

No. 69
STATE OF MICHIGAN
Journal of the Senate
96th Legislature
REGULAR SESSION OF 2012

Senate Chamber, Lansing, Thursday, September 27, 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 Rick Seidel of Woodside Bible Church of Lake Orion offered the following invocation:

Heavenly Father, we begin today by pausing to acknowledge our need for You. You are the one true God, full of mercy and grace—yes, grace. You give and give and give. You alone have given us life. May we cherish it, and may we protect the lives of the most vulnerable among us—the sick, the elderly, and the unborn.

You alone have given us liberty and freedom. As people created in Your image, we have a will to make choices. We thank You, Father, for the blessing of either having been born in these United States or having had the opportunity to come here. We are so blessed, for we know millions around the world have never experienced freedom from tyranny. We recognize that freedom always costs. We thank You for those who have given their lives in the protection of our freedom and in an effort to win freedom for complete strangers in foreign lands.

We lift up the men and women of our armed forces who today carry on with these duties entrusted to them. Be with them, Father. Guide and protect them, and comfort their families as they await their safe return.

Father, You also have given us leaders—community, religious, and legislative leaders. You have raised up women and men who have dedicated their lives to enact laws to protect the innocent, punish the guilty, and to provide order and civility in our land. Some of these leaders are gathered in this chamber today. Father, I thank You for each one, and I pray for them, for their spouses, and children. I pray for those who come here today carrying heavy burdens; trials and pain that perhaps they carry alone. May they today as individuals run to You as the prodigal to his father, and may they find rest in Your loving arms, forgiveness at Your throne, and fellowship at Your table. I thank You for giving Your Son so that we can know You. May we each open that gift.

Heavenly Father, we are gathered today in this chamber as those entrusted with a seemingly impossible task—to govern and lead in a world tainted by sin and selfishness in a manner that reflects Your truth and grace. Father, this is no small task, for we know that millions of people across the state of Michigan look to this assembly for leadership, for direction, for a sense of right and wrong. Yet each of us acknowledges our weakness, our own struggle to both know truth and then to act in accordance with it. We, indeed, see through a mirror dimly, and yet our desire is to see You, to know You, and to talk with You. Father, we need unity; not unity of compromise, but unity of conviction.

In such complicated times as these, we need You, Father, to guide us into truth, convince us of our errors, and redeem us by Your grace. May we in all humility acknowledge that everything that we are and have comes from Your loving hand. Heavenly Father, give us today; our daily bread provides. May these men and women with unceasing energy serve the people of this great state. May the decisions they make today impact all of our lives and the lives of generations to come for the better.

In Your holy name, we pray this. Amen.

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

Motions and Communications

Senator Kahn entered the Senate Chamber.

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

Senator Meekhof moved that rule 2.106 be suspended to allow committees to meet during Senate session. The motion prevailed, a majority of the members serving voting therefor.

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

House Bill No. 5400

House Bill No. 5784

Senate Bill No. 1307

Senate Bill No. 1172

Senate Bill No. 1281

Senate Bill No. 1283

Senate Bill No. 1284

Senate Bill No. 1285

Senate Bill No. 1261

Senate Bill No. 1262

Senate Bill No. 1263

Senate Bill No. 1264

Senate Bill No. 1265

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

The following communication was received and read:
Office of the Auditor General

September 25, 2012

Enclosed is a copy of the following audit report:

Performance audit of the Administration of Act 51, P.A. 1951, as amended, Michigan Department of Transportation and Department of Treasury.

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

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

The following communications were received:
Department of State

Administrative Rules
Notices of Filing

September 10, 2012

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2012-032-EQ (Secretary of State Filing #12-09-02) on this date at 4:19 p.m. for the Department of Environmental Quality, entitled "Underground Storage Tank Inspection and Delegation."

These rules become effective immediately upon filing with the Secretary of State unless adopted under section 33, 44, or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

September 13, 2012

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2011-011-EQ (Secretary of State Filing #12-09-03) on this date at 4:30 p.m. for the Department of Environmental Quality, entitled "Great Lakes Bottomlands Preserves."

These rules become effective immediately upon filing with the Secretary of State unless adopted under section 33, 44, 45a(6), or 48 of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

September 13, 2012

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2011-008-LR (Secretary of State Filing #12-09-04) on this date at 4:32 p.m. for the Department of Licensing and Regulatory Affairs, entitled "Board of Marriage and Family Therapy - General Rules."

These rules become effective immediately upon filing with the Secretary of State unless adopted under section 33, 44, or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

Sincerely,
Ruth Johnson
Secretary of State
Robin L. Houston, Departmental Supervisor
Office of the Great Seal

The communications were referred to the Secretary for record.

The Secretary announced that the following official bills were printed on Tuesday, September 25, and are available at the legislative website:

Senate Bill Nos. 1307 1313 1314

The Secretary announced that the following official bills were printed on Wednesday, September 26, and are available at the legislative website:

Senate Bill Nos. 1306 1308 1309 1310 1311 1312 1315 1316 1317 1318 1319 1320 1321 1322
1323 1324 1325 1326 1327 1328

House Bill Nos. 5942 5943 5944 5945 5946 5947 5948

Recess

Senator Meekhof moved that the Senate recess subject to the call of the Chair. The motion prevailed, the time being 10:08 a.m.

10:46 a.m.

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

During the recess, Senator Hunter entered the Senate Chamber.

Messages from the Governor

The following message from the Governor was received and read:

September 18, 2012

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

Advisory Committee on Pain and Symptom Management

Lisa A. Ashley of 1050 Hoffman Street, Petoskey, Michigan 49770, county of Emmet, representing the Michigan Hospice and Palliative Care Association, succeeding Dorothy Deremo, is appointed for a term expiring July 1, 2013.

Sincerely,
Rick Snyder
Governor

The appointment was referred to the Committee on Government Operations.

By unanimous consent the Senate returned to the order of

Motions and Communications

Senator Meekhof moved that rule 3.902 be suspended to allow the guests of Senator Richardville admittance to the Senate floor.

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

Senator Meekhof moved that the following bill, now on the order of General Orders, be referred to the Committee on Government Operations:

House Bill No. 5463, entitled

A bill to amend 1975 PA 197, entitled "An act to provide for the establishment of a downtown development authority; to prescribe its powers and duties; to correct and prevent deterioration in business districts; to encourage historic preservation; to authorize the acquisition and disposal of interests in real and personal property; to authorize the creation and implementation of development plans in the districts; to promote the economic growth of the districts; to create a board; to prescribe its powers and duties; to authorize the levy and collection of taxes; to authorize the issuance of bonds and other evidences of indebtedness; to authorize the use of tax increment financing; to reimburse downtown development authorities for certain losses of tax increment revenues; and to prescribe the powers and duties of certain state officials," by amending section 4 (MCL 125.1654), as amended by 2006 PA 279, and by adding section 28a.

The motion prevailed.

The following communications were received and read:
Office of the Senate Majority Leader

September 24, 2012

Please be advised that I have appointed members to the newly created Oil and Gas Task Force. Senators Darwin Booher and Howard Walker will serve as co-chairmen of the task force. Other members of the task force include: Senator Tom Caspersen, Senator John Moolenaar, Senator Mark Jansen, Senator Hoon-Yung Hopgood, and Senator Steven Bieda.

If you have any further questions, please do not hesitate to contact Teri Ambts, in my office, at 373-3543.

September 24, 2012

Please be advised that I have appointed members to the newly created Task Force on Transportation Infrastructure. Senator Roger Kahn will serve as chairman of the task force. Other members of the task force include: Senator John Pappageorge and Senator Rebekah Warren.

If you have any further questions, please do not hesitate to contact Teri Ambs, in my office, at 373-3543.

Sincerely,
Randy Richardville
Senate Majority Leader

The communications were referred to the Secretary for record.

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

The motion prevailed.

Senator Walker's statement is as follows:

Today I would like to recognize one of my staff members who has done a tremendous job for us. His area of expertise has been in agriculture and agribusiness. I am here with my staff Eric Dean, Brianna Mills, and Pat Hansen to recognize Isaiah Wonch.

I would like to read this Special Tribute:

"LET IT BE KNOWN, That it is our great pleasure to thank Isaiah as he departs from the Michigan State Senate this week in order to assume the role of Agribusiness Specialist with the Michigan Economic Development Corporation. Isaiah's service to Senator Walker's office and to the Michigan State Senate as a whole has contributed a great deal to the institution and to the people of this great state. On behalf of the lawmakers, staff, and all who have worked with him, we extend our best wishes to this talented and conscientious member of Senator Walker's staff.

Isaiah grew up on Old Mission Peninsula in Traverse City, where he worked long hours on his family's farm. Working the tireless cherry and apple farm year after year helped to shape his passion for the agriculture industry. He received a bachelor's degree in public policy from the University of Michigan and completed a master's degree in agriculture, food, and resource in economics from Michigan State University. Working alongside his parents, he quickly learned the business side of agriculture. While studying at the University of Michigan, he introduced the community to fresh fruit by creating a delivery service The Goodness Tree, L.L.C. Currently, he is running ISA Apples and another company which helps local farms and markets sell their apples. His firsthand experience with working in and running various agriculture businesses will be a great asset in Isaiah's next adventure."

In his time with my office, "Isaiah Wonch has contributed to the resolution of a host of constituent issues. His expertise in agriculture has been beneficial to Senator Walker and the people of the 37th Senate District. He will certainly be missed by all who have worked with him, and we wish him the best in the months and years to come. MEDC has gained an employee who will be a great advocate for agribusiness because of his great enthusiasm and experience.

IN SPECIAL TRIBUTE, This document is signed and dedicated to congratulate and thank Isaiah Wonch as he transitions from his role as our constituent relations person in the office of State Senator Howard Walker to a career with the Michigan Economic Development Corporation."

I would like to take this moment to wish him well, and may his future be filled with health, happiness, and prosperity.

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

The motion prevailed.

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

Senate Resolution No. 175

Senate Resolution No. 176

The resolution consent calendar was adopted.

Senator Green offered the following resolution:

Senate Resolution No. 175.

A resolution to proclaim October 13-20, 2012, as Cooperative Week in the state of Michigan.

Whereas, Cooperatives are businesses that are owned and democratically governed by their members and exist solely to serve their members' interests; and

Whereas, Cooperative enterprises help build and sustain healthy communities in Michigan, promote jobs, and enhance the quality of life for those in our state and throughout the country; and

Whereas, Agricultural cooperatives play a vital role in the strong agricultural industry in Michigan; and

Whereas, More than 29,000 cooperatives operate in the United States, making a substantial contribution to the economy by generating over 2 million jobs, with annual sales of \$652 billion and possessing assets of \$3 trillion; and

Whereas, Cooperatives dedicate substantial human and financial resources to serve their communities beyond their core business functions, including charitable giving to meet the needs of underserved populations and investment in community development that generates jobs and income and helps create vital services; now, therefore, be it

Resolved by the Senate, That we hereby proclaim October 13-20, 2012, as Cooperative Week. May cooperatives from all industries reaffirm their member-service mission, their commitment to community, and pledge continued active involvement in the communities in which their members live and work.

Senators Bieda, Booher, Brandenburg, Casperson, Hansen, Hopgood, Jansen, Kowall, Marleau, Pappageorge and Proos were named co-sponsors of the resolution.

Senator Green offered the following resolution:

Senate Resolution No. 176.

A resolution to proclaim October 7, 2012, as Lions Day in the state of Michigan.

Whereas, There are over 12,000 Lions members, both men and women, in more than 500 clubs throughout Michigan. Around the world, their 46,000 clubs and 1.35 million members make them the world's largest service club organization; and

Whereas, In 1925, Helen Keller addressed the Lions Clubs International Convention in Cedar Point, Ohio, and challenged Lions to become "knights of the blind in the crusade against darkness." Since then, they have worked tirelessly to aid the blind and visually impaired and have earned high marks for both integrity and transparency throughout their 95-year history; and

Whereas, Lions meet the needs of local communities and the world. The 1.35 million members of their volunteer organization in 207 countries and geographic areas are different in many ways, but they share a core belief—"community is what we make it"; and

Whereas, In Michigan, Lions Clubs perform a huge variety of services to their communities, including providing eyeglasses and hearing aids to those who cannot afford them, holding holiday parties for underprivileged kids, underwriting food giveaways, helping send kids to camp, maintaining parks, visiting seniors, supporting organ donation drives, vision testing for young children, and many more; and

Whereas, All Michigan Lions Clubs come together to support four state projects: Leader Dogs for the Blind, Michigan Eye Bank, Bear Lake Camp, and Lions of Michigan Foundation, which helps fund projects such as disaster relief in the United States and abroad; now, therefore, be it

Resolved by the Senate, That we hereby proclaim October 7, 2012, as Lions Day. May Lions Clubs throughout Michigan reaffirm their member-service mission: "To empower volunteers to serve their communities, meet humanitarian needs, encourage peace and promote international understanding through Lions clubs"; and be it further

Resolved, That copies of this resolution be transmitted to the Lions of Michigan Council of Governors and the Lions of Michigan State Office.

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

Senate Resolution No. 172.

A resolution proclaiming October 20, 2012, as Willis Ward Day in the state of Michigan.

(This resolution was offered on September 19, rules suspended and consideration postponed. See Senate Journal No. 66, p. 2035.)

The question being on the adoption of the resolution,

The resolution was adopted.

Senators Anderson, Bieda, Booher, Brandenburg, Casperson, Caswell, Colbeck, Gleason, Green, Hansen, Hopgood, Kowall, Marleau, Pavlov, Proos, Rocca, Warren and Whitmer were named co-sponsors of the resolution.

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

The motion prevailed.

Senator Schuitmaker's statement is as follows:

I rise today to ask for my colleagues' support for Senate Resolution No. 172, declaring October 20, 2012, as Willis Ward Day in the state of Michigan. Willis Ward was a standout athlete in high school and the University of Michigan. He played on the football team and became close friends with teammate Gerald Ford.

On October 20, 1934, Georgia Tech was scheduled to play Michigan in Ann Arbor. Georgia Tech, at that time in our history, refused to play the game if Michigan fielded a black athlete. So, for the only time in University of Michigan football history, a player, Willis Ward, was benched solely because of his race. Gerald Ford agreed to play the game only after Ward personally asked him to. Ward continued to excel in athletics throughout his time in college. After graduation, he went on to have a successful career as an Army officer, lawyer, and judge.

October 20 is significant this year as it is the day of the Michigan vs. Michigan State football game in Ann Arbor.

Joining us in the Gallery today, as we adopt this resolution, are Genna Urbain, a second-grade student at Hilton Elementary School who heard Ward's story and pushed to have this day named in his honor; her mother Alicia; Brian Kruger and Buddy Moorehouse, creators of the film "Black and Blue," which chronicles these events; and Sharon Sikkenga and Joe Urbain. Please join me in welcoming them to the Senate, and I ask for your support of this resolution.

Senate Resolution No. 134.

A resolution to memorialize Congress to change the eligibility requirements for Social Security Disability Insurance and Supplemental Security Income benefits for individuals with a terminal illness.

The question being on the adoption of the resolution,

The resolution was adopted.

Senators Anderson, Bieda, Booher, Casperson, Emmons, Gleason, Hildenbrand, Jansen, Marleau, Meekhof, Moolenaar, Pappageorge, Richardville, Robertson, Rocca, Schuitmaker and Warren were named co-sponsors of the resolution.

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

The motion prevailed.

Senator Green's statement is as follows:

Senate Resolution No. 134 asks Congress to change the eligibility rules for Social Security Disability Insurance and Supplemental Security Income benefits for folks who have been diagnosed as terminally ill, with less than six months' of life expectancy.

I introduced this resolution in honor of Tina Moyer, a native of my district, who was diagnosed with cancer in November 2011. She passed away eleven weeks later. Tina had worked her entire adult life paying federal income and Social Security taxes into these programs. The rapid progression of her disease and the aggressive treatments made it impossible for her to work. Despite her being physically unable to work, she wasn't considered disabled under current rules. While she was actually approved for SSI, she received no relief in her greatest time of need because of a five-month waiting program.

Tina's story highlights one area where an exception should be made to existing rules, so the government works faster or officially to help folks in their final days. The Senate Health Policy Committee reported this resolution unanimously.

I ask for my colleagues' support to help take what her husband Brian's lawyer calls the good fight to Congress.

By unanimous consent the Senate returned to the order of

Motions and Communications

Senator Meekhof moved that rule 3.902 be suspended to allow the guests of Senator Schuitmaker admittance to the Senate floor.

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

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

The motion prevailed.

Senator Richardville's statement is as follows:

I have a very special privilege this morning. We are going to honor Marilyn Stephen from Summit Township, which is in my district in Jackson County. She has provided some invaluable service over the last 23 years to the Michigan Department of Human Services. Ten of those years, she was the director of the Office of Child Support.

She has dedicated her entire career to the people of Michigan focusing on child support issues and laws. She has been exemplary for us advocating for the rights of children not only in Michigan, but across the United States. Under her leadership, Michigan's child support enforcement program began distributing child support payments electronically in 2007, improving service to customers and saving taxpayers dollars. Her electronic child support payments have been considered the most efficient in the country.

Entering into retirement, she and her husband Scott of 42 years plan to travel and visit with their daughters, Megan, Sara, and Allison. Marilyn will also be able to dedicate more time to her passion—cooking. Let us stand and recognize Marilyn Stephen for her loyal service to the Department of Human Services and her commitment to the state of Michigan.

Senator Bieda's statement is as follows:

I would also like to rise and congratulate Marilyn Stephen on her retirement. I had the pleasure along with Senator Jones of working with her on a workgroup this last year on revocation of paternity, after the Governor signed it several months ago. It was a monumental change in the state's law related to paternity and paternity actions. Her expertise in DHS and her hard work are very much appreciated.

I want to wish her the very best for a very happy retirement. Hopefully, we will be able to call on her and her expertise in the future, as she has been a wealth of knowledge and a joy to work with. I want to commend her and congratulate her on her retirement.

Messages from the House

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

Senate Bill No. 409

Senate Bill No. 797

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. Substitute (H-1).

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. 661

Yeas—36

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

Nays—0

Excused—1

Not Voting—1

Pappageorge

In The Chair: President

The question being on concurring in the committee recommendation to give the bill immediate effect, The recommendation was not concurred in, 2/3 of the members serving not voting therefor. The Senate agreed to the full title. The bill was referred to the Secretary for enrollment printing and presentation to the Governor.

By unanimous consent the Senate 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 Proos 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:

Senate Bill No. 1281, entitled

A bill to amend 1978 PA 390, entitled "An act to regulate the time and manner of payment of wages and fringe benefits to employees; to prescribe rights and responsibilities of employers and employees, and the powers and duties of the department of labor; to require keeping of records; to provide for settlement of disputes regarding wages and fringe benefits; to prohibit certain practices by employers; to prescribe penalties and remedies; and to repeal certain acts and parts of acts," by amending section 6 (MCL 408.476), as amended by 2010 PA 323.

Senate Bill No. 1283, entitled

A bill to amend 1987 PA 173, entitled "Mortgage brokers, lenders, and servicers licensing act," by amending section 1a (MCL 445.1651a), as amended by 2009 PA 76.

Senate Bill No. 1284, entitled

A bill to amend 2002 PA 660, entitled "Consumer mortgage protection act," by amending section 2 (MCL 445.1632).

Senate Bill No. 1285, entitled

A bill to amend 1977 PA 135, entitled "An act to prohibit certain mortgage lending practices by a credit granting institution; to prescribe the powers and duties of the commissioner of the financial institutions bureau in relation to those practices; to permit the establishment of local mortgage review boards; and to provide remedies and penalties," by amending section 1 (MCL 445.1601).

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 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. 1210, entitled

A bill to amend 1996 PA 381, entitled "Brownfield redevelopment financing act," by amending sections 2, 4, 8, 13, 15, and 16 (MCL 125.2652, 125.2654, 125.2658, 125.2663, 125.2665, and 125.2666), section 2 as amended by 2010 PA 246, section 4 as amended by 2005 PA 101, section 8 as amended by 2000 PA 145, section 13 as amended by 2010 PA 288, section 15 as amended by 2007 PA 201, and section 16 as amended by 2007 PA 203, and by adding section 8a.

Substitute (S-4).

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

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

Substitute (S-1).

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

1. Amend page 4, following line 10, by inserting:

“Sec. 103a. DEPARTMENT OF ENVIRONMENTAL QUALITY

(1) APPROPRIATION SUMMARY:

Full-time equated classified positions	0.0		
GROSS APPROPRIATION		\$	600,000
Interdepartmental grant revenues:			
Total interdepartmental grants and intradepartmental transfers			0
ADJUSTED GROSS APPROPRIATION		\$	600,000
Federal revenues:			
Total federal revenues.....			0
Special revenue funds:			
Total local revenues			0
Total private revenues.....			0
Total other state restricted revenues			600,000
State general fund/general purpose		\$	0
(2) WATER RESOURCE DIVISION			
Surface water		\$	600,000
GROSS APPROPRIATION		\$	600,000

Appropriated from:

Special revenue funds:

Aquifer protection revolving fund	600,000
State general fund/general purpose	0”.

2. Amend page 7, line 5, by striking out “(341,900)” and inserting “(3,419,600)” and adjusting the subtotals, totals, and section 201 accordingly.

3. Amend page 7, line 17, by striking out “Bureau of unemployment programs” and inserting “Unemployment insurance agency”.

4. Amend page 11, following line 11, by inserting:

“DEPARTMENT OF ENVIRONMENTAL QUALITY

Sec. 350. (1) The amounts appropriated in part 1 for surface water shall be spent administering the aquifer protection and dispute resolution program created in part 317 of 1994 PA 451, MCL 324.31701 to 324.31712.

(2) Subject to subsection (3), effective October 1, 2012, surplus funds of \$600,000.00 from the community pollution prevention fund created in section 3f of 1976 IL 1, MCL 445.573f, are appropriated to the aquifer protection revolving fund created in section 31710 of 1994 PA 451, MCL 324.31710.

(3) This section shall only take effect if Senate Bill No. 1008 of the 96th Legislature is enacted into law.”.

5. Amend page 12, following line 1, by inserting:

“Sec. 403. It is the intent of the legislature that the funds appropriated in part 1 for Michigan rehabilitation services, and any future funds appropriated for that purpose, shall not be spent unless Michigan rehabilitation services addresses, works to remedy, and accounts for the deficiencies found in Michigan rehabilitation services as detailed in the most recent auditor general report of Michigan rehabilitation services, and provides all relevant documentation on expenditures of the funds appropriated in part 1.”.

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

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

Substitute (S-1).

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

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

Senate Bill No. 1307, entitled

A bill to amend 1962 PA 60, entitled "An act to provide for the day parole of prisoners in county jails to permit them to be gainfully employed outside the jail or pursue other activities; to provide for the granting of reductions in terms of imprisonment and the regulation thereof; and to provide for the disposition of earnings from such employment," by amending section 1 (MCL 801.251), as amended by 1987 PA 146, and by adding section 1a.

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

1. Amend page 3, line 17, by striking out all of subsection (2) and inserting:

"(2) AS USED IN THIS SECTION:

(A) "FELONY" MEANS THAT TERM AS DEFINED IN SECTION 1 OF CHAPTER I OF THE CODE OF CRIMINAL PROCEDURE, 1927 PA 175, MCL 761.1.

(B) "SCHOOL" MEANS ANY OF THE FOLLOWING:

(i) A SCHOOL OF SECONDARY EDUCATION.

(ii) A COMMUNITY COLLEGE, COLLEGE, OR UNIVERSITY.

(iii) A STATE-LICENSED TECHNICAL OR VOCATIONAL SCHOOL OR PROGRAM.

(iv) A PROGRAM THAT PREPARES THE PERSON FOR THE GENERAL EDUCATION DEVELOPMENT (GED) TEST."

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

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

Senate Bill No. 1172, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 3204 and 3205e (MCL 600.3204 and 600.3205e), section 3204 as amended by 2011 PA 301 and section 3205e as amended by 2011 PA 302.

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. 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.

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. 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.

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. 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.

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. 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.

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.

By unanimous consent the Senate returned to the order of

Third Reading of Bills

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

Senate Bill No. 1210

House Bill No. 5400

House Bill No. 5784

Senate Bill No. 1172

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

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

House Bill No. 5053

House Bill No. 5284

House Bill No. 5581

House Bill No. 5793

House Bill No. 5819

House Bill No. 5820

House Bill No. 5821

House Bill No. 5822

House Bill No. 5823

House Bill No. 5824

House Bill No. 5893

Senate Bill No. 1210

House Bill No. 5784

House Bill No. 5400

The motion prevailed.

Senator Johnson entered the Senate Chamber.

The following bill was read a third time:

House Bill No. 5053, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 48729 (MCL 324.48729), 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. 662

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
Gleason
Green

Jansen
Johnson
Jones

Pavlov
Proos

Whitmer
Young

Nays—0

Excused—0

Not Voting—0

In The Chair: President

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

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

“An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, assessments, and donations; to provide certain appropriations; to prescribe penalties and provide remedies; and to repeal acts and parts of acts;”.

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 5284, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending section 145d (MCL 750.145d), as amended by 2000 PA 185.

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. 663

Yeas—38

Anderson
Bieda
Booher
Brandenburg
Casperson
Caswell
Colbeck
Emmons
Gleason
Green

Gregory
Hansen
Hildenbrand
Hood
Hopgood
Hune
Hunter
Jansen
Johnson
Jones

Kahn
Kowall
Marleau
Meekhof
Moolenaar
Nofs
Pappageorge
Pavlov
Proos

Richardville
Robertson
Rocca
Schuitmaker
Smith
Walker
Warren
Whitmer
Young

Nays—0

Excused—0

Not Voting—0

In The Chair: 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. 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 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. 664

Yeas—33

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

Nays—5

Brandenburg	Hune	Robertson	Rocca
Emmons			

Excused—0

Not Voting—0

In The Chair: President

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

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

“An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, assessments, and donations; to provide certain appropriations; to prescribe penalties and provide remedies; and to repeal acts and parts of acts.”.

The Senate agreed to the full title.

The following bill was read a third time:

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 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. 665

Yeas—36

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

Nays—2

Brandenburg	Hune
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Excused—0

Not Voting—0

In The Chair: President

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

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

The Senate agreed to the title of the bill.

The following bill was read a third time:

House Bill No. 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 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. 666

Yeas—33

Anderson	Hansen	Kahn	Proos
Bieda	Hildenbrand	Kowall	Richardville
Booher	Hood	Marleau	Schuitmaker
Casperson	Hopgood	Meekhof	Smith
Caswell	Hunter	Moolenaar	Walker

Colbeck
Gleason
Green
Gregory

Jansen
Johnson
Jones

Nofs
Pappageorge
Pavlov

Warren
Whitmer
Young

Nays—5

Brandenburg
Emmons

Hune

Robertson

Rocca

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 classify the laws relating to the organization and regulation of certain nonprofit corporations; to prescribe their duties, rights, powers, immunities, and liabilities; to provide for the authorization of foreign nonprofit corporations within this state; to impose certain duties on certain state departments; to prescribe fees; to prescribe penalties for violations of this act; and to repeal certain acts and parts of acts.”.

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 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 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. 667

Yeas—32

Anderson
Bieda
Booher
Casperson
Caswell
Colbeck
Gleason
Green

Gregory
Hansen
Hildenbrand
Hood
Hopgood
Hunter
Jansen
Johnson

Kahn
Kowall
Marleau
Meekhof
Moolenaar
Nofs
Pappageorge
Pavlov

Proos
Richardville
Schuitmaker
Smith
Walker
Warren
Whitmer
Young

Nays—6

Brandenburg
Emmons

Hune
Jones

Robertson

Rocca

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 provide for the organization and regulation of limited liability companies; to prescribe their duties, rights, powers, immunities, and liabilities; to prescribe the powers and duties of certain state departments and agencies; and to provide for penalties and remedies.”.

The Senate agreed to the full title.

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

Recess

Senator Meekhof moved that the Senate recess until 3:00 p.m.

The motion prevailed, the time being 11:58 a.m.

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

Recess

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

The motion prevailed, the time being 3:01 p.m.

3:08 p.m.

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

The following bill was read a third time:

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 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. 668

Yeas—32

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

Nays—6Bieda
BrandenburgEmmons
Hune

Robertson

Rocca

Excused—0**Not Voting—0**

In The Chair: Schuitmaker

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

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

“An act to regulate the installation, alteration, maintenance, improvement, and inspection of plumbing; to provide certain powers and duties for certain state agencies and departments; to create a plumbing board; to define plumbing, plumbing contractors, and the classification of plumbers and to set standards for those classifications; to provide for the licensing and regulation of classes of plumbers and plumbing contractors; to prescribe fees and the disposition of money derived from those fees; to provide for the promulgation of rules; to prescribe remedies and penalties; 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. 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 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. 669**Yeas—32**Anderson
Booher
Casperson
Caswell
Colbeck
Gleason
Green
GregoryHansen
Hildenbrand
Hood
Hopgood
Hunter
Jansen
Johnson
JonesKahn
Kowall
Marleau
Meekhof
Moolenaar
Nofs
Pappageorge
PavlovProos
Richardville
Schuitmaker
Smith
Walker
Warren
Whitmer
Young**Nays—6**Bieda
BrandenburgEmmons
Hune

Robertson

Rocca

Excused—0

Not Voting—0

In The Chair: Schuitmaker

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

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

“An act to regulate the use, installation, alteration, and servicing of specified heating, cooling, ventilating, and refrigerating equipment and systems; to create a board of mechanical rules; to provide for the licensing of installing contractors and of servicing contractors of heating, cooling, ventilating, and refrigerating equipment and systems; to prescribe fees; to provide for the promulgation of rules; and to prescribe penalties.”.

The Senate agreed to the full title.

The following bill was read a third time:

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 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. 670

Yeas—32

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

Nays—6

Bieda	Emmons	Robertson	Rocca
Brandenburg	Hune		

Excused—0

Not Voting—0

In The Chair: Schuitmaker

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

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

“An act to safeguard persons and property; to provide for licensing and regulation of electricians and electrical contractors concerning the construction, alteration, installation of electrical wiring and equipment and for the inspection of electrical wiring; to create an electrical administrative board; to create certain committees for certain purposes; to provide certain powers and duties for certain departments; to provide for the assessment of certain fees and for the promulgation of rules; and to prescribe penalties for violations of this act.”.

The Senate agreed to the full title.

The following bill was read a third time:

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 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. 671

Yeas—31

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

Nays—7

Bieda	Emmons	Jones	Rocca
Brandenburg	Hune	Robertson	

Excused—0

Not Voting—0

In The Chair: Schuitmaker

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

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

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

"An act to regulate and register building officials, plan reviewers, building inspectors, electrical inspectors, mechanical inspectors, and plumbing inspectors; to prescribe the powers and duties of the state construction code commission; to create a building officials advisory board; to require the approval of educational and training programs for building officials, plan reviewers, and inspectors; to provide for the establishment and disposition of fees; to provide for the promulgation of rules; and to prescribe penalties,".

The Senate agreed to the full title.

The following bill was read a third time:

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 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. 672

Yeas—32

Anderson	Gregory	Kahn	Proos
Bieda	Hansen	Kowall	Richardville

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

Nays—6

Brandenburg	Hune	Robertson	Rocca
Emmons	Jones		

Excused—0**Not Voting—0**

In The Chair: Schuitmaker

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

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

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

“An act to provide for the organization and regulation of corporations; to prescribe their duties, rights, powers, immunities and liabilities; to provide for the authorization of foreign corporations within this state; to prescribe the functions of the administrator of this act; to prescribe penalties for violations of this act; and to repeal certain acts and parts of acts.”.

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 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 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. 673**Yeas—32**

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

Nays—5

Brandenburg
Emmons

Hune

Robertson

Rocca

Excused—0**Not Voting—1**

Young

In The Chair: Schuitmaker

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

The following bill was read a third time:

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; to provide for the expenditure of the appropriations; and to repeal acts and parts of acts.

The question being on the passage of the bill,

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

The motion prevailed.

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

Senate Bill No. 1180

Senate Bill No. 1126

Senate Bill No. 1127

Senate Bill No. 264

Senate Bill No. 1006

Senate Bill No. 1234

Senate Bill No. 1232

Senate Bill No. 1189

Senate Bill No. 1206

Senate Bill No. 1210

Senate Bill No. 1172

The motion prevailed.

The following bill was read a third time:

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.

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. 674**Yeas—38**

Anderson
Bieda

Gregory
Hansen

Kahn
Kowall

Richardville
Robertson

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

Nays—0

Excused—0

Not Voting—0

In The Chair: Schuitmaker

The Senate agreed to the title of the bill.

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:

Senate Bill No. 1180 would amend the Michigan Vehicle Code to allow the Secretary of State to use the Pure Michigan brand or a similar brand as part of the standard design for registration plates. There will be no additional cost to the state for switching to the new standard license plate that will display the Pure Michigan brand.

Due to the great success of the Pure Michigan campaign, it is important that we look long-term and find ways to reinforce the Pure Michigan brand. Senate Bill No. 1180 would play a role in promoting Michigan both in-state as well as the across the country and anywhere a license plate can be seen.

We can all agree that it's great to hear our favorite places in Michigan depicted in Pure Michigan commercials. However, adding the Pure Michigan brand to a license plate is the ideal visual reminder that will help to strengthen the nation's most successful state marketing plan.

Thank you and I would appreciate your "yes" vote on Senate Bill No. 1180 so we can all proudly display Pure Michigan on our vehicles.

The following bill was read a third time:

Senate Bill No. 1126, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," (MCL 760.1 to 777.69) by adding section 3e to chapter XI.

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. 675

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
Emmons
Gleason
Green

Hunter
Jansen
Johnson
Jones

Pappageorge
Pavlov
Proos

Warren
Whitmer
Young

Nays—0

Excused—0

Not Voting—0

In The Chair: Schuitmaker

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 1127, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 3 of chapter XI (MCL 771.3), as amended by 2006 PA 655, and by adding sections 3d and 3f to chapter XI.

The question being on the passage of the bill,

Senator Jones offered the following amendments:

1. Amend page 6, line 27, after “**INDIVIDUAL**” by inserting “**CONVICTED OF A FELONY**”.
2. Amend page 7, line 5, after the second “**ORDER**” by striking out “**AN**” and inserting “**THE**”.

The amendments were adopted, a majority of the members serving voting therefor.

The question being on the passage of the bill,

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

Roll Call No. 676

Yeas—38

Anderson
Bieda
Booher
Brandenburg
Casperson
Caswell
Colbeck
Emmons
Gleason
Green

Gregory
Hansen
Hildenbrand
Hood
Hopgood
Hune
Hunter
Jansen
Johnson
Jones

Kahn
Kowall
Marleau
Meekhof
Moolenaar
Nofs
Pappageorge
Pavlov
Proos

Richardville
Robertson
Rocca
Schuitmaker
Smith
Walker
Warren
Whitmer
Young

Nays—0

Excused—0

Not Voting—0

In The Chair: Schuitmaker

The Senate agreed to the title of the bill.

The following bill was read a third time:

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 2012 PA 117.

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. 677

Yeas—38

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

Nays—0

Excused—0

Not Voting—0

In The Chair: Schuitmaker

The Senate agreed to the title of the bill.

The following bill was read a third time:

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.

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. 678

Yeas—32

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

Nays—6Anderson
GregoryHood
Johnson

Warren

Young

Excused—0**Not Voting—0**

In The Chair: Schuitmaker

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 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.

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. 679**Yeas—37**Anderson
Bieda
Booher
Brandenburg
Casperson
Caswell
Colbeck
Emmons
Gleason
GreenGregory
Hansen
Hildenbrand
Hood
Hopgood
Hune
Hunter
Jansen
JohnsonJones
Kahn
Kowall
Marleau
Meekhof
Moolenaar
Nofs
Pappageorge
PavlovProos
Richardville
Robertson
Rocca
Schuitmaker
Smith
Walker
Warren
Whitmer**Nays—1**

Young

Excused—0**Not Voting—0**

In The Chair: Schuitmaker

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 1232, entitled

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

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. 680

Yeas—36

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

Nays—2

Caswell	Robertson
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Excused—0

Not Voting—0

In The Chair: Schuitmaker

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 1189, entitled

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

The 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. 681

Yeas—38

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

Nays—0

Excused—0

Not Voting—0

In The Chair: Schuitmaker

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 1206, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 3131 (MCL 324.3131), as added by 1997 PA 29.

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. 682

Yeas—27

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

Nays—11

Anderson	Hood	Johnson	Whitmer
Bieda	Hopgood	Smith	Young
Gregory	Hunter	Warren	

Excused—0

Not Voting—0

In The Chair: Schuitmaker

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 1210, entitled

A bill to amend 1996 PA 381, entitled “Brownfield redevelopment financing act,” by amending sections 2, 4, 8, 13, 15, and 16 (MCL 125.2652, 125.2654, 125.2658, 125.2663, 125.2665, and 125.2666), section 2 as amended by 2010 PA 246, section 4 as amended by 2005 PA 101, section 8 as amended by 2000 PA 145, section 13 as amended by 2010 PA 288, section 15 as amended by 2007 PA 201, and section 16 as amended by 2007 PA 203, and by adding section 8a.

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. 683**Yeas—31**

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

Nays—7

Brandenburg	Colbeck	Rocca	Young
Caswell	Hune	Walker	

Excused—0**Not Voting—0**

In The Chair: Schuitmaker

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 1172, entitled

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending sections 3204 and 3205e (MCL 600.3204 and 600.3205e), section 3204 as amended by 2011 PA 301 and section 3205e as amended by 2011 PA 302.

The question being on the passage of the bill,

Senator Whitmer offered the following amendment:

1. Amend page 4, following line 15, by inserting:

“Sec. 3240. (1) A purchaser’s deed is void if the mortgagor, the mortgagor’s heirs or personal representative, or any person lawfully claiming under the mortgagor or the mortgagor’s heirs or personal representative redeems the entire premises sold by paying the amount required under subsection (2) and any amount required under subsection (4), within the applicable time limit prescribed in subsections (7) to ~~(13)~~ **(14)**, to the purchaser or the purchaser’s personal representative or assigns, or to the register of deeds in whose office the deed is deposited for the benefit of the purchaser.

(2) The amount required to be paid under subsection (1) is the sum that was bid for the entire premises sold, with interest from the date of the sale at the interest rate provided for by the mortgage, together with the amount of the sheriff’s fee paid by the purchaser under section 2558(2)(q), and an additional \$5.00 as a fee for the care and custody of the redemption money if the payment is made to the register of deeds. Except as provided in subsection ~~(15)~~ **(16)**, the register of deeds shall not determine the amount necessary for redemption. The purchaser shall attach an affidavit with the deed to be recorded under this section that states the exact amount required to redeem the property under this subsection, including any daily per diem amounts, and the date by which the property must be redeemed shall be stated on the certificate of sale. The purchaser may include in the affidavit the name of a designee responsible on behalf of the purchaser to assist the person redeeming the property in computing the exact amount required to redeem the property. The designee may charge a fee as stated in the affidavit and may be authorized by the purchaser to receive redemption funds. The purchaser shall accept the amount computed by the designee.

(3) If a distinct lot or parcel separately sold is redeemed, leaving a portion of the premises unredeemed, the deed shall be void only to the redeemed parcel or parcels.

(4) If, after the sale, the purchaser, the purchaser’s heirs or personal representative, or any person lawfully claiming under the purchaser or the purchaser’s heirs or personal representative pays taxes assessed against the property, amounts necessary to redeem senior liens from foreclosure, condominium assessments, homeowner association assessments, community association assessments, or premiums on an insurance policy covering any buildings located on the property

that under the terms of the mortgage it would have been the duty of the mortgagor to pay if the mortgage had not been foreclosed and that are necessary to keep the policy in force until the expiration of the period of redemption, redemption shall be made only upon payment of the sum specified in subsection (2) plus the amounts specified in this subsection with interest on the amounts specified in this subsection from the date of the payment to the date of redemption at the interest rate specified in the mortgage. This subsection does not apply unless all of the following are filed with the register of deeds with whom the deed is deposited:

(a) An affidavit by the purchaser or someone in his or her behalf who has knowledge of the facts of the payment showing the amount and items paid.

(b) The receipt or copy of the canceled check evidencing the payment of the taxes, amounts necessary to redeem senior liens from foreclosure, condominium assessments, homeowner association assessments, community association assessments, or insurance premiums.

(c) An affidavit of an insurance agent of the insurance company stating that the payment was made and what portion of the payment covers the premium for the period before the expiration of the period of redemption.

(5) If the redemption payment in subsection (4) includes an amount used to redeem a senior lien from a nonjudicial foreclosure, the mortgagor shall have the same defenses against the purchaser with respect to the amount used to redeem the senior lien as the mortgagor would have had against the senior lien.

(6) The register of deeds shall indorse on the documents filed under subsection (4) the time they are received. The register of deeds shall record the affidavit of the purchaser only and shall preserve in his or her files the recorded affidavit, receipts, insurance receipts, and insurance agent's affidavit until expiration of the period of redemption.

(7) For a mortgage executed on or after January 1, 1965, of commercial or industrial property, or multifamily residential property in excess of 4 units, the redemption period is 6 months from the date of the sale.

(8) Subject to subsections (9) to (12) **AND (14)**, for a mortgage executed on or after January 1, 1965, of residential property not exceeding 4 units, if the amount claimed to be due on the mortgage at the date of the notice of foreclosure is more than 66-2/3% of the original indebtedness secured by the mortgage, the redemption period is 6 months.

(9) Subject to subsection (10), for a mortgage of residential property not exceeding 4 units, if the property is abandoned as determined under section 3241, the redemption period is 3 months.

(10) For a mortgage of residential property not exceeding 4 units, if the amount claimed to be due on the mortgage at the date of the notice of foreclosure is more than 66-2/3% of the original indebtedness secured by the mortgage and the property is abandoned as determined under section 3241, the redemption period is 1 month.

(11) If the property is abandoned as determined under section 3241a, the redemption period is 30 days or until the time to provide the notice required by section 3241a(c) expires, whichever is later.

(12) ~~For~~ **SUBJECT TO SUBSECTION (14), FOR** a mortgage of property that is used for agricultural purposes, the redemption period is 1 year from the date of the sale.

(13) ~~If~~ **SUBJECT TO SUBSECTION (14), IF** subsections (7) to (12) do not apply, the redemption period is 1 year from the date of the sale.

(14) THE REDEMPTION PERIOD UNDER SUBSECTION (8), (12), OR (13), WHICHEVER IS APPLICABLE, IS EXTENDED TO 18 MONTHS IF ALL OF THE FOLLOWING APPLY:

(A) THE PREMISES ARE RESIDENTIAL PROPERTY.

(B) THE MORTGAGOR IS RECEIVING OLD-AGE BENEFITS UNDER THE SOCIAL SECURITY ACT, 42 USC 301 TO 1397MM.

(C) THE SPOUSE OF THE MORTGAGOR DIED WITHIN 18 MONTHS BEFORE THE SALE.

~~(15)~~ **(15)**—The amount stated in any affidavits recorded under this section shall be the amount necessary to satisfy the requirements for redemption under this section.

~~(16)~~ **(16)**—The register of deeds of a county having a population of more than 750,000 and less than 1,500,000, at the request of a person entitled to redeem the property under this section, shall determine the amount necessary for redemption. In determining the amount, the register of deeds shall consider only the affidavits recorded under subsections (2) and (4). A county, register of deeds, or employee of a county or register of deeds is not liable for damages proximately caused by an incorrect determination of an amount necessary for redemption under subsection (2).

~~(17)~~ **(17)**—A register of deeds may charge not more than \$50.00 for determining the amount necessary for redemption under this section.

~~(18)~~ **(18)**—For purposes of this section, there is a presumption that the property is used for agricultural purposes if, before the foreclosure sale under this chapter, the mortgagor provides the party foreclosing the mortgage and the foreclosing party's attorney proof that the mortgagor filed a schedule F to the mortgagor's federal income tax form 1040 for the year preceding the year in which the proceedings to foreclose the mortgage were commenced and records an affidavit with the register of deeds for the county in which the property is located stating that the proof has been delivered. If the mortgagor fails to provide proof and record an affidavit as required by this subsection before the foreclosure sale, there is a presumption that the property is not used for agricultural purposes. The party foreclosing the mortgage or the mortgagor may file a civil action to produce evidence to rebut a presumption created by this subsection. An action under this section shall be filed before the expiration of the redemption period that would apply if the property is determined not to be used for agricultural purposes."

The amendment was not adopted, a majority of the members serving not voting therefor.
 Senator Hunter requested the yeas and nays.

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

The amendment was not adopted, a majority of the members serving not voting therefor, as follows:

Roll Call No. 684**Yeas—18**

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

Nays—20

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

Excused—0**Not Voting—0**

In The Chair: Schuitmaker

The question being on the passage of the bill,

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

Roll Call No. 685**Yeas—37**

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

Nays—1

Hune

Excused—0

Not Voting—0

In The Chair: Schuitmaker

The Senate agreed to the title of the bill.

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

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; to provide for the expenditure of the appropriations; and to repeal acts and parts of acts.

(This bill was read a third time earlier today and consideration postponed. See p. 2112.)

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. 686

Yeas—38

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

Nays—0

Excused—0

Not Voting—0

In The Chair: Schuitmaker

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

By unanimous consent the Senate returned to the order of

Motions and Communications

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

Senate Bill No. 1059

The motion prevailed.

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

House Bill No. 5391

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

Recess

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

The motion prevailed, the time being 4:01 p.m.

5:04 p.m.

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

By unanimous consent the Senate returned to the order of

Resolutions

Senator Hopgood offered the following resolution:

Senate Resolution No. 177.

A resolution recognizing October 8-12, 2012, as Turn Up the H.E.A.T. Week in the state of Michigan.

Whereas, The Legislature recognizes that this year marks the 27th anniversary of Help Eliminate Auto Thefts (H.E.A.T.). To celebrate this milestone and recognize the program's many successes, we are proclaiming October 8-12, 2012, as Turn Up the H.E.A.T. Week; and

Whereas, Since 1985, H.E.A.T. has successfully empowered Michigan residents to fight auto theft in their neighborhoods by confidentially informing authorities of what they know about auto theft-related crimes. As the result of nearly 9,000 calls to 1-800-242-H.E.A.T., these residents have helped H.E.A.T. and its partners in law enforcement recover more than \$54 million in stolen property. They have also assisted in the arrests of more than 3,400 suspects involved in auto theft rings, chop shops, carjackings, fraudulent car thefts, and other auto theft-related crimes throughout the state; and

Whereas, H.E.A.T.'s 24/7, toll-free tip line is monitored by the Michigan State Police Criminal Investigation Section, which directs tip information to appropriate police agencies throughout the state; and

Whereas, This year, H.E.A.T. is hosting its annual Anniversary Breakfast on October 10 at GM Heritage Center, where 250 members of law enforcement, the insurance industry, media, and other H.E.A.T. partners come together to celebrate the success of the program. In addition, for the second year, H.E.A.T. is hosting a West Michigan event the following week as the program continues to expand its reach and influence to other areas of the state. The events bring together insurance industry officials, law enforcement officers, and elected leaders from across the state to salute our unique public-private partnership to eliminate auto thefts in Michigan; now, therefore, be it

Resolved by the Senate, That we hereby recognize October 8-12, 2012, as Turn Up the H.E.A.T. Week in Michigan, and we commemorate all the great work Help Eliminate Auto Thefts is doing; and be it further

Resolved, That a copy of this resolution be transmitted to Help Eliminate Auto Thefts with our highest esteem.

Pending the order that, under rule 3.204, the resolution be referred to the Committee on Government Operations,

Senator Meekhof moved that the rule be suspended.

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

The resolution was adopted.

Senator Meekhof offered the following concurrent resolution:

Senate Concurrent Resolution No. 34.

A concurrent resolution prescribing the legislative schedule.

Resolved by the Senate (the House of Representatives concurring), That when the Legislature adjourns on Thursday, September 27, 2012, it stands adjourned until Wednesday, October 17, 2012, at 10:00 a.m.; and when it adjourns on Wednesday, October 17, 2012, it stands adjourned until Thursday, November 8, 2012, at 10:00 a.m.

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

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

The concurrent resolution was adopted.

House Concurrent Resolution No. 63.

A concurrent resolution relative to secondary road patrol funds for counties providing road patrol services to cities and villages.

Whereas, Section 77 of Chapter 14 of the Revised Statutes of 1846, being MCL § 51.77, as added by 1978 PA 416, being MCL § 51.77, provides funding for county secondary road patrol services pursuant to an agreement with the Office of Criminal Justice, which, pursuant to Executive Order No. 1989 – 4, is now the Office of Highway Safety Planning within the Department of State Police. An agreement also provides a maintenance of law enforcement effort standard for counties providing these secondary road patrol services, unless it is recognized that the reduction was due to cuts in general services due to economic conditions; and

Whereas, Section 76 of Chapter 14 of the Revised Statutes of 1846 (MCL § 51.76), permits road patrol services to be provided by county sheriff departments to cities and villages. This section also provides that a road patrol agreement is void if the city or village reduces the number of sworn law enforcement officers below the highest number employed at any time within the immediately preceding 36 months, unless the Michigan Legislature, by concurrent resolution, recognizes that the reduction was due to cuts in general services due to economic conditions; and

Whereas, Section 77 of Chapter 14 provides a formula for funding county secondary road patrol services. This formula permits road patrol services provided by county sheriff departments to cities and villages to be eligible for secondary road patrol funding as long as the city or village complies with the MCL § 51.76 law enforcement maintenance of effort requirement, unless any reduction is recognized to be due to cuts in general services due to economic conditions; and

Whereas, In all of Michigan's counties, cities, and villages, general services have been reduced as a result of serious economic difficulties. These reductions in services have occurred in direct reaction to economic conditions; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That, for Fiscal Year 2013, counties, cities, and villages in Michigan have been required to reduce general services because of economic conditions and are not reducing law enforcement services as stipulated in sections 76 or 77 of Chapter 14 of the Revised Statutes of 1846, as added by 1978 PA 416; and be it further

Resolved, That counties, cities, and villages have met the necessary terms of their agreements for road patrol services and secondary road patrol funding as they relate to maintenance of effort.

The House of Representatives has adopted the concurrent resolution.

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

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

The concurrent resolution was adopted.

Senator Hopgood moved that Senators Hunter and Johnson be excused from the balance of today's session.

The motion prevailed.

House Concurrent Resolution No. 64.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease among the State of Michigan, the State Building Authority, and the Community College District of Monroe County relative to the Community College District of Monroe County Technology Center Project.

Whereas, Section 5 of 1964 PA 183, as amended, being MCL 830.415, requires the approval of the Board of Trustees of the Community College District of Monroe County (the "Educational Institution"), the State Administrative Board, and the Michigan Legislature by concurrent resolution concurred in by a majority of the members elected to and serving in each house, with the votes and names of the members voting thereon entered in the journal, before land owned by the Educational Institution may be conveyed to the State Building Authority (the "Authority"); and

Whereas, The site for the Community College District of Monroe County Technology Center Project (the "Facility") is currently owned by the Educational Institution; and

Whereas, Section 7 of 1964 PA 183, as amended, being MCL 830.417, requires the approval of the State Administrative Board and the Michigan Legislature by concurrent resolution concurred in by a majority of the members elected to and serving in each house, with the votes and names of the members voting thereon entered in the journal, before the State of Michigan (the "State") may enter into a lease with the Authority upon a showing of a public purpose; and

Whereas, Providing additional space to be used by the Educational Institution pursuant to the lease for the Facility is a recognized public purpose; and

Whereas, A lease among the Authority, the State, and the Educational Institution has been prepared providing for the leasing of the Facility by the Authority to the State and the Educational Institution (the "Lease"); and

Whereas, The Executive Director of the Authority has furnished the Joint Capital Outlay Subcommittee of the Legislature with information and documents relative to the Lease; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Total Facility Cost for the Community College District of Monroe County Technology Center Project shall not exceed \$17,000,000 (the Authority share is

House Concurrent Resolution No. 65.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease among the State of Michigan, the State Building Authority, and Montcalm Community College relative to the Montcalm Community College Advanced Technology Center.

Whereas, Section 5 of 1964 PA 183, as amended, being MCL 830.415, requires the approval of the Board of Trustees of Montcalm Community College (the "Educational Institution"), the State Administrative Board, and the Michigan Legislature by concurrent resolution concurred in by a majority of the members elected to and serving in each house, with the votes and names of the members voting thereon entered in the journal, before land owned by the Educational Institution may be conveyed to the State Building Authority (the "Authority"); and

Whereas, The site for the Montcalm Community College Advanced Technology Center (the "Facility") is currently owned by the Educational Institution; and

Whereas, Section 7 of 1964 PA 183, as amended, being MCL 830.417, requires the approval of the State Administrative Board and the Michigan Legislature by concurrent resolution concurred in by a majority of the members elected to and serving in each house, with the votes and names of the members voting thereon entered in the journal, before the State of Michigan (the "State") may enter into a lease with the Authority upon a showing of a public purpose; and

Whereas, Providing additional space to be used by the Educational Institution pursuant to the lease for the Facility is a recognized public purpose; and

Whereas, A lease among the Authority, the State, and the Educational Institution has been prepared providing for the leasing of the Facility by the Authority to the State and the Educational Institution (the "Lease"); and

Whereas, The Executive Director of the Authority has furnished the Joint Capital Outlay Subcommittee of the Legislature with information and documents relative to the Lease; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Total Facility Cost for the Montcalm Community College Advanced Technology Center shall not exceed \$5,433,400 (the Authority share is \$2,716,500, the State General Fund/General Purpose share is \$200, and the Educational Institution share is \$2,716,700), plus interest charges on monies advanced by the State to meet the construction cash flow requirements of the Facility, if any, of which not more than \$2,716,500, plus interest charges on monies advanced by the State to meet the construction cash flow requirements of the Facility, if any, shall be financed from bonds issued by the Authority, exclusive of amounts necessary for reserves, interest, or other nonconstruction costs; and be it further

Resolved, That the Legislature hereby approves the necessary conveyances of property to the Authority as more particularly described in the Lease and attachments thereto; and be it further

Resolved, That the Legislature hereby approves the Authority acquiring the Facility and leasing it to the State and the Educational Institution and hereby determines that the leasing of the Facility from the Authority is for a public purpose as authorized by 1964 PA 183, as amended; and be it further

Resolved, That the annual amounts of "True Rental" for the Facility shall be within or below the range of \$186,000 and \$244,000, as shall reflect variations that may occur in the components upon which the appraisal of True Rental was based, which amounts shall be certified by the appraiser and thereafter approved by the State Administrative Board and the Authority as authorized by 1964 PA 183, as amended; and be it further

Resolved, That the Lease is hereby approved by this concurrent resolution, and the Governor and the Secretary of State are authorized and directed to execute the Lease for and on behalf of the State; and be it further

Resolved, That, by hereby approving the Lease among the State, the Educational Institution, and the Authority, the Legislature agrees to appropriate annually sufficient amounts to pay the rent as obligated pursuant to the Lease; and be it further

Resolved, That copies of this concurrent resolution be transmitted to the Governor, the Secretary of State, the Authority, the Board of Trustees of Montcalm Community College, and the State Budget Director.

The House of Representatives has adopted the concurrent resolution.

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

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

The Assistant Secretary of the Senate made the following statement:

Mr. President and members of the Senate, the lease and exhibits are attached to the resolution and are available for review by the membership now at the rostrum or after session in the offices of the Session Staff in the Boji Tower.

The question being on the adoption of the concurrent resolution,

The concurrent resolution was adopted, a majority of the members serving voting therefor, as follows:

Roll Call No. 688**Yeas—36**

Anderson
Bieda

Green
Gregory

Kahn
Kowall

Richardville
Robertson

sections 303, 304, 319, 319b, and 624a (MCL 257.303, 257.304, 257.319, 257.319b, and 257.624a), sections 303 and 319b as amended by 2011 PA 159, section 304 as added by 2010 PA 155, section 319 as amended by 2010 PA 267, and section 624a as amended by 1998 PA 349.

Pending the order that, under rule 3.202, the bill be laid over one day,

Senator Meekhof moved that the rule be suspended.

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

The question being on concurring in the substitute made to the bill by the House,

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

Roll Call No. 689

Yeas—35

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

Nays—0

Excused—3

Hunter	Johnson	Whitmer
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Not Voting—0

In The Chair: Hansen

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

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

The Senate agreed to the title as amended.

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

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 2012 PA 105.

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

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

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

The Senate agreed to the full title.

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

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

Senate Bill No. 884, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 20155 (MCL 333.20155), as amended by 2006 PA 195, and by adding section 20155a.

The House of Representatives has substituted (H-4) the bill.

The House of Representatives has passed the bill as substituted (H-4), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

Pending the order that, under rule 3.202, the bill be laid over one day,

Senator Meekhof moved that the rule be suspended.

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

The question being on concurring in the substitute made to the bill by the House,

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

Roll Call No. 690

Yeas—35

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

Nays—0

Excused—3

Hunter	Johnson	Whitmer
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Not Voting—0

In The Chair: Schuitmaker

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

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

The Senate agreed to the full title.

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

Senate Bill No. 990, entitled

A bill to amend 1893 PA 206, entitled “The general property tax act,” by amending sections 7cc and 7dd (MCL 211.7cc and 211.7dd), section 7cc as amended by 2012 PA 114 and section 7dd as amended by 2011 PA 320.

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

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

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

The Senate agreed to the full title.

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

Senate Bill No. 1004, entitled

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

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

The House of Representatives has passed the bill as substituted (H-2), ordered that it be given immediate effect and amended the title to read as follows:

A bill to amend 1993 PA 327, entitled "An act to provide for a tax upon the sale and distribution of tobacco products; to regulate and license manufacturers, wholesalers, secondary wholesalers, vending machine operators, unclassified acquirers, transportation companies, transporters, and retailers of tobacco products; to prescribe the powers and duties of the revenue division and the department of treasury in regard to tobacco products; to provide for the administration, collection, and disposition of the tax; to levy an assessment; to provide for the administration, collection, defense, and disposition of the assessment; to provide for the enforcement of this act; to provide for the appointment of special investigators as peace officers for the enforcement of this act; to prescribe penalties and provide remedies for the violation of this act; to make and supplement appropriations; and to repeal acts and parts of acts," by amending sections 7 and 11 (MCL 205.427 and 205.431), section 7 as amended by 2012 PA 188 and section 11 as amended by 2004 PA 474.

Pending the order that, under rule 3.202, the bill be laid over one day,

Senator Meekhof moved that the rule be suspended.

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

The question being on concurring in the substitute made to the bill by the House,

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

Roll Call No. 691

Yeas—34

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

Nays—1

Warren

Excused—3

Hunter

Johnson

Whitmer

Not Voting—0

In The Chair: Schuitmaker

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

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

The Senate agreed to the title as amended.

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

Senate Bill No. 1129, entitled

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

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

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

Pending the order that, under rule 3.202, the bill be laid over one day,
Senator Meekhof moved that the rule be suspended.

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

The question being on concurring in the substitute made to the bill by the House,

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

Roll Call No. 692**Yeas—26**

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

Nays—9

Anderson	Gregory	Hopgood	Warren
Bieda	Hood	Smith	Young
Gleason			

Excused—3

Hunter	Johnson	Whitmer
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Not Voting—0

In The Chair: Schuitmaker

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

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

The Senate agreed to the full title.

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

Senate Bill No. 1258, 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, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

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

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

The Senate agreed to the full title.

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

Senate Bill No. 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 House of Representatives has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

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

The Senate agreed to the full title.

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

By unanimous consent the Senate returned to the order of

General Orders

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

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

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

Senate Bill No. 1291, entitled

A bill to register and regulate providers of internet protocol-enabled premises security, monitoring, and control systems; to provide for the assessment of registration fees; and to prescribe the powers and duties of certain state departments, agencies, officers, and political subdivisions.

Substitute (S-1).

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

1. Amend page 2, line 16, after “means” by striking out the balance of the line through “wire” on line 21 and inserting “a system that transmits signals to a central monitoring station by means of wired or wireless technologies capable of sending data using internet protocol or other communications protocols over the public internet or other networks and that provides security, monitoring, or control services and functions”.

2. Amend page 5, line 13, after “section 4.” by inserting “A person that violates this subsection is guilty of a misdemeanor punishable by imprisonment for not more than 180 days or a fine of not more than \$1,000.00, or both, for each violation.”.

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

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

Senate Bill No. 1292, entitled

A bill to amend 1968 PA 330, entitled “Private security business and security alarm act,” by amending section 2 (MCL 338.1052), as amended by 2010 PA 68.

Substitute (S-1).

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

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

House Bill No. 5391, entitled

A bill to authorize transit service providers to fingerprint certain individuals for the purpose of receiving criminal history record information from the department of state police and the federal bureau of investigation; to prescribe the powers and duties of certain state departments and officers; and to provide for the collection of fees.

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.

By unanimous consent the Senate returned to the order of

Third Reading of Bills

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

Senate Bill No. 1291

Senate Bill No. 1292

House Bill No. 5391

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

The following bill was read a third time:

Senate Bill No. 1291, entitled

A bill to register and regulate providers of internet protocol-enabled premises security, monitoring, and control systems; to provide for the assessment of registration fees; and to prescribe the powers and duties of certain state departments, agencies, officers, and political subdivisions.

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. 693

Yeas—34

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

Nays—1

Anderson

Excused—3

Hunter	Johnson	Whitmer
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Not Voting—0

In The Chair: Hansen

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

A bill to register and regulate certain providers of premises security, monitoring, and control systems; to provide for the assessment of registration fees; and to prescribe the powers and duties of certain state departments, agencies, officers, and political subdivisions.

The amendment to the title was adopted.

The Senate agreed to the title as amended.

The following bill was read a third time:

Senate Bill No. 1292, entitled

A bill to amend 1968 PA 330, entitled "Private security business and security alarm act," by amending section 2 (MCL 338.1052), as amended by 2010 PA 68.

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. 694

Yeas—34

Bieda	Gregory	Kowall	Richardville
Booher	Hansen	Marleau	Robertson

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

Nays—1

Anderson

Excused—3

Hunter

Johnson

Whitmer

Not Voting—0

In The Chair: Hansen

The Senate agreed to the title of the bill.

The following bill was read a third time:

House Bill No. 5391, entitled

A bill to authorize transit service providers to fingerprint certain individuals for the purpose of receiving criminal history record information from the department of state police and the federal bureau of investigation; to prescribe the powers and duties of certain state departments and officers; and to provide for the collection of fees.

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. 695**Yeas—35**

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

Nays—0**Excused—3**

Hunter

Johnson

Whitmer

Not Voting—0

In The Chair: Hansen

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

By unanimous consent the Senate returned to the order of
Motions and Communications

The Secretary announced that the following House bills were received in the Senate and filed on Thursday, September 27:
House Bill Nos. 5135 5249 5330 5696

By unanimous consent the Senate proceeded to the order of
Introduction and Referral of Bills

Senator Brandenburg introduced
Senate Bill No. 1329, entitled

A bill to amend 1941 PA 122, entitled "An act to establish the revenue collection duties of the department of treasury; to prescribe its powers and duties as the revenue collection agency of this state; to prescribe certain powers and duties of the state treasurer; to establish the collection duties of certain other state departments for money or accounts owed to this state; to regulate the importation, stamping, and disposition of certain tobacco products; to provide for the transfer of powers and duties now vested in certain other state boards, commissions, departments, and offices; to prescribe certain duties of and require certain reports from the department of treasury; to provide procedures for the payment, administration, audit, assessment, levy of interests or penalties on, and appeals of taxes and tax liability; to prescribe its powers and duties if an agreement to act as agent for a city to administer, collect, and enforce the city income tax act on behalf of a city is entered into with any city; to provide an appropriation; to abolish the state board of tax administration; to prescribe penalties and provide remedies; and to declare the effect of this act," by amending section 27a (MCL 205.27a), as amended by 2012 PA 211.

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

Senators Jones and Schuitmaker introduced
Senate Bill No. 1330, entitled

A bill to amend 1956 PA 62, entitled "An act to authorize the director of the department of state police to promulgate a uniform traffic code; to authorize a city, township, or village to adopt the uniform traffic code by reference without publication in full; and to prescribe criminal penalties and civil sanctions for violation of the code," by amending the title and sections 1, 2, 3, 4, and 5 (MCL 257.951, 257.952, 257.953, 257.954, and 257.955), section 1 as amended by 2006 PA 297 and section 5 as added by 2000 PA 95.

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

Senators Booher, Brandenburg, Hansen, Jones, Colbeck and Anderson introduced
Senate Bill No. 1331, entitled

A bill to amend 1994 PA 295, entitled "Sex offenders registration act," by amending sections 34 and 35 (MCL 28.734 and 28.735), as amended by 2005 PA 322.

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

Senators Booher, Brandenburg, Hansen, Jones, Colbeck and Anderson introduced
Senate Bill No. 1332, entitled

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

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

Senators Marleau and Jones introduced

Senate Bill No. 1333, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding part 52A. The bill was read a first and second time by title and referred to the Committee on Health Policy.

Senator Robertson introduced

Senate Bill No. 1334, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 13809 and 13811 (MCL 333.13809 and 333.13811), as added by 1990 PA 21.

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

Senators Schuitmaker and Colbeck introduced

Senate Bill No. 1335, entitled

A bill to amend 1974 PA 154, entitled "Michigan occupational safety and health act," by amending section 14 (MCL 408.1014), as amended by 1991 PA 105.

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

Senator Colbeck introduced

Senate Bill No. 1336, entitled

A bill to amend 1974 PA 154, entitled "Michigan occupational safety and health act," by amending sections 5, 14a, 14b, 14d, 14e, 14f, 14h, 14j, 14k, 14l, 24, 31, 54, and 63 (MCL 408.1005, 408.1014a, 408.1014b, 408.1014d, 408.1014e, 408.1014f, 408.1014h, 408.1014j, 408.1014k, 408.1014l, 408.1024, 408.1031, 408.1054, and 408.1063), sections 5, 31, and 63 as amended and sections 14a, 14b, 14d, 14e, 14h, 14j, 14k, and 14l as added by 1986 PA 80, section 14f as amended by 1996 PA 70, and section 24 as amended by 1991 PA 105; 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 Reforms, Restructuring and Reinventing.

Senators Jansen, Hunter, Proos and Warren introduced

Senate Bill No. 1337, entitled

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

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

House Bill No. 5135, entitled

A bill to amend 2008 PA 549, entitled "Michigan promise zone authority act," by amending sections 7 and 15 (MCL 390.1667 and 390.1675).

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

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

House Bill No. 5249, entitled

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

The 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 Outdoor Recreation and Tourism.

House Bill No. 5330, entitled

A bill to amend 2008 PA 549, entitled "Michigan promise zone authority act," by amending sections 11 and 15 (MCL 390.1671 and 390.1675).

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

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

House Bill No. 5696, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 1 (MCL 205.51), as amended by 2008 PA 438.

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.

By unanimous consent the Senate returned to the order of
Motions and Communications

Senator Meekhof moved that, pursuant to rule 1.114, upon receipt of Senate bills returned from the House of Representatives, the Secretary of the Senate be directed to proceed with the enrollment printing and presentation of the bills to the Governor.

The motion prevailed.

Committee Reports

The Committee on Economic Development reported

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.

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

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

Michael W. Kowall
 Chairperson

To Report Out:

Yeas: Senators Kowall, Nofs, Emmons and Hansen

Nays: Senator Smith

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

COMMITTEE ATTENDANCE REPORT

The Committee on Economic Development submitted the following:

Meeting held on Tuesday, September 25, 2012, at 8:30 a.m., Senate Hearing Room, Ground Floor, Boji Tower

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

Excused: Senators Hildenbrand and Hunter

The Committee on Veterans, Military Affairs and Homeland Security reported

House Bill No. 5582, entitled

A bill to amend 1956 PA 217, entitled "Electrical administrative act," by amending section 3d (MCL 338.883d), as added by 1990 PA 246.

With the recommendation that the bill pass.

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

John R. Moolenaar
 Chairperson

To Report Out:

Yeas: Senators Moolenaar, Emmons, Gregory and Smith

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Veterans, Military Affairs and Homeland Security reported

House Bill No. 5583, entitled

A bill to amend 2002 PA 733, entitled "State plumbing act," by amending section 25 (MCL 338.3535).

With the recommendation that the bill pass.

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

John R. Moolenaar
 Chairperson

To Report Out:

Yeas: Senators Moolenaar, Pappageorge, Emmons, Gregory and Smith

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Veterans, Military Affairs and Homeland Security reported

House Bill No. 5590, entitled

A bill to amend 1968 PA 330, entitled "Private security business and security alarm act," by amending section 6 (MCL 338.1056), as amended by 2002 PA 473.

With the recommendation that the bill pass.

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

John R. Moolenaar
Chairperson

To Report Out:

Yeas: Senators Moolenaar, Pappageorge, Emmons, Gregory and Smith

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Veterans, Military Affairs and Homeland Security submitted the following:

Meeting held on Tuesday, September 25, 2012, at 12:45 p.m., Room 110, Farnum Building

Present: Senators Moolenaar (C), Pappageorge, Emmons, Gregory and Smith

The Committee on Appropriations reported

Senate Bill No. 1141, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," (MCL 760.1 to 777.69) by adding chapter XIA.

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

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

Roger Kahn, M.D.
Chairperson

To Report Out:

Yeas: Senators Kahn, Moolenaar, Jansen, Pappageorge, Booher, Caswell, Colbeck, Green, Proos 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. 1179, entitled

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

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 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

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.

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, Walker, Anderson, Gregory, Hood, Hopgood and Johnson

Nays: None

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

The Committee on Appropriations reported

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.

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, Walker, Anderson, Gregory, Hood, Hopgood and Johnson

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 Tuesday, September 25, 2012, at 2:11 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building

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

The Committee on Judiciary reported

Senate Bill No. 694, entitled

A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending section 2 of chapter XIIA (MCL 712A.2), as amended by 2001 PA 211.

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 and Rocca

Nays: Senator Bieda

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. 1000, entitled

A bill to amend 1970 PA 91, entitled "Child custody act of 1970," by amending section 7a (MCL 722.27a), as amended by 1996 PA 19.

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. 1209, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 40 of chapter XVII (MCL 777.40), as added by 1998 PA 317.

With the recommendation that the bill pass.

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

Rick Jones
Chairperson

To Report Out:

Yeas: Senators Jones, Rocca and Bieda

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Judiciary reported

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.

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. 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.

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. 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.

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. 1307, entitled

A bill to amend 1962 PA 60, entitled "An act to provide for the day parole of prisoners in county jails to permit them to be gainfully employed outside the jail or pursue other activities; to provide for the granting of reductions in terms of imprisonment and the regulation thereof; and to provide for the disposition of earnings from such employment," by amending section 1 (MCL 801.251), as amended by 1987 PA 146, and by adding section 1a.

With the recommendation that the bill pass.

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

Rick Jones
Chairperson

To Report Out:

Yeas: Senators Jones, Rocca and Bieda

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Judiciary reported

Senate Bill No. 1313, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 145c (MCL 750.145c), as amended by 2004 PA 478.

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. 1314, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 145c (MCL 750.145c), as amended by 2004 PA 478.

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. 4725, entitled

A bill to amend 1985 PA 87, entitled "William Van Regenmorter crime victim's rights act," by amending sections 8, 38, and 68 (MCL 780.758, 780.788, and 780.818), as amended by 2000 PA 503.

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 25, 2012, at 2:30 p.m., Room 110, Farnum Building

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

The Committee on Banking and Financial Institutions reported

Senate Bill No. 1172, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 3204 and 3205e (MCL 600.3204 and 600.3205e), section 3204 as amended by 2011 PA 301 and section 3205e as amended by 2011 PA 302.

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

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

Darwin L. Booher
Chairperson

To Report Out:

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

Nays: None

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

The Committee on Banking and Financial Institutions reported

Senate Bill No. 1281, entitled

A bill to amend 1978 PA 390, entitled "An act to regulate the time and manner of payment of wages and fringe benefits to employees; to prescribe rights and responsibilities of employers and employees, and the powers and duties of the department of labor; to require keeping of records; to provide for settlement of disputes regarding wages and fringe benefits; to prohibit certain practices by employers; to prescribe penalties and remedies; and to repeal certain acts and parts of acts," by amending section 6 (MCL 408.476), as amended by 2010 PA 323.

With the recommendation that the bill pass.

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

Darwin L. Booher
Chairperson

To Report Out:

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

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Banking and Financial Institutions reported

Senate Bill No. 1283, entitled

A bill to amend 1987 PA 173, entitled "Mortgage brokers, lenders, and servicers licensing act," by amending section 1a (MCL 445.1651a), as amended by 2009 PA 76.

With the recommendation that the bill pass.

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

Darwin L. Booher
Chairperson

To Report Out:

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

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Banking and Financial Institutions reported

Senate Bill No. 1284, entitled

A bill to amend 2002 PA 660, entitled "Consumer mortgage protection act," by amending section 2 (MCL 445.1632).

With the recommendation that the bill pass.

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

Darwin L. Booher
Chairperson

To Report Out:

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

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Banking and Financial Institutions reported

Senate Bill No. 1285, entitled

A bill to amend 1977 PA 135, entitled "An act to prohibit certain mortgage lending practices by a credit granting institution; to prescribe the powers and duties of the commissioner of the financial institutions bureau in relation to those practices; to permit the establishment of local mortgage review boards; and to provide remedies and penalties," by amending section 1 (MCL 445.1601).

With the recommendation that the bill pass.

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

Darwin L. Booher
Chairperson

To Report Out:

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

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Banking and Financial Institutions submitted the following:

Meeting held on Tuesday, September 25, 2012, at 3:30 p.m., Rooms 402 and 403, Capitol Building

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

The Committee on Education reported

Senate Bill No. 969, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 6 and 101 (MCL 388.1606 and 388.1701), section 6 as amended by 2011 PA 62 and section 101 as amended by 2010 PA 110, and by adding section 23a.

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.

Phillip J. Pavlov
Chairperson

To Report Out:

Yeas: Senators Pavlov, Emmons, Colbeck, Hopgood and Young

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. 1239, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 1311b and 1311h (MCL 380.1311b and 380.1311h), as added by 1999 PA 23.

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

House Bill No. 5267, entitled

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

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.

Phillip J. Pavlov
Chairperson

To Report Out:

Yeas: Senators Pavlov, Emmons, Colbeck, Hopgood and Young
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 Education submitted the following:

Meeting held on Tuesday, September 25, 2012, at 3:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower
Present: Senators Pavlov (C), Emmons, Colbeck, Hopgood and Young

The Committee on Transportation reported

Senate Bill No. 1091, entitled

A bill to amend 1987 PA 96, entitled "The mobile home commission act," by amending sections 2 and 30a (MCL 125.2302 and 125.2330a), section 30a as amended by 2006 PA 328.

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 and Hood
Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Transportation reported

Senate Bill No. 1188, entitled

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

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 and Hood
Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Transportation reported

Senate Bill No. 1241, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 907 (MCL 257.907), as amended by 2011 PA 159.

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 and Hood
Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Transportation reported

House Bill No. 5391, entitled

A bill to authorize transit service providers to fingerprint certain individuals for the purpose of receiving criminal history record information from the department of state police and the federal bureau of investigation; to prescribe the powers and duties of certain state departments and officers; and to provide for the collection of fees.

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

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

Thomas A. Casperson
Chairperson

To Report Out:

Yeas: Senators Casperson, Kowall, Brandenburg, Pavlov, Hansen and Hood

Nays: None

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

The Committee on Transportation reported

House Bill No. 5668, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 217 and 235 (MCL 257.217 and 257.235), section 217 as amended by 2005 PA 36 and section 235 as amended by 2002 PA 652, and by adding section 235b.

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.

Thomas A. Casperson
Chairperson

To Report Out:

Yeas: Senators Casperson, Kowall, Brandenburg, Pavlov, Hansen and Hood

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 Transportation submitted the following:

Meeting held on Tuesday, September 25, 2012, at 12:30 p.m., Room 100, Farnum Building

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

Excused: Senator Gleason

The Committee on Natural Resources, Environment and Great Lakes reported

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.

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

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

Thomas A. Casperson
Chairperson

To Report Out:

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

Nays: None

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

The Committee on Natural Resources, Environment and Great Lakes reported

Senate Bill No. 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.

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

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

Thomas A. Casperson
Chairperson

To Report Out:

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

Nays: None

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

The Committee on Natural Resources, Environment and Great Lakes reported

Senate Bill No. 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.

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

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

Thomas A. Casperson
Chairperson

To Report Out:

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

Nays: None

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

The Committee on Natural Resources, Environment and Great Lakes reported

Senate Bill No. 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.

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

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

Thomas A. Casperson
Chairperson

To Report Out:

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

Nays: None

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

The Committee on Natural Resources, Environment and Great Lakes reported

Senate Bill No. 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.

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, Pavlov, Kowall, Meekhof and Warren

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on Thursday, September 27, 2012, at 8:00 a.m., Room 100, Farnum Building

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

Excused: Senator Hood

COMMITTEE ATTENDANCE REPORT

The Committee on Energy and Technology submitted the following:

Meeting held on Tuesday, September 25, 2012, at 1:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower

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

Excused: Senator Proos

COMMITTEE ATTENDANCE REPORT

The Joint Committee on Administrative Rules submitted the following:
Meeting held on Thursday, September 27, 2012, at 8:30 a.m., Room 405, Capitol Building
Present: Senators Pappageorge (C), Meekhof and Marleau
Excused: Senators Hunter and Johnson

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Retirement submitted the following:
Meeting held on Thursday, September 27, 2012, at 9:00 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building
Present: Senators Jansen (C), Caswell and Colbeck
Excused: Senator Hood

Scheduled Meetings**Appropriations -****Subcommittee -**

Human Services Department - Tuesday, October 2, 2:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower;
Tuesdays, October 16 and October 23, and Wednesday, October 10, 2:00 p.m., Room 405, Capitol Building (373-2768)

Senator Meekhof moved that the Senate adjourn.
The motion prevailed, the time being 5:55 p.m.

Pursuant to Senate Concurrent Resolution No. 34, the Assistant President pro tempore, Senator Hansen, declared the Senate adjourned until Wednesday, October 17, 2012, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate

