefore, be it

Resolved by the Senate, That we hereby recognize September 2012 as Sickle Cell Disease Awareness Month in Michigan; and be it further

Resolved, That we urge all Michigianians to use this month as an opportunity to educate themselves about sickle cell disease and reach out to support members of their communities who have been diagnosed with this disease; and be it further

Resolved, That a copy of this resolution be transmitted to the Sickle Cell Disease Association of America, Michigan Chapter, Inc., with our highest esteem.

Senators Anderson, Bieda, Booher, Hansen, Hopgood, Jansen, Jones, Marleau, Pappageorge, Proos, Richardville and Warren were named co-sponsors of the resolution.

By unanimous consent the Senate proceeded to the order of

Introduction and Referral of Bills

Senators Hansen, Green, Pavlov and Warren introduced

Senate Bill No. 1261, entitled

A bill to amend 1984 PA 22, entitled "Michigan civilian conservation corps act," by amending sections 2, 3, and 4 (MCL 409.302, 409.303, and 409.304), sections 2 and 3 as amended by 1994 PA 394 and section 4 as amended by 1985 PA 30, and by adding a heading for chapter I.

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

Senators Casperson, Green, Pavlov, Warren and Hansen introduced

Senate Bill No. 1262, entitled

A bill to amend 1984 PA 22, entitled "Michigan civilian conservation corps act," by amending sections 5, 7, 8, and 9 (MCL 409.305, 409.307, 409.308, and 409.309), section 7 as amended by 1989 PA 50 and section 9 as amended by 1985 PA 30, and by adding section 6a.

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

Senators Pavlov, Warren, Hansen and Green introduced

Senate Bill No. 1263, entitled

A bill to amend 1984 PA 22, entitled "Michigan civilian conservation corps act," by amending section 13 (MCL 409.313) and by adding section 14 and chapter II; and to repeal acts and parts of acts.

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

Senators Warren, Pavlov, Hansen and Green introduced

Senate Bill No. 1264, entitled

A bill to amend 1984 PA 22, entitled "Michigan civilian conservation corps act," (MCL 409.301 to 409.313) by adding sections 25 and 26.

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

Senators Green, Pavlov, Warren and Hansen introduced

Senate Bill No. 1265, entitled

A bill to amend 1984 PA 22, entitled "Michigan civilian conservation corps act," by amending sections 11 and 12a (MCL 409.311 and 409.312a), section 12a as amended by 2007 PA 147.

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

Senators Green, Brandenburg, Proos, Nofs, Jones, Caswell, Rocca, Hildenbrand, Casperson and Booher introduced

Senate Bill No. 1266, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 4o (MCL 205.54o), as amended by 2004 PA 173.

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

Senators Caswell, Robertson and Colbeck introduced

Senate Bill No. 1267, entitled

A bill to amend 1936 (Ex Sess) PA 1, entitled "Michigan employment security act," by amending section 28c (MCL 421.28c), as added by 2012 PA 216.

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

Senator Booher introduced

Senate Bill No. 1268, 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 bill was read a first and second time by title and referred to the Committee on Natural Resources, Environment and Great Lakes.

Senator Kowall introduced

Senate Bill No. 1269, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 22203, 22207, 22209, 22211, 22213, 22215, and 22219 (MCL 333.22203, 333.22207, 333.22209, 333.22211, 333.22213, 333.22215, and 333.22219), sections 22203, 22207, 22209, 22211, 22213, and 22215 as amended and section 22219 as added by 2002 PA 619; and to repeal acts and parts of acts.

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

Senator Whitmer introduced

Senate Bill No. 1270, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 759a (MCL 168.759a), as amended by 2012 PA 279.

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

Senator Whitmer introduced

Senate Bill No. 1271, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 31, 509v, 509w, and 509x (MCL 168.31, 168.509v, 168.509w, and 168.509x), section 31 as amended by 2012 PA 271 and sections 509v, 509w, and 509x as added by 1994 PA 441.

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

Statements

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

The motion prevailed.

Senator Kowall's statement is as follows:

I would like my colleagues to acknowledge the fact today that on this past Sunday, Police Officer Patrick O'Rourke was killed in the line of duty in West Bloomfield Township. Officer O'Rourke responded to a barricaded gunman. After he secured the neighborhood, he entered the structure and shots were fired through the wall striking Officer O'Rourke in the neck, and he passed away from his wounds.

Officer O'Rourke was a 12-year veteran of the police department of West Bloomfield Township. He is survived by his wife Amy and four children, three daughters and one nine-month-old son, for which they tried for quite a few years.

I would like my colleagues to join me in a moment of silence for Officer O'Rourke.

A moment of silence was observed in memory of West Bloomfield Township Police Officer Patrick O'Rourke.

Committee Reports

The Committee on Transportation reported

Senate Bill No. 1180, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 224 (MCL 257.224), as amended by 2006 PA 177.

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, Kowall, Brandenburg, Pavlov, Hansen, Gleason and Hood

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Transportation submitted the following:

Meeting held on Tuesday, September 11, 2012, at 12:30 p.m., Room 100, Farnum Building

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

The Committee on Judiciary reported

Senate Joint Resolution U, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 19 of article VI, to remove the age limitation from eligibility criteria for judicial office.

With the recommendation that the joint resolution be adopted.

Rick Jones

Chairperson

To Report Out:

Yeas: Senators Jones, Schuitmaker, Rocca and Bieda

Nays: None

The joint resolution was referred to the Committee of the Whole.

The Committee on Judiciary reported

Senate Bill No. 388, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16x of chapter XVII (MCL 777.16x), as amended by 2006 PA 234.

With the recommendation that the substitute (S-3) be adopted and that the bill then pass.

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

Rick Jones

Chairperson

To Report Out:

Yeas: Senators Jones, Schuitmaker, Rocca and Bieda

Nays: None

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

The Committee on Judiciary reported

Senate Bill No. 1102, entitled

A bill to amend 1998 PA 386, entitled "Estates and protected individuals code," (MCL 700.1101 to 700.8206) by adding section 7114.

With the recommendation that the bill pass.

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

Rick Jones

Chairperson

To Report Out:

Yeas: Senators Jones, Schuitmaker, Rocca and Bieda

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Judiciary reported

Senate Bill No. 1103, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 2210a.

With the recommendation that the bill pass.

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

Rick Jones

Chairperson

To Report Out:

Yeas: Senators Jones, Schuitmaker, Rocca and Bieda

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Judiciary reported

Senate Bill No. 1211, entitled

A bill to amend 1985 PA 87, entitled "William Van Regenmorter crime victim's rights act," by amending sections 19, 20, and 21 (MCL 780.769, 780.770, and 780.771), as amended by 2005 PA 184.

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

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

Rick Jones
Chairperson

To Report Out:

Yeas: Senators Jones, Schuitmaker, Rocca and Bieda

Nays: None

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

The Committee on Judiciary reported

Senate Bill No. 1213, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending sections 448 and 451 (MCL 750.448 and 750.451), section 448 as amended by 2002 PA 45 and section 451 as amended by 2002 PA 44.

With the recommendation that the bill pass.

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

Rick Jones
Chairperson

To Report Out:

Yeas: Senators Jones, Schuitmaker, Rocca and Bieda

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Judiciary reported

Senate Bill No. 1214, entitled

A bill to amend 1953 PA 232, entitled "Corrections code of 1953," by amending section 34 (MCL 791.234), as amended by 2010 PA 353.

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

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

Rick Jones
Chairperson

To Report Out:

Yeas: Senators Jones, Schuitmaker, Rocca and Bieda

Nays: None

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

The Committee on Judiciary reported

Senate Bill No. 1221, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16w of chapter XVII (MCL 777.16w), as amended by 2010 PA 361.

With the recommendation that the bill pass.

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

Rick Jones
Chairperson

To Report Out:

Yeas: Senators Jones, Schuitmaker, Rocca and Bieda

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Judiciary reported

House Bill No. 5128, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," (MCL 600.101 to 600.9947) by amending the heading for chapter 80 and by adding sections 8031, 8033, 8035, 8037, 8039, 8041, 8043, 8045, and 8047; 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.

Rick Jones
Chairperson

To Report Out:

Yeas: Senators Jones, Schuitmaker, Rocca and Bieda

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Judiciary submitted the following:

Meeting held on Tuesday, September 11, 2012, at 2:30 p.m., Room 110, Farnum Building

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

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Higher Education submitted the following:

Joint meeting held on Wednesday, September 12, 2012, at 8:15 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building

Present: Senators Schuitmaker (C) and Hood

Excused: Senator Walker

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Retirement submitted the following:

Joint meeting held on Wednesday, September 12, 2012, at 8:15 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building

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

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Retirement submitted the following:

Meeting held on Wednesday, September 12, 2012, at 9:00 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building

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

Scheduled Meetings

Appropriations -

Subcommittee -

Human Services Department - Tuesdays, September 25 and October 2, and Wednesday, October 10, 2:00 p.m., Room 405, Capitol Building (373-2768)

Economic Development - Thursday, September 13, 12:00 noon, Senate Hearing Room, Ground Floor, Boji Tower (373-5323)

Health Policy - Thursday, September 13, 2:30 p.m., Senate Hearing Room, Ground Floor, Boji Tower (373-5314)

Natural Resources, Environment and Great Lakes - Thursday, September 13, 8:30 a.m., Room 100, Farnum Building (373-5323)

Regulatory Reform - Thursday, September 13, 12:30 p.m., Room 110, Farnum Building (373-5312)

Senate Fiscal Agency Board of Governors - Thursday, September 13, 9:00 a.m., Room S-324, Capitol Building (373-2768)

State Drug Treatment Court Advisory Committee - Tuesday, September 25, 9:30 a.m., Legislative Council Conference Room, 3rd Floor, Boji Tower (373-0212)

Senator Meekhof moved that the Senate adjourn.
The motion prevailed, the time being 11:54 a.m.

The President, Lieutenant Governor Calley, declared the Senate adjourned until Thursday, September 13, 2012, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate

