

No. 46
STATE OF MICHIGAN
Journal of the Senate
96th Legislature
REGULAR SESSION OF 2012

Senate Chamber, Lansing, Tuesday, May 15, 2012.

10:00 a.m.

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

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

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

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

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

Senator Coleman A. Young II of the 1st District offered the following invocation:

Father God, in Your Bible, II Corinthians 1:20, there is a passage that says, "For no matter how many promises God has made, they are Yes in Christ. And so through Him the Amen is spoken by us to the glory of God."

Now what I know about this passage, Jesus is that "Yes" and "Amen" no matter where You are. It didn't say in the Bible "Yes" and "Amen" except if you are in America. It didn't say in the Bible "Yes" and "Amen" except if you were in Michigan. It didn't say in the Bible "Yes" and "Amen" except if you were in Detroit. It said "Yes" and "Amen." It said "Yes" and "Amen" regardless of what people say.

When people say that You are too divided in the Legislature to be able to get the work done, well, what we say to that is "Yes" and "Amen."

When people say that Michigan has lost a step and may not get its previous glory as a manufacturing powerhouse, we say to that "Yes" and "Amen."

When people say that the city of Detroit will never be what it once was, we say to that "Yes" and "Amen."

When people say to us—well, I know when I was running and I was at my lowest point and I didn't have anyone to go to, Jesus, I looked to You and I said "Yes" and "Amen."

When the naysayers said that we can't, we say "Yes" and "Amen."

So we know that the promises of Your will are laid up for us to receive. We know that if all we do is say "Yes" and "Amen," in times of trial, we can turn them into triumph. If all we do is say "Yes" and "Amen" in times of peril, we can achieve our promise. If all we do is say "Yes" and "Amen" in times of anarchy, we will achieve our ascendancy.

So, Father God, we want to say thank You right now for us having abundance. Thank You right now for us having a flourishing economy. Thank You right now, Father God, for Michigan becoming the premiere state in this country. Thank You for letting Michigan be the beacon of light and the foundation of hope for all of the world to see. When it is all said and done and people say how did You have that supernatural, miraculous breakthrough? How did the windows of Heaven open up and pour down blessings upon You? All we can say is "Yes" and "Amen."

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

Motions and Communications

Senator Richardville entered the Senate Chamber.

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 Bieda moved that Senators Gleason, Hopgood and Hunter be temporarily excused from today's session. The motion prevailed.

The following communication was received and read:

Office of the Auditor General

May 11, 2012

Enclosed is a copy of the following management letter:

Management letter related to our audit of the State of Michigan Comprehensive Annual Financial Report, State Budget Office, Department of Technology, Management, and Budget.

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

The management letter was referred to the Committee on Government Operations.

The following communication was received:

Department of State

Administrative Rules
Notice of Filing

May 2, 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 #2012-007-SP (Secretary of State Filing #12-05-01) on this date at 4:38 p.m. for the Department of State Police, entitled "Law Enforcement Standards and Training."

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 communication was referred to the Secretary for record.

The Secretary announced that the following House bills were received in the Senate and filed on Thursday, May 10:
House Bill Nos. 5164 5284 5441 5573

The Secretary announced the enrollment printing and presentation to the Governor on Thursday, May 10, for his approval the following bills:

Enrolled Senate Bill No. 1064 at 3:38 p.m.
Enrolled Senate Bill No. 269 at 3:40 p.m.
Enrolled Senate Bill No. 64 at 3:42 p.m.
Enrolled Senate Bill No. 65 at 3:44 p.m.

The Secretary announced that the following official bills were printed on Thursday, May 10, and are available at the legislative website:

House Bill Nos. 5602 5603 5604 5605 5606 5607 5608 5609 5610 5611 5612 5613 5614 5615

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

House Bill Nos. 5616 5617 5618 5619 5620 5621 5622 5623

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

The motion prevailed.

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

Senate Resolution No. 153

The resolution consent calendar was adopted.

Senators Anderson, Bieda, Whitmer, Colbeck, Jones, Kowall, Gleason, Smith and Hansen offered the following resolution:
Senate Resolution No. 153.

A resolution to commemorate the 200th Anniversary of the War of 1812.

Whereas, The War of 1812 served as a crucial test for the United States Constitution and our newly-established democratic republic; and

Whereas, Michigan was a significant battleground during the War of 1812. At least seven land battles and four naval amphibious actions were fought within its boundaries; and

Whereas, Michigan served as a base for the first American invasion of British Canada in July 1812 and was the location of the first major event of the land war, the capture of Fort Mackinac by British and Indian forces on July 17; and

Whereas, Michigan played a critical role in the War of 1812, including the city of Detroit which was captured and occupied by British forces and the Battle of Frenchtown in Monroe County on January 22, 1813, where more than 900 soldiers from Michigan, Ohio, and Kentucky fought; and

Whereas, The War of 1812 left its mark on Michigan in many ways, and the bicentennial of that conflict is worthy of observance for its impact on the history and development of our state; and

Whereas, Recognizing the bicentennial of the War of 1812 will increase awareness of Michigan's cultural heritage and assist cultural economic development in this state; now, therefore, be it

Resolved by the Senate, That we hereby commemorate the 200th Anniversary of the War of 1812. We urge officials, civic leaders, local historians, and the public to organize and hold special events in their communities in mid-June to help remember this important chapter in Michigan's history.

Senators Booher, Hildenbrand, Hopgood, Johnson, Pappageorge and Richardville were named co-sponsors of the resolution.

Senator Hunter entered the Senate Chamber.

Senator Caswell offered the following resolution:

Senate Resolution No. 154.

A resolution commemorating the 75th Anniversary of the Abbott's Magic Get Together.

Whereas, Since 1934, the village of Colon in St. Joseph County, Michigan, known as the Magic Capital of the World, has played host to the world-famous Abbott's Magic Get Together, which draws magicians, magic enthusiasts, and interested spectators together from around the globe to this southwestern Michigan town; and

Whereas, The people of Colon will welcome visitors from far and wide to their community to celebrate the 75th Abbott's Magic Get Together during the annual Colon Magic Festival this summer. Except for four occasions when the event was cancelled, the Magic Get Together has continued every year for more than seven and a half decades, culminating in this year's 75th celebration; and

Whereas, Colon has long held the title of the Magic Capital of the World because of the colorful magicians and innovators in the magic business who helped found the burgeoning magic industry here many decades ago. Famous individuals in the magic industry, like Harry Blackstone, Percy Abbott, Recil Bordner, and Monk Watson, coalesced around Colon to found the magic institutions that remain there to this day; and

Whereas, Despite the ever-changing state and national economy, the magic supply industry has grown throughout the years, and it remains alive and strong in Colon. Not even World War II could stifle the magic industry in Colon, as the United States government during the war years deemed it a vital industry for supplying the entertainers who served the troops and providing materials for soldiers' recreation. Today, Abbott's Magic Company and The FAB Magic Company still call Colon their home; and

Whereas, The fun, excitement, and mystery of illusions being performed on stage transcends generations, technological changes, and societal differences to bring people of every age and all walks of life together to enjoy the skills and showmanship of magicians. Each summer, the annual Abbott's Magic Get Together and Colon Magic Festival continue this tradition; now, therefore, be it

Resolved by the Senate, That we join with the people of the village of Colon, St. Joseph County, and all of Michigan in celebrating and commemorating the 75th Abbott's Magic Get Together; and be it further

Resolved, That a copy of this resolution be transmitted to the village of Colon, Abbott's Magic Company, and The FAB Magic Company.

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.

By unanimous consent the Senate returned to the order of

Messages from the Governor

The following messages from the Governor were received and read:

May 1, 2012

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

Michigan Board of Speech Language Pathology

Mary Callaghan Lynch of 4525 Charing Cross Road, Bloomfield Hills, Michigan 48304, county of Oakland, representing the general public, succeeding Donna J. Riccio Omichinski, is appointed for a term expiring December 31, 2015.

May 7, 2012

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

Advisory Board for the Michigan Intelligence Operations Center for Homeland Security

Tilman L. Crutchfield of 404 North Macomb Street, Monroe, Michigan 48162, county of Monroe, representing local sheriff's departments in Michigan or Michigan Sheriffs' Association, succeeding himself, is reappointed for a term expiring April 11, 2015.

Michael A. Bruggeman of 4448 Harold Drive, Troy, Michigan 48085, county of Oakland, representing residents of the state, succeeding himself, is reappointed for a term expiring April 11, 2015.

Timothy S. Bourgeois of 1720 Riverview Drive, Kalamazoo, Michigan 49004, county of Kalamazoo, representing chiefs of police, succeeding himself, is reappointed for a term expiring April 11, 2016.

Richard A. Fenton of 4992 Birdie Lane, Ann Arbor, Michigan 48103, county of Washtenaw, representing residents of the state, succeeding himself, is reappointed for a term expiring April 11, 2016.

Shelli Weisberg of 651 W. Frank Street, Birmingham, Michigan 48009, county of Oakland, representing residents of the state, succeeding herself, is reappointed for a term expiring April 11, 2017.

Stuart J. Dunning III of 500 Everett Drive, Lansing, Michigan 48915, county of Ingham, representing office of a county prosecuting attorney or the Prosecuting Attorneys Association of Michigan, succeeding himself, is reappointed for a term expiring April 11, 2017.

May 10, 2012

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

Michigan Cherry Committee

James E. Nugent of 10266 Revold Road, Suttons Bay, Michigan 49682, county of Leelanau, representing District 1 tart cherry growers, succeeding himself, is reappointed for a term expiring February 1, 2015.

Brian N. Altonen of 4143 Powell Lane, Kewadin, Michigan 49648, county of Antrim, representing District 1 tart cherry growers, succeeding himself, is reappointed for a term expiring February 1, 2015.

May 10, 2012

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

Michigan Freedom Trail Commission

Roy E. Finkenbine of 30850 Puritan Street, Livonia, Michigan 48154, county of Wayne, representing members of the academic community, succeeding himself, is reappointed for a term expiring February 1, 2016.

Charles D. Teeter of 3924 Harvard Road, Detroit, Michigan 48224, county of Wayne, representing a local community in which the Underground Railroad had presence, succeeding Lottie V. Jones Hood, is appointed for a term expiring February 1, 2016.

Kimberley H. Davis Tranumn of 860 Yorktown Court, Northville, Michigan 48167, county of Oakland, representing members of the academic community, succeeding Bonnie J. Marshall, is appointed for a term expiring February 1, 2016.

May 11, 2012

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

Michigan Historical Commission

Richard G. Micka of 47 E. Elm Avenue, Monroe, Michigan 48162, county of Monroe, representing the general public, succeeding himself, is reappointed for a term expiring May 21, 2016.

Margaret M. Cunningham of the Grand Hotel, P.O. Box 286, Mackinac Island, Michigan 49757, county of Mackinac, representing the general public, succeeding Lloyd William Conner, is appointed for a term expiring May 21, 2016.

Larry J. Wagenaar of 6341 Redington Drive, S.E., Ada, Michigan 49301, county of Kent, representing the Historical Society of Michigan, succeeding Edward Surovell, is appointed for a term expiring May 21, 2016.

Sincerely,
Rick Snyder
Governor

The appointments were referred to the Committee on Government Operations.

Messages from the House

Senator Gleason entered the Senate Chamber.

Senate Bill No. 768, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 411w. 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. 331

Yeas—37

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

Nays—0

Excused—1

Hopgood

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. 769, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 16t of chapter XVII (MCL 777.16t), as amended by 2010 PA 278.

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. 887, entitled

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

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. 888, entitled

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

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. 908, entitled

A bill to amend 2009 PA 75, entitled "Mortgage loan originator licensing act," by amending sections 3, 5, 9, 15, and 29 (MCL 493.133, 493.135, 493.139, 493.145, and 493.159), sections 3 and 29 as amended by 2010 PA 356.

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

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

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

Third Reading of Bills

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

Senate Bill No. 939

Senate Bill No. 940

Senate Bill No. 941

Senate Bill No. 942

The motion prevailed.

Senator Hopgood entered the Senate Chamber.

The following bill was read a third time:

Senate Bill No. 939, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding part 14.

The question being on the passage of the bill,

Senator Meekhof offered the following amendment:

1. Amend page 13, following line 10, by inserting:

"SEC. 1429. THE CLEAN CORPORATE CITIZEN PROGRAM RULES, R 324.1501 TO 324.1511 OF THE MICHIGAN ADMINISTRATIVE CODE, ARE RESCINDED."

The amendment was adopted, a majority of the members serving voting therefor.

The question being on the passage of the bill,

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

Roll Call No. 332

Yeas—26

Booher
Brandenburg

Hansen
Hildenbrand

Marleau
Meekhof

Proos
Richardville

Casperson	Hune	Moolenaar	Robertson
Caswell	Jansen	Nofs	Rocca
Colbeck	Jones	Pappageorge	Schuitmaker
Emmons	Kahn	Pavlov	Walker
Green	Kowall		

Nays—12

Anderson	Gregory	Hunter	Warren
Bieda	Hood	Johnson	Whitmer
Gleason	Hopgood	Smith	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. 940, entitled

A bill to amend 1984 PA 431, entitled “The management and budget act,” by amending section 261 (MCL 18.1261), as amended by 2008 PA 133.

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. 333**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—12

Anderson	Gregory	Hunter	Warren
Bieda	Hood	Johnson	Whitmer
Gleason	Hopgood	Smith	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. 941, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” (MCL 333.1101 to 333.25211) by adding sections 13537 and 13832.

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. 334

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—12

Anderson	Gregory	Hunter	Warren
Bieda	Hood	Johnson	Whitmer
Gleason	Hopgood	Smith	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. 942, entitled

A bill to amend 1976 PA 399, entitled “Safe drinking water act,” by amending section 23 (MCL 325.1023).

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. 335

Yeas—26

Booher	Hansen	Marleau	Proos
Brandenburg	Hildenbrand	Meekhof	Richardville

Casperson
Caswell
Colbeck
Emmons
Green

Hune
Jansen
Jones
Kahn
Kowall

Moolenaar
Nofs
Pappageorge
Pavlov

Robertson
Rocca
Schuitmaker
Walker

Nays—12

Anderson
Bieda
Gleason

Gregory
Hood
Hopgood

Hunter
Johnson
Smith

Warren
Whitmer
Young

Excused—0

Not Voting—0

In The Chair: Schuitmaker

The Senate agreed to the title of the bill.

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

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

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

After some time spent therein, the Committee arose; and the Assistant President pro tempore, Senator Hansen, having assumed the Chair, the Committee reported back to the Senate, favorably and without amendment, the following bills:

Senate Bill No. 126, entitled

A bill to amend 1937 PA 94, entitled "Use tax act," by amending section 2 (MCL 205.92), as amended by 2008 PA 439.

Senate Bill No. 901, entitled

A bill to amend 1978 PA 59, entitled "Condominium act," by amending section 144 (MCL 559.244), as added by 1982 PA 538.

House Bill No. 5288, entitled

A bill to amend 1966 PA 331, entitled "Community college act of 1966," by amending section 142 (MCL 389.142), as amended by 2009 PA 179.

House Bill No. 5289, entitled

A bill to amend 1943 PA 20, entitled "An act relative to the investment of funds of public corporations of the state; and to validate certain investments," by amending section 1 (MCL 129.91), as amended by 2009 PA 21.

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. 127, 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.

Substitute (S-5).

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. 907, entitled

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

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. 902, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 5070 (MCL 600.5070), as added by 2000 PA 419, and by adding section 5037 to chapter 50; and to repeal acts and parts of acts.

Substitute (S-2).

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. 903, entitled

A bill to provide for the enforceability of agreements to arbitrate disputes; to provide procedures for the arbitration of disputes; to provide remedies, including remedies for the enforcement of arbitration agreements, rulings, and awards; and to provide immunity from civil liability and testimonial privileges.

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. 1090, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 20120e (MCL 324.20120e), as added by 2010 PA 228.

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. 5287, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 622 and 1223 (MCL 380.622 and 380.1223), as amended by 2009 PA 22.

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.

Introduction and Referral of Bills

Senator Jansen introduced

Senate Bill No. 1123, entitled

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

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

Senator Jansen introduced

Senate Bill No. 1124, entitled

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

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

Senator Kowall introduced

Senate Bill No. 1125, entitled

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

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

Senators Jones, Rocca and Schuitmaker introduced

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

Senators Jones, Rocca and Schuitmaker introduced

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 section 3d to chapter XI.

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

Senator Johnson introduced

Senate Bill No. 1128, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending sections 30, 520, and 522 (MCL 206.30, 206.520, and 206.522), section 30 as amended by 2011 PA 38, section 520 as amended by 2011 PA 273, and section 522 as amended by 2011 PA 180, and by adding section 274.

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

Senator Colbeck introduced

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

Senators Meekhof, Kowall, Green, Casperson, Pavlov and Proos introduced

Senate Bill No. 1130, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 35301, 35302, 35304, 35305, 35306, 35310, 35311, 35312, 35313, 35316, 35317, 35319, 35320, 35321, 35322, and 35323 (MCL 324.35301, 324.35302, 324.35304, 324.35305, 324.35306, 324.35310, 324.35311, 324.35312, 324.35313, 324.35316, 324.35317, 324.35319, 324.35320, 324.35321, 324.35322, and 324.35323), sections 35301, 35316, and 35317 as amended by 1995 PA 262, sections 35302, 35305, 35306, 35310, 35311, 35312, 35313, 35319, 35320, 35321, 35322, and 35323 as added by 1995 PA 59, and section 35304 as amended by 2004 PA 325, and by adding sections 35311a and 35311b; and to repeal acts and parts of acts.

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

House Bill No. 5164, entitled

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

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

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

House Bill No. 5441, entitled

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

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

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

House Bill No. 5573, entitled

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

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

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

By unanimous consent the Senate returned to the order of

Motions and Communications

The following communication was received and read:

Office of the Senate Majority Leader

May 14, 2012

Pursuant to Public Act 152 of 1984, I am making the following appointment to the Michigan Iron Industry Museum Advisory Board:

Dan Adamini of 50 White Oak Drive, Marquette, Michigan 49855, for a term commencing May 14, 2012 and expiring December 31, 2012.

If you have any questions, please call Michael Parr in my office at (517) 373-5264.

Respectfully,
Randy Richardville
Senate Majority Leader

The communication was referred to the Secretary for record.

Committee Reports

The Committee on Economic Development reported

Senate Bill No. 94, entitled

A bill to amend 1969 PA 317, entitled "Worker's disability compensation act of 1969," by amending section 405 (MCL 418.405), as amended by 1980 PA 457.

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

Michael W. Kowall
Chairperson

To Report Out:

Yeas: Senators Kowall, Hildenbrand, Nofs, Emmons and Smith

Nays: None

The bill was referred to the Committee on Judiciary.

The Committee on Economic Development reported

Senate Bill No. 1119, entitled

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

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.

Michael W. Kowall
Chairperson

To Report Out:

Yeas: Senators Kowall, Hildenbrand, Nofs, Emmons and Smith

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 Economic Development submitted the following:

Meeting held on Wednesday, May 9, 2012, at 1:30 p.m., Room 110, Farnum Building

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

Excused: Senators Hansen and Hunter

The Committee on Appropriations reported

Senate Bill No. 797, entitled

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

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.

Roger Kahn, M.D.

Chairperson

To Report Out:

Yeas: Senators Kahn, Moolenaar, Jansen, Pappageorge, Caswell, Colbeck, Green, Proos, Walker, Gregory, Hopgood and Johnson

Nays: Senator Booher

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

COMMITTEE ATTENDANCE REPORT

The Committee on Appropriations submitted the following:

Meeting held on Wednesday, May 9, 2012, at 2:06 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building

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

Excused: Senators Schuitmaker, Anderson and Hood

The Committee on Judiciary reported

House Bill No. 5328, entitled

A bill to amend 1996 PA 305, entitled "Acknowledgment of parentage act," by amending section 7 (MCL 722.1007), as amended by 2006 PA 105; and to repeal acts and parts of acts.

With the recommendation that the bill pass.

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

Rick Jones

Chairperson

To Report Out:

Yeas: Senators Jones, Schuitmaker, Rocca and Bieda

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Judiciary reported

House Bill No. 5329, entitled

A bill to amend 1956 PA 205, entitled "The paternity act," by amending section 10 (MCL 722.720), as amended by 2001 PA 109.

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 Thursday, May 10, 2012, at 9:30 a.m., Room 100, Farnum Building
Present: Senators Jones (C), Schuitmaker, Rocca and Bieda

The Committee on Banking and Financial Institutions reported
Senate Bill No. 1024, entitled

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

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.

Darwin L. Booher
Chairperson

To Report Out:

Yeas: Senators Booher, Nofs, 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. 1027, entitled

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

Darwin L. Booher
Chairperson

To Report Out:

Yeas: Senators Booher, Nofs, 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
House Bill No. 5480, entitled

A bill to amend 1984 PA 431, entitled "The management and budget act," by amending section 261 (MCL 18.1261), as amended by 2008 PA 133.

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, 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

House Bill No. 5481, entitled

A bill to amend 1984 PA 431, entitled "The management and budget act," by amending section 241 (MCL 18.1241), as amended by 2010 PA 22.

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, 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

House Bill No. 5483, entitled

A bill to amend 1971 PA 140, entitled "Glenn Steil state revenue sharing act of 1971," (MCL 141.901 to 141.921) by adding section 17b.

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.

Darwin L. Booher
Chairperson

To Report Out:

Yeas: Senators Booher, Nofs, 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

House Bill No. 5484, entitled

A bill to amend 1951 PA 51, entitled "An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to promote safe and efficient travel for motor vehicle drivers, bicyclists, pedestrians, and other legal users of roads, streets, and highways; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, local bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts," (MCL 247.651 to 247.675) by adding section 1j.

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.

Darwin L. Booher
Chairperson

To Report Out:

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

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 Banking and Financial Institutions submitted the following:

Meeting held on Thursday, May 10, 2012, at 1:42 p.m., Room 100, Farnum Building

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

Absent: Senator Green

COMMITTEE ATTENDANCE REPORT

The Committee on Transportation submitted the following:

Meeting held on Monday, May 14, 2012, at 2:30 p.m., University of Michigan, Robert H. Lurie Engineering Center, 1221 Beal Avenue, Ann Arbor

Present: Senators Casperson (C), Kowall and Pavlov

Absent: Senators Brandenburg, Hansen, Gleason and Hood

Scheduled Meetings

Appropriations - Wednesday, May 16, 2:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-1760)

Banking and Financial Institutions - Thursday, May 17, 1:30 p.m., Room 100, Farnum Building (373-5324)

Economic Development - Wednesday, May 16, 1:30 p.m., Room 110, Farnum Building (373-5323)

Finance - Wednesday, May 16, 12:30 p.m., Room 210, Farnum Building (373-5307)

Health Policy - Thursday, May 17, 2:30 p.m., Senate Hearing Room, Ground Floor, Boji Tower (373-5314)

Local Government and Elections - Wednesday, May 16, 3:00 p.m., Room 100, Farnum Building (373-5314)

Natural Resources, Environment and Great Lakes - Thursday, May 17, 8:30 a.m., Room 210, Farnum Building (373-5323)

Outdoor Recreation and Tourism - Thursday, May 17, 12:30 p.m., Room 210, Farnum Building (373-5323)

Reforms, Restructuring and Reinventing - Wednesday, May 16, 8:30 a.m., Rooms 402 and 403, Capitol Building (373-5307)

State Drug Treatment Court Advisory Committee - Tuesday, May 22, 9:30 a.m., Legislative Council Conference Room, 3rd Floor, Boji Tower (373-0212)

Senator Meekhof moved that the Senate adjourn.

The motion prevailed, the time being 10:49 a.m.

The Assistant President pro tempore, Senator Hansen, declared the Senate adjourned until Wednesday, May 16, 2012, at 10:00 a.m.

