

**No. 74**  
**STATE OF MICHIGAN**  
**Journal of the Senate**  
**96th Legislature**  
**REGULAR SESSION OF 2012**

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Senate Chamber, Lansing, Thursday, November 29, 2012.

10:00 a.m.

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

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

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

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

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

Father Greg Deters of St. Mary's Catholic Parish of St. Clair offered the following invocation:

We ask You, Lord God of mercy and love, to watch over us this day. We thank You so much for the beauty of the day, for the sun that will warm us, for the wind that will move us, and for the smiling faces we may encounter this day. Lord, we ask Your blessings upon these men and women who will make important decisions for our state, for our future. May Your hand be with them all.

Dear Lord, we thank You for our great state of Michigan. We thank You for the love and peace You give to all who live here. We are grateful for all the good things we share and for the graces we now receive to help make our state so strong. Lord, we ask these things knowing that You hear all of these prayers.

May Your light shine upon us and may Your will be done. Amen.

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

### Motions and Communications

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

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

November 27, 2012

Enclosed is a copy of the following audit report:

Performance audit of the Business Enterprise Program, Bureau of Services for Blind Persons, Department of Licensing and Regulatory Affairs.

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

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

The Secretary announced that the following House bills were received in the Senate and filed on Wednesday, November 28:

**House Bill Nos. 4263 4609 4800 4998 5055 5487 5600 5682 5692 5798 5801 5839 5843 5892 5902**

The Secretary announced that the following House bills were received in the Senate and filed on Thursday, November 29:

**House Bill Nos. 5076 5693 5694 5695 5931 5952**

The Secretary announced that the following official bills were printed on Wednesday, November 28, and are available at the legislative website:

**Senate Bill Nos. 1368 1369 1370 1371 1372 1373 1374 1375 1376 1377 1378 1379 1380 1381 1382 1383 1384 1385**

**House Bill Nos. 6032 6033 6034 6035 6036 6037 6038 6039 6040 6041 6042 6043**

Senator Pavlov moved that Senators Kahn, Casperson, Emmons, Marleau, Moolenaar and Pappageorge be temporarily excused from today's session.

The motion prevailed.

Senator Pavlov moved that rule 2.106 be suspended to allow committees to meet during Senate session.

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

Senators Emmons, Moolenaar, Kahn, Pappageorge, Gleason, Smith, Gregory and Casperson entered the Senate Chamber.

### Recess

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

The motion prevailed, the time being 10:06 a.m.

10:35 a.m.

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

During the recess, Senators Hunter and Marleau entered the Senate Chamber.

By unanimous consent the Senate proceeded to the order of

**Messages from the House**

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

**Senate Bill No. 409**

The motion prevailed.

**Senate Bill No. 152, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," (MCL 760.1 to 777.69) by adding sections 7, 8, 9, 10, and 11 to chapter III.

The House of Representatives has substituted (H-3) the bill.

The House of Representatives has passed the bill as substituted (H-3) and pursuant to Joint Rule 20, inserted the full title.

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

**Senate Bill No. 356, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 4702 (MCL 600.4702), as amended by 2002 PA 142.

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

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

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

The Senate agreed to the full title.

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

**Senate Bill No. 358, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 159g (MCL 750.159g), as amended by 2010 PA 362.

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

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

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

The House of Representatives returned, in accordance with the request of the Senate

**Senate Bill No. 1059, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending sections 7jj and 27a (MCL 211.7jj[1] and 211.27a), section 7jj as added by 2006 PA 378 and section 27a as amended by 2012 PA 47.

The bill was placed on the order of Third Reading of Bills.

The House of Representatives returned, in accordance with the request of the Senate

**House Bill No. 5284, entitled**

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

The bill was placed on the order of Third Reading of Bills.

### Third Reading of Bills

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

**Senate Bill No. 996**

**Senate Bill No. 1083**

**Senate Bill No. 1084**

**Senate Bill No. 1315**

**Senate Bill No. 1321**

**Senate Bill No. 1298**

**Senate Bill No. 1337**

**Senate Bill No. 1350**

**Senate Bill No. 1340**

**Senate Bill No. 1341**

**Senate Bill No. 1348**

**Senate Bill No. 353**

The motion prevailed.

The following bill was read a third time:

**Senate Bill No. 996, entitled**

A bill to provide for indemnification for livestock killed, injured, or lost as a result of certain wildlife; and to prescribe the powers and duties of certain state agencies and officials.

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. 767

#### Yeas—35

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

#### Nays—3

Warren	Whitmer	Young
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#### Excused—0

#### Not Voting—0

In The Chair: Schuitmaker

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 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; to provide for immunity for certain individuals; to allow claims for damages against certain governmental entities in certain circumstances; and to repeal acts and parts of acts.

The question being on the passage of the bill,

Senator Nofs offered the following substitute:

Substitute (S-4).

The question being on the adoption of the substitute,

Senator Walker offered the following amendment to the substitute:

1. Amend page 15, following line 12, by inserting:

“(3) An owner of a farm who complies with this act is not liable for any damages to a facility if the damage occurred in the course of normal farming operations, except in those lands within the public right-of-way, unless the owner intentionally damaged the underground facility or acted with wanton disregard or recklessness in damaging the facility. As used in this subsection, “owner” includes a family member, employee, or tenant of the owner.”.

The amendment to the substitute was adopted.

Senator Walker offered the following amendment to the substitute:

1. Amend page 14, line 16, after “use.” by inserting “A facility owner or facility operator shall notify a landowner in writing at least 10 business days before constructing a new facility on the landowner’s property.”.

The amendment to the substitute was adopted.

The substitute as amended was adopted, a majority of the members serving voting therefor.

The question being on the passage of the bill,

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

**Roll Call No. 768**

**Yeas—26**

Bieda	Hopgood	Meekhof	Robertson
Booher	Hune	Nofs	Rocca
Brandenburg	Hunter	Pappageorge	Smith
Gleason	Jansen	Pavlov	Walker
Gregory	Kahn	Proos	Warren
Hildenbrand	Kowall	Richardville	Whitmer
Hood	Marleau		

**Nays—12**

Anderson	Colbeck	Hansen	Moolenaar
Casperson	Emmons	Johnson	Schuitmaker
Caswell	Green	Jones	Young

**Excused—0**

**Not Voting—0**

In The Chair: Schuitmaker

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 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 7 (MCL 691.1407), as amended by 2005 PA 318.

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. 769**

**Yeas—26**

Bieda	Hopgood	Meekhof	Robertson
Booher	Hune	Nofs	Rocca
Brandenburg	Hunter	Pappageorge	Smith
Gleason	Jansen	Pavlov	Walker
Gregory	Kahn	Proos	Warren
Hildenbrand	Kowall	Richardville	Whitmer
Hood	Marleau		

**Nays—12**

Anderson	Colbeck	Hansen	Moolenaar
Casperson	Emmons	Johnson	Schuitmaker
Caswell	Green	Jones	Young

**Excused—0**

**Not Voting—0**

In The Chair: Schuitmaker

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 1315, entitled**

A bill to amend 1953 PA 232, entitled “Corrections code of 1953,” by amending section 36 (MCL 791.236), as amended by 2011 PA 165.

The question being on the passage of the bill,

Senator Proos offered the following amendment:

1. Amend page 7, line 21, after “**NETWORK.**” by inserting “**CONSENT TO A SEARCH AS PROVIDED UNDER THIS SUBSECTION DOES NOT AUTHORIZE A SEARCH THAT IS CONDUCTED WITH THE INTENT TO INTIMIDATE OR HARASS.**”.

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

The question being on the passage of the bill,

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

**Roll Call No. 770****Yeas—28**

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

**Nays—10**

Bieda	Hood	Smith	Whitmer
Gleason	Hopgood	Warren	Young
Gregory	Johnson		

**Excused—0****Not Voting—0**

In The Chair: Schuitmaker

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 1321, entitled**

A bill to amend 1968 PA 330, entitled "Private security business and security alarm act," (MCL 338.1051 to 338.1092) by adding section 17a.

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. 771****Yeas—38**

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

**Nays—0****Excused—0**

**Not Voting—0**

In The Chair: Schuitmaker

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 1298, entitled**

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

The 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. 772****Yeas—38**

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

**Nays—0****Excused—0****Not Voting—0**

In The Chair: Schuitmaker

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 1337, entitled**

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

The 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. 773****Yeas—38**

Anderson	Gregory	Kahn	Richardville
Bieda	Hansen	Kowall	Robertson



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

**Nays—0**

**Excused—0**

**Not Voting—0**

In The Chair: Schuitmaker

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 1350, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 40103, 40118, 43503, and 43507 (MCL 324.40103, 324.40118, 324.43503, and 324.43507), section 40103 as amended by 2000 PA 191, section 40118 as amended by 2000 PA 347, section 43503 as added by 1995 PA 57, and section 43507 as amended by 1996 PA 585, and by adding sections 40110b and 43528b.

The question being on the passage of the bill,

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

The motion prevailed.

The following bill was read a third time:

**Senate Bill No. 1340, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 40119 (MCL 324.40119), as amended by 2004 PA 587.

The question being on the passage of the bill,

Senator Pavlov offered the following amendments:

1. Amend page 2, following line 9, by inserting:

**“(3) IN ADDITION TO THE PENALTIES PROVIDED FOR VIOLATING THIS PART OR AN ORDER ISSUED UNDER THIS PART, AN INDIVIDUAL CONVICTED OF THE ILLEGAL KILLING, POSSESSING, PURCHASING, OR SELLING OF AN ANTLERED WHITE-TAILED DEER WITH A GROSS SCORE OF MORE THAN 100 INCHES SHALL BE SUBJECT TO THE FOLLOWING PENALTIES:**

**(A) FOR A FIRST OFFENSE, THE INDIVIDUAL SHALL NOT SECURE OR POSSESS A LICENSE OF ANY KIND TO HUNT FOR AN ADDITIONAL 2 CALENDAR YEARS AFTER THE PENALTIES IMPOSED UNDER SECTION 40118(6).**

**(B) FOR A SECOND OR SUBSEQUENT OFFENSE, THE INDIVIDUAL SHALL NOT SECURE OR POSSESS A LICENSE OF ANY KIND TO HUNT FOR AN ADDITIONAL 7 CALENDAR YEARS AFTER THE PENALTIES IMPOSED UNDER SECTION 40118(6).”** and renumbering the remaining subsections.

2. Amend page 4, line 7, after “**SUBSECTION**” by striking out “**(3)**” and inserting “**(4)**”.

3. Amend page 6, line 3, by striking out “**(3)**” and inserting “**(4)**”.

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

The question being on the passage of the bill,

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

**Roll Call No. 774****Yeas—38**

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

**Nays—0****Excused—0****Not Voting—0**

In The Chair: Schuitmaker

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 1341, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 73109 and 73110 (MCL 324.73109 and 324.73110), as amended by 1998 PA 546.

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. 775****Yeas—38**

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

**Nays—0****Excused—0**

**Not Voting—0**

In The Chair: Schuitmaker

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 1348, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 43559 (MCL 324.43559), as amended by 1998 PA 95, and by adding section 1616.

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. 776****Yeas—38**

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

**Nays—0****Excused—0****Not Voting—0**

In The Chair: Schuitmaker

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 353, entitled**

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending section 625 (MCL 257.625), as amended by 2008 PA 463.

The question being on the passage of the bill,

Senator Robertson offered the following substitute:

Substitute (S-4).

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

The question being on the passage of the bill,

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

**Roll Call No. 777****Yeas—38**

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

**Nays—0****Excused—0****Not Voting—0**

In The Chair: Schuitmaker

The Senate agreed to the title of the bill.

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

**Senate Bill No. 1059, entitled**

A bill to amend 1893 PA 206, entitled “The general property tax act,” by amending sections 7jj and 27a (MCL 211.7jj[1] and 211.27a), section 7jj as added by 2006 PA 378 and section 27a as amended by 2012 PA 47.

The motion prevailed.

Senator Meekhof moved that rule 3.311 be suspended to permit reconsideration of the vote by which the bill was passed.

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

Senator Meekhof moved to reconsider the vote by which the bill was passed.

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

The question being on the passage of the bill,

Senator Booher offered the following substitute:

Substitute (S-3).

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

The question being on the passage of the bill,

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

**Roll Call No. 778****Yeas—38**

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

Gleason  
GreenJohnson  
Jones

Proos

Young

**Nays—0****Excused—0****Not Voting—0**

In The Chair: Schuitmaker

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

**House Bill No. 5284, entitled**

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

The motion prevailed.

Senator Meekhof moved that rule 3.311 be suspended to permit reconsideration of the vote by which the bill was passed.

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

Senator Meekhof moved to reconsider the vote by which the bill was passed.

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

The question being on the passage of the bill,

Senator Jones offered the following substitute:

Substitute (S-1).

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

The question being on the passage of the bill,

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

**Roll Call No. 779****Yeas—38**Anderson  
Bieda  
Booher  
Brandenburg  
Casperson  
Caswell  
Colbeck  
Emmons  
Gleason  
GreenGregory  
Hansen  
Hildenbrand  
Hood  
Hopgood  
Hune  
Hunter  
Jansen  
Johnson  
JonesKahn  
Kowall  
Marleau  
Meekhof  
Moolenaar  
Nofs  
Pappageorge  
Pavlov  
ProosRichardville  
Robertson  
Rocca  
Schuitmaker  
Smith  
Walker  
Warren  
Whitmer  
Young**Nays—0****Excused—0****Not Voting—0**

In The Chair: Schuitmaker

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

Senator Meekhof moved that the Committee on Judiciary be discharged from further consideration of the following bill:  
**Senate Bill No. 1351, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 8123 and 8132 (MCL 600.8123 and 600.8132), section 8123 as amended by 2012 PA 37 and section 8132 as amended by 2011 PA 300.

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

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

**Senate Bill No. 1351**

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

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

**Senate Bill No. 1305**

**Senate Bill No. 1308**

**Senate Bill No. 1322**

**Senate Bill No. 1323**

**Senate Bill No. 1324**

**Senate Bill No. 1360**

**Senate Bill No. 1243**

**Senate Bill No. 1328**

**Senate Bill No. 1334**

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

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

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

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

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

**Senate Bill No. 1308, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 2213 (MCL 500.2213), as amended by 2002 PA 707.

**Senate Bill No. 1322, entitled**

A bill to amend 1982 PA 432, entitled "Motor bus transportation act," by amending section 9 (MCL 474.109), as amended by 1996 PA 432.

**Senate Bill No. 1323, entitled**

A bill to amend 1951 PA 35, entitled "An act to authorize intergovernmental contracts between municipal corporations; to authorize any municipal corporation to contract with any person or any municipal corporation to furnish any lawful municipal service to property outside the corporate limits of the first municipal corporation for a consideration; to prescribe certain penalties; to authorize contracts between municipal corporations and with certain nonprofit public transportation corporations to form group self-insurance pools; and to prescribe conditions for the performance of those contracts," by amending section 9 (MCL 124.9), as added by 1982 PA 138.

**Senate Bill No. 1324, entitled**

A bill to amend 1965 PA 198, entitled "Motor vehicle accident claims act," by amending section 2 (MCL 257.1102).

**Senate Bill No. 1243, entitled**

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

**Senate Bill No. 1334, entitled**

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

The 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. 805, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 27a (MCL 211.27a), as amended by 2008 PA 506.

Substitute (S-3).

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

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

**Senate Bill No. 1305, entitled**

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

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 amendments, the following bill:

**Senate Bill No. 1360, entitled**

A bill to amend 1980 PA 300, entitled "The public school employees retirement act of 1979," by amending sections 8, 59, 84b, and 91a (MCL 38.1308, 38.1359, 38.1384b, and 38.1391a), section 8 as amended and sections 59, 84b, and 91a as added by 2012 PA 300.

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

1. Amend page 5, line 7, after "eastern" by striking out "daylight" and inserting "**STANDARD**".
2. Amend page 8, line 18, after "before" by striking out "December 1, 2012" and inserting "**FEBRUARY 1, 2013**".
3. Amend page 8, line 20, after "of" by striking out "November 30, 2012" and inserting "**FEBRUARY 1, 2013**".
4. Amend page 9, line 2, after "after" by striking out the balance of the line through "2012" on line 3 and inserting "**FEBRUARY 1, 2013**".

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. 1328, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 19608, 19612, 20101, 20104, 20114, 20114c, 20114e, 20120a, 20120b, 20126, and 21304a (MCL 324.19608, 324.19612, 324.20101, 324.20104, 324.20114, 324.20114c, 324.20114e, 324.20120a, 324.20120b, 324.20126, and 324.21304a), section 19608 as amended by 2003 PA 252, section 19612 as added by 1998 PA 288, sections 20101 and 20104 as amended by 2010 PA 229, section 20114 as amended by 2010 PA 234, section 20114e as amended by 2012 PA 109, sections 20120a and 20120b as amended and section 20114c as added by 2010 PA 228, section 20126 as amended by

2010 PA 227, and section 21304a as amended by 2012 PA 108, and by adding section 20114f; and to repeal acts and parts of acts.

Substitute (S-1).

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

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:  
**Senate Bill No. 1351, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 8123 and 8132 (MCL 600.8123 and 600.8132), section 8123 as amended by 2012 PA 37 and section 8132 as amended by 2011 PA 300.

Substitute (S-4).

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

### Recess

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

The motion prevailed, the time being 11:39 a.m.

The Senate reconvened at the expiration of the recess and pursuant to rule 1.101, in the absence of the Presiding Officers, was called to order by the Secretary of the Senate.

### Recess

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

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

3:12 p.m.

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

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. 805**

**Senate Bill No. 1305**

**Senate Bill No. 1308**

**Senate Bill No. 1322**

**Senate Bill No. 1323**

**Senate Bill No. 1324**

**Senate Bill No. 1360**

**Senate Bill No. 1243**

**Senate Bill No. 1328**

**Senate Bill No. 1334**

**Senate Bill No. 1351**

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

The following bill was read a third time:

**Senate Bill No. 805, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 27a (MCL 211.27a), as amended by 2012 PA 47.

The question being on the passage of the bill,

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



**Roll Call No. 780****Yeas—38**

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

**Nays—0****Excused—0****Not Voting—0**

In The Chair: Schuitmaker

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 1305, entitled**

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

The 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. 781****Yeas—36**

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

**Nays—2**

Anderson                      Whitmer

**Excused—0**

**Not Voting—0**

In The Chair: Schuitmaker

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 1308, entitled**

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” by amending section 2213 (MCL 500.2213), as amended by 2002 PA 707.

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. 782****Yeas—29**

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

**Nays—9**

Anderson	Hopgood	Johnson	Whitmer
Gregory	Hunter	Warren	Young
Hood			

**Excused—0****Not Voting—0**

In The Chair: Schuitmaker

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 1322, entitled**

A bill to amend 1982 PA 432, entitled “Motor bus transportation act,” by amending section 9 (MCL 474.109), as amended by 1996 PA 432.

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. 783****Yeas—37**

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

**Nays—1**

Hood

**Excused—0****Not Voting—0**

In The Chair: Schuitmaker

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 1323, entitled**

A bill to amend 1951 PA 35, entitled “An act to authorize intergovernmental contracts between municipal corporations; to authorize any municipal corporation to contract with any person or any municipal corporation to furnish any lawful municipal service to property outside the corporate limits of the first municipal corporation for a consideration; to prescribe certain penalties; to authorize contracts between municipal corporations and with certain nonprofit public transportation corporations to form group self-insurance pools; and to prescribe conditions for the performance of those contracts,” by amending section 9 (MCL 124.9), as added by 1982 PA 138.

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. 784****Yeas—37**

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

**Nays—1**

Hood

**Excused—0****Not Voting—0**

In The Chair: Schuitmaker

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 1324, entitled**

A bill to amend 1965 PA 198, entitled “Motor vehicle accident claims act,” by amending section 2 (MCL 257.1102).

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. 785****Yeas—37**

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

**Nays—1**

Hood

**Excused—0****Not Voting—0**

In The Chair: Schuitmaker

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 1360, entitled**

A bill to amend 1980 PA 300, entitled "The public school employees retirement act of 1979," by amending sections 8, 59, 84b, and 91a (MCL 38.1308, 38.1359, 38.1384b, and 38.1391a), section 8 as amended and sections 59, 84b, and 91a as added by 2012 PA 300.

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. 786**

**Yeas—26**

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

**Nays—12**

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

**Excused—0**

**Not Voting—0**

In The Chair: Schuitmaker

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 1243, entitled**

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

The 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. 787**

**Yeas—38**

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

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

**Nays—0**

**Excused—0**

**Not Voting—0**

In The Chair: Schuitmaker

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 1328, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 11506, 19608, 19612, 20101, 20104, 20114, 20114c, 20114d, 20114e, 20120a, 20120b, 20120c, 20126, 21301b, 21302, 21303, 21304, 21304a, 21304b, 21304c, 21304d, 21307, 21307a, 21308a, 21309a, 21310a, 21311a, 21312a, 21313a, 21315, 21316a, 21319a, 21323a, 21323j, 21323m, 21326, 21332, and 21333 (MCL 324.11506, 324.19608, 324.19612, 324.20101, 324.20104, 324.20114, 324.20114c, 324.20114d, 324.20114e, 324.20120a, 324.20120b, 324.20120c, 324.20126, 324.21301b, 324.21302, 324.21303, 324.21304, 324.21304a, 324.21304b, 324.21304c, 324.21304d, 324.21307, 324.21307a, 324.21308a, 324.21309a, 324.21310a, 324.21311a, 324.21312a, 324.21313a, 324.21315, 324.21316a, 324.21319a, 324.21323a, 324.21323j, 324.21323m, 324.21326, 324.21332, and 324.21333), section 11506 as amended by 2010 PA 345, section 19608 as amended by 2003 PA 252, section 19612 as added by 1998 PA 288, sections 20101 and 20104 as amended by 2010 PA 229, section 20114 as amended by 2010 PA 234, sections 20120a, 20120b, and 20120c as amended and sections 20114c and 20114d as added by 2010 PA 228, section 20114e as amended and sections 21332 and 21333 as added by 2012 PA 109, section 20126 as amended by 2010 PA 227, section 21301b as added by 1996 PA 116, sections 21302 and 21303 as amended by 2012 PA 111, sections 21304a, 21304b, 21307, 21307a, 21309a, 21310a, 21315, and 21316a as amended and sections 21304c, 21304d, 21323a, 21323j, and 21323m as added by 2012 PA 108, sections 21308a, 21311a, and 21312a as amended by 2012 PA 110, sections 21313a and 21319a as amended by 2012 PA 112, and section 21326 as amended by 2012 PA 113, and by adding sections 20114f, 20114g, and 21323n; 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. 788**

**Yeas—25**

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

**Nays—12**

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

**Excused—0****Not Voting—1**

Pappageorge

In The Chair: Schuitmaker

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 1334, entitled**

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

The question being on the passage of the bill,

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

The motion prevailed.

The following bill was read a third time:

**Senate Bill No. 1351, entitled**

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending sections 8123 and 8132 (MCL 600.8123 and 600.8132), section 8123 as amended by 2012 PA 37 and section 8132 as amended by 2011 PA 300.

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. 789****Yeas—38**

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

**Nays—0****Excused—0**

**Not Voting—0**

In The Chair: Schuitmaker

The Senate agreed to the title of the bill.

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

**Senate Bill No. 1350, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 40103, 40118, 43503, and 43507 (MCL 324.40103, 324.40118, 324.43503, and 324.43507), section 40103 as amended by 2000 PA 191, section 40118 as amended by 2000 PA 347, section 43503 as added by 1995 PA 57, and section 43507 as amended by 1996 PA 585, and by adding sections 40110b and 43528b.

(This bill was read a third time earlier today and consideration postponed. See p. 2289.)

The question being on the passage of the bill,

Senator Walker offered the following amendment:

1. Amend page 8, following line 23, by inserting:

**"SEC. 43540E. (1) THE WOLF MANAGEMENT ADVISORY COUNCIL IS CREATED WITHIN THE DEPARTMENT.**

**(2) THE COUNCIL SHALL CONSIST OF AT LEAST THE FOLLOWING MEMBERS:**

**(A) THE DIRECTOR OF THE DEPARTMENT OR HIS OR HER DESIGNEE.**

**(B) ONE MEMBER REPRESENTING AN ORGANIZATION THAT PROMOTES CONSERVATION IN THIS STATE APPOINTED BY THE DIRECTOR OR HIS OR HER DESIGNEE.**

**(C) ONE MEMBER REPRESENTING ORGANIZATIONS THAT PROMOTE HUNTING OR FISHING IN THIS STATE APPOINTED BY THE DIRECTOR OR HIS OR HER DESIGNEE.**

**(D) ONE MEMBER REPRESENTING A TRIBAL GOVERNMENT APPOINTED BY THE DIRECTOR OR HIS OR HER DESIGNEE.**

**(E) ONE MEMBER REPRESENTING AGRICULTURAL INTERESTS APPOINTED BY THE DIRECTOR OR HIS OR HER DESIGNEE.**

**(F) ONE MEMBER REPRESENTING AN ANIMAL ADVOCACY ORGANIZATION APPOINTED BY THE DIRECTOR OR HIS OR HER DESIGNEE.**

**(3) THE COUNCIL SHALL MEET AT LEAST ANNUALLY.**

**(4) A MAJORITY OF THE MEMBERS OF THE COUNCIL CONSTITUTE A QUORUM FOR THE TRANSACTION OF BUSINESS AT A MEETING OF THE COUNCIL. A MAJORITY OF THE MEMBERS PRESENT AND SERVING ARE REQUIRED FOR OFFICIAL ACTION OF THE COUNCIL.**

**(5) THE BUSINESS THAT THE COUNCIL MAY PERFORM SHALL BE CONDUCTED AT A PUBLIC MEETING OF THE COUNCIL HELD IN COMPLIANCE WITH THE OPEN MEETINGS ACT, 1976 PA 267, MCL 15.261 TO 15.275.**

**(6) A WRITING PREPARED, OWNED, USED, IN THE POSSESSION OF, OR RETAINED BY THE COUNCIL IN THE PERFORMANCE OF AN OFFICIAL FUNCTION IS SUBJECT TO THE FREEDOM OF INFORMATION ACT, 1976 PA 442, MCL 15.231 TO 15.246.**

**(7) MEMBERS OF THE COUNCIL SHALL SERVE WITHOUT COMPENSATION. HOWEVER, MEMBERS OF THE COUNCIL MAY BE REIMBURSED FOR THEIR ACTUAL AND NECESSARY EXPENSES INCURRED IN THE PERFORMANCE OF THEIR OFFICIAL DUTIES AS MEMBERS OF THE COUNCIL.**

**(8) THE COUNCIL SHALL ANNUALLY SUBMIT TO THE COMMISSION A REPORT THAT MAKES NONBINDING RECOMMENDATIONS AS TO THE PROPER MANAGEMENT OF WOLVES IN THIS STATE."**

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

The question being on the passage of the bill,

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

**Roll Call No. 790**

**Yeas—23**

Booher  
Brandenburg  
Casperson  
Caswell

Gleason  
Green  
Hansen  
Hildenbrand

Jones  
Kowall  
Marleau  
Meekhof

Proos  
Richardville  
Robertson  
Rocca



Colbeck  
Emmons

Hune  
Jansen

Moolenaar  
Pavlov

Walker

**Nays—15**

Anderson  
Bieda  
Gregory  
Hood

Hopgood  
Hunter  
Johnson  
Kahn

Nofs  
Pappageorge  
Schuitmaker  
Smith

Warren  
Whitmer  
Young

**Excused—0**

**Not Voting—0**

In The Chair: Schuitmaker

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

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 40103, 40118, 43503, and 43507 (MCL 324.40103, 324.40118, 324.43503, and 324.43507), section 40103 as amended by 2000 PA 191, section 40118 as amended by 2000 PA 347, section 43503 as added by 1995 PA 57, and section 43507 as amended by 1996 PA 585, and by adding sections 40110b, 43528b, and 43540e.

The amendment to the title was adopted.

The Senate agreed to the title as amended.

**Recess**

Senator Meekhof moved that the Senate recess subject to the call of the Chair.  
The motion prevailed, the time being 3:36 p.m.

4:52 p.m.

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

By unanimous consent the Senate returned to the order of

**Motions and Communications**

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. 1115**

**Senate Bill No. 1117**

**Senate Bill No. 1118**

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

By unanimous consent the Senate returned to the order of

**General Orders**

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

The motion prevailed, and the Assistant President pro tempore, Senator Hansen, designated Senator Hildenbrand as Chairperson.

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

**Senate Bill No. 1115, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 1483, 2959, 6306, and 6307 (MCL 600.1483, 600.2959, 600.6306, and 600.6307), section 1483 as amended by 1993 PA 78, section 2959 as added and section 6306 as amended by 1995 PA 161, and section 6307 as added by 1986 PA 178, and by adding section 6306a.

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

1. Amend page 2, line 18, after "disfigurement," by striking out "**LOSS OF HOUSEHOLD OR OTHER SERVICES**,".

2. Amend page 5, line 9, after "**COSTS**," by striking out the balance of the line through "**6303**," on line 11.

3. Amend page 7, following line 12, by inserting:

"Enacting section 1. Sections 1483, 2959, 6306, and 6307 of the revised judicature act of 1961, 1961 PA 236, MCL 600.1483, 600.2959, 600.6306, and 600.6307, as amended by this amendatory act and section 6306a of the revised judicature act of 1961, 1961 PA 236, MCL 600.6306a, as added by this amendatory act apply only to actions in which the cause of action arose on or after the effective date of this amendatory act."

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 amendments, the following bill:

**Senate Bill No. 1117, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 2169 and 2912 (MCL 600.2169 and 600.2912), section 2169 as amended by 1993 PA 78.

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

1. Amend page 5, line 9, after "**ENTITY**," by inserting "**AS USED IN THIS SUBSECTION, "LICENSED HEALTH FACILITY OR AGENCY" DOES NOT INCLUDE A HEALTH MAINTENANCE ORGANIZATION AS THAT TERM IS DEFINED IN SECTION 3501 OF THE INSURANCE CODE OR 1956, 1956 PA 218, MCL 500.3501**,".

2. Amend page 5, following line 17, by inserting:

"Enacting section 1. Sections 2169 and 2912 of the revised judicature act of 1961, 1961 PA 236, MCL 600.2169 and 600.2912, as amended by this amendatory act apply only to actions in which the cause of action arose on or after the effective date of this amendatory act."

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 amendment, the following bill:

**Senate Bill No. 1118, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 2912e, 5852, and 6013 (MCL 600.2912e, 600.5852, and 600.6013), section 2912e as amended by 1993 PA 78, section 5852 as amended by 1988 PA 221, and section 6013 as amended by 2002 PA 77.

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

1. Amend page 8, following line 20, by inserting:

"Enacting section 1. Sections 2912e, 5852, and 6013 of the revised judicature act of 1961, 1961 PA 236, MCL 600.2912e, 600.5852, and 600.6013, as amended by this amendatory act apply only to actions in which the cause of action arose on or after the effective date of this amendatory act."

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. 59, entitled**

A bill to amend 1927 PA 372, entitled "An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms, gas ejecting devices, and electro-muscular disruption devices; to prohibit the buying, selling, or carrying of certain firearms, gas ejecting devices, and electro-muscular disruption devices without a license or other authorization; to provide for the forfeiture of firearms and electro-muscular disruption devices under certain circumstances; to provide for penalties and remedies; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; to prohibit certain conduct against individuals who apply for or receive a license to carry a concealed pistol; to make appropriations; to prescribe certain conditions for the appropriations;

and to repeal all acts and parts of acts inconsistent with this act,” by amending sections 1, 2a, 4, 5, 5a, 5b, 5c, 5d, 5e, 5f, 5j, 5k, 5l, 5m, 5o, and 8 (MCL 28.421, 28.422a, 28.424, 28.425, 28.425a, 28.425b, 28.425c, 28.425d, 28.425e, 28.425f, 28.425j, 28.425k, 28.425l, 28.425m, 28.425o, and 28.428), section 1 as amended by 2012 PA 243, section 2a as amended by 2010 PA 210, section 4 as added by 1992 PA 219, sections 5, 5a, 5e, and 5m as added by 2000 PA 381, sections 5b and 8 as amended by 2008 PA 406, sections 5c and 5d as amended by 2002 PA 719, sections 5f, 5k, and 5o as amended by 2012 PA 123, section 5j as amended by 2004 PA 254, and section 5l as amended by 2012 PA 32, and by adding section 5x; and to repeal acts and parts of acts.

Substitute (S-5).

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

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. 1115**

**Senate Bill No. 1117**

**Senate Bill No. 1118**

**Senate Bill No. 59**

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

The following bill was read a third time:

**Senate Bill No. 1115, entitled**

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending sections 1483, 2959, 6306, and 6307 (MCL 600.1483, 600.2959, 600.6306, and 600.6307), section 1483 as amended by 1993 PA 78, section 2959 as added and section 6306 as amended by 1995 PA 161, and section 6307 as added by 1986 PA 178, and by adding section 6306a.

The question being on the passage of the bill,

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

The motion prevailed.

The following bill was read a third time:

**Senate Bill No. 1117, entitled**

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending sections 2169 and 2912 (MCL 600.2169 and 600.2912), section 2169 as amended by 1993 PA 78.

The question being on the passage of the bill,

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

The motion prevailed.

The following bill was read a third time:

**Senate Bill No. 1118, entitled**

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending sections 2912e, 5852, and 6013 (MCL 600.2912e, 600.5852, and 600.6013), section 2912e as amended by 1993 PA 78, section 5852 as amended by 1988 PA 221, and section 6013 as amended by 2002 PA 77.

The question being on the passage of the bill,

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

The motion prevailed.

The following bill was read a third time:

**Senate Bill No. 59, entitled**

A bill to amend 1927 PA 372, entitled “An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms, gas ejecting devices, and electro-muscular disruption devices; to prohibit the buying, selling, or carrying of certain firearms, gas ejecting devices, and electro-muscular disruption devices without a license or other authorization; to provide for the forfeiture of firearms and electro-muscular disruption devices under certain circumstances;

to provide for penalties and remedies; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; to prohibit certain conduct against individuals who apply for or receive a license to carry a concealed pistol; to make appropriations; to prescribe certain conditions for the appropriations; and to repeal all acts and parts of acts inconsistent with this act,” by amending sections 1, 2a, 4, 5, 5a, 5b, 5c, 5d, 5e, 5f, 5j, 5k, 5l, 5m, 5o, and 8 (MCL 28.421, 28.422a, 28.424, 28.425, 28.425a, 28.425b, 28.425c, 28.425d, 28.425e, 28.425f, 28.425j, 28.425k, 28.425l, 28.425m, 28.425o, and 28.428), section 1 as amended by 2012 PA 243, section 2a as amended by 2010 PA 210, section 4 as added by 1992 PA 219, sections 5, 5a, 5e, and 5m as added by 2000 PA 381, sections 5b and 8 as amended by 2008 PA 406, sections 5c and 5d as amended by 2002 PA 719, sections 5f, 5k, and 5o as amended by 2012 PA 123, section 5j as amended by 2004 PA 254, and section 5l as amended by 2012 PA 32, and by adding section 5x; and to repeal acts and parts of acts.

The question being on the passage of the bill,

**Recess**

Senator Meekhof moved that the Senate recess subject to the call of the Chair.  
The motion prevailed, the time being 5:05 p.m.

5:12 p.m.

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

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. 791**

**Yeas—27**

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

**Nays—11**

Anderson	Hood	Johnson	Whitmer
Bieda	Hopgood	Smith	Young
Gregory	Hunter	Warren	

**Excused—0**

**Not Voting—0**

In The Chair: Hansen

The Senate agreed to the title of the bill.

**Recess**

Senator Meekhof moved that the Senate recess subject to the call of the Chair.  
The motion prevailed, the time being 5:16 p.m.

5:56 p.m.

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

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

**Senate Bill No. 1115, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 1483, 2959, 6306, and 6307 (MCL 600.1483, 600.2959, 600.6306, and 600.6307), section 1483 as amended by 1993 PA 78, section 2959 as added and section 6306 as amended by 1995 PA 161, and section 6307 as added by 1986 PA 178, and by adding section 6306a. (This bill was read a third time earlier today and consideration postponed. See p. 2307.)

The question being on the passage of the bill,

Senator Hune offered the following amendments:

1. Amend page 1, line 1, after "In" by striking out "an action" and inserting "**A CLAIM**".
2. Amend page 1, line 4, after "the" by striking out "negligence" and inserting "**MEDICAL MALPRACTICE**".
3. Amend page 2, line 21, after "(4)" by striking out "The" and inserting "**BEGINNING APRIL 1, 1994, THE**".
4. Amend page 6, line 1, after "(3)" by inserting "**IF LIABILITY IS DETERMINED TO BE JOINT AND SEVERAL,**".

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

The question being on the passage of the bill,

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

**Roll Call No. 792****Yeas—36**

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

**Nays—2**

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

In The Chair: Hansen

The Senate agreed to the title of the bill.

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

**Senate Bill No. 1117, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 2169 and 2912 (MCL 600.2169 and 600.2912), section 2169 as amended by 1993 PA 78.

(This bill was read a third time earlier today and consideration postponed. See p. 2307.)

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. 793**

**Yeas—26**

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

**Nays—12**

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

**Excused—0**

**Not Voting—0**

In The Chair: Hansen

The Senate agreed to the title of the bill.

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

**Senate Bill No. 1118, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 2912e, 5852, and 6013 (MCL 600.2912e, 600.5852, and 600.6013), section 2912e as amended by 1993 PA 78, section 5852 as amended by 1988 PA 221, and section 6013 as amended by 2002 PA 77.

(This bill was read a third time earlier today and consideration postponed. See p. 2307.)

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. 794**

**Yeas—27**

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

**Nays—11**

Anderson	Gregory	Hunter	Whitmer
Bieda	Hood	Johnson	Young
Gleason	Hopgood	Warren	

**Excused—0****Not Voting—0**

In The Chair: Hansen

The Senate agreed to the title of the bill.

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

The Secretary announced that the following House bills were received in the Senate and filed on Thursday, November 29:  
**House Bill Nos. 5542 5817 5937 6007 6008 6009 6010**

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

Senator Caswell introduced  
**Senate Bill No. 1386, entitled**

A bill to amend 1939 PA 280, entitled “The social welfare act,” by amending section 57a (MCL 400.57a), as amended by 2011 PA 131.

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

Senators Meekhof, Hildenbrand, Moolenaar and Jansen introduced  
**Senate Bill No. 1387, entitled**

A bill to amend 1965 PA 166, entitled “An act to require prevailing wages and fringe benefits on state projects; to establish the requirements and responsibilities of contracting agents and bidders; and to prescribe penalties,” by amending the title and section 2 (MCL 408.552).

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

**House Bill No. 4263, entitled**

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending section 2918 (MCL 600.2918). 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 Judiciary.

**House Bill No. 4609, entitled**

A bill to amend 1993 PA 354, entitled “Railroad code of 1993,” by amending section 315 (MCL 462.315), as amended by 2001 PA 5.

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

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

**House Bill No. 4800, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 705 (MCL 380.705), as amended by 2003 PA 299.

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 Local Government and Elections.

**House Bill No. 4998, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 5732 and 5739 (MCL 600.5732 and 600.5739), section 5739 as amended by 2006 PA 147, and by adding section 5736.

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 Judiciary.

**House Bill No. 5055, entitled**

A bill to amend 1936 (Ex Sess) PA 1, entitled "Michigan employment security act," (MCL 421.1 to 421.75) by adding section 11a.

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

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

**House Bill No. 5076, entitled**

A bill to amend 1968 PA 2, entitled "Uniform budgeting and accounting act," by amending sections 16 and 18 (MCL 141.436 and 141.438), as amended by 2000 PA 493.

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 Judiciary.

**House Bill No. 5487, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 42 and 726c (MCL 257.42 and 257.726c), as amended by 1989 PA 173.

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.

**House Bill No. 5542, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 40b and 310 (MCL 257.40b and 257.310), section 40b as amended by 2008 PA 7 and section 310 as amended by 2008 PA 36.

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.

**House Bill No. 5600, entitled**

A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending section 18e of chapter XIIA (MCL 712A.18e), as amended by 1996 PA 257.

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

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

**House Bill No. 5682, entitled**

A bill to amend 1991 PA 46, entitled "Eligible domestic relations order act," by amending section 2 (MCL 38.1702), as amended by 2008 PA 348.

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

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

**House Bill No. 5692, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending sections 71, 72, and 73 (MCL 750.71, 750.72, and 750.73).

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 Judiciary.



**House Bill No. 5693, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending sections 74, 75, and 76 (MCL 750.74, 750.75, and 750.76), section 74 as amended by 1998 PA 312.

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 Judiciary.

**House Bill No. 5694, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending sections 77, 78, and 79 (MCL 750.77, 750.78, and 750.79), section 77 as amended by 1998 PA 312.

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 Judiciary.

**House Bill No. 5695, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16c of chapter XVII (MCL 777.16c), as amended by 2000 PA 279.

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 Judiciary.

**House Bill No. 5798, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 11503, 11505, and 11506 (MCL 324.11503, 324.11505, and 324.11506), sections 11503 and 11505 as amended by 2007 PA 212 and section 11506 as amended by 2010 PA 345, and by adding section 11521b.

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

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

**House Bill No. 5801, entitled**

A bill to enter into the state and province emergency management assistance agreement.

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

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

**House Bill No. 5817, entitled**

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 6a (MCL 205.56a), as amended by 2008 PA 556.

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 Energy and Technology.

Senator Hunter moved that Senator Warren be excused from the balance of today's session.

The motion prevailed.

**House Bill No. 5839, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 87c (MCL 211.87c), as amended by 2002 PA 165.

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

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

**House Bill No. 5843, entitled**

A bill to prohibit organized retail crime and to provide penalties for that crime; to provide for forfeiture of and restitution for stolen retail merchandise in certain circumstances; to create the organized retail crime advisory board and to prescribe its powers and duties; and to provide for the administration of this act.

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

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

**House Bill No. 5892, entitled**

A bill to amend 1984 PA 424, entitled "Rental-purchase agreement act," by amending sections 7, 8, and 20 (MCL 445.957, 445.958, and 445.970).

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

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

**House Bill No. 5902, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 17d of chapter XVII (MCL 777.17d), as added by 2002 PA 28.

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

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

**House Bill No. 5931, entitled**

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending section 111a (MCL 400.111a), as amended by 2000 PA 187.

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

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

**House Bill No. 5937, entitled**

A bill to amend 1937 PA 94, entitled "Use tax act," by amending sections 3a, 4, and 4o (MCL 205.93a, 205.94, and 205.94o), section 3a as amended by 2012 PA 299, section 4 as amended by 2008 PA 314, and section 4o as amended by 2010 PA 115.

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

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

**House Bill No. 5952, entitled**

A bill to amend 1986 PA 32, entitled "Emergency 9-1-1 service enabling act," by amending section 401c (MCL 484.1401c), as amended by 2012 PA 260.

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

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

**House Bill No. 6007, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending sections 24, 25, 27, 34c, and 53 (MCL 211.24, 211.25, 211.27, 211.34c, and 211.53), section 24 as amended by 2002 PA 620, section 27 as amended by 2010 PA 340, section 34c as amended by 2011 PA 320, and section 53 as amended by 1983 PA 24, and by adding sections 7oo, 7pp, and 7qq; and to repeal acts and parts of acts.

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

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

**House Bill No. 6008, entitled**

A bill to levy specific taxes on certain nonferrous metallic minerals on certain taxpayers in this state; to provide for the levy, collection, and administration of the specific tax; to provide certain reporting requirements; to provide for certain penalties; to provide certain exemptions, credits, and refunds; and to provide for the distribution of the specific tax.

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

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

**House Bill No. 6009, entitled**

A bill to establish certain programs that promote the sustainability of land-based industries and support infrastructure that benefits rural communities; to establish a fund and provide for its use; and to prescribe the powers and duties of certain state agencies and officials.

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

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

**House Bill No. 6010, entitled**

A bill to amend 1933 PA 167, entitled "General sales tax act," (MCL 205.51 to 205.78) by adding section 4dd. The House of Representatives has passed the bill and ordered that it be given immediate effect. The bill was read a first and second time by title and referred to the Committee on Economic Development.

**Recess**

Senator Meekhof moved that the Senate recess subject to the call of the Chair. The motion prevailed, the time being 6:10 p.m.

6:28 p.m.

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

By unanimous consent the Senate returned to the order of

**Third Reading of Bills**

By unanimous consent the Senate proceeded to consideration of the following bill.

**Senate Bill No. 810, entitled**

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 4, 381, and 642a (MCL 168.4, 168.381, and 168.642a), section 4 as amended by 2010 PA 181, section 381 as amended by 2012 PA 276, and section 642a as amended by 2011 PA 233; and to repeal acts and parts of acts.

The above bill was read a third time.

The question being on the passage of the bill, Senator Hansen offered the following substitute:  
Substitute (S-3).

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

The question being on the passage of the bill,

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

**Roll Call No. 795****Yeas—36**

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

**Nays—1**

Young

**Excused—1**

Warren

**Not Voting—0**

In The Chair: Hansen

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

A bill to amend 1954 PA 116, entitled “Michigan election law,” by amending sections 4, 381, 642, and 642a (MCL 168.4, 168.381, 168.642, and 168.642a), section 4 as amended by 2010 PA 181, section 381 as amended by 2012 PA 276, and sections 642 and 642a as amended by 2011 PA 233; and to repeal acts and parts of acts.

The amendment to the title was adopted.

The Senate agreed to the title as amended.

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

**Senate Bill No. 811, entitled**

A bill to amend 1895 PA 3, entitled “The general law village act,” by amending sections 4 and 5 of chapter II and section 3 of chapter V (MCL 62.4, 62.5, and 65.3), section 4 of chapter II and section 3 of chapter V as amended by 2003 PA 305 and section 5 of chapter II as amended by 2004 PA 300.

The above bill was read a third time.

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. 796****Yeas—37**

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

**Nays—0****Excused—1**

Warren

**Not Voting—0**

In The Chair: Hansen

The Senate agreed to the title of the bill.

By unanimous consent the Senate returned to the order of

**Messages from the House****Senate Bill No. 931, entitled**

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2012; and to provide for the expenditure of the appropriations.

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

The House of Representatives has passed the bill as substituted (H-1), ordered that it be given immediate effect and amended the title to read as follows:

A bill to make, supplement, and adjust appropriations for various state departments and agencies, the legislative branch, and the judicial branch for the fiscal year ending September 30, 2012; and to provide for the expenditure of the appropriations.

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

Senator Meekhof moved that the rule be suspended.

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

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

The substitute was not concurred in, a majority of the members serving not voting therefor, as follows:

**Roll Call No. 797**

**Yeas—0**

**Nays—37**

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

**Excused—1**

Warren

**Not Voting—0**

In The Chair: Hansen

**Committee Reports**

The Committee on Judiciary reported

**House Bill No. 5466, entitled**

A bill to amend 1966 PA 165, entitled “An act to invalidate certain requirements for indemnity in the construction industry,” by amending section 1 (MCL 691.991).

With the recommendation that the substitute (S-4) 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.

## COMMITTEE ATTENDANCE REPORT

The Committee on Judiciary submitted the following:

Meeting held on Tuesday, November 27, 2012, at 3:10 p.m., Room 110, Farnum Building

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

The Committee on Insurance reported

**Senate Bill No. 1115, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 1483, 2959, 6306, and 6307 (MCL 600.1483, 600.2959, 600.6306, and 600.6307), section 1483 as amended by 1993 PA 78, section 2959 as added and section 6306 as amended by 1995 PA 161, and section 6307 as added by 1986 PA 178, and by adding section 6306a.

With the recommendation that the bill pass.

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

Joe Hune  
Chairperson

To Report Out:

Yeas: Senators Hune, Marleau, Brandenburg, Robertson and Smith

Nays: Senator Bieda

The bill was referred to the Committee of the Whole.

The Committee on Insurance reported

**Senate Bill No. 1117, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 2169 and 2912 (MCL 600.2169 and 600.2912), section 2169 as amended by 1993 PA 78.

With the recommendation that the bill pass.

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

Joe Hune  
Chairperson

To Report Out:

Yeas: Senators Hune, Marleau, Brandenburg, Robertson and Smith

Nays: Senator Bieda

The bill was referred to the Committee of the Whole.

The Committee on Insurance reported

**Senate Bill No. 1118, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 2912e, 5852, and 6013 (MCL 600.2912e, 600.5852, and 600.6013), section 2912e as amended by 1993 PA 78, section 5852 as amended by 1988 PA 221, and section 6013 as amended by 2002 PA 77.

With the recommendation that the bill pass.

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

Joe Hune  
Chairperson

To Report Out:

Yeas: Senators Hune, Marleau, Brandenburg, Robertson and Smith

Nays: Senator Bieda

The bill was referred to the Committee of the Whole.

The Committee on Insurance reported

**Senate Bill No. 1305, entitled**

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

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.

Joe Hune  
Chairperson

## To Report Out:

Yeas: Senators Hune, Marleau, Brandenburg, Robertson, Smith and Bieda

Nays: None

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

The Committee on Insurance reported

**Senate Bill No. 1308, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 2213 (MCL 500.2213), as amended by 2002 PA 707.

With the recommendation that the bill pass.

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

Joe Hune  
Chairperson

## To Report Out:

Yeas: Senators Hune, Marleau, Brandenburg, Robertson, Smith and Bieda

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Insurance reported

**Senate Bill No. 1322, entitled**

A bill to amend 1982 PA 432, entitled "Motor bus transportation act," by amending section 9 (MCL 474.109), as amended by 1996 PA 432.

With the recommendation that the bill pass.

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

Joe Hune  
Chairperson

## To Report Out:

Yeas: Senators Hune, Marleau, Brandenburg, Robertson, Smith and Bieda

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Insurance reported

**Senate Bill No. 1323, entitled**

A bill to amend 1951 PA 35, entitled "An act to authorize intergovernmental contracts between municipal corporations; to authorize any municipal corporation to contract with any person or any municipal corporation to furnish any lawful municipal service to property outside the corporate limits of the first municipal corporation for a consideration; to prescribe certain penalties; to authorize contracts between municipal corporations and with certain nonprofit public transportation corporations to form group self-insurance pools; and to prescribe conditions for the performance of those contracts," by amending section 9 (MCL 124.9), as added by 1982 PA 138.

With the recommendation that the bill pass.

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

Joe Hune  
Chairperson

## To Report Out:

Yeas: Senators Hune, Marleau, Brandenburg, Robertson, Smith and Bieda

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Insurance reported

**Senate Bill No. 1324, entitled**

A bill to amend 1965 PA 198, entitled "Motor vehicle accident claims act," by amending section 2 (MCL 257.1102).

With the recommendation that the bill pass.

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

Joe Hune  
Chairperson

## To Report Out:

Yeas: Senators Hune, Marleau, Brandenburg, Robertson, Smith and Bieda

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Insurance reported

**House Bill No. 5890, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 1238 (MCL 500.1238), as added by 1984 PA 5.

With the recommendation that the bill pass.

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

Joe Hune  
Chairperson

## To Report Out:

Yeas: Senators Hune, Marleau, Brandenburg, Robertson, Smith and Bieda

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Insurance reported

**House Bill No. 5891, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending sections 2112, 2116, 3109, and 3109a (MCL 500.2112, 500.2116, 500.3109, and 500.3109a), sections 2112 and 2116 as amended by 1980 PA 461.

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.

Joe Hune  
Chairperson

## To Report Out:

Yeas: Senators Hune, Marleau, Brandenburg and Robertson

Nays: Senators Smith and Bieda

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

## COMMITTEE ATTENDANCE REPORT

The Committee on Insurance submitted the following:

Meeting held on Tuesday, November 27, 2012, at 3:00 p.m., Room 100, Farnum Building

Present: Senators Hune (C), Marleau, Brandenburg, Robertson, Smith and Bieda

Excused: Senator Hansen

The Committee on Transportation reported

**Senate Bill No. 968, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 724 (MCL 257.724), as amended by 2009 PA 169.

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

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

Thomas A. Casperson  
Chairperson

## To Report Out:

Yeas: Senators Casperson, Kowall, Pavlov and Hansen

Nays: None

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

The Committee on Transportation reported

**Senate Bill No. 1020, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 81115, 81129, and 81131 (MCL 324.81115, 324.81129, and 324.81131), sections 81115 and 81129 as amended by 2008 PA 240 and section 81131 as amended by 2011 PA 107.



With the recommendation that the substitute (S-1) be adopted and that the bill then pass.  
The committee further recommends that the bill be given immediate effect.

Thomas A. Casperson  
Chairperson

To Report Out:

Yeas: Senators Casperson, Kowall, Pavlov and Hansen

Nays: None

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

The Committee on Transportation reported

**House Bill No. 5301, entitled**

A bill to amend 1966 PA 293, entitled "An act to provide for the establishment of charter counties; to provide for the election of charter commissioners; to prescribe their powers and duties; to prohibit certain acts of a county board of commissioners after the approval of the election of a charter commission; to prescribe the mandatory and permissive provisions of a charter; to provide for the exercise by a charter county of certain powers whether or not authorized by its charter; and to prescribe penalties and provide remedies," (MCL 45.501 to 45.521) by adding section 14a.

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

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

Thomas A. Casperson  
Chairperson

To Report Out:

Yeas: Senators Casperson, Kowall, Pavlov, Hansen and Gleason

Nays: None

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

The Committee on Transportation reported

**House Bill No. 5302, entitled**

A bill to amend 1951 PA 51, entitled "An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to promote safe and efficient travel for motor vehicle drivers, bicyclists, pedestrians, and other legal users of roads, streets, and highways; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, local bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts," (MCL 247.651 to 247.675) by adding section 18j.

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

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

Thomas A. Casperson  
Chairperson

To Report Out:

Yeas: Senators Casperson, Kowall, Pavlov, Hansen and Gleason

Nays: None

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

The Committee on Transportation reported

**House Bill No. 5313, entitled**

A bill to amend 1973 PA 139, entitled "An act to provide forms of county government; to provide for county managers and county executives and to prescribe their powers and duties; to abolish certain departments, boards, commissions, and authorities; to provide for transfer of certain powers and functions; to prescribe powers of a board of county commissioners and elected officials; to provide organization of administrative functions; to transfer property; to retain ordinances and laws not inconsistent with this act; to provide methods for abolition of a unified form of county government; and to prescribe penalties and provide remedies," (MCL 45.551 to 45.573) by adding section 4a.

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

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

Thomas A. Casperson  
Chairperson

To Report Out:

Yeas: Senators Casperson, Kowall, Pavlov, Hansen and Gleason

Nays: None

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

#### COMMITTEE ATTENDANCE REPORT

The Committee on Transportation submitted the following:

Meeting held on Tuesday, November 27, 2012, at 12:30 p.m., Room 100, Farnum Building

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

Excused: Senators Brandenburg and Hood

The Committee on Finance reported

**House Bill No. 4497, entitled**

A bill to establish the American Red Cross Michigan fund in the department of treasury; to provide for the distribution of the money from the fund; to prescribe the powers and duties of certain agencies and officials; and to provide for appropriations.

With the recommendation that the bill pass.

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

Jack M. Brandenburg  
Chairperson

To Report Out:

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

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Finance reported

**House Bill No. 4498, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 435 (MCL 206.435), as amended by 2008 PA 560.

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

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

Jack M. Brandenburg  
Chairperson

To Report Out:

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

Nays: None

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

The Committee on Finance reported

**House Bill No. 4860, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 27b (MCL 211.27b), as amended by 1996 PA 476.

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

Jack M. Brandenburg  
Chairperson

To Report Out:

Yeas: Senators Brandenburg, Jansen, Pappageorge, Robertson, Bieda and Warren  
Nays: None  
The bill was referred to the Committee of the Whole.

The Committee on Finance reported

**House Bill No. 5220, entitled**

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

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

Jack M. Brandenburg  
Chairperson

To Report Out:

Yeas: Senators Brandenburg, Jansen, Pappageorge, Robertson, Bieda and Warren  
Nays: None  
The bill was referred to the Committee of the Whole.

The Committee on Finance reported

**House Bill No. 5696, entitled**

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

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.

Jack M. Brandenburg  
Chairperson

To Report Out:

Yeas: Senators Brandenburg, Jansen, Pappageorge, Robertson, Bieda and Warren  
Nays: None  
The bill and the substitute recommended by the committee were referred to the Committee of the Whole.

#### COMMITTEE ATTENDANCE REPORT

The Committee on Finance submitted the following:

Meeting held on Wednesday, November 28, 2012, at 8:00 a.m., Room 210, Farnum Building

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

Excused: Senator Proos

The Committee on Appropriations reported

**Senate Bill No. 1360, entitled**

A bill to amend 1980 PA 300, entitled "The public school employees retirement act of 1979," by amending sections 8, 59, 84b, and 91a (MCL 38.1308, 38.1359, 38.1384b, and 38.1391a), section 8 as amended and sections 59, 84b, and 91a as added by 2012 PA 300.

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, Walker and Gregory  
Nays: Senators Hood and Hopgood  
The bill was referred to the Committee of the Whole.

The Committee on Appropriations reported

**House Bill No. 4862, entitled**

A bill to amend 1974 PA 258, entitled "Mental health code," by amending sections 100a, 100b, 100c, 100d, 161, 208, and 210 (MCL 330.1100a, 330.1100b, 330.1100c, 330.1100d, 330.1161, 330.1208, and 330.1210), sections 100a, 100b, and 161 as amended by 2004 PA 499, section 100c as amended by 2002 PA 589, and section 100d as added and sections 208 and 210 as amended by 1995 PA 290, and by adding chapter 2A; 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.

Roger Kahn, M.D.

Chairperson

To Report Out:

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

Nays: Senators Anderson, Hood and Hopgood

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

The Committee on Appropriations reported

**House Bill No. 4863, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 6233, 6235, 6236, 6237, 6238, 6241, 6243, 6251, 7408a, 16106a, and 16221 (MCL 333.6233, 333.6235, 333.6236, 333.6237, 333.6238, 333.6241, 333.6243, 333.6251, 333.7408a, 333.16106a, and 333.16221), section 7408a as amended by 1999 PA 144, section 16106a as added by 1993 PA 80, and section 16221 as amended by 2011 PA 222, and by adding sections 6230, 6234, and 6249.

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, Walker and Gregory

Nays: Senators Anderson, Hood and Hopgood

The bill was referred to the Committee of the Whole.

The Committee on Appropriations reported

**House Bill No. 5873, entitled**

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

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, Walker, Anderson, Gregory, Hood and Hopgood

Nays: None

The bill was referred to the Committee of the Whole.

#### COMMITTEE ATTENDANCE REPORT

The Committee on Appropriations submitted the following:

Meeting held on Tuesday, November 27, 2012, at 3:50 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building  
Present: Senators Kahn (C), Moolenaar, Jansen, Pappageorge, Booher, Caswell, Colbeck, Green, Proos, Walker, Anderson,

Gregory, Hood and Hopgood

Excused: Senators Schuitmaker and Johnson

The Committee on Reforms, Restructuring and Reinventing reported

**House Bill No. 5437, entitled**

A bill to amend 1972 PA 239, entitled "McCauley-Traxler-Law-Bowman-McNeely lottery act," by amending section 32 (MCL 432.32), as amended by 1996 PA 13.

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

Mark C. Jansen  
Chairperson

To Report Out:

Yeas: Senators Jansen, Colbeck, Casperson, Kowall, Robertson and Warren  
Nays: None  
The bill was referred to the Committee of the Whole.

The Committee on Reforms, Restructuring and Reinventing reported

**House Bill No. 5461, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 14c of chapter XVII (MCL 777.14c), as added by 2002 PA 29.

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

Mark C. Jansen  
Chairperson

To Report Out:

Yeas: Senators Jansen, Colbeck, Casperson, Kowall and Robertson  
Nays: Senators Young and Warren  
The bill was referred to the Committee of the Whole.

#### COMMITTEE ATTENDANCE REPORT

The Committee on Reforms, Restructuring and Reinventing submitted the following:  
Meeting held on Wednesday, November 28, 2012, at 9:00 a.m., Rooms 402 and 403, Capitol Building  
Present: Senators Jansen (C), Colbeck, Casperson, Kowall, Robertson, Young and Warren

The Committee on Natural Resources, Environment and Great Lakes reported

**Senate Bill No. 1328, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 19608, 19612, 20101, 20104, 20114, 20114c, 20114e, 20120a, 20120b, 20126, and 21304a (MCL 324.19608, 324.19612, 324.20101, 324.20104, 324.20114, 324.20114c, 324.20114e, 324.20120a, 324.20120b, 324.20126, and 324.21304a), section 19608 as amended by 2003 PA 252, section 19612 as added by 1998 PA 288, sections 20101 and 20104 as amended by 2010 PA 229, section 20114 as amended by 2010 PA 234, section 20114e as amended by 2012 PA 109, sections 20120a and 20120b as amended and section 20114c as added by 2010 PA 228, section 20126 as amended by 2010 PA 227, and section 21304a as amended by 2012 PA 108, and by adding section 20114f; and to repeal acts and parts of acts.

With the recommendation that the substitute (S-1) be adopted and that the bill then pass.  
The committee further recommends that the bill be given immediate effect.

Thomas A. Casperson  
Chairperson

To Report Out:

Yeas: Senators Casperson, Pavlov, Green, Kowall and Meekhof  
Nays: Senator Warren  
The bill and the substitute recommended by the committee were referred to the Committee of the Whole.

The Committee on Natural Resources, Environment and Great Lakes reported

**Senate Bill No. 1334, entitled**

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

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

Thomas A. Casperson  
Chairperson

## To Report Out:

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

Nays: None

The bill was referred to the Committee of the Whole.

## COMMITTEE ATTENDANCE REPORT

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

Meeting held on Thursday, November 29, 2012, at 8:30 a.m., Room 210, Farnum Building

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

The Committee on Appropriations reported

**Senate Bill No. 1243, entitled**

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

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 and Schuitmaker

Nays: None

The bill was referred to the Committee of the Whole.

## COMMITTEE ATTENDANCE REPORT

The Committee on Appropriations submitted the following:

Meeting held on Thursday, November 29, 2012, at 9:05 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 Education submitted the following:

Meeting held on Wednesday, November 28, 2012, at 7:30 a.m., Senate Hearing Room, Ground Floor, Boji Tower

Present: Senators Pavlov (C), Colbeck, Hopgood and Young

Excused: Senator Emmons

## COMMITTEE ATTENDANCE REPORT

The Committee on Regulatory Reform submitted the following:

Meeting held on Thursday, November 29, 2012, at 12:30 p.m., Room 110, Farnum Building

Present: Senators Rocca (C), Jones, Hune, Pavlov and Warren

Excused: Senators Meekhof and Johnson

**Scheduled Meetings**

**Energy and Technology** - Tuesday, December 4, 1:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower (373-5307)

**Outdoor Recreation and Tourism** - Wednesday, December 5, 9:00 a.m., Room 210, Farnum Building (373-5323)

Senator Meekhof moved that the Senate adjourn.  
The motion prevailed, the time being 6:37 p.m.

The Assistant President pro tempore, Senator Hansen, declared the Senate adjourned until Tuesday, December 4, 2012, at 10:00 a.m.

CAROL MOREY VIVENTI  
Secretary of the Senate

