

No. 62
STATE OF MICHIGAN
Journal of the Senate
96th Legislature
REGULAR SESSION OF 2012

Senate Chamber, Lansing, Wednesday, August 15, 2012.

12:00 noon.

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

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

Anderson—present
Bieda—present
Booher—present
Brandenburg—excused
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 Arthur C. Willis, Sr., of Pentecostal Missionary Baptist Church of Romulus offered the following invocation:

All-wise and eternal Father, we come as we have so often to pray for those You have placed in authority. We ask that You give these men and women of the great state of Michigan the wisdom, power, and knowledge to handle the business of the people of God sent to make provision on their behalf. We ask Your blessing upon their families, and we ask Your blessing upon their friends.

Lord, we pray that they would come together in unity and do what is pleasing in Your sight for this city and this great state. We thank You for what You have already done, and we know, Lord, that the best is still yet to come.

We thank You for so much. These and all blessings we ask in our Savior of the world, Jesus. Amen.

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

Motions and Communications

Senators Rocca, Smith, Johnson, Gregory, Hunter and Anderson entered the Senate Chamber.

Senator Meekhof moved that Senators Pappageorge, Green, Emmons, Hansen and Schuitmaker be temporarily excused from today's session.

The motion prevailed.

Senator Meekhof moved that Senator Brandenburg be excused from today's session.

The motion prevailed.

Senator Meekhof moved that rule 3.902 be suspended to allow the guests of Senators Gleason, Robertson and Proos admittance to the Senate floor.

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

Senators Hansen and Green entered the Senate Chamber.

The following communications were received and read:

Office of the Auditor General

July 19, 2012

Enclosed is a copy of the following audit report:

Performance audit of the Business Application Modernization Project, Department of State and Department of Technology, Management, and Budget.

July 27, 2012

Enclosed is a copy of the following audit report:

Financial audit of the Michigan Justice Training Fund, Michigan Commission on Law Enforcement Standards, Michigan Department of State Police, for the period October 1, 2009 through September 30, 2011.

August 10, 2012

Enclosed is a copy of the following audit report:

Performance audit of Wireless Local Area Network Security, Department of Technology, Management, and Budget.

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

The audit reports were referred to the Committee on Government Operations.

The following communication was received and read:

City of Detroit, Mayor's Office

June 7, 2012

Notwithstanding additional legal requirements or regulations concerning appointments by the Mayor in the city of Detroit, please be advised of the following appointments to office:

Detroit Financial Advisory Board

Sandra E. Pierce of P.O. Box 906, Northville, Michigan 48167, county of Wayne, is appointed by the Mayor, for a term expiring April 27, 2015.

Eddie R. Munson of 5879 Murfield Drive, Rochester Hills, Michigan 48306, county of Oakland, is appointed by the Mayor, for a term expiring April 27, 2014.

Robert A. Bowman of 815 Glenn Drive, Harbor Springs, Michigan 49740, county of Emmet, is appointed jointly by the Governor and Mayor, for a term expiring 12 months after the effective date of his appointment.

Sincerely,
Dave Bing
Mayor

The communication was referred to the Secretary for record.

The following communication was received:
State 9-1-1 Committee

August 1, 2012

On behalf of the State 9-1-1 Committee (SNC), I would like to present to you the SNC's 2012 Annual Report to the Legislature. Section 412 of Public Act 32 of 1986, as amended, requires the SNC to provide the Michigan Legislature annual data on our state's 9-1-1 system. It is our goal to not only provide the Legislature with the information as required by statute, but to also furnish you with an accurate landscape of Michigan 9-1-1 at the present as a view into the future for 9-1-1 in Michigan.

Since last year's Annual Report to the Legislature, several significant accomplishments have been met in Michigan 9-1-1. One of these is the issuance of administrative rules on minimum training standards for 9-1-1 operators in the state of Michigan. Based on recommendations from the SNC, under Michigan Public Service Commission (MPSC) Docket U-16413, Michigan's 9-1-1 operators will have a standardized 80 hours of coursework training within their first 24 months of hire and 24 hours of continuing education every 24 months thereafter. The implementation of the program will be administered by the State 9-1-1 Office and is expected to be in effect in early 2013. The standards are a milestone towards 9-1-1 dispatching becoming recognized as a profession on par with other public safety providers such as police officers, fire fighters, and EMTs.

Another one of the SNC's accomplishments is the completion of its Report on Efficiencies in 9-1-1. The report, which was issued in March of 2012, provides a comprehensive overview of the status of public safety answering points (PSAPs) efforts to share resources. It also contains information on national trends in consolidation and consolidation activity. The full report is included as Appendix 4 to this report. There are several recommendations to the Legislature in that report including:

1) The use of unused 9-1-1 funds under MCL 484.1408 (2)(b) for grants through the SNC to assist local jurisdictions with consolidation efforts.

2) The periodic re-examination of the definition of a primary PSAP in the statute (MCL 484.1102[y]) to adopt to changing technologies.

3) Require accurate reporting of PSAP funding and call volume.

The ENHANCE 911 Grant project, to build a statewide interface for 9-1-1 geographical information systems (GIS) location data between PSAPs, has progressed significantly over the past year. The project, which is funded through a combination of federal (through the National Highway Traffic and Safety Administration) and state (through the former Commercial Mobile Radio Service fund) sources, has reached 81% participation (see participation map as Appendix 5) and will be completed early this fall. The project is being done in partnership with the Center for Shared Solutions and Technology Partnerships (CSSTP) at the Michigan Department of Technology, Management, and Budget (DTMB) and has earned attention at the national level for its collaborative approach and preparation for NG9-1-1. More information can be found at: www.michigan.gov/911GISGrant.

In closing, as the chair of the SNC, the committee designated by statute to guide 9-1-1 in Michigan, I think you will find that this past year has been one of progress and preparation for the future of Michigan's 9-1-1 system. It is my sincere hope you have the opportunity to read and consider this report in your future policy decisions on 9-1-1 in our state. While we have no recommendations on changes in 9-1-1 funding at this time, your continued support in our work by being engaged in dialog and activity with members of the SNC is appreciated. The SNC is looking ahead to moving forward on the issues that will help build a flexible, technology-neutral NG9-1-1 system which will serve Michigan's citizens and public safety community well into the future.

Sincerely,
Sheriff Dale R. Gribler
Chair

The communication was referred to the Secretary for record.

The Secretary announced that pursuant to Rule 2.109 of the Standing Rules of the Senate, the following expense reports have been filed with the Secretary of the Senate for the quarter from January 1, 2012 through March 31, 2012, and are available in the Secretary's office during business hours for public inspection:

Committee
Agriculture
Appropriations

Chairperson
Senator Joe Hune
Senator Roger Kahn

Banking and Financial Institutions	Senator Darwin Booher
Economic Development	Senator Mike Kowall
Education	Senator Phil Pavlov
Energy and Technology	Senator Mike Nofs
Families, Seniors and Human Services	Senator Judy Emmons
Finance	Senator Jack Brandenburg
Government Operations	Senator Randy Richardville
Health Policy	Senator Jim Marleau
Insurance	Senator Joe Hune
Judiciary	Senator Rick Jones
Local Government and Elections	Senator David Robertson
Natural Resources, Environment and Great Lakes	Senator Tom Casperson
Outdoor Recreation and Tourism	Senator Goeff Hansen
Redistricting	Senator Joe Hune
Reforms, Restructuring and Reinventing	Senator Mark Jansen
Regulatory Reform	Senator Tory Rocca
Transportation	Senator Tom Casperson
Veterans, Military Affairs and Homeland Security	Senator John Moolenaar

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

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

Senator Meekhof moved that rule 3.901 be suspended to allow photographs to be taken from the Senate floor.

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 12:06 p.m.

12:22 p.m.

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

During the recess, Senator Richardville introduced Chrissy Houle, second runner-up in the Distinguished Young Women of America contest, and family members; and presented her with a Special Tribute.

During the recess, Senators Emmons, Schuitmaker and Pappageorge entered the Senate Chamber.

A moment of silence was observed in memory of former State Representative Bill Jowett.

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

Senate Bill No. 1195

Senate Bill No. 1196

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

Senator Meekhof moved that the Committee on Local Government and Elections be discharged from further consideration of the following bill:

House Bill No. 4907, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 312 and 646a (MCL 168.312 and 168.646a), as amended by 2006 PA 647.

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

The Secretary announced that the following House bill was received in the Senate and filed on Wednesday, July 18:
House Bill No. 5668

The Secretary announced the enrollment printing and presentation to the Governor on Friday, July 27, for his approval the following bills:

Enrolled Senate Bill No. 601 at 2:04 p.m.

Enrolled Senate Bill No. 821 at 2:06 p.m.

Enrolled Senate Bill No. 1160 at 2:08 p.m.

Enrolled Senate Bill No. 1130 at 2:10 p.m.

The Secretary announced that the following official bills were printed on Thursday, July 19, and are available at the legislative website:

Senate Bill Nos.	1198	1199	1200	1201	1202	1203	1204	1205	1206	1207	1208	1209	1210	1211
	1212	1213	1214	1215	1216	1217	1218	1219	1220	1221				
House Bill Nos.	5769	5770	5771	5772	5773	5774	5775	5776	5777	5778	5779	5780	5781	5782
	5783	5784	5785	5786	5787	5788	5789	5790	5791	5792				

Messages from the Governor

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

Senate Bill No. 930

Senate Bill No. 754

Senate Bill No. 803

The motion prevailed.

The following messages from the Governor were received:

Date: August 1, 2012

Time: 9:28 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 601 (Public Act No. 293), being

An act to amend 1972 PA 239, entitled “An act to establish and operate a state lottery and to allow state participation in certain lottery-related joint enterprises with other sovereignties; to create a bureau of state lottery and to prescribe its powers and duties; to prescribe certain powers and duties of other state departments and agencies; to license and regulate certain sales agents; to create the state lottery fund; to provide for the distribution of lottery revenues and earnings for certain purposes; to provide for an appropriation; and to provide for remedies and penalties,” by amending the title and sections 11 and 18 (MCL 432.11 and 432.18), the title as amended by 1996 PA 95 and sections 11 and 18 as amended by 2004 PA 383, and by adding section 45.

(Filed with the Secretary of State on August 1, 2012, at 2:18 p.m.)

Date: August 1, 2012

Time: 9:30 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 821 (Public Act No. 294), being

An act to amend 1994 PA 451, entitled “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,” by amending sections 503, 44501, 44516, 44518, 44520a, 44522, and 80124 (MCL 324.503, 324.44501, 324.44516, 324.44518, 324.44520a, 324.44522, and 324.80124), section 503 as amended by 2012 PA 240, sections 44501, 44516, 44518, and 44520a as amended by 2012 PA 249, section 44522 as amended by 1998 PA 262, and section 80124 as amended by 2012 PA 28.

(Filed with the Secretary of State on August 1, 2012, at 2:20 p.m.)

Date: August 1, 2012
Time: 1:43 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 1160 (Public Act No. 295), being

An act to create a fund to receive money from mortgage loan servicing companies paid pursuant to certain consent judgments in actions for mortgage loan servicing and foreclosure abuses; to provide for the expenditure of revenue in the fund consistent with the consent judgments; and to provide for the powers and duties of certain state governmental officers and entities.

(Filed with the Secretary of State on August 1, 2012, at 2:55 p.m.)

Date: August 7, 2012
Time: 3:34 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 1130 (Public Act No. 297), being

An act to amend 1994 PA 451, entitled “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,” 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.

(Filed with the Secretary of State on August 7, 2012, at 4:36 p.m.)

Respectfully,
Rick Snyder
Governor

The following message from the Governor was received on July 24, 2012, and read:

EXECUTIVE ORDER
No. 2012-12

**State of Energy Emergency
Waiver of Regulations Relating to Motor Carriers and Drivers
Transporting Gasoline, Diesel Fuel, and Jet Fuel**

WHEREAS, Section 1 of Article V of the Michigan Constitution of 1963 vests the executive power of the state of Michigan in the Governor; and

WHEREAS, Section 3 of 1982 PA 191, MCL 10.83, authorizes the Governor to declare a State of Energy Emergency upon notification of an impending energy emergency by the Energy Advisory Committee, or upon the Governor’s own initiative, if the Governor finds that an energy emergency exists or is imminent; and

WHEREAS, a leak triggered a shutdown of a portion of the refined products West Shore Pipeline between Milwaukee and Green Bay, Wisconsin, which supplies gasoline and diesel fuel to service stations throughout the western and central sections of Michigan’s Upper Peninsula; and

WHEREAS, this shutdown has affected the availability of gasoline and diesel fuel in some sections of the Upper Peninsula, creating temporary shortages that may potentially affect the health, safety, and economic well-being of the citizens of Michigan who depend on these petroleum products; and

WHEREAS, the current situation has affected the transportation of petroleum products within Michigan and the ability to supply those products in accordance with federal motor carrier regulations and requirements; and

WHEREAS, it is in the best interests of the state of Michigan that appropriate measures be taken in response to an imminent energy emergency to ensure that petroleum supplies will remain sufficient and to assure the health, safety, and welfare of Michigan residents and visitors; and

WHEREAS, these conditions have forced petroleum product transporters to bypass product terminals in Green Bay, Wisconsin and instead travel to Milwaukee and Madison, Wisconsin, to obtain petroleum supplies for delivery to service stations in Michigan's Upper Peninsula, resulting in considerably longer driving distances and wait times for these transporters; and

WHEREAS, the longer driving distances and wait times are making it difficult for petroleum product transporters to meet demand and comply with federal and state hours-of-service regulations and requirements contained within 49 CFR Part 395, and adopted in Public Act 181 of 1963, MCL 480.11a; and

WHEREAS, it is in the best interests of the state of Michigan to provide for the safe transportation of petroleum products within this state, and to assure that petroleum product supplies will remain sufficient to protect the health, safety, and economic well-being of Michigan residents and visitors; and

WHEREAS, under Section 4 of 1982 PA 191, MCL 10.84, during a declared State of Energy Emergency the Governor may by executive order suspend a statute, order, rule of a state agency, or specific provision of a statute, rule, or order if strict compliance with the statute, order, rule, or a specific provision of the statute, rule, or order will prevent, hinder, or delay necessary action in coping with the energy emergency; and

WHEREAS, Federal Motor Carrier Safety Administration regulations found at 49 CFR 390.23, and Michigan Public Act 181 of 1963, MCL 480.11a, provide the Governor with the authority to exempt motor carriers and drivers transporting gasoline, diesel fuel, and jet fuel within Michigan from the hours-of-service regulations and requirements specified in 49 CFR Part 395 and MCL 480.11a, to address transportation needs arising from the impact of this energy emergency;

NOW, THEREFORE, I, RICHARD D. SNYDER, Governor of the state of Michigan, by virtue of the power and authority vested in the Governor by the Michigan Constitution of 1963 and 1982 PA 191, MCL 10.81 to 10.87, order the following:

1. A State of Energy Emergency is declared in the state of Michigan.
2. Motor carriers and drivers transporting gasoline, diesel fuel, and jet fuel within Michigan to address petroleum product supply needs arising from the West Shore Pipeline shutdown are exempt from compliance with MCL 480.11 and any other applicable state statute, order, or rule substantially similar to MCL 480.11, and 49 CFR Part 395. Any such provision of a state statute, order, or rule is suspended. This exemption and suspension exemption applies to all highways in Michigan, including the national system of interstate and defense highways.
3. This order applies only to gasoline, diesel fuel, and jet fuel. No other petroleum products are covered by the exemption and suspension under this Order.
4. Nothing in this Order shall be construed as an exemption from applicable controlled substances and alcohol use and testing requirements (49 CFR Part 382 and any similar state statute, order, or rule), the commercial driver's license requirements (49 CFR Part 383 and any similar state statute, order, or rule), the financial responsibility requirements (49 CFR Part 387 and any similar state statute, order, or rule), applicable size and weight requirements, or any portion of federal and state regulations not specifically identified.
5. Motor carriers or drivers currently subject to an out-of-service order are not eligible for the exemption and suspension until the out-of-service order expires or the conditions for rescission have been satisfied.
6. The Federal Motor Carrier Safety Administration and Michigan Department of State Police require that drivers for motor carriers operating under the Declaration of Energy Emergency must have a copy of the Declaration of Energy Emergency in their possession.
7. The Commercial Vehicle Enforcement Division of the Michigan Department of State Police shall coordinate state compliance with this Order.

This Order is effective upon filing and remains in effect until it is rescinded or 11:59:59 p.m. EDT, Tuesday, August 7, 2012, whichever first occurs.

[SEAL]

Given under my hand and the Great Seal of the State of Michigan this Twenty-Fourth day of July in the Year of Our Lord, Two Thousand and Twelve.

Richard D. Snyder
Governor

By the Governor:
Ruth A. Johnson
Secretary of State

The executive order was referred to the Committee on Government Operations.

The following messages from the Governor were received and read:

July 16, 2012

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

Michigan Board of Counseling

Gerald J. Papazian of 19102 Birchview Trail, Lake Ann, Michigan 49650, county of Benzie, representing professionals engaged primarily in providing counseling techniques, behavior modification techniques, or preventative techniques to clients, succeeding Harriet A. Singleton, is appointed for a term expiring June 30, 2016.

Robyn J. Emde of 1402 S. State Street, St. Joseph, Michigan 49085, county of Berrien, representing those engaged primarily in teaching, training or research in counseling, succeeding Martha D. Burkett, is appointed for a term expiring June 30, 2016.

July 16, 2012

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

Michigan Board of Speech Language Pathology

Amanda M. Carlson of 7241 Driftwood Drive, S.E., Ada, Michigan 49301, county of Kent, representing professionals, succeeding Francis Eldis, is appointed for a term expiring December 31, 2014.

July 18, 2012

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

City of Allen Park Financial Review Team

Roger W. Fraser of 4794 Holly Way, Ann Arbor, Michigan 48103, county of Washtenaw, State Treasurer's designee, is appointed for a term expiring at the pleasure of the Governor.

Doug A. Ringler of 2624 S. Edgar Road, Mason, Michigan 48854, county of Ingham, Department of Technology, Management, and Budget Director's designee, is appointed for a term expiring at the pleasure of the Governor.

Mark E. Wollenweber of 8120 Old Lakeshore Road, Burtchville, Michigan 48059, county of St. Clair, Senate Majority Leader's designee, is appointed for a term expiring at the pleasure of the Governor.

Joel A. Wortley of 220 E. Scott Street, Grand Ledge, Michigan 48837, county of Eaton, Speaker of the House's designee, is appointed for a term expiring at the pleasure of the Governor.

Eric Scorsone of 2079 Arbor Meadows Drive, DeWitt, Michigan 48820, county of Clinton, representing persons with relevant professional experience, is appointed for a term expiring at the pleasure of the Governor.

Frederick B. Headen of 5571 White Ash Lane, Haslett, Michigan 48840, county of Ingham, representing state officials with relevant professional experience, is appointed for a term expiring at the pleasure of the Governor.

July 24, 2012

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

Automobile Theft Prevention Authority Board of Directors

Curtis M. Caid of 12420 Swann Farm Drive, Brighton, Michigan 48114, county of Livingston, representing law enforcement officials, succeeding Michael A. Lauretti, is appointed for a term expiring July 1, 2014

July 25, 2012

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

Michigan Board of Dentistry

Lisa A. Darrow of 2238 Hall Street, S.E., East Grand Rapids, Michigan 49506, county of Kent, representing dental hygienists, succeeding herself, is reappointed for a term expiring June 30, 2016.

Deborah Manos of 1009 Sunningdale Drive, Grosse Pointe Woods, Michigan 48236, county of Wayne, representing dentists, succeeding herself, is reappointed for a term expiring June 30, 2016.

Paula S. Weidig of 4291 Gratiot Avenue, Fort Gratiot, Michigan 48059, county of St. Clair, representing dental hygienists, succeeding Martha S. Swiger, is appointed for a term expiring June 30, 2016.

Timothy R. Schmakel of 30 Cranbrook Road, Bloomfield Hills, Michigan 48304, county of Oakland, representing dentists with health profession specialty certification, succeeding Raymond A. Maturo, is appointed for a term expiring June 30, 2016.

Nicholas J. Bournias of 70 S. Deeplands Road, Grosse Pointe Shores, Michigan 48236, county of Wayne, representing dentists, succeeding Rhonda M. Hennessy, is appointed for a term expiring June 30, 2016.

Rita L. Hale of 302 Chocoley Street, Munising, Michigan 49862, county of Alger, representing the general public, succeeding Rosetta Sanders, is appointed for a term expiring June 30, 2016.

July 27, 2012

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

State Fire Safety Board

Dean J. Mallos of 260 S. Tracie Lane, Marquette, Michigan 49855, county of Marquette, representing fire departments in the Upper Peninsula, succeeding himself, is reappointed for a term expiring July 15, 2016.

Donald B. Hicks of 11116 Wilkinson Road, Freeland, Michigan 48623, county of Saginaw, representing the chemical manufacturing industry, succeeding himself, is reappointed for a term expiring July 15, 2016.

Thomas G. Lippens of 4070 St. Nicholas Road, Rock, Michigan 49880, county of Delta, representing licensed electrical contractors of master electricians, succeeding himself, is reappointed for a term expiring July 15, 2016.

Andrew R. Lenaghan of 23034 Arlington Drive, Dearborn, Michigan 48128, county of Wayne, representing fire departments in the Lower Peninsula, succeeding Richard Miller, is appointed for a term expiring July 15, 2015.

Usamah Mossallam of 1051 W. Glengarry Circle, Bloomfield Hills, Michigan 48301, county of Oakland, representing hospital administrators, succeeding Timothy R. Tinney, is appointed for a term expiring July 15, 2016.

Ron J. Sabin of 7383 Whistle Ridge, Bryon Center, Michigan 49315, county of Kent, representing fire departments in the Lower Peninsula, succeeding Annette M. Swathwood, is appointed for a term expiring July 15, 2016.

Marcus H. Jensen of 4243 Barnes Road, Millington, Michigan 48746, county of Tuscola, representing the liquefied petroleum or flammable compressed gas industry, succeeding Robert R. Vandemark, is appointed for a term expiring July 15, 2016.

July 27, 2012

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

Michigan Board of Massage Therapy

Teresa A. Rivard of 4480 Tarry Lane, Bloomfield Hills, Michigan 48304, county of Oakland, representing public members, succeeding Bridgett Lomax, is appointed for a term expiring December 31, 2015.

July 31, 2012

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

Michigan Board of Audiology

Sharon L. Blackburn of 704 Holly Road, Cadillac, Michigan 49601, county of Wexford, representing audiologists, succeeding Virginia M. Schroeder, is appointed for a term expiring June 30, 2016.

Paul T. Hoff of 2120 Wallingford Drive, Ann Arbor, Michigan 48104, county of Washtenaw, representing licensed individuals who practice medicine or osteopathic medicine and surgery and hold a certificate of qualification from the American Board of Otolaryngology, succeeding Michael D. Seidman, is appointed for a term expiring June 30, 2016.

Diantha K. Hicks of 460 N. Luce Road, Alma, Michigan 48801, county of Gratiot, representing the general public, succeeding Joe C. Kollaritsch, is appointed for a term expiring June 30, 2016.

Melissa A. Lewis of 9064 Cobblestone Circle, Plymouth, Michigan 48170, county of Wayne, representing the general public, succeeding Steven B. Kauffman, is appointed for a term expiring June 30, 2016.

August 8, 2012

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

Blue Cross Blue Shield of Michigan Board of Directors

Darrell Burks of 32556 Woodcreek Court, Franklin, Michigan 48025, county of Oakland, succeeding John M. Hamilton, is appointed for a term expiring February 18, 2014.

August 14, 2012

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

Oakland University Board of Control

Scott G. Kunselman of 2780 Towering Oaks Drive, White Lake, Michigan 48383, county of Oakland, succeeding Jacqueline Long, is appointed for a term expiring August 11, 2020.

Dennis K. Pawley of 4324 Sashabaw Road, Waterford, Michigan 48329, county of Oakland, succeeding Henry Baskin, is appointed for a term expiring August 11, 2020.

Sincerely,
Rick Snyder
Governor

The appointments were referred to the Committee on Government Operations.

Senators Moolenaar, Robertson and Gleason asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator Moolenaar's statement is as follows:

Seeing that we are honoring very special people today, Senator Rocca and I want to especially bring to our colleagues' attention Elizabeth Gorz. Elizabeth has worked for both of us in our offices. She came to the Michigan Senate working for former Senate Majority Leader Bishop. She has done outstanding work for the people of the state of Michigan, and we wanted to bring that to all of your attention.

She will be going to law school at Michigan State University, and today will be her last day in session with us. We want to thank her for her work.

Senator Robertson's statement is as follows:

I think my colleagues know of my particular love and affection for the sport of boxing, so today it is an enormous pleasure for me, along with Senator Gleason, to welcome to the Michigan Senate Claressa Shields, our 2012 U.S. Olympic gold medalist.

We have a tribute that I would like to take a brief moment to read:

"LET IT BE KNOWN, That it is a great pleasure to commend Claressa Shields upon receiving a Gold Medal in Women's Boxing, making her not only the first athlete in the United States of America, but in the world, to achieve such a feat. Her accomplishments speak to the work ethic and attitude that transformed her into a decorated Olympian. This talented and dedicated athlete has distinguished herself as one of the state's and nation's sports success stories of the 2012 Olympic Games in London, England.

Claressa proudly represented Michigan with a decisive 19-12 win over Nadezda Torlopova of Russia. Olympic Gold is not her only experience with impressive victories. She has also won two Junior Olympic Championships, captured the middle-weight title, and was named top overall fighter at the National Police Athletic League Championships. In April 2012, she won her weight class at the Women's Elite Continental Championships in Cornwall, Ontario, against a three-time defending world champion; she held an undefeated record of 25 wins and 0 losses at that point.

The formula for Claressa's success includes composure and determination to go along with her willingness to work hard. With these skills at her disposal, she will attain success in anything she pursues in the years to come.

IN SPECIAL TRIBUTE, Therefore, This document is signed and dedicated to salute Claressa Shields, the 2012 U.S. Olympic Gold Medalist for Women's Boxing. We look forward to following her career, and congratulate her on this historic accolade."

I believe I speak for the entire Senate in saying that we want to congratulate you on your extraordinary success. What a gold medal it is. You should see it up close; it's really something. Congratulations again.

Senator Gleason's statement is as follows:

Many occasions arise when we get to speak out on behalf of an outstanding individual from our district. Today this chamber is joined by a magnificent person. Even though she was constrained by the ropes of a ring, she was not limited by her talents. She came out on behalf of the United States of America from Flint.

Now on behalf of my caucus—she told me just a moment ago on the Senate floor that she led with her right and put them out with her left. This is not only a victory for Flint, but this is a victory for the ages.

I know many of us have followed Claressa's exploits in the ring, but listen to this. This is the first time that a woman has won a gold medal from the United States; first time they had boxing from our side of the water; and the first gold medal won by a woman from our state. This is going to be the face of Michigan. When we do our work in Lansing, this is it. It's about the future.

My brothers and sisters, this is a 17-year-old lady. So we thank her on behalf of the Governor, the Lieutenant Governor, the Senators and Representatives, and all those who work on behalf of our state. We have the champ, we have the gold, and this is the face right here in our Capitol today.

Recess

Senator Meekhof moved that the Senate recess subject to the call of the Chair.
The motion prevailed, the time being 12:32 p.m.

12:39 p.m.

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

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

The motion prevailed.

Senator Hopgood's statement is as follows:

It brings me great pleasure and a little hint of sadness to wish a fond farewell to Joy Johnson who has served as an intern in my office these past several months. Originally from Muskegon, Joy is entering her fourth year at Central Michigan University in Mt. Pleasant, where she is pursuing a Bachelor of Arts in political science with a concentration on public administration. Joy hopes to eventually work for a state department or bureau, such as the Department of Education or Department of Human Services.

In the months she has spent as an intern in my office, Joy has proven to be a very capable and competent individual. A legislative intern can often find themselves undertaking a variety of challenges, challenging assignments, and tasks, sometimes at a moment's notice. Joy engaged every task assigned to her with enthusiasm and commitment and always produced quality results. She worked tirelessly and selflessly as she prepared letters, researched issues, ran errands, and took notes during meetings. She has become a great asset to my office and will certainly be missed.

Joy, quite simply, has been a joy. Please join me in welcoming her and thanking her for her service in my office and for the people of the state of Michigan.

Senator Marleau's statement is as follows:

At this time, I would like to introduce some people who are guests of mine here in the east Gallery. Lon Bone is a fine constituent of mine who represents our fine credit unions. With him is Andy Erickson who is from Stockholm, Sweden. Andy was the very first exchange student in Lake Orion Boy Scouts back in 1969. Lon and Andy were together there as teenagers. They have had the privilege of hooking up over in Sweden when the Red Wings played back in 2009. Now it is Lon's turn to be the host for this fine family who have traveled 4,000 miles be here in the United States.

Could we please give them a fine, warm welcome here in the Michigan Senate.

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.

Senator Meekhof moved that rule 3.204 be suspended to permit immediate consideration of the following resolution:

Senate Resolution No. 168

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

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

Senate Resolution No. 166

Senate Resolution No. 167

The resolution consent calendar was adopted.

Senator Jones offered the following resolution:

Senate Resolution No. 166.

A resolution recognizing September 2012 as National Recovery Month in the state of Michigan.

Whereas, Behavioral health is essential to one's health and overall wellness; and

Whereas, Prevention of mental and/or substance use disorder works, treatment is effective, and people recover in our area and around the nation; and

Whereas, The benefits of preventing and overcoming mental and/or substance use disorders are significant and valuable to individuals, families, and the community at large; and

Whereas, People in recovery achieve healthy lifestyles, both physical and emotional, and contribute in positive ways to their communities; and

Whereas, We must encourage relatives and friends of people with mental and/or substance use disorders to implement preventative measures, recognize the signs of a problem, and guide those in need to appropriate treatment and recovery support services; and

Whereas, In 2012, 2.6 million people received specialty treatment for a substance use disorder, and more than 31.3 million adults aged 18 or older received services for mental health problems, according to the 2012 National Survey on Drug Use and Health. Given the serious nature of this public health problem, we must continue to reach the millions more who need help; and

Whereas, To help more people achieve and sustain long-term recovery, the U.S. Department of Health and Human Services (HHS), the Substance Abuse and Mental Health Services Administration (SAMHSA), the White House Office of National Drug Control Policy (ONDCP), and Recovery Network, Inc., invite all residents of Michigan to participate in National Recovery Month (September). Join the voices for recovery: “It’s Worth It”; now, therefore, be it

Resolved by the Senate, That we hereby recognize September 2012 as National Recovery Month in the state of Michigan. Senators Bieda, Booher, Gleason, Hansen, Pappageorge and Proos were named co-sponsors of the resolution.

Senator Hildenbrand offered the following resolution:

Senate Resolution No. 167.

A resolution proclaiming the week of September 10, 2012, as Adult Education and Family Literacy Week in the state of Michigan.

Whereas, The literacy of our citizens is essential for the economic well-being of the state of Michigan; and

Whereas, The economy and our position in the national and world marketplace depend on having a literate, skilled population; and

Whereas, Unemployment rates are the highest among those without a high school diploma or General Educational Development (GED) credential, indicating that education is key to economic recovery; and

Whereas, Our state reaps the economic benefits of those who raise their literacy, numeracy, and English language skills; and

Whereas, The education skills of parents and reading to children have a direct impact on the educational success of their children; and

Whereas, Parental involvement is a key predictor of a child’s success, and the level of parental involvement increases as the education level of the parent increases; and

Whereas, Parents in family literacy programs become more involved in their children’s education and gain the tools necessary to obtain a job or find better employment; and

Whereas, As a result, children’s lives become more stable, and success in the classroom and in all future endeavors becomes more likely; and

Whereas, Adult Education and Family Literacy Week highlights the need for programs that support efforts to ensure each and every citizen has the necessary literacy skills to succeed at home, work, and in society; now, therefore, be it

Resolved by the Senate, That we hereby proclaim the week of September 10, 2012, as Adult Education and Family Literacy Week in the state of Michigan; and be it further

Resolved, That we encourage people across the state to support programs that assist those in need of adult education and family literacy programs during this week and throughout every day in the years ahead.

House Concurrent Resolution No. 49.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease between the State of Michigan and the State Building Authority relative to the Department of State Police Bay City State Police Post.

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. 601

Yeas—37

Anderson	Hansen	Kahn	Richardville
Bieda	Hildenbrand	Kowall	Robertson
Booher	Hood	Marleau	Rocca
Casperson	Hopgood	Meekhof	Schuitmaker
Caswell	Hune	Moolenaar	Smith
Colbeck	Hunter	Nofs	Walker

Emmons
Gleason
Green
Gregory

Jansen
Johnson
Jones

Pappageorge
Pavlov
Proos

Warren
Whitmer
Young

Nays—0

Excused—1

Brandenburg

Not Voting—0

In The Chair: President

House Concurrent Resolution No. 53.

A concurrent resolution approving a lease between the State of Michigan and the State Building Authority relative to the Department of Technology, Management and Budget State Facility Preservation Projects-Phase I and III Group P State Surplus Facility Special Maintenance (the "Facility").

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. 602

Yeas—37

Anderson
Bieda
Booher
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—1

Brandenburg

Not Voting—0

In The Chair: President

House Concurrent Resolution No. 54.

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 Wayne County Community College District relative to the Wayne County Community College District Northwest Campus Replacement Construction Project.

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. 603**Yeas—37**

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

Nays—0**Excused—1**

Brandenburg

Not Voting—0

In The Chair: President

Senator Colbeck offered the following resolution:

Senate Resolution No. 168.

A resolution designating September 11-17, 2012, as Michigan Patriot Week.

Whereas, The Legislature recognizes that understanding American history and America's First Principles are indispensable to the survival of our republic as a free people. In great reverence to the victims of the September 11, 2001, attacks, the Legislature acknowledges that American citizens must take time to honor the First Principles, founders, documents, and symbols of their history; and

Whereas, The events that led to the signing of *The Constitution of the United States of America* by the delegates of the Constitutional Convention on September 17, 1787, have significance for every American and are honored in public schools across the nation on September 17 of each year as Constitution Day; and

Whereas, Revolution, the rule of law, social compact, equality, unalienable rights, and limited government are the First Principles upon which America was founded and flourishes; and

Whereas, Exceptional, visionary, and indispensable Americans such as Thomas Paine, Patrick Henry, John Adams, John Marshall, George Washington, Abraham Lincoln, Frederick Douglass, Martin Luther King, Jr., Elizabeth Cady Stanton, Susan B. Anthony, Thomas Jefferson, and James Madison founded and advanced the United States; and

Whereas, The Declaration of Independence, the Constitution and the congressional resolution forwarding the Constitution to the states, Marbury v Madison, Seneca Falls Declaration of Sentiments and Resolutions, the Gettysburg Address, the

Emancipation Proclamation, and the "I Have a Dream" speech are key documents that embody America's First Principles and have advanced American liberty; and

Whereas, The Bennington Flag, the original Betsy Ross American flag, the current American Flag, the Suffragist Flag, the Fort Sumter Flag, the Gadsden Flag, and the flag of the state of Michigan are fundamental physical symbols of American history and freedom that should be studied and remembered by each American citizen; now, therefore, be it

Resolved by the Senate, That we hereby designate September 11-17, 2012, as Michigan Patriot Week, which symbolically begins on September 11 and concludes on September 17, Constitution Day. We recognize that each generation needs to renew the spirit of America based on America's First Principles, historical figures, founding documents, and symbols of America. The citizens, schools and other educational institutions, government agencies, municipalities, and nonprofit, religious, labor, community, and business organizations are urged to recognize and participate in Patriot Week by honoring and celebrating so that all may offer the reverence that is due to our free republic; and be it further

Resolved, That copies of this resolution be transmitted to the Michigan Council for Social Studies, Michigan Center for Civic Education, State Board of Education, Michigan public and nonpublic schools, State Bar of Michigan, Oakland County Bar Association, Oakland County Circuit Court, Senate Majority Leader Randy Richardville, Speaker of the House Jase Bolger, and Governor Rick Snyder.

The question being on the adoption of the resolution,

The resolution was adopted.

Senator Colbeck moved that rule 3.204 be suspended to name the entire membership of the Senate and the Lieutenant Governor as co-sponsors of the resolution.

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

By unanimous consent the Senate returned to the order of

Messages from the House

Senator Meekhof moved that rule 3.202 be suspended to permit immediate consideration of the following bill:

House Bill No. 5007

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

House Bill No. 5007, 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," by amending sections 10c, 12, and 13 (MCL 247.660c, 247.662, and 247.663), section 10c as amended by 2010 PA 257, section 12 as amended by 2010 PA 143, and section 13 as amended by 2010 PA 261.

The House of Representatives has substituted (H-5) the Senate substitute (S-2).

The House of Representatives has concurred in the Senate substitute (S-2) as substituted (H-5) and amended the title to read as follows:

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,” by amending sections 9a, 10c, 12, 13, and 20a (MCL 247.659a, 247.660c, 247.662, 247.663, and 247.670a), sections 9a, 10c, and 20a as amended by 2010 PA 257, section 12 as amended by 2010 PA 143, and section 13 as amended by 2010 PA 261.

The question being on concurring in the House substitute to the Senate substitute,

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

Roll Call No. 604

Yeas—27

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

Nays—10

Anderson	Hopgood	Smith	Whitmer
Gregory	Hunter	Warren	Young
Hood	Johnson		

Excused—1

Brandenburg

Not Voting—0

In The Chair: President

The Senate agreed to the title as amended.

The House of Representatives requested the return of

House Bill No. 4907, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 312 and 646a (MCL 168.312 and 168.646a), as amended by 2006 PA 647.

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

The motion prevailed.

Senator Meekhof moved to reconsider the vote by which the House substitute to the Senate substitute to the following bill was not concurred in:

Senate Bill No. 1040, entitled

A bill to amend 1980 PA 300, entitled "The public school employees retirement act of 1979," by amending sections 3a, 4, 43a, 43e, 84, and 91 (MCL 38.1303a, 38.1304, 38.1343a, 38.1343e, 38.1384, and 38.1391), section 3a as added by 1996 PA 268, sections 4 and 91 as amended and section 43e as added by 2010 PA 75, section 43a as amended by 2007 PA 111, and section 84 as amended by 1989 PA 194, and by adding sections 43g, 59, 84b, 91a, and 92b; and to repeal acts and parts of acts.

The motion prevailed.

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

Senator Richardville offered the following amendments to the House substitute:

1. Amend page 8, following line 22, by inserting:

"(7) "TRANSITION DATE" MEANS THE FIRST DAY OF THE PAY PERIOD THAT BEGINS ON OR AFTER DECEMBER 1, 2012 FOR THE APPLICABLE MEMBER. THE RETIREMENT SYSTEM SHALL DETERMINE A METHOD OF DETERMINING SERVICE CREDIT, COMPENSATION, AND ANY APPLICABLE CONTRIBUTIONS FOR PURPOSES OF IMPLEMENTING PROVISIONS OF THIS ACT THAT REFER TO THE TRANSITION DATE." and renumbering the remaining subsection.

2. Amend page 9, line 17, after "**BEGINNING**" by striking out "**JULY**" and inserting "**SEPTEMBER**".

3. Amend page 10, following line 23, by inserting:

"Sec. 28. (1) By April 15 of each year, the department shall furnish to the governor, the legislature, each retirement allowance recipient, and each member ~~upon request~~ a summary of the fiscal transactions of the retirement system for the last completed fiscal year. The summary shall contain at least the following information from the financial and actuarial statements:

(a) A statement of assets and liabilities.

(b) A statement of investments by, and amount earned in, each category.

(c) A statement of revenues and expenditures.

(D) IN ADDITION TO OTHER DISCLOSURES REQUIRED UNDER THIS ACT THAT ARE BASED ON EXPECTED RETURNS ON ASSETS, A DISCLOSURE OF THE MARKET-VALUE DISCOUNT RATE THAT IS USED IN CALCULATING SYSTEM LIABILITIES AND FUNDED STATUS OF THE SYSTEM. THE RETIREMENT SYSTEM SHALL USE THE INDIVIDUAL PROJECTED BENEFIT ENTRY AGE NORMAL COST METHOD OF VALUATION WHEN MAKING THE DISCLOSURE REQUIRED IN THIS SUBDIVISION.

(E) A DISCLOSURE OF THE FUNDED STATUS OF THE SYSTEM THAT IS BASED ON THE MARKET VALUE OF ASSETS WITH NO SMOOTHING. THE RETIREMENT SYSTEM SHALL USE THE INDIVIDUAL PROJECTED BENEFIT ENTRY AGE NORMAL COST METHOD OF VALUATION WHEN MAKING THE DISCLOSURE REQUIRED IN THIS SUBDIVISION.

(F) A 5-YEAR PROJECTION OF THE ANNUAL LEVEL PERCENTAGE OF PAYROLL CONTRIBUTION RATE REQUIRED OF REPORTING UNITS UNDER THIS ACT.

(G) USING THE MARKET-VALUE DISCOUNT RATE DISCLOSED UNDER SUBDIVISION (D), A DISCLOSURE OF THE NORMAL COST CONTRIBUTION RATE.

(H) ~~(d)~~Other information the department or the retirement board considers necessary.

(2) The department shall furnish sufficient copies of a description of retirement benefits under this act to each reporting unit for the purpose of distribution to each of its employees as often as the department considers necessary, but not less than once every 3 years. The description shall contain the information the department considers necessary.

(3) BY APRIL 15 OF EACH YEAR, THE DEPARTMENT SHALL POST ON ITS INTERNET WEBSITE THE INFORMATION REQUIRED UNDER SUBSECTION (1) AND SHALL SEND THE INFORMATION VIA ELECTRONIC MAIL TO EACH RETIREMENT ALLOWANCE RECIPIENT AND EACH MEMBER FOR WHICH IT HAS AN ELECTRONIC MAIL ADDRESS.

(4) THE DEPARTMENT SHALL COLLECT AND MAINTAIN AN ELECTRONIC MAIL ADDRESS FOR RETIREMENT ALLOWANCE RECIPIENTS AND MEMBERS UNDER THIS ACT. IN CONJUNCTION WITH THE CENTER FOR EDUCATIONAL PERFORMANCE AND INFORMATION IN THE STATE BUDGET OFFICE, THE DEPARTMENT SHALL DEVELOP AND MAINTAIN A DATABASE OF ELECTRONIC MAIL ADDRESSES FOR RETIREMENT ALLOWANCE RECIPIENTS AND MEMBERS UNDER THIS ACT. THE DEPARTMENT SHALL ALLOW THE DEPARTMENT OF EDUCATION TO ACCESS THE ELECTRONIC MAIL DATABASE DEVELOPED AND MAINTAINED UNDER THIS SUBSECTION ON AN AS-NEEDED BASIS. THE ELECTRONIC MAIL ADDRESSES OF INDIVIDUALS IN THE DATABASE UNDER THIS SUBSECTION ARE CONFIDENTIAL AND ARE NOT SUBJECT TO THE DISCLOSURE REQUIREMENTS OF THE FREEDOM OF INFORMATION ACT, 1976 PA 442, MCL 15.231 TO 15.246.”.

4. Amend page 10, line 25, after “rate” by striking out the balance of the line through “APPLICABLE,” on line 26.

5. Amend page 11, line 18, after “method.” by inserting “BEGINNING IN THE 2012-2013 STATE FISCAL YEAR AND FOR EACH SUBSEQUENT FISCAL YEAR, IF THE CONTRIBUTIONS DESCRIBED IN SECTION 43E ARE DETERMINED BY A FINAL ORDER OF A COURT OF COMPETENT JURISDICTION FOR WHICH ALL RIGHTS OF APPEAL HAVE BEEN EXHAUSTED TO BE UNCONSTITUTIONAL AND THE CONTRIBUTIONS ARE NOT DEPOSITED INTO THE APPROPRIATE FUNDING ACCOUNT REFERENCED IN SECTION 43E, THE CONTRIBUTION RATE FOR HEALTH BENEFITS PROVIDED UNDER SECTION 91 SHALL BE COMPUTED USING A CASH DISBURSEMENT METHOD.”.

6. Amend page 12, line 8, after “compensation” by striking out the balance of the line through the second “YEAR” on line 10.

7. Amend page 12, line 14, after “date.” by striking out the balance of the line through “ACTUARY.” on line 25.

8. Amend page 12, line 27, after “THE” by striking out the balance of the line through “THE” on line 2 of page 13.

9. Amend page 13, line 15, after “year” by striking out the balance of the subsection and inserting a period.

10. Amend page 17, line 10, after “rate” by striking out the balance of the line through “APPLICABLE,” on line 11.

11. Amend page 17, line 25, by striking out all of subsection (16) and renumbering the remaining subsection.

12. Amend page 25, line 7, after “BEGINNING” by striking out “NOVEMBER 1, 2012” and inserting “ON THE TRANSITION DATE”.

13. Amend page 25, line 13, after “BEGINNING” by striking out “NOVEMBER 1, 2012” and inserting “ON THE TRANSITION DATE”.

14. Amend page 25, line 22, by striking out “NOVEMBER 1, 2012” and inserting “ON THE TRANSITION DATE”.

15. Amend page 25, line 27, after “BEGINNING” by striking out “NOVEMBER 1, 2012” and inserting “ON THE TRANSITION DATE”.

16. Amend page 26, line 8, after “BEFORE” by striking out “AUGUST 1” and inserting “SEPTEMBER 4”.

17. Amend page 27, line 4, after “BEGINNING” by striking out the balance of the line through “2012” on line 5 and inserting “ON THE TRANSITION DATE”.

18. Amend page 27, line 13, after “COMPENSATION” by striking out the balance of the line and inserting “FOR THAT MEMBER ON OR AFTER THE TRANSITION DATE.”.

19. Amend page 27, line 16, after “COMPENSATION” by striking out “EARNED BEFORE NOVEMBER 1, 2012” and inserting “BEFORE THE TRANSITION DATE”.

20. Amend page 27, line 20, after the first “OF” by striking out “JULY 15” and inserting “SEPTEMBER 3”.

21. Amend page 27, line 23, after the first “OF” by striking out “JULY 15” and inserting “SEPTEMBER 3”.

22. Amend page 28, line 4, after “COMPENSATION” by striking out the balance of the line through “2012” on line 5 and inserting “ON OR AFTER THE TRANSITION DATE”.

23. Amend page 28, line 16, after “AFTER” by striking out “NOVEMBER 1, 2012” and inserting “THE TRANSITION DATE”.

24. Amend page 29, line 26, after “AFTER” by striking out “NOVEMBER 1, 2012” and inserting “THE TRANSITION DATE”.

25. Amend page 30, line 5, after “COMPENSATION” by striking out the balance of the line through “2012” on line 6 and inserting “TO THAT MEMBER AS OF THE DAY BEFORE THE TRANSITION DATE”.

26. Amend page 30, line 8, after “BEGINNING” by striking out “NOVEMBER 1, 2012” and inserting “ON THE TRANSITION DATE”.

27. Amend page 30, line 10, after “BEGINNING” by striking out “NOVEMBER 1, 2012” and inserting “ON THE TRANSITION DATE”.

28. Amend page 30, line 18, after "ON" by striking out "JULY 16" and inserting "SEPTEMBER 4".
29. Amend page 30, line 19, after "ON" by striking out "SEPTEMBER 28" and inserting "OCTOBER 26".
30. Amend page 31, line 5, after "ON" by striking out "OCTOBER 31, 2012" and inserting "THE DAY BEFORE THE TRANSITION DATE".
31. Amend page 31, line 7, after the second "ON" by striking out "NOVEMBER 1, 2012" and inserting "THE TRANSITION DATE".
32. Amend page 31, line 23, after "ON" by striking out "OCTOBER 31, 2012" and inserting "THE DAY BEFORE THE TRANSITION DATE".
33. Amend page 31, line 25, after the second "ON" by striking out "NOVEMBER 1, 2012" and inserting "THE TRANSITION DATE".
34. Amend page 33, line 1, after the first "ON" by striking out "JULY 15" and inserting "SEPTEMBER 3".
35. Amend page 33, line 2, after "AFTER" by striking out "JULY 16" and inserting "SEPTEMBER 4".
36. Amend page 33, line 5, after "AFTER" by striking out "JULY 16" and inserting "SEPTEMBER 4".
37. Amend page 33, line 18, after "ENDING" by striking out "JULY 15" and inserting "SEPTEMBER 3".
38. Amend page 33, line 19, after "ON" by striking out "JULY 15" and inserting "SEPTEMBER 3".
39. Amend page 37, line 4, after "AFTER" by striking out "AUGUST 1" and inserting "SEPTEMBER 4".
40. Amend page 41, line 9, after "BEGINNING" by striking out "NOVEMBER" and inserting "DECEMBER".
41. Amend page 41, line 17, after "BEFORE" by striking out "NOVEMBER 1, 2012" and inserting "THE TRANSITION DATE".
42. Amend page 41, line 18, after "BEFORE" by striking out "NOVEMBER" and inserting "DECEMBER".
43. Amend page 41, line 21, after "OF" by striking out "OCTOBER 31" and inserting "NOVEMBER 30".
44. Amend page 41, line 24, after "BEGINNING" by striking out "NOVEMBER" and inserting "DECEMBER".
45. Amend page 42, line 3, after "AFTER" by striking out "NOVEMBER 1, 2012" and inserting "THE TRANSITION DATE".
46. Amend page 42, line 4, after "AFTER" by striking out "NOVEMBER" and inserting "DECEMBER".
47. Amend page 42, line 6, after "BEGINNING" by striking out "NOVEMBER" and inserting "DECEMBER".
48. Amend page 42, line 13, after "BEFORE" by striking out "NOVEMBER 1, 2012" and inserting "THE TRANSITION DATE".
49. Amend page 42, line 14, after "BEFORE" by striking out "NOVEMBER" and inserting "DECEMBER".
50. Amend page 42, line 17, after "OF" by striking out "OCTOBER 31" and inserting "NOVEMBER 30".
51. Amend page 42, line 20, after "BEGINNING" by striking out "NOVEMBER" and inserting "DECEMBER".
52. Amend page 42, line 23, after "AFTER" by striking out "NOVEMBER 1, 2012" and inserting "THE TRANSITION DATE".
53. Amend page 42, line 25, by striking out "NOVEMBER" and inserting "DECEMBER".
54. Amend page 42, line 26, after "AFTER" by striking out "NOVEMBER 1, 2012" and inserting "THE TRANSITION DATE".
55. Amend page 43, line 6, after the second "OF" by striking out "NOVEMBER 1, 2012" and inserting "THE TRANSITION DATE".
56. Amend page 43, line 8, after "BEGINNING" by striking out "NOVEMBER" and inserting "DECEMBER".
57. Amend page 43, line 23, after "BEGINNING" by striking out "NOVEMBER" and inserting "DECEMBER".
58. Amend page 44, line 5, after "BEGINNING" by striking out "NOVEMBER 1, 2012" and inserting "ON THE TRANSITION DATE".
59. Amend page 49, line 21, after "BEFORE" by striking out "AUGUST 1" and inserting "SEPTEMBER 4".
60. Amend page 52, line 20, after the third "plan" by striking out the comma.
61. Amend page 54, line 2, after "AFTER" by striking out "AUGUST 1" and inserting "SEPTEMBER 4".
62. Amend page 55, line 16, after "AFTER" by striking out "AUGUST 1" and inserting "SEPTEMBER 4".
63. Amend page 55, line 25, after "AFTER" by striking out "AUGUST 1" and inserting "SEPTEMBER 4".
64. Amend page 56, line 3, after "AFTER" by striking out "AUGUST 1" and inserting "SEPTEMBER 4".
65. Amend page 56, line 21, after "AFTER" by striking out "NOVEMBER 1, 2012" and inserting "THE TRANSITION DATE".
66. Amend page 56, line 25, by striking out "JULY 16" and inserting "SEPTEMBER 4".
67. Amend page 56, line 25, after "ON" by striking out "SEPTEMBER 28" and inserting "OCTOBER 26".
68. Amend page 57, line 3, after "EFFECTIVE" by striking out "NOVEMBER 1, 2012" and inserting "ON THE TRANSITION DATE".
69. Amend page 57, line 14, after "ON" by striking out "JULY 15" and inserting "SEPTEMBER 3".
70. Amend page 57, line 15, after "AFTER" by striking out "JULY 16" and inserting "SEPTEMBER 4".
71. Amend page 57, line 25, after "AFTER" by striking out "NOVEMBER 1, 2012" and inserting "THE TRANSITION DATE".

72. Amend page 57, line 26, after “**DEPOSITED**” by inserting “**AS AN EMPLOYER CONTRIBUTION**”.
73. Amend page 58, line 1, after “**AFTER**” by striking out “**JANUARY**” and inserting “**FEBRUARY**”.
74. Amend page 60, line 1, after “**AFTER**” by striking out “**AUGUST 1**” and inserting “**SEPTEMBER 4**”.
75. Amend page 60, line 5, after “**AFTER**” by striking out “**AUGUST 1**” and inserting “**SEPTEMBER 4**”.
76. Amend page 61, line 6, after “**BEFORE**” by striking out “**AUGUST 1**” and inserting “**SEPTEMBER 4**”.
77. Amend page 61, line 8, after “**ENDING**” by striking out “**JULY 15**” and inserting “**SEPTEMBER 3**”.
78. Amend page 61, line 9, after “**ON**” by striking out “**JULY 15**” and inserting “**SEPTEMBER 3**”.
79. Amend page 62, line 4, by striking out “**\$100,000.00**” and inserting “**\$150,000.00**”.
80. Amend page 62, line 10, after “**BEFORE**” by striking out “**DECEMBER 31**” and inserting “**NOVEMBER 15**”.
81. Amend page 62, line 20, after “**RISK,**” by inserting “**STRANDED COST IMPLICATIONS,**”.
82. Amend page 63, line 9, after “**ALLOWANCES,**” by inserting “**RATE OF INVESTMENT RETURNS, MORTALITY RATES AND LONGEVITY,**”.
83. Amend page 63, line 18, after “**A**” by striking out the balance of the line and inserting “**DEFINED CONTRIBUTION ONLY PLAN THAT IS IDENTICAL TO THE DEFINED CONTRIBUTION**”.
84. Amend page 63, line 22, after “**38.69.**” by inserting “**THE STUDY SHALL INCLUDE SPECIFIC RECOMMENDATIONS ON TRANSITIONING FROM THE TIER 1 AND TIER 2 PLANS TO A DEFINED CONTRIBUTION ONLY PLAN THAT IS IDENTICAL TO THE DEFINED CONTRIBUTION PLAN ESTABLISHED PURSUANT TO SECTION 401(K) OF THE INTERNAL REVENUE CODE, 26 USC 401, AND THAT IS AVAILABLE TO QUALIFIED PARTICIPANTS UNDER SECTIONS 50 TO 69 OF THE STATE EMPLOYEES’ RETIREMENT ACT, 1943 PA 240, MCL 38.50 TO 38.69.**”.
85. Amend page 63, line 23, by striking out all of section 94 and inserting:
 “(5) THE STUDY REQUIRED UNDER SUBSECTION (1) SHALL REVIEW THE DEGREE TO WHICH CURRENT OPERATING EXPENDITURES ARE A STABLE, GROWING, AND EQUITABLE BASE FOR CHARGING UNFUNDED ACTUARIAL ACCRUED LIABILITY COSTS TO PUBLIC LOCAL SCHOOL DISTRICTS, AS COMPARED TO ALTERNATE MEASURES OF DISTRICT FINANCIAL ACTIVITY. THE STUDY SHALL INCLUDE AN ANALYSIS OF THE DEGREE TO WHICH CURRENT UNFUNDED ACTUARIAL ACCRUED LIABILITIES ARE THE RESULT OF STRANDED COST FACTORS. THE STUDY SHALL INCLUDE OPTIONS REGARDING THE USE OF CURRENT OPERATING EXPENDITURES OR AN ALTERNATE MEASURE AS THE BASIS FOR CHARGING UNFUNDED ACTUARIAL ACCRUED LIABILITY COSTS TO PUBLIC LOCAL SCHOOL DISTRICTS. AS USED IN THIS SUBSECTION, “CURRENT OPERATING EXPENDITURES” FOR A PUBLIC LOCAL SCHOOL DISTRICT INCLUDES FUNCTIONS 1XX, 2XX, 45X, AND ALL OBJECT CODES EXCEPT 6XXX, AS DEFINED IN THE “MICHIGAN PUBLIC SCHOOL ACCOUNTING MANUAL BULLETIN 1022”, AND IS EQUAL TO THE TOTAL OF INSTRUCTIONAL AND SUPPORT SERVICES EXPENDITURES, INCLUDING THE TOTAL GENERAL FUND CHARGES INCURRED IN THE GENERAL, SPECIAL EDUCATION, AND VOCATIONAL EDUCATION FUNDS FOR THE BENEFIT OF THE CURRENT FISCAL YEAR, WHETHER PAID OR UNPAID, AND ALL EXPENDITURES OF THE INSTRUCTIONAL PROGRAMS PLUS APPLICABLE SUPPORTING SERVICE COSTS REDUCED BY CAPITAL OUTLAY, DEBT SERVICE, COMMUNITY SERVICES, AND OUTGOING TRANSFERS AND OTHER TRANSACTIONS. CURRENT OPERATING EXPENDITURES FOR A PUBLIC LOCAL SCHOOL DISTRICT ALSO INCLUDE OPERATING FUNDS FOR ANY PUBLIC SCHOOL OR OTHER PUBLIC EDUCATIONAL ENTITY FIRST AUTHORIZED OR ESTABLISHED BY THE PUBLIC LOCAL SCHOOL DISTRICT ON OR AFTER THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED THIS SECTION.”.
86. Amend page 70, line 9, after “**BEFORE**” by striking out “**AUGUST 1, 2012**” and inserting “**JANUARY 1, 2013**”.
87. Amend page 70, line 16, by striking out “**AUGUST 1, 2012**” and inserting “**JANUARY 1, 2013**”.
88. Amend page 71, line 3, by striking out all of subdivision (E).

The amendments to the substitute were adopted.

The question being on concurring in the House substitute to the Senate substitute, as amended,

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

Roll Call No. 605

Yeas—21

Booher
Casperson
Caswell

Hansen
Hildenbrand
Hune

Kowall
Marleau
Meekhof

Richardville
Robertson
Rocca

Colbeck
Emmons
Green

Jansen
Kahn

Moolenaar
Pappageorge

Schuitmaker
Walker

Nays—16

Anderson
Bieda
Gleason
Gregory

Hood
Hopgood
Hunter
Johnson

Jones
Nofs
Pavlov
Proos

Smith
Warren
Whitmer
Young

Excused—1

Brandenburg

Not Voting—0

In The Chair: President

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

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

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

A bill to amend 1980 PA 300, entitled “An act to provide a retirement system for the public school employees of this state; to create certain funds for this retirement system; to provide for the creation of a retirement board within the department of management and budget; to prescribe the powers and duties of the retirement board; to prescribe the powers and duties of certain state departments, agencies, officials, and employees; to prescribe penalties and provide remedies; and to repeal acts and parts of acts,” by amending sections 3a, 4, 8, 9, 25, 26, 28, 41b, 43a, 43e, 84, 91, 108, 120, and 124 (MCL 38.1303a, 38.1304, 38.1308, 38.1309, 38.1325, 38.1326, 38.1328, 38.1341b, 38.1343a, 38.1343e, 38.1384, 38.1391, 38.1408, 38.1420, and 38.1424), section 3a as added by 1996 PA 268, sections 4, 25, 26, and 91 as amended and sections 41b, 43e, 120, and 124 as added by 2010 PA 75, section 8 as amended by 1997 PA 143, sections 9, 28, and 84 as amended by 1989 PA 194, section 43a as amended by 2007 PA 111, and section 108 as amended by 2008 PA 354, and by adding sections 41c, 43g, 59, 81d, 84b, 91a, 92b, and 131a, and article 8; and to repeal acts and parts of acts.

The amendment to the title was adopted.

The Senate agreed to the title as amended.

Protest

Senator Jones, under his constitutional right of protest (Art. 4, Sec. 18), protested against concurring in the House substitute to the Senate substitute for Senate Bill No. 1040.

Senator Jones’ statement is as follows:

I stand to thank all of the staff who worked so hard on the MPSERS reform. In nine and a half years, MPSERS is going broke. Something has to be done, and \$45 billion in unfunded liability has to be addressed. I voted “no” today because we did not first vote to have retired legislators pay 20 percent. I believe that we should be in step with all state employees and pay 20 percent of our retirement health care.

Finally, happy birthday to Randy Richardville. Have a good day.

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 Warren 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. 1097, entitled

A bill to amend 2006 PA 110, entitled "Michigan zoning enabling act," by amending section 406 (MCL 125.3406).

Senate Bill No. 1195, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," (MCL 400.1 to 400.119b) by adding section 109k.

House Bill No. 5146, entitled

A bill to amend 1937 PA 94, entitled "Use tax act," by amending section 3a (MCL 205.93a), as amended by 2008 PA 439.

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. 387, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 479a (MCL 750.479a), as amended by 2002 PA 270.

Substitute (S-3).

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

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

Senate Bill No. 1096, entitled

A bill to amend 1909 PA 279, entitled "The home rule city act," by amending section 4q (MCL 117.4q), as amended by 2008 PA 51.

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

1. Amend page 11, line 4, after "**SECTION,**" by inserting "**AND EXCEPT AS PROVIDED FOR IN SUBSECTION (22),**".

2. Amend page 11, following line 18, by inserting:

"(22) THE SANCTIONS SET FORTH IN SUBSECTION (20) DO NOT APPLY TO A BANK, LENDING INSTITUTION, CREDIT UNION, CREDIT UNION SERVICE ORGANIZATION, OR GOVERNMENT ENTERPRISE THAT HAS BECOME THE OWNER OF A PROPERTY AFTER FORECLOSURE OR AFTER TAKING A DEED IN LIEU OF FORECLOSURE, PROVIDED THAT SUCH ENTITY COMPLIES WITH THE PROPERTY PRESERVATION GUIDELINES ESTABLISHED BY FANNIE MAE, FREDDIE MAC, OR THE UNITED STATES DEPARTMENT OF VETERANS AFFAIRS, HOUSING, OR AGRICULTURE. THE SANCTIONS SET FORTH IN SUBSECTION (20) DO NOT APPLY TO A CREDIT UNION OR CREDIT UNION SERVICE ORGANIZATION THAT HAS BECOME THE OWNER OF A PROPERTY AFTER FORECLOSURE, PROVIDED THAT SUCH ENTITY PROVIDES THE MAYOR OF THE CITY WITH NOTICE OF A DESIGNATED ADDRESS FOR SERVICE OF PROCESS REGARDING SUCH PROPERTIES AND A LIST OF THE ENTITY'S FORECLOSED PROPERTIES WITHIN THAT JURISDICTION, NOT LESS THAN ONCE EVERY 6 MONTHS."

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

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

Senate Bill No. 1098, entitled

A bill to amend 1972 PA 230, entitled "Stille-DeRossett-Hale single state construction code act," (MCL 125.1501 to 125.1531) by adding section 9.

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. 1099, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," (MCL 600.101 to 600.9947) by adding section 4027.

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

1. Amend page 1, line 5, after “**117.4Q,**” by inserting “**AND IF THE CITY HAS NOT OBTAINED A LIEN UNDER SECTION 4R OF THE HOME RULE CITY ACT, 1909 PA 279, MCL 117.4R, FOR THE FINE OR COSTS,**”.

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. 1100, entitled

A bill to amend 1909 PA 279, entitled “The home rule city act,” by amending section 4r (MCL 117.4r), as amended by 2008 PA 51.

Substitute (S-1).

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

1. Amend page 3, following line 14, by inserting:

“(8) A CITY SHALL NOT COMMENCE AN ACTION TO ENFORCE A LIEN UNDER THIS SECTION IF THE CITY HAS COMMENCED AN ACTION FOR A WRIT OF GARNISHMENT WITH RESPECT TO THE UNPAID FINE, COSTS, OR PAYMENT UNDER SECTION 4027 OF THE REVISED JUDICATURE ACT OF 1961, 1961 PA 236, MCL 600.4027.

Enacting section 1. This amendatory act does not take effect unless Senate Bill No. 1099 of the 96th Legislature is enacted into law.”.

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. 1196, entitled

A bill to amend 1974 PA 258, entitled “Mental health code,” by amending sections 204, 212, 224, and 232a (MCL 330.1204, 330.1212, 330.1224, and 330.1232a), sections 204, 212, and 224 as amended and section 232a as added by 1995 PA 290; and to repeal acts and parts of acts.

Substitute (S-3).

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

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. 1096

Senate Bill No. 1097

Senate Bill No. 1099

Senate Bill No. 1098

Senate Bill No. 1100

Senate Bill No. 1195

Senate Bill No. 1196

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

The following bill was read a third time:

Senate Bill No. 1096, entitled

A bill to amend 1909 PA 279, entitled “The home rule city act,” by amending section 4q (MCL 117.4q), as amended by 2008 PA 51.

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. 606**Yeas—36**

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

Nays—1

Young

Excused—1

Brandenburg

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

Senators Bieda, Casperson and Moolenaar were named co-sponsors of the bill.

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

The following bill was read a third time:

Senate Bill No. 1097, entitled

A bill to amend 2006 PA 110, entitled "Michigan zoning enabling act," by amending section 406 (MCL 125.3406).

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. 607**Yeas—36**

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

Nays—1

Young

Excused—1

Brandenburg

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. 1099, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," (MCL 600.101 to 600.9947) by adding section 4027.

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. 608**Yeas—36**

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

Nays—1

Young

Excused—1

Brandenburg

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. 1098, entitled

A bill to amend 1972 PA 230, entitled “Stille-DeRossett-Hale single state construction code act,” (MCL 125.1501 to 125.1531) by adding section 9c.

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. 609

Yeas—36

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

Nays—1

Young

Excused—1

Brandenburg

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. 1100, entitled

A bill to amend 1909 PA 279, entitled “The home rule city act,” by amending section 4r (MCL 117.4r), as amended by 2008 PA 51.

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. 610

Yeas—35

Anderson	Gregory	Jones	Richardville
Bieda	Hansen	Kahn	Robertson
Booher	Hildenbrand	Kowall	Rocca
Casperson	Hood	Marleau	Schuitmaker

Caswell	Hopgood	Meekhof	Smith
Colbeck	Hune	Moolenaar	Walker
Emmons	Hunter	Pappageorge	Warren
Gleason	Jansen	Pavlov	Whitmer
Green	Johnson	Proos	

Nays—2

Nofs	Young
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Excused—1

Brandenburg

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. 1195, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," (MCL 400.1 to 400.119b) by adding section 109k.

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. 611**Yeas—24**

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

Nays—12

Anderson	Gleason	Hopgood	Warren
Bieda	Gregory	Hunter	Whitmer
Colbeck	Hood	Johnson	Young

Excused—1

Brandenburg

Not Voting—1

Smith

In The Chair: Schuitmaker

The Senate agreed to the title of the bill.

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

The motion prevailed.

Senator Richardville's statement is as follows:

I rise today to recognize Steve Lozier for his contributions to all of us here in the Senate. After graduating with honors from Michigan State University in 2011, Steve began an internship in Senator Patrick Colbeck's office. While serving the constituents of the 7th District, Steve quickly developed the skills necessary to succeed as a legislative staffer—skills that later helped him to become a great asset to the Senate committee clerks team.

Steve's responsibilities in the Senate included assisting the chairs and staff on the Committee on Banking and Financial Institutions, the Committee on Families, Seniors and Human Services, as well as the Committee on Insurance. Steve's unparalleled service and tireless devotion have been a great benefit to the chairs with whom he has worked. I know they echo my gratitude and appreciation for a job well done. The determination and diligence he has displayed during his time with the Michigan Senate will offer him a tremendous advantage as he begins his law school studies in Virginia.

Steve, we thank you and wish you the best in your next endeavor.

The following bill was read a third time:

Senate Bill No. 1196, entitled

A bill to amend 1974 PA 258, entitled "Mental health code," by amending sections 204, 212, 224, and 232a (MCL 330.1204, 330.1212, 330.1224, and 330.1232a), sections 204, 212, and 224 as amended and section 232a as added by 1995 PA 290; and to repeal acts and parts of acts.

The question being on the passage of the bill,

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

Roll Call No. 612**Yeas—24**

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

Nays—13

Anderson	Gregory	Hunter	Warren
Bieda	Hood	Johnson	Whitmer
Colbeck	Hopgood	Smith	Young
Gleason			

Excused—1

Brandenburg

Not Voting—0

In The Chair: Schuitmaker

The Senate agreed to the title of the bill.

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

House Bill No. 5146

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

The following bill was read a third time:

House Bill No. 5146, entitled

A bill to amend 1937 PA 94, entitled "Use tax act," by amending section 3a (MCL 205.93a), as amended by 2008 PA 439.

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. 613**Yeas—25**

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

Nays—12

Anderson	Gregory	Hunter	Warren
Bieda	Hood	Johnson	Whitmer
Gleason	Hopgood	Smith	Young

Excused—1

Brandenburg

Not Voting—0

In The Chair: Schuitmaker

Senator Meekhof moved that the bill be given immediate effect.

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

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

"An act to provide for the levy, assessment, and collection of a specific excise tax on the storage, use, or consumption in this state of tangible personal property and certain services; to appropriate the proceeds of that tax; to prescribe penalties; and to make appropriations,".

The Senate agreed to the full title.

By unanimous consent the Senate returned to the order of
Resolutions

Senator Meekhof moved that rule 3.204 be suspended to permit immediate consideration of the following resolution:

Senate Resolution No. 169

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

Senators Moolenaar, Robertson, Jones, Kahn, Jansen, Walker, Meekhof, Hildenbrand, Gregory, Proos, Hansen, Rocca, Booher, Marleau, Pappageorge, Emmons, Pavlov, Colbeck and Richardville offered the following resolution:

Senate Resolution No. 169.

A resolution to encourage and express support for the Michigan Unmanned Aircraft Systems Center in its pursuit of designation as a Federal Aviation Administration Center of Excellence.

Whereas, The Michigan Unmanned Aircraft Systems Center near Alpena, Michigan, is seeking one of six designations by the Federal Aviation Administration (FAA) as a Center of Excellence. This designation would grant access to restricted airspace in the Alpena area for research and development of unmanned aircraft. Alpena is uniquely positioned for this type of industry with its proximity to the Combat Readiness Training Center and the largest restricted airspace east of the Mississippi; and

Whereas, The unmanned aircraft system (UAS) market is growing rapidly and expected to double worldwide over the next decade. The military relies on the UAS to carry out dangerous missions and remove humans from harm's way. The UAS is also becoming an attractive tool for private companies and government agencies. Applications are being studied in the fields of law enforcement, emergency services, and surveillance of borders, waterways, power lines, and pipelines.

Whereas, Obtaining the designation as a Center of Excellence would provide necessary funding for research activities. Partnerships with the Combat Readiness Training Center, Camp Grayling Ground Forces Training Center, and the University of Michigan make for limitless joint training and research and development opportunities. The Michigan Unmanned Aircraft Systems Center with its dedicated airspace and facilities for testing and development would bring together researchers, scientists, operators, and industry leaders to foster growth within the industry and organize a fast-growing center of expertise and operation; and

Whereas, A Center of Excellence designation would have a tremendous economic impact on the Alpena area and Michigan. There would be direct and indirect benefits for the real estate and construction sectors, business investment, tourism, education, regional industry, and arts and recreation. The center could generate permanent investments linked to manufacturing, engineering, research and development, testing, maintenance, and aerial operations. It is estimated that 200 jobs will be created and over \$50 million invested in buildings and equipment; now, therefore, be it

Resolved by the Senate, That we encourage and express support for the Michigan Unmanned Aircraft Systems Center in its pursuit of designation as a Federal Aviation Administration Center of Excellence; and be it further

Resolved, That copies of this resolution be transmitted to the members of the Michigan congressional delegation, the Federal Aviation Administration, and the Michigan Unmanned Aircraft Systems Center.

The question being on the adoption of the resolution,

The resolution was adopted.

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

The motion prevailed.

Senator Richardville's statement is as follows:

For over two decades, Kathy Barks Hoffman has worked with diligence and integrity as a key member of the press corps. She's helped to ensure accountability and transparency in the press. For the past 15 years, she's directed the Michigan Associated Press' political coverage, helping to call races on election night, covering national political conventions, and overseeing campaign coverage in general.

During her career, Kathy has received numerous awards and accolades, including being named the Michigan Associated Press Staffer of the Year in 2001 and having her work win national awards in 2005 and 2010 from the Association of Capitol Press Reporters.

When asked to describe her, colleagues say Kathy is the straightest shooter you'll ever meet. Columnist Jack Lessenberry said, "In my view, nobody has more credibility than Kathy Barks Hoffman."

Colleagues, would you please join me in thanking Kathy for her many years of covering state government and wishing her all the best in her future.

Introduction and Referral of Bills

Senators Bieda and Jones introduced

Senate Joint Resolution U, entitled

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

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

Senators Rocca, Jones and Bieda introduced

Senate Bill No. 1222, entitled

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

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

Senator Hildenbrand introduced

Senate Bill No. 1223, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 17769.

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

Senator Johnson introduced

Senate Bill No. 1224, entitled

A bill to require employers to provide unpaid leave for employees to attend academic activities of their children; to provide the conditions for granting the leave; and to prohibit discrimination against employees who request or use the leave.

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

Senator Kowall introduced

Senate Bill No. 1225, entitled

A bill to amend 1961 PA 120, entitled "An act to authorize the development or redevelopment of principal shopping districts and business improvement districts; to permit the creation of certain boards; to provide for the operation of principal shopping districts and business improvement districts; to provide for the creation, operation, and dissolution of business improvement zones; and to authorize the collection of revenue and the bonding of certain local governmental units for the development or redevelopment projects," by amending sections 10, 10a, 10b, 10c, 10e, 10f, 10g, 10h, 10i, 10k, and 10l (MCL 125.990, 125.990a, 125.990b, 125.990c, 125.990e, 125.990f, 125.990g, 125.990h, 125.990i, 125.990k, and 125.990l), as added by 2001 PA 260, and by adding section 10n; and to repeal acts and parts of acts.

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

Senator Schuitmaker introduced

Senate Bill No. 1226, entitled

A bill to amend 2010 PA 347, entitled "Girl scouts of Michigan fund act," by amending sections 3 and 4 (MCL 206.923 and 206.924).

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

Senator Hunter moved that the Senate return to the order of Third Reading of Bills.

The motion did not prevail.

Senator Hunter requested the yeas and nays.

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

The motion did not prevail, a majority of the members not voting therefor, as follows:

Roll Call No. 614**Yeas—11**

Anderson
Bieda
Gleason

Gregory
Hood
Hopgood

Hunter
Johnson
Smith

Warren
Whitmer

Nays—24

Booher
Casperson
Caswell
Colbeck
Emmons
Green

Hansen
Hildenbrand
Hune
Jansen
Jones
Kowall

Marleau
Meekhof
Moolenaar
Nofs
Pappageorge
Pavlov

Proos
Richardville
Robertson
Rocca
Schuitmaker
Walker

Excused—1

Brandenburg

Not Voting—2

Kahn

Young

In The Chair: Schuitmaker

Senator Schuitmaker introduced

Senate Bill No. 1227, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," (MCL 257.1 to 257.923) by adding section 811v. The bill was read a first and second time by title and referred to the Committee on Transportation.

Senators Jones, Rocca, Pappageorge, Marleau, Hildenbrand and Schuitmaker introduced

Senate Bill No. 1228, entitled

A bill to amend 1976 PA 388, entitled "Michigan campaign finance act," by amending sections 2, 5, and 11 (MCL 169.202, 169.205, and 169.211), section 2 as amended by 2001 PA 250, section 5 as amended by 1999 PA 237, and section 11 as amended by 2012 PA 31, and by adding section 48.

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

Senators Emmons, Hune, Hildenbrand, Booher, Hansen, Casperson, Green and Kahn introduced

Senate Bill No. 1229, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 411x. The bill was read a first and second time by title and referred to the Committee on Judiciary.

Senators Emmons, Kahn, Casperson, Green and Moolenaar introduced

Senate Bill No. 1230, entitled

A bill to amend 1987 PA 96, entitled "The mobile home commission act," by amending section 16 (MCL 125.2316), as amended by 2006 PA 328.

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

Senators Emmons, Kahn and Nofs introduced

Senate Bill No. 1231, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 602a (MCL 257.602a), as amended by 1999 PA 73.

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

Senators Emmons, Proos, Kahn, Nofs, Casperson, Green, Moolenaar, Booher and Walker introduced

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

Senator Booher introduced

Senate Bill No. 1233, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 726c (MCL 257.726c), as amended by 1989 PA 173.

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

Senator Booher introduced

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

Senators Booher, Casperson, Hune, Pavlov, Jansen, Colbeck, Moolenaar, Kowall and Hildenbrand introduced

Senate Bill No. 1235, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 41301 and 41302 (MCL 324.41301 and 324.41302), section 41301 as amended by 2009 PA 51 and section 41302 as added by 2009 PA 52.

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

Senator Casperson introduced

Senate Bill No. 1236, entitled

A bill to amend 2000 PA 274, entitled "Large carnivore act," by amending sections 2 and 22 (MCL 287.1102 and 287.1122).

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

Senators Marleau and Jansen introduced

Senate Bill No. 1237, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding sections 22216, 22217, and 22218.

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

Senators Booher, Casperson, Pappageorge, Jansen and Colbeck introduced

Senate Bill No. 1238, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 1902, 1905, 1907, and 1907a (MCL 324.1902, 324.1905, 324.1907, and 324.1907a), section 1902 as amended by 2004 PA 587, section 1905 as added by 1995 PA 60, section 1907 as amended by 2008 PA 229, and section 1907a as added by 2002 PA 52.

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. 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. The House of Representatives has passed the bill.

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

Statements

Senators Whitmer, Bieda, Meekhof, Colbeck, Nofs, Caswell, Kahn and Jansen asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator Whitmer's statement is as follows:

Like many around the state, I was disappointed to hear the news that Speaker Bolger's election fraud case remains, at best, unresolved. As further documents have become public through the Freedom of Information Act in recent days, we have gained a better understanding of the depth of the third-rate conspiracy that Representatives Bolger and Schmidt tried to pull on the people of Michigan.

The Kent County prosecutor's report slammed the Speaker and Representative Schmidt for what they did, but concluded under a narrow review of election law that no laws were broken. However, based on the evidence we now have available, it appears that the prosecutor should examine their conduct and that of newly-known parties under other areas of the law. While the Speaker and Representative Schmidt used Prosecutor Forsyth's report to claim they have been completely vindicated of any criminal wrongdoing, now we know that the report was based on an incomplete investigation and narrow scope of review.

With these new revelations, it's become clear that further investigation is sorely needed. The dots are not hard to connect. Michigan election law identifies perjury as: "A person who makes a false affidavit or swears falsely while under oath" for the purposes of, among other things, "qualifying as a candidate for elected office." It appears that justice has taken place. Michigan law further identifies racketeering as: "Conspiring to commit, or aiding and abetting a person to commit, an offense concerning perjury or subornation of perjury." That can be further defined as procuring another person to commit the crime of perjury, not to mention the conspiracy itself to engage in all of these activities.

For unknown reasons, Mr. Forsyth limited his criminal review and only looked at election law and has thus concluded none of these laws under the election law have been broken. But it is becoming more clearer that a wider review could conclude far differently.

The people of Michigan deserve accountability, and they deserve the truth. Today I am calling on everyone in Michigan to deliver just that. With the recent *Gongwer* revelations, we now know that No. 1: Representative Posthumus Lyons appears to be complaisant as well in the obstruction and conspiracy after the fact. No. 2: The Secretary of State has already helped to stall and obstruct the State Police investigation. And now we know that the police investigation itself was called off before search warrants could be executed to provide us with all of the facts in the case.

We also know that Attorney General Schuette is content to sweep this under the rug by his own words, as is Governor Snyder who is trying to wash his hands of this by claiming it's a legislative affair. Really? I am stunned. I ask you, of all the people vested with responsibility to ensure that our elections are legal and have integrity, to protect our fundamental right to vote, of all these people, at best, they are asleep at the wheel. At worst, they conspire to take away our vote. If they do it to the people of Grand Rapids, I ask you how long is it before they do it to the rest of us?

Accordingly, I am asking Mr. Forsyth today to reopen his case. I am calling on the Secretary of State, the Attorney General, and the Governor to partner and make sure that we protect the people of Michigan, instead of being obstacles to the truth. To do otherwise sends a message to the world that it is more important to protect your political allies than to uncover the truth. That's not the kind of Michigan I know we all want it to be.

Now that more of the facts have been revealed and now that we know the investigation was left unfinished, I am calling on it to be reopened so that the people of Michigan can finally get the answers they deserve—because we still don't know the answer to the most crucial question: Who is actually protecting the public we are all sworn to serve?

Senator Bieda's statement is as follows:

It is with a heavy heart that I rise to extend my deepest sympathies and condolences to the friends and family of U.S. Army First Lieutenant Todd Lambka, who was a resident of Fraser, Michigan. Todd died August 1 after an improvised explosive device was detonated in the Paktia province of Afghanistan. Todd was a graduate of Eisenhower High School and went on to graduate from the United States Military Academy at West Point in 2010.

Todd was described by his family as a true leader who loves his country deeply. I am honored to have represented such a proud and dedicated American hero who made the ultimate sacrifice for our country. Todd is survived by his wife, Cassie Jacobs; his father, Brian Lambka; and his twin brother, Jordan Lambka, who is serving in the Michigan Army National Guard. He was preceded in death by his mother, Donna Lambka.

His visitation is today from 1:00 p.m. to 7:00 p.m. at the Wasik Funeral Home in Shelby Township, and there will be a memorial service beginning at 7:00 p.m. this evening. First Lieutenant Lambka's final resting place shall be the serene grounds of West Point Military Academy in a private ceremony on a date that will be held later. I would request that my colleagues join me in honoring this American hero as we bow our heads for a moment of silence.

A moment of silence was observed in memory of Army First Lieutenant Todd Lambka.

Senator Meekhof's statement is as follows:

I rise to commemorate a soldier from west Michigan who recently gave his life for his country. Marine Gunnery Sergeant Daniel Price, age 27, was on his sixth deployment overseas when he was killed on July 29 while conducting combat operations in Badghis province in Afghanistan.

Gunnery Sergeant Price joined the Marines in 2003. He served three tours of duty in Iraq and was on his third tour in Afghanistan. He was a devoted Christian and a highly-decorated Marine, having earned Combat Action Ribbons, three Good Conduct Medals, a Bronze Star, and a Purple Heart.

I'm proud of his service to our country, and I'm deeply saddened for his parents and his wife Rachel, who lost their loved one way too soon. I pray they will be comforted by their faith and the knowledge that his life has made such a positive impact on others.

This past weekend, several thousand people lined the streets of Holland along the funeral route to form a human shield against any potential protestors. The demonstration of patriotism made me proud to be an American. I'm very proud of my community. The focus of the day was as it should have been—to shower Gunnery Sergeant Price and his family with honor, appreciations, and prayers.

Madam President, my heroes don't wear capes; they wear dog tags.

A moment of silence was observed in memory of Marine Gunnery Sergeant Daniel Price.

Senator Colbeck's statement is as follows:

I rise on a topic that I have heard bandied about today on the floor, and we have seen it in the media for as long as you have been watching the TV, frankly. It talks about a lot of people conveying that our system of government, the system of government we swore an oath to support and defend, the same system that many of our heroes have given their last measure to defend—a lot of people are saying that we are a democracy. I am here to make sure that we set the record straight and tell the truth about this, folks. We are a constitutional republic. We are not a democracy, and there are some very fundamental differences for that that are very important as we go about our business as legislators.

When we take our oath of office, we take an oath to support and defend the Constitution not only to our state, but also our U.S. Constitution. It is in that U.S. Constitution that defines, in Article IV, Section 4, that our system of government is a republic. It is not a democracy.

Now what's the difference? A republic means that we elect representatives who adhere to a system of law. We are responsible for abiding by the law. In a democracy, it is simply a plurality. Essentially, if you have more people who say something is right, then that is what is right. In a republic, we believe that our rights are defined in our laws. For those of you who still adhere to the principles that our Founding Fathers put forth in our Declaration of Independence, those laws are the result of the laws of nature and the nature's God. We need to be very clear that there is a difference between a republic and a democracy.

In our Pledge of Allegiance, every single time we start our Senate session, we pledge our allegiance to the republic of the United States of America, not the democracy of the United States of America. That means we are standing up for something more than just having more people in a room that say a certain thing than the other folks. It means we attest to the value of being a rule of law government.

Why am I so upset about making sure that we clarify the difference between democracy and a republic? Because a democracy was once likened by Ben Franklin to be two wolves and a sheep deciding what's for lunch. Our Founding Fathers were very, very explicit about the form of government that we chose because every single democracy that they had studied when they were looking at what system of government we would form had failed and failed miserably. It dissolved into chaos.

We have a republic, and once again, as Ben Franklin once said when he was asked what form of government we had, he said, "We have a republic if we can keep it." The key to keeping it, my colleagues, is to make sure we understand exactly what system of government we have and teach our kids what system of government we have. We are not a democracy.

Now put this back to home: Why is this so important? We are going to have several ballot initiatives coming up, and we have had signatures that have been gathered in the context of a democratic signature-gathering process. It's the democratic process where you go off and collect and understand everything that is going on in our community, and you collect those signatures. But when those petitions are gathered, they are subject to the rule of law. They are making sure that we are not trying to pull the wool over people's eyes when they are actually gathered, and they actually comply with rules and laws that have been put in place so that we understand exactly what people are voting on, and also we convey what they are not voting on.

We need to make sure that this rule-of-law republic that we swore an oath to defend is continued. This is not a democracy, and this is not a Republican versus a Democratic issue. This is one system of government that is a truth versus a falsehood issue. We were formed as a republic, not a democracy, and we owe it to our citizens to promote the truth about our system of government.

I ask my colleagues, anytime you hear that we are a democracy, please ask them where that is defined in our Constitution. If it is not in our Constitution, ask them when our system of government was redefined to say that we are a democracy and not a republic. Because the way I read it right now, Article IV, Section 4, hasn't changed since our Founding Fathers put that into our U.S. Constitution. We are guaranteed to be a republic. Please let's recognize and defend our oath of office and make sure that we understand that we are a rule-of-law government, not simply a might-makes-right government.

Senator Nofs' statement is as follows:

Madam President, I know that there are a lot of events that are taking place in our districts throughout these summer months. There is one that I need to mention today that is going to be happening next week in my district.

As we all know, we have just concluded a successful Olympic Games and just celebrated that event with the individual gold medal recipient here today. For the first time in 17 years, the World Hot Air Balloon Championship, the Olympics basically in ballooning, will be back in the United States, and it will be in my hometown of Battle Creek, August 19-25. The city as well as the state of Michigan has a rich ballooning heritage, so much so that Battle Creek now holds the distinction of hosting more ballooning world championships than any other city in the world.

Starting this Sunday, over 100 of the world's best pilots from 30 different countries will compete for the title of World Champion. If you have never been to a balloon championship or competition or seen that many balloons flying at one time, I can tell you it is amazing and beautiful. So if you are looking for something fun to do with your kids or grandkids, in my case, I encourage you to check out the event website at balloonworlds2012.com for the flight times and the schedule of events.

Senator Caswell's statement is as follows:

I would like to take this opportunity to thank the director of Community Health, Olga Dazzo, for her service to the state. She has resigned her position. I would like to also take the opportunity to welcome Jim Haveman, who was previously in Lansing about 14 or 15 years ago. The Department of Community Health is an extremely difficult department to manage because it is so large, and it has such a big budget. I wish Director Dazzo all the best.

Secondly, today we had the opportunity—and I consider it an opportunity—to say a short prayer over the deaths of two young individuals who decided on their own volition to go out and put their lives on the line for us and others like us around the state. I would hope that we would ponder why these individuals thought we were worth it. No greater love has no one than this, that he lay down life for a friend. These are two individuals whom we did not know, in many cases, who gave everything so that we could sit here today and our fellow citizens could continue doing things around the state that they do. I would simply, humbly say to all of us that in light of what they've done for us, I believe it is our obligation to live our lives in such a way that we bring honor to them.

May God bless their families, and may they hear the words from Jesus and God in Heaven, "Well done, good and faithful servant; enter thou into the joy of thy Lord."

Finally, I would like to mention on a happier note: As you may or may not remember, we had some folks from Colon the Magic Capital of the World up here a few months ago. They had their magic festival this year, and they have started a magic walk. They have started putting stars in for the most famous magicians that town has raised and the United States has had. It is fascinating to see. If you get a chance, slip down there. It's always the first week of August, and there will be more stars added next year. I fully expect the Colon Magic Festival to put the Hollywood Walk of Stars out of business.

Senator Kahn's statement is as follows:

Today, August 15, we passed a bill to reform MPERS, Senate Bill No. 1040. This bill took a lot of work, months of work, and it was hard work. Our staff, Senate staff, who provided an awful lot of the man hours for us to do this bill should be recognized. After all, this bill is going to provide, for starters, over \$15 billion worth of savings to the people of Michigan that can be used to fund other priorities for the return to our taxpayers. It would not have been possible without the help of Nancy Vreibel, Kathryn Summers, and Anne Blankenhorn, and they should be recognized and thanked.

Also we in the Senate had four members who worked hard on these issues: Senators Walker, Jansen, Pavlov, and myself. It wasn't just these Senators, but their staffs worked hard and long hours to get this bill to the place where it could be passed, and they deserve my thanks as well. I am sure they have their Senators' thanks.

And, of course, the Majority Leader with his wonderful ability to make, I guess, a whole, smattering of clothes should be thanked for his hard work too.

It is noteworthy that the bill will provide protection for our ability to pay the benefits that we have enumerated in the MPERS system, pension and health care. It is notable that this bill will help us modernize how we provide benefits like health care and pensions and to protect our ability to do so. It is also notable that one of the basic rules of politics—when

it's over; it's not over—applies also to this bill, which contains the study which will allow us to go forward on November 15 with data about a transition to a defined benefit plan and the costs associated with that and how we deal with stranded costs. What is the return on investment? How do you calculate that? What are the risks associated with that? What does longevity mean now as compared to 20 or 30 years ago?

Universities have opted out of the health care portion of this and benefit. How are they going to be treated in the future? These are important and difficult issues and we have differences opinion of those. So to all members, I thank them for their sincere look at this and their hard work on it.

I ask you to stay focused because on November 15 we will begin again.

Senator Jansen's statement is as follows:

I would like to follow on the footsteps of my good chairman of Appropriations and one of my fellow colleagues. I want to thank Senators Walker, Pavlov, and Kahn for the work that was done in the last, probably almost two years for some of us, when it comes to MPERS trying to what I would say reform it. I think the previous speaker was able to clarify a few things that we have some really good accomplishments that we have taken care of today. I think for all of us we are going to be able to look some of our education folks in the face and say this system is going to be around yet into the future, so we made some good changes.

In my eyes, there are still some more to do, and that is why the bill has some study in it in the next 90 days working with all the leadership. I want to thank the leaders in the House and here in the Senate, our good Majority Leader who has worked very hard at this, and the Governor. We have had added transparency in prefunding in 20 percent retirement for health care and asked more of our employees in the education field, but also asked more of their employers and have asked more of us as a state.

So we have made some history here today, and I think we have some history to make in the future. I look forward to that as the study and some of the other work comes out of this process. Again, some of our staff have spent hundreds of hours on this, and I would like to thank them and all those who have had some part of this today. I look forward to continuing some more work on this 90 days from now. I would like to just thank all of the folks now today—thank you.

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 the following bill returned from the House of Representatives, the Secretary of the Senate be directed to proceed with the enrollment printing and presentation of the bill to the Governor:

Senate Bill No. 1040

The motion prevailed.

Committee Reports

The Committee on Judiciary reported

House Bill No. 5124, entitled

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

With the recommendation that the following amendments be adopted and that the bill then pass:

1. Amend page 2, line 11, after the second "OF" by striking out "THE" and inserting "THAT".
2. Amend page 5, line 2, after "JUDGES" by striking out "IN THE COUNTY" and inserting "OF THE COURTS IN THE PLAN".

3. Amend page 9, following line 2, subdivision (C), after the first "OR" by striking out the balance of the subdivision and inserting "A DISTRICT JUDGE, UNLESS THAT POWER OF APPOINTMENT IS DELEGATED TO A COURT OR JUDGE OTHER THAN THE CIRCUIT COURT OR A CIRCUIT JUDGE.".

4. Amend page 9, following line 2, after "CHAPTER." by inserting:

"SEC. 413. (1) CONCURRENT JURISDICTION PLANS SHALL BE DESIGNED TO BENEFIT THE CITIZENS UTILIZING THE COURTS INVOLVED RATHER THAN THE COURTS THEMSELVES OR ANY JUDGE OR JUDGES.

(2) A JUDGE VOTING NOT TO HAVE A PLAN OF CONCURRENT JURISDICTION UNDER THIS CHAPTER MAY FILE AN OBJECTION WITH THE STATE COURT ADMINISTRATOR. AN OBJECTION

MUST SPECIFICALLY STATE THE REASONS FOR THE OBJECTION AND MAY INCLUDE, BUT NOT BE LIMITED TO, OBJECTIONS BASED ON INSUFFICIENT ALLOCATION OF STAFF OR RESOURCES, INADEQUATE TRAINING FOR ANY JUDGE OR STAFF, EXCESSIVE ASSIGNMENTS OUTSIDE OF A JUDGE'S ELECTION DISTRICT, OR RETALIATION FOR ANY ACTION, INCLUDING FAILING TO VOTE FOR A CONCURRENT JURISDICTION PLAN.

(3) SUBJECT TO APPROVAL OF THE SUPREME COURT, BEFORE THE SUPREME COURT APPROVES A CONCURRENT JURISDICTION PLAN UNDER THIS CHAPTER, THE STATE COURT ADMINISTRATOR SHALL REVIEW OBJECTIONS UNDER THIS SECTION AND REPORT THE SUBSTANCE OF THE OBJECTIONS AND THE ADMINISTRATOR'S FINDINGS ABOUT THE OBJECTIONS' VALIDITY TO THE SUPREME COURT. SUBJECT TO APPROVAL OF THE SUPREME COURT, THE STATE COURT ADMINISTRATOR SHALL FORWARD A PROPOSED CONCURRENT JURISDICTION PLAN TO THE SUPREME COURT FOR REVIEW AFTER AFFIRMATIVELY FINDING THAT THE PROPOSED CONCURRENT JURISDICTION PLAN IS IN COMPLIANCE WITH THIS CHAPTER AND THE BEST INTERESTS OF THE PEOPLE OF THE COMMUNITIES BEING SERVED."

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

Rick Jones
Chairperson

To Report Out:

Yeas: Senators Jones, Rocca and Bieda

Nays: None

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

The Committee on Judiciary reported

House Bill No. 5159, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 1082 (MCL 600.1082), as added by 2004 PA 224.

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

House Bill No. 5162, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," (MCL 600.101 to 600.9947) by adding chapter 12.

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

House Bill No. 5592, entitled

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

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.

COMMITTEE ATTENDANCE REPORT

The Committee on Judiciary submitted the following:

Meeting held on Wednesday, July 18, 2012, at 9:00 a.m., Room 110, Farnum Building

Present: Senators Jones (C), Rocca and Bieda

Excused: Senator Schuitmaker

The Committee on Families, Seniors and Human Services reported

Senate Bill No. 904, entitled

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

With the recommendation that the substitute (S-5) be adopted and that the bill then pass.

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

Judith K. Emmons
Chairperson

To Report Out:

Yeas: Senators Emmons, Rocca and Nofs

Nays: Senator Gregory

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

The Committee on Families, Seniors and Human Services reported

Senate Bill No. 905, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending sections 57b and 57f (MCL 400.57b and 400.57f), section 57b as amended by 2011 PA 131 and section 57f as amended by 2011 PA 132.

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

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

Judith K. Emmons
Chairperson

To Report Out:

Yeas: Senators Emmons, Rocca and Nofs

Nays: Senator Gregory

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

The Committee on Families, Seniors and Human Services reported

House Bill No. 5223, entitled

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

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.

Judith K. Emmons
Chairperson

To Report Out:

Yeas: Senators Emmons, Rocca and Nofs

Nays: Senator Gregory

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

COMMITTEE ATTENDANCE REPORT

The Committee on Families, Seniors and Human Services submitted the following:

Meeting held on Wednesday, July 18, 2012, at 9:00 a.m., Room 100, Farnum Building

Present: Senators Emmons (C), Rocca, Nofs and Gregory

The Committee on Energy and Technology reported

Senate Bill No. 1083, entitled

A bill to enhance public safety, protect the environment, and prevent the disruption of vital public services by reducing the incidences of damage to underground facilities caused by excavation or blasting activity by providing notices to facility owners and facility operators before excavation or blasting; to provide for certain notices to affected parties when underground facilities are damaged; to provide for the powers and duties of certain state governmental officers and entities; to allow the promulgation of rules; to prescribe penalties; to allow the imposition of a fee; and to repeal acts and parts of acts.

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.

Mike Nofs
Chairperson

To Report Out:

Yeas: Senators Nofs, Proos, Jones, Marleau, Walker and Hopgood

Nays: Senator Young

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

The Committee on Energy and Technology reported

Senate Bill No. 1084, entitled

A bill to amend 1964 PA 170, entitled "An act to make uniform the liability of municipal corporations, political subdivisions, and the state, its agencies and departments, officers, employees, and volunteers thereof, and members of certain boards, councils, and task forces when engaged in the exercise or discharge of a governmental function, for injuries to property and persons; to define and limit this liability; to define and limit the liability of the state when engaged in a proprietary function; to authorize the purchase of liability insurance to protect against loss arising out of this liability; to provide for defending certain claims made against public officers, employees, and volunteers and for paying damages sought or awarded against them; to provide for the legal defense of public officers, employees, and volunteers; to provide for reimbursement of public officers and employees for certain legal expenses; and to repeal acts and parts of acts," by amending section 13 (MCL 691.1413), as amended by 1986 PA 175.

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.

Mike Nofs
Chairperson

To Report Out:

Yeas: Senators Nofs, Proos, Jones, Marleau, Walker and Hopgood

Nays: Senator Young

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

COMMITTEE ATTENDANCE REPORT

The Committee on Energy and Technology submitted the following:

Meeting held on Wednesday, July 18, 2012, at 10:00 a.m., Rooms 402 and 403, Capitol Building

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

Excused: Senators Schuitmaker and Bieda

The Committee on Judiciary reported

Senate Bill No. 61, entitled

A bill to provide compensation and other relief for individuals wrongfully imprisoned for crimes; to prescribe the powers and duties of certain state governmental officers and agencies; and to provide remedies.

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

House Bill No. 5711, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 2803, 2804, 2834, 2848, 13807, 16221, 16226, 16299, 17015, 17515, 20115, and 22224 (MCL 333.2803, 333.2804, 333.2834, 333.2848, 333.13807, 333.16221, 333.16226, 333.16299, 333.17015, 333.17515, 333.20115, and 333.22224), sections 2803, 2834, and 2848 as amended by 2002 PA 562, section 2804 as amended by 1990 PA 149, section 13807 as added by 1990 PA 21, section 16221 as amended by 2011 PA 222, section 16226 as amended by 2011 PA 224, section 16299 as amended by 2002 PA 685, section 17015 as amended by 2006 PA 77, section 17515 as added by 1993 PA 133, and section 20115 as amended and section 22224 as added by 1999 PA 206, and by adding sections 2836, 2854, 17015a, 17017, 17019, 17517, and 17519.

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 and Rocca

Nays: Senator Bieda

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Judiciary submitted the following:

Meeting held on Thursday, July 26, 2012, at 10:00 a.m., Room 110, Farnum Building

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

The Committee on Appropriations reported

Senate Bill No. 1195, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," (MCL 400.1 to 400.119b) by adding section 109k.

With the recommendation that the bill pass.

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

Roger Kahn, M.D.
Chairperson

To Report Out:

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

Nays: Senators Colbeck, Anderson, Gregory, Hood, Hopgood and Johnson

The bill was referred to the Committee of the Whole.

The Committee on Appropriations reported

Senate Bill No. 1196, entitled

A bill to amend 1974 PA 258, entitled "Mental health code," by amending sections 204, 224, and 232a (MCL 330.1204, 330.1224, and 330.1232a), sections 204 and 224 as amended and section 232a as added by 1995 PA 290; and to repeal acts and parts of acts.

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, Booher, Caswell, Green, Proos, Schuitmaker and Walker

Nays: Senators Colbeck, Anderson, Gregory, Hood, Hopgood and Johnson

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, August 15, 2012, at 9:07 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building

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

COMMITTEE ATTENDANCE REPORT

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

Meeting held on Tuesday, July 24, 2012, at 10:30 a.m., Room 400, Charles Donnelly Natural Resources Center, 665 Johnson Street, Alpena

Present: Senator Moolenaar (C)

Absent: Senators Pappageorge, Emmons, Gregory and Smith

COMMITTEE ATTENDANCE REPORT

The Subcommittee on State Police and Military Affairs submitted the following:

Joint meeting held on Wednesday, August 15, 2012, at 8:00 a.m., Senate Hearing Room, Ground Floor, Boji Tower

Present: Senators Colbeck (C), Pappageorge and Gregory

Scheduled Meetings

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

Senator Meekhof moved that the Senate adjourn.

The motion prevailed, the time being 2:44 p.m.

Pursuant to House Concurrent Resolution No. 60, the President pro tempore, Senator Schuitmaker, declared the Senate adjourned until Tuesday, September 11, 2012, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate