

No. 67
STATE OF MICHIGAN
Journal of the Senate
96th Legislature
REGULAR SESSION OF 2012

Senate Chamber, Lansing, Thursday, September 20, 2012.

10:00 a.m.

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

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

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

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

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

Minister Brian Ruth of New Haven Church of Middleton offered the following invocation:

Dear Heavenly Father, I come to You in the name of Jesus, giving thanks to You and praising You for the freedoms we share in this nation and in this great state of Michigan. You have promised that if Your people who are called by Your name will humble themselves and pray and seek You and turn from their wicked ways, You would forgive us of our sins, and You would heal our land.

Today, we are blessed that You have given these legislators opportunity to work together for the benefit of those whom they serve. We pray that You would help them today to work diligently at the tasks that You have set before them. Help them to listen carefully to those who have placed their trust in their judgment by electing them as fine Senators to this office.

So, Lord, we ask You to help them to listen carefully to the Holy One for all of their decisions that will affect our families, our friends, and the people of this great state. We ask You, Lord, to please grant them the wisdom and knowledge and compassion today so that the decisions that they make will strengthen and prosper each district throughout this state.

Dear Lord, we pray that You would just bless these public servants. We pray that You would continue to watch over them and their families as they serve. We pray all these things in the precious name of Jesus. Amen.

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

The President, Lieutenant Governor Calley, assumed the Chair.

Motions and Communications

Senators Rocca, Booher, Pappageorge and Kahn entered the Senate Chamber.

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

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

Senator Meekhof moved that rule 3.902 be suspended to allow the guest of Senator Hildenbrand admittance to the Senate floor.
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:

Senate Bill No. 1267

Senate Bill No. 1272

Senate Bill No. 1258

Senate Bill No. 1259

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

The Secretary announced that the following House bills were received in the Senate and filed on Wednesday, September 19:
House Bill Nos. 5220 5617 5618 5620 5793

The Secretary announced that the following House bills were received in the Senate and filed on Thursday, September 20:
House Bill Nos. 5400 5581 5697 5784 5818 5819 5820 5821 5822 5823 5824 5825 5826 5873 5893

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.

10:13 a.m.

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

During the recess, Senators Hood, Marleau, Kowall, Young and Green entered the Senate Chamber.

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 Caswell 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. 4934, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1347a.

Senate Bill No. 1222, entitled

A bill to amend 1972 PA 239, entitled "McCauley-Traxler-Law-Bowman-McNeely lottery act," by amending section 25 (MCL 432.25), as amended by 1998 PA 465.

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.

Senate Bill No. 1272, entitled

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

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:

Senate Bill No. 1258, entitled

A bill to amend 2008 PA 551, entitled "Uniform securities act (2002)," by amending section 410 (MCL 451.2410).

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. 1259, entitled

A bill to amend 1979 PA 152, entitled "State license fee act," by amending sections 2, 3, 13, 15, 17, 21, 23, 25, 27, 28, 29, 31, 37, 38, 39, 43, and 62 (MCL 338.2202, 338.2203, 338.2213, 338.2215, 338.2217, 338.2221, 338.2223, 338.2225, 338.2227, 338.2228, 338.2229, 338.2231, 338.2237, 338.2238, 338.2239, 338.2243, and 338.2262), section 2 as amended by 1999 PA 171, sections 3, 13, 17, 21, 23, 25, 27, 28, 29, 31, 37, 38, 43, and 62 as amended by 2007 PA 77, section 15 as amended by 2008 PA 491, and section 39 as amended by 2007 PA 158.

Substitute (S-1).

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

1. Amend page 2, following line 27, by inserting:

"(2) THE DEPARTMENT SHALL UTILIZE A COMPETITIVE SELECTION PROCESS THAT MEETS THE REQUIREMENTS OF ARTICLE 2 OF THE MANAGEMENT AND BUDGET ACT, 1984 PA 431, MCL 18.1201 TO 18.1299, WHEN SELECTING A THIRD PARTY EXAM ADMINISTRATOR TO ADMINISTER AN EXAMINATION OR TEST. THE CONTRACT WITH THE THIRD PARTY EXAM ADMINISTRATOR SHALL STATE THE EXAMINATION FEE AN INDIVIDUAL IS REQUIRED TO PAY TO TAKE THE EXAMINATION OR TEST." and renumbering the remaining subsection.

2. Amend page 4, line 9, after "fees" by striking out the balance of the line through "FEE" on line 12.
3. Amend page 4, line 26, after "fees" by striking out the balance of the line through "FEE" on line 1 of page 5.
4. Amend page 6, line 19, after "fees" by striking out the balance of the line through "FEE" on line 22.
5. Amend page 8, line 16, after "fee" by striking out the balance of the line through "FEE" on line 19.
6. Amend page 9, line 7, after "portion" by striking out the balance of the line through "FEE" on line 11.
7. Amend page 10, line 6, after "fees" by striking out the balance of the line through "FEE" on line 9.
8. Amend page 11, line 11, after "fee" by striking out the balance of the line through "FEE" on line 14.
9. Amend page 12, line 2, after "auctioneer" by striking out the balance of the line through "FEE" on line 6.
10. Amend page 12, line 26, after "fees" by striking out the balance of the line through "FEE" on line 2 of page 13.
11. Amend page 17, line 3, after "fees" by striking out the balance of the line through "FEE" on line 8.
12. Amend page 19, line 2, after "fees" by striking out the balance of the line through "FEE" on line 5.
13. Amend page 21, line 11, after "fees" by striking out the balance of the line through "FEE" on line 14.

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.

During the Committee of the Whole, Senators Casperson and Johnson entered the Senate Chamber.

By unanimous consent the Senate returned to the order of

Messages from the House

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

Senate Bill No. 409

The motion prevailed.

Senate Bill No. 797, entitled

A bill to amend 1965 PA 314, entitled "Public employee retirement system investment act," by amending sections 12b, 12c, 13, 14, 15, 17, 19, 19a, 20c, 20d, 20h, 20k, and 20m (MCL 38.1132b, 38.1132c, 38.1133, 38.1134, 38.1135, 38.1137, 38.1139, 38.1139a, 38.1140c, 38.1140d, 38.1140h, 38.1140k, and 38.1140m), sections 12b, 12c, 14, 17, and 20c as amended by 2000 PA 307, section 13 as amended by 2009 PA 84, section 15 as amended and section 20k as added by 1996 PA 485, sections 19 and 20d as amended and section 19a as added by 2008 PA 425, section 20h as amended by 2002 PA 728, and section 20m as amended by 2007 PA 22, and by adding sections 13e, 13f, and 21.

The House of Representatives has passed the bill 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. 1122, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 9155.

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

The House of Representatives has passed the bill as substituted (H-1) and pursuant to Joint Rule 20, inserted the full title.

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

Senate Bill No. 1123, entitled

A bill to amend 1966 PA 346, entitled "State housing development authority act of 1966," by amending section 44 (MCL 125.1444), as amended by 2008 PA 58.

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

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

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

Senate Bill No. 1124, entitled

A bill to amend 1966 PA 346, entitled "State housing development authority act of 1966," by amending section 22 (MCL 125.1422), as amended by 2008 PA 449.

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

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

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

Senate Bill No. 1125, entitled

A bill to amend 1966 PA 346, entitled "State housing development authority act of 1966," by amending section 32 (MCL 125.1432), as amended by 2008 PA 56.

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

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

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

Senate Bill No. 637, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1347 (MCL 380.1347). Substitute (H-2).

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. 638**Yeas—32**

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

Nays—6

Gregory	Johnson	Whitmer	Young
Hopgood	Warren		

Excused—0**Not Voting—0**

In The Chair: President

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

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

The Senate agreed to the full title.

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

Senators Kahn, Richardville and Hildenbrand asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator Kahn's statement is as follows:

Senate Bill No. 637 is the companion to House Bill No. 4934, which, I believe, we will be acting on shortly. This bill and its companion bill are bills that deal with the saying of the Pledge of Allegiance in our school system and the provision of flags in those schools. The flags can be within the classrooms where the Pledge is said.

Michigan is one of seven states in the country that does not have some type of state law requiring the Pledge of Allegiance to be recited in public schools. Mr. President, most states do have a statute that calls for the Pledge to be recited on a daily basis; in fact, more than 40 do so. With the passage of this bill, we will be providing that the state of Michigan enter on with its sister states, the group that, in fact, encourages, inculcates, and provides for the saying of the Pledge of Allegiance throughout the school systems and throughout all grades.

I ask that this bill be passed and its companion House Bill No. 4934 when it comes to Third Reading.

Senator Richardville's statement is as follows:

I am going to tell you that it is my pleasure to honor Frank Waters today, although it is a bittersweet moment because he is preparing to leave the Michigan Senate. My notes say that he is extremely well-liked by his colleagues, but I don't think everyone likes him that much, but evidently some do because someone wrote this down. Frank works in the Senate Majority Communications Office, working for and with all of the staffs and all of the Senators here, and he will be greatly missed.

He graduated from Western Michigan University and went to work for then-Governor John Engler quite a few years ago. He eventually worked his way through the House for a few years before joining SMCO in 2006, when he became a part of the upper chamber.

During his work with our central staff, Frank has earned the respect and admiration of everybody who has worked with him, and I say that sincerely. He isn't going that far away, and many of us will still be dealing with Frank. He is moving to be the director of policy and legislative affairs at LARA.

We will miss Frank's attitude and sense of humor, but it is truly a gain for the administration. He is another one as they continue to cherry-pick the Senate's staff. Members, would you please join me in thanking Frank for his many years of service to the Michigan Senate.

Senator Hildenbrand's statement is as follows:

I have a very special guest on the Senate floor. He is a high school senior, and I want to show him a good example of how the Senate Chamber runs, so he can bring that back to high school during his senior year. Colleagues and staff, I would like you to welcome Mr. Sam Weatherhead. He is senior at West Catholic High School in Grand Rapids. He has been named Mr. Golf 2012 by the coaches and others in the state of Michigan for his success on the golf course. He will be competing—it's a spring sport—his senior year this spring and has verbally committed to attend my alma mater—and many of you in this room—Michigan State University to continue his academics and hopefully his athletics as well.

So we put together a special tribute and it says to Sam Weatherhead: "LET IT BE KNOWN, It is an honor and great privilege to join with the Grand Rapids community and the entire state of Michigan as we honor Sam Weatherhead on his recognition as a 2012 Michigan Interscholastic Golf Coaches Association Mr. Golf of the Year.

Receiving this award is truly a remarkable achievement and represents the first time in ten years that a West Michigan athlete has been chosen to receive this honor."

It is signed by myself, his State Representative, and the Governor.

I would also like to recognize his parents who are up in the Gallery, Andy and Cathy Weatherhead, as well. So if you could congratulate Sam and welcome his parents here to the Senate, I would greatly appreciate it.

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. 4934

Senate Bill No. 1267

Senate Bill No. 1272

Senate Bill No. 1258

Senate Bill No. 1259

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

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

Senate Bill No. 1057

Senate Bill No. 1058

Senate Bill No. 1059

Senate Bill No. 1060

Senate Bill No. 1061

Senate Bill No. 1062
House Bill No. 5431
House Bill No. 5432
House Bill No. 5433
House Bill No. 5128
Senate Bill No. 1148
Senate Bill No. 564
House Bill No. 4934
Senate Bill No. 1267
Senate Bill No. 1272
Senate Bill No. 1258
Senate Bill No. 1259
 The motion prevailed.

The following bill was read a third time:

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, 51305, and 51306; 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. 639

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 Senate agreed to the title of the bill.

The following bill was read a third time:

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.

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. 640**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 Senate agreed to the title of the bill.

The following bill was read a third time:

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.

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. 641**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 Senate agreed to the title of the bill.

The following bill was read a third time:

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).

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. 642**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 Senate agreed to the title of the bill.

The following bill was read a third time:

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.

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. 643**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 Senate agreed to the title of the bill.

The following bill was read a third time:

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.

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. 644

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 Senate agreed to the title of the bill.

The following bill was read a third time:

House Bill No. 5431, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 411a (MCL 750.411a), as amended by 2004 PA 104.

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. 645

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.

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

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

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 5432, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 1f of chapter IX (MCL 769.1f), as amended by 2008 PA 466.

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. 646

Yeas—38

Anderson	Gregory	Kahn	Richardville
Bieda	Hansen	Kowall	Robertson

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

Nays—0

Excused—0

Not Voting—0

In The Chair: President

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

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

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

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 5433, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 16t of chapter XVII (MCL 777.16t), as amended by 2012 PA 147.

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. 647

Yeas—38

Anderson	Gregory	Kahn	Richardville
Bieda	Hansen	Kowall	Robertson
Booher	Hildenbrand	Marleau	Rocca
Brandenburg	Hood	Meekhof	Schuitmaker

Casperson	Hopgood	Moolenaar	Smith
Caswell	Hune	Nofs	Walker
Colbeck	Hunter	Pappageorge	Warren
Emmons	Jansen	Pavlov	Whitmer
Gleason	Johnson	Proos	Young
Green	Jones		

Nays—0

Excused—0

Not Voting—0

In The Chair: President

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

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

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

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

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 5128, entitled

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending section 308 (MCL 600.308), as amended by 1994 PA 375, 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.

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. 648

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.

The following bill was read a third time:

Senate Bill No. 1148, entitled

A bill to amend 1974 PA 198, entitled “An act to provide for the establishment of plant rehabilitation districts and industrial development districts in local governmental units; to provide for the exemption from certain taxes; to levy and collect a specific tax upon the owners of certain facilities; to impose and provide for the disposition of an administrative fee; to provide for the disposition of the tax; to provide for the obtaining and transferring of an exemption certificate and to prescribe the contents of those certificates; to prescribe the powers and duties of the state tax commission and certain officers of local governmental units; and to provide penalties,” by amending section 9 (MCL 207.559), as amended by 2008 PA 516.

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. 649

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 Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 564, entitled

A bill to amend 1939 PA 280, entitled “The social welfare act,” by amending section 106a (MCL 400.106a), as added by 2003 PA 32.

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. 650

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 Senate agreed to the title of the bill.

The following bill was read a third time:

House Bill No. 4934, entitled

A bill to amend 1976 PA 451, entitled “The revised school code,” (MCL 380.1 to 380.1852) by adding section 1347a.

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. 651**Yeas—36**

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

Nays—2

Warren	Young
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Excused—0**Not Voting—0**

In The Chair: 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 a system of public instruction and elementary and secondary schools; to revise, consolidate, and clarify the laws relating to elementary and secondary education; to provide for the organization, regulation, and maintenance of schools, school districts, public school academies, intermediate school districts, and other public school entities; to prescribe rights, powers, duties, and privileges of schools, school districts, public school academies, intermediate school districts, and other public school entities; to provide for the regulation of school teachers and certain other school employees; to provide for school elections and to prescribe powers and duties with respect thereto; to provide for the levy and collection of taxes; to provide for the borrowing of money and issuance of bonds and other evidences of indebtedness; to establish a fund and provide for expenditures from that fund; to provide for and prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to provide for licensure of boarding schools; to prescribe penalties; and to repeal acts and parts of acts.”

The Senate agreed to the full title.

The following bill was read a third time:

Senate Bill No. 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 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. 652**Yeas—38**

Anderson	Gregory	Kahn	Richardville
Bieda	Hansen	Kowall	Robertson
Booher	Hildenbrand	Marleau	Rocca

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

Nays—0

Excused—0

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 1272, entitled

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

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. 653

Yeas—38

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

Nays—0

Excused—0

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 1258, entitled

A bill to amend 2008 PA 551, entitled "Uniform securities act (2002)," by amending section 410 (MCL 451.2410).

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. 654

Yeas—36

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

Nays—2

Bieda	Brandenburg
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Excused—0

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 1259, entitled

A bill to amend 1979 PA 152, entitled "State license fee act," by amending sections 2, 3, 13, 15, 17, 21, 23, 25, 27, 28, 29, 31, 37, 38, 39, 43, and 62 (MCL 338.2202, 338.2203, 338.2213, 338.2215, 338.2217, 338.2221, 338.2223, 338.2225, 338.2227, 338.2228, 338.2229, 338.2231, 338.2237, 338.2238, 338.2239, 338.2243, and 338.2262), section 2 as amended by 1999 PA 171, sections 3, 13, 17, 21, 23, 25, 27, 28, 29, 31, 37, 38, 43, and 62 as amended by 2007 PA 77, section 15 as amended by 2008 PA 491, and section 39 as amended by 2007 PA 158, and by adding section 5a.

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. 655

Yeas—33

Anderson	Hansen	Kahn	Proos
Booher	Hildenbrand	Kowall	Richardville
Casperson	Hood	Marleau	Schuitmaker
Caswell	Hopgood	Meekhof	Smith
Colbeck	Hunter	Moolenaar	Walker
Emmons	Jansen	Nofs	Warren

Gleason
Green
Gregory

Johnson
Jones

Pappageorge
Pavlov

Whitmer
Young

Nays—5

Bieda
Brandenburg

Hune

Robertson

Rocca

Excused—0

Not Voting—0

In The Chair: President

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

Senate Concurrent Resolution No. 27

Senate Resolution No. 172

Senate Resolution No. 134

The motion prevailed.

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

Senate Resolution No. 174

The resolution consent calendar was adopted.

Senator Hansen offered the following resolution:

Senate Resolution No. 174.

A resolution designating September 21, 2012, as POW/MIA Recognition Day in the state of Michigan.

Whereas, The United States has fought in many wars. Thousands of Americans who served in those wars were captured by the enemy or listed as missing in action; and

Whereas, It has always been the creed of those who wear a military uniform never to leave a fallen comrade on the battlefield. On this day, we pay tribute to those who are missing in action or have been taken prisoner of war and never returned home; and

Whereas, To date, a total of 83,467 Americans are listed as prisoners of war or missing in action since World War II. This includes 73,681 in World War II, 7,951 in the Korean War, 1,657 in Vietnam, 127 in the Cold War, and 6 in Desert Storm and Iraqi Freedom; and

Whereas, We as a nation can never collectively rest until we account for all those men and women who made the ultimate sacrifice to their country; and

Whereas, We express our deepest gratitude to these patriots in both words and actions, knowing they were fighting to protect our rights and freedoms; and

Whereas, Many American prisoners of war were subjected to brutal and inhumane treatment by their enemy captors in violation of international codes and customs for the treatment of prisoners of war, and many such prisoners of war died from such treatment; and

Whereas, Many of these Americans are still missing and unaccounted for, and the uncertainty surrounding their fates has caused their families to suffer acute hardship; and

Whereas, Their work will not be complete, nor will our commitment be fulfilled, until they come home; and

Whereas, The stark MIA/POW flag will fly proudly near the United States and state of Michigan flags on September 21, serving as a commanding reminder that the duty of those who are missing in action or prisoners of war is finished, but ours continues as we seek to find, repatriate, and honor these courageous men and women; now, therefore, be it

Resolved by the Senate, That the members of this legislative body designate September 21, 2012, as POW/MIA Recognition Day in the state of Michigan.

Introduction and Referral of Bills

Senator Schuitmaker introduced

Senate Bill No. 1295, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 7411 (MCL 333.7411), as amended by 2004 PA 225.

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

Senator Schuitmaker introduced

Senate Bill No. 1296, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 5838 (MCL 600.5838), as amended by 1986 PA 178, and by adding section 5838b.

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

Senator Bieda introduced

Senate Bill No. 1297, entitled

A bill to amend 1936 (Ex Sess) PA 1, entitled "Michigan employment security act," by amending section 27 (MCL 421.27), as amended by 2011 PA 269.

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

Senators Brandenburg and Jansen introduced

Senate Bill No. 1298, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 703 (MCL 206.703), as amended by 2012 PA 217.

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

Senator Meekhof introduced

Senate Bill No. 1299, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 2567a (MCL 600.2567a), as amended by 2006 PA 662.

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

Senator Meekhof introduced

Senate Bill No. 1300, entitled

A bill to amend 1990 PA 345, entitled "State survey and remonumentation act," by amending sections 8, 12, and 15 (MCL 54.268, 54.272, and 54.275), section 8 as amended by 2002 PA 489 and section 12 as amended by 2010 PA 260.

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

Senators Kowall, Casperson, Smith, Young, Colbeck and Green introduced

Senate Bill No. 1301, entitled

A bill to amend 1978 PA 639, entitled "Hertel-Law-T. Stopczynski port authority act," by amending sections 2, 4, 5, 8, 9, 10, 12, 13, 14, 18, 22, 23, and 24 (MCL 120.102, 120.104, 120.105, 120.108, 120.109, 120.110, 120.112, 120.113, 120.114, 120.118, 120.122, 120.123, and 120.124), section 5 as amended by 2001 PA 244, sections 14 and 18 as amended by 2002 PA 412, and section 23 as amended by 1984 PA 256, and by adding sections 1a, 1b, 7a, 15a, 16a, 24a, and 24b; 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 Transportation.

Senators Kowall, Casperson, Nofs, Colbeck and Green introduced

Senate Bill No. 1302, entitled

A bill to create and provide for the operation of the Michigan port authority; to provide for the creation and appointment of a board to govern the authority and to prescribe its powers and duties; to provide for the powers and duties of the authority; to extend protections against certain liabilities to the authority; to provide for the issuance of certain bonds, notes, and other obligations; to facilitate the use and development of authority property and port facilities; to promote economic growth; to exempt property, income, and operations of an authority from tax; and to provide an appropriation.

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

Senator Casperson introduced

Senate Bill No. 1303, entitled

A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending sections 13a, 18f, and 19a of chapter XIIA (MCL 712A.13a, 712A.18f, and 712A.19a), section 13a as amended by 2012 PA 163 and sections 18f and 19a as amended by 2012 PA 115.

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

Senator Schuitmaker introduced

Senate Bill No. 1304, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 73301 (MCL 324.73301), as amended by 2007 PA 174.

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

Senator Hune introduced

Senate Bill No. 1305, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending sections 2110a, 2111, 2117, 2119, and 2121 (MCL 500.2110a, 500.2111, 500.2117, 500.2119, and 500.2121), section 2110a as added by 1996 PA 514, sections 2111, 2117, and 2121 as amended by 2002 PA 492, and section 2119 as amended by 1980 PA 461.

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

House Bill No. 5220, entitled

A bill to amend 1973 PA 186, entitled "Tax tribunal act," (MCL 205.701 to 205.779) by adding section 62b.

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 Finance.

House Bill No. 5400, entitled

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2013; and to provide for the expenditure of the appropriations.

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. 5581, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 8317 (MCL 324.8317), as amended by 2008 PA 18.

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. 5617, entitled

A bill to amend 1966 PA 346, entitled "State housing development authority act of 1966," by amending section 44a (MCL 125.1444a), as amended by 2004 PA 549.

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. 5618, entitled

A bill to amend 1966 PA 346, entitled "State housing development authority act of 1966," by amending section 44c (MCL 125.1444c), as amended by 2004 PA 535.

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. 5620, entitled

A bill to amend 1966 PA 346, entitled "State housing development authority act of 1966," by amending section 32b (MCL 125.1432b), as amended by 2004 PA 549.

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. 5697, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 9156.

The House of Representatives has passed the bill.

The bill was read a first and second time by title.

Senator Meekhof 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. 5784, entitled

A bill to amend 1937 PA 284, entitled "An act to prevent the spread of infectious and contagious diseases of livestock; to require persons, associations, partnerships and corporations engaged in the buying, receiving, selling, transporting, exchanging, negotiating, or soliciting sale, resale, exchange or transportation of livestock to be licensed and bonded by the department of agriculture; to keep a producers' proceeds account; to provide for the refusal, suspension or revocation of such licenses; to provide for weighmasters; to provide for the inspection and disinfection of yards, premises and vehicles; and to provide penalties for the violation of this act," by amending sections 1, 2, 3, 3a, 4, 5, 6, 7, 8, and 11 (MCL 287.121, 287.122, 287.123, 287.123a, 287.124, 287.125, 287.126, 287.127, 287.128, and 287.131), section 3 as amended by 2007 PA 81, and by adding section 7a.

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. 5793, entitled

A bill to amend 1935 PA 120, entitled "An act to prescribe a method for the fingerprinting of residents of the state, and to provide for the recording and filing thereof by the central records division of the department of state police," by amending section 3 (MCL 28.273), as amended by 2010 PA 178.

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. 5818, entitled

A bill to amend 2008 PA 551, entitled "Uniform securities act (2002)," by amending section 410 (MCL 451.2410).

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. 5819, entitled

A bill to amend 1982 PA 162, entitled "Nonprofit corporation act," by amending section 1060 (MCL 450.3060), as amended by 2007 PA 87.

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. 5820, entitled

A bill to amend 1993 PA 23, entitled "Michigan limited liability company act," by amending section 1101 (MCL 450.5101), as amended by 2007 PA 86.

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. 5821, entitled

A bill to amend 2002 PA 733, entitled "State plumbing act," by amending sections 31 and 35 (MCL 338.3541 and 338.3545), as amended by 2008 PA 370.

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. 5822, entitled

A bill to amend 1984 PA 192, entitled "Forbes mechanical contractors act," by amending section 10 (MCL 338.980), as amended by 2008 PA 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 Appropriations.

House Bill No. 5823, entitled

A bill to amend 1956 PA 217, entitled "Electrical administrative act," by amending section 3 (MCL 338.883), as amended by 2008 PA 371.

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. 5824, entitled

A bill to amend 1986 PA 54, entitled "Building officials and inspectors registration act," by amending section 13 (MCL 338.2313), as amended by 2008 PA 373.

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. 5825, entitled

A bill to amend 1979 PA 152, entitled "State license fee act," by amending sections 2, 3, 13, 15, 17, 21, 23, 25, 27, 28, 29, 31, 37, 38, 39, 43, and 62 (MCL 338.2202, 338.2203, 338.2213, 338.2215, 338.2217, 338.2221, 338.2223, 338.2225, 338.2227, 338.2228, 338.2229, 338.2231, 338.2237, 338.2238, 338.2239, 338.2243, and 338.2262), section 2 as amended by 1999 PA 171, sections 3, 13, 17, 21, 23, 25, 27, 28, 29, 31, 37, 38, 43, and 62 as amended by 2007 PA 77, section 15 as amended by 2008 PA 491, and section 39 as amended by 2007 PA 158.

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. 5826, entitled

A bill to amend 1987 PA 231, entitled "An act to create a transportation economic development fund in the state treasury; to prescribe the uses of and distributions from this fund; to create the office of economic development and to prescribe its powers and duties; to prescribe the powers and duties of the state transportation department, state transportation commission, and certain other bodies; and to permit the issuance of certain bonds," by amending section 11 (MCL 247.911), as amended by 2011 PA 145.

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. 5873, entitled

A bill to amend 1996 PA 195, entitled "Police officer's and fire fighter's survivor tuition act," by amending the title and sections 1, 2, 3, 4, and 5 (MCL 390.1241, 390.1242, 390.1243, 390.1244, and 390.1245).

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. 5893, entitled

A bill to amend 1972 PA 284, entitled "Business corporation act," by amending section 1060 (MCL 450.2060), as amended by 2008 PA 402.

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.

Statements

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

The motion prevailed.

Senator Hansen's statement is as follows:

Earlier today during the order of Resolutions, we adopted Senate Resolution No. 174, which will designate September 21, 2012, as POW/MIA Recognition Day in the state of Michigan. The United States has fought in many wars. Thousands of Americans who served in those wars were captured by the enemy or listed as missing in action. To date, a total of 83,467 Americans are listed as prisoners of war or missing in action since World War II.

The POW/MIA flag will fly proudly near the United States and state of Michigan flags on September 21, serving as a reminder that the duty of those who are missing in action or prisoners of war is unfinished. We express our deepest gratitude to these patriots, in both words and actions, who fought to protect our rights and freedoms.

Committee Reports

The Committee on Judiciary reported

Senate Bill No. 1043, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 2559 (MCL 600.2559), as amended by 2003 PA 243.

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

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

Rick Jones
Chairperson

To Report Out:

Yeas: Senators Jones, Rocca and Bieda

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 Judiciary submitted the following:

Meeting held on Wednesday, September 19, 2012, at 9:00 a.m., Room 110, Farnum Building

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

The Committee on Reforms, Restructuring and Reinventing reported

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.

With the recommendation that the bill pass.

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

Mark C. Jansen
Chairperson

To Report Out:

Yeas: Senators Jansen, Colbeck, Casperson, Kowall, Young and Warren

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Reforms, Restructuring and Reinventing reported

Senate Bill No. 1272, entitled

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

With the recommendation that the bill pass.

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

Mark C. Jansen
Chairperson

To Report Out:

Yeas: Senators Jansen, Colbeck, Casperson, Kowall, Young and Warren

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Reforms, Restructuring and Reinventing submitted the following:

Meeting held on Wednesday, September 19, 2012, at 8:30 a.m., Rooms 402 and 403, Capitol Building

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

Excused: Senator Robertson

The Committee on Finance reported

Senate Bill No. 264, entitled

A bill to amend 1937 PA 94, entitled "Use tax act," by amending section 6 (MCL 205.96), as amended by 2004 PA 172.

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.

Jack M. Brandenburg
Chairperson

To Report Out:

Yeas: Senators Brandenburg, Jansen, Pappageorge, Robertson and Warren

Nays: None

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

The Committee on Finance reported

Senate Bill No. 1006, entitled

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending section 113 (MCL 208.1113), as amended by 2011 PA 77.

With the recommendation that the bill pass.

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

Jack M. Brandenburg
Chairperson

To Report Out:

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

Nays: Senator Warren

The bill was referred to the Committee of the Whole.

The Committee on Finance reported

House Bill No. 4804, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 6 (MCL 205.56), as amended by 2011 PA 71.

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.

Jack M. Brandenburg
Chairperson

To Report Out:

Yeas: Senators Brandenburg, Jansen, Pappageorge, Robertson and Warren

Nays: None

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

The Committee on Finance reported

House Bill No. 5444, entitled

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

With the recommendation that the bill pass.

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

Jack M. Brandenburg
Chairperson

To Report Out:

Yeas: Senators Brandenburg, Jansen, Pappageorge, Robertson and Warren

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Finance reported

House Bill No. 5445, entitled

A bill to amend 1937 PA 94, entitled "Use tax act," by amending section 4k (MCL 205.94k), as amended by 2009 PA 54.

With the recommendation that the bill pass.

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

Jack M. Brandenburg
Chairperson

To Report Out:

Yeas: Senators Brandenburg, Jansen, Pappageorge, Robertson and Warren

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Finance submitted the following:

Meeting held on Wednesday, September 19, 2012, at 12:30 p.m., Room 100, Farnum Building

Present: Senators Brandenburg (C), Jansen, Pappageorge, Robertson, Bieda and Warren

Excused: Senator Proos

The Committee on Education reported

Senate Bill No. 1051, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1203.

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.

Phillip J. Pavlov
Chairperson

To Report Out:

Yeas: Senators Pavlov, Emmons, Colbeck and Hopgood

Nays: None

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

The Committee on Education reported

Senate Bill No. 1234, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending section 6 (MCL 388.1606), as amended by 2012 PA 201.

With the recommendation that the bill pass.

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

Phillip J. Pavlov
Chairperson

To Report Out:

Yeas: Senators Pavlov, Emmons, Colbeck and Hopgood

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Education submitted the following:

Meeting held on Wednesday, September 19, 2012, at 12:41 p.m., Senate Hearing Room, Ground Floor, Boji Tower
Present: Senators Pavlov (C), Emmons, Colbeck, Hopgood and Young

The Committee on Families, Seniors and Human Services reported

Senate Bill No. 1232, entitled

A bill to amend 1939 PA 288, entitled "Probate code of 1939," (MCL 710.21 to 712A.32) by adding chapter XIIB.
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.

Judith K. Emmons
Chairperson

To Report Out:

Yeas: Senators Emmons, Rocca and Nofs

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 Families, Seniors and Human Services submitted the following:

Meeting held on Wednesday, September 19, 2012, at 3:00 p.m., Room 100, Farnum Building
Present: Senators Emmons (C), Rocca and Nofs
Excused: Senator Gregory

The Committee on Appropriations reported

Senate Bill No. 1258, entitled

A bill to amend 2008 PA 551, entitled "Uniform securities act (2002)," by amending section 410 (MCL 451.2410).
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.

Roger Kahn, M.D.
Chairperson

To Report Out:

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

Nays: None

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

The Committee on Appropriations reported

Senate Bill No. 1259, entitled

A bill to amend 1979 PA 152, entitled "State license fee act," by amending sections 2, 3, 13, 15, 17, 21, 23, 25, 27, 28, 29, 31, 37, 38, 39, 43, and 62 (MCL 338.2202, 338.2203, 338.2213, 338.2215, 338.2217, 338.2221, 338.2223, 338.2225, 338.2227, 338.2228, 338.2229, 338.2231, 338.2237, 338.2238, 338.2239, 338.2243, and 338.2262), section 2 as amended by 1999 PA 171, sections 3, 13, 17, 21, 23, 25, 27, 28, 29, 31, 37, 38, 43, and 62 as amended by 2007 PA 77, section 15 as amended by 2008 PA 491, and section 39 as amended by 2007 PA 158.

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.

Roger Kahn, M.D.
Chairperson

To Report Out:

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

Nays: None

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

COMMITTEE ATTENDANCE REPORT

The Committee on Appropriations submitted the following:

Meeting held on Wednesday, September 19, 2012, at 2:16 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building
Present: Senators Kahn (C), Moolenaar, Jansen, Pappageorge, Booher, Caswell, Colbeck, Green, Proos, Schuitmaker, Walker, Anderson, Gregory, Hood, Hopgood and Johnson

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Department of Community Health submitted the following:

Meeting held on Wednesday, September 19, 2012, at 11:30 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building
Present: Senators Moolenaar (C), Caswell and Booher
Excused: Senator Gregory

COMMITTEE ATTENDANCE REPORT

The Committee on Natural Resources, Environment and Great Lakes submitted the following:

Meeting held on Wednesday, September 19, 2012, at 3:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower
Present: Senators Casperson (C), Pavlov, Green, Kowall, Warren and Hood
Excused: Senator Meekhof

Scheduled Meetings

Administrative Rules - Thursday, September 27, 8:30 a.m., Room 405, Capitol Building (373-5773)

Subcommittee -

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

Energy and Technology - Tuesday, September 25, 1:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower (373-5323)

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 11:25 a.m.

The President, Lieutenant Governor Calley, declared the Senate adjourned until Tuesday, September 25, 2012, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate