

**No. 10**  
**STATE OF MICHIGAN**  
**Journal of the Senate**  
**96th Legislature**  
**REGULAR SESSION OF 2012**

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Senate Chamber, Lansing, Tuesday, February 7, 2012.

10:00 a.m.

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

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

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

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

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

Senator Howard C. Walker of the 37th District offered the following invocation:

Heavenly Father, we want to thank You for being with us today. We thank You for all the blessings which You have graciously provided. I do not mean the blessings of things and stuff, but rather the blessing of Your word and Your Son, Your love, and Your forgiveness. Thank You for these blessings, Lord.

I would also like to ask for Your help, Lord. We need Your help to discern Your word and Your will. Many times we have heard Your word used as reasons to support both sides of the same issue. Help us to understand Your will. Help us to understand Your truth.

In Your Son's name I pray. Amen.

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

### Motions and Communications

Senator Emmons entered the Senate Chamber.

Senator Hopgood moved that Senator Johnson be temporarily excused from today's session. The motion prevailed.

Senator Meekhof moved that Senator Green be temporarily excused from today's session. The motion prevailed.

### Recess

Senator Meekhof moved that the Senate recess subject to the call of the Chair. The motion prevailed, the time being 10:05 a.m.

10:11 a.m.

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

During the recess, Senators Johnson and Green entered the Senate Chamber.

The following communication was received and read:

Office of the Auditor General

February 2, 2012

Enclosed is a copy of the Comprehensive Annual Financial Report of the Bureau of State Lottery for the fiscal years ended September 30, 2011 and 2010.

If you have any questions regarding this report, please call me; or Scott M. Strong, C.P.A., Deputy Auditor General; or Mark A. Freeman, C.P.A., Audit Division Administrator for contract audits.

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, February 1:  
**House Bill Nos. 4618 5119 5127 5142**

The Secretary announced that the following House bills were received in the Senate and filed on Thursday, February 2:  
**House Bill Nos. 5053 5226**

The Secretary announced the enrollment printing and presentation to the Governor on Friday, February 3, for his approval the following bill:

**Enrolled Senate Bill No. 130 at 9:55 a.m.**

The Secretary announced that the following official bills were printed on Wednesday, February 1, and are available at the legislative website:

<b>Senate Bill No.</b>	<b>926</b>													
<b>House Bill Nos.</b>	<b>5316</b>	<b>5317</b>	<b>5318</b>	<b>5319</b>	<b>5320</b>	<b>5321</b>	<b>5322</b>	<b>5323</b>	<b>5324</b>	<b>5325</b>	<b>5326</b>	<b>5327</b>	<b>5328</b>	<b>5329</b>
	<b>5330</b>	<b>5331</b>	<b>5332</b>											

The Secretary announced that the following official bills were printed on Thursday, February 2, and are available at the legislative website:

<b>House Bill Nos.</b>	<b>5333</b>	<b>5334</b>	<b>5335</b>	<b>5336</b>	<b>5337</b>	<b>5338</b>
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The Secretary announced that the following official bills and joint resolution were printed on Friday, February 3, and are available at the legislative website:

<b>House Bill Nos.</b>	<b>5339</b>	<b>5340</b>	<b>5341</b>	<b>5342</b>	<b>5343</b>	<b>5344</b>	<b>5345</b>	<b>5346</b>	<b>5347</b>	<b>5348</b>	<b>5349</b>	<b>5350</b>	<b>5351</b>	<b>5352</b>
	<b>5353</b>	<b>5354</b>	<b>5355</b>	<b>5356</b>	<b>5357</b>	<b>5358</b>	<b>5359</b>	<b>5360</b>	<b>5361</b>					
<b>House Joint Resolution</b>		<b>NN</b>												

Senator Meekhof moved that the Committee on Judiciary be discharged from further consideration of the following bills:

**House Bill No. 5071, entitled**

A bill to amend 1961 PA 236, entitled "Revised judiciary act of 1961," by amending sections 8149 and 8151 (MCL 600.8149 and 600.8151), section 8151 as amended by 2000 PA 38.

**House Bill No. 5072, entitled**

A bill to amend 1961 PA 236, entitled "Revised judiciary act of 1961," by amending sections 8158, 8162, and 8163 (MCL 600.8158, 600.8162, and 600.8163).

**House Bill No. 5073, entitled**

A bill to amend 1961 PA 236, entitled "Revised judiciary act of 1961," by amending sections 8125 and 8134 (MCL 600.8125 and 600.8134), section 8125 as amended by 1995 PA 112 and section 8134 as amended by 2001 PA 253.

**House Bill No. 5074, entitled**

A bill to amend 1961 PA 236, entitled "Revised judiciary act of 1961," by amending section 8133 (MCL 600.8133).

**House Bill No. 5075, entitled**

A bill to amend 1961 PA 236, entitled "Revised judiciary act of 1961," by amending sections 528 and 8144 (MCL 600.528 and 600.8144), section 528 as amended by 1988 PA 134 and section 8144 as amended by 2002 PA 92.

**House Bill No. 5093, entitled**

A bill to amend 1961 PA 236, entitled "Revised judiciary act of 1961," by amending sections 8116 and 8117 (MCL 600.8116 and 600.8117), section 8117 as amended by 2005 PA 237.

**House Bill No. 5094, entitled**

A bill to amend 1961 PA 236, entitled "Revised judiciary act of 1961," by amending sections 8152, 8153, and 8154 (MCL 600.8152, 600.8153, and 600.8154), section 8152 as amended by 2008 PA 137.

**House Bill No. 5095, entitled**

A bill to amend 1961 PA 236, entitled "Revised judiciary act of 1961," by amending section 8160 (MCL 600.8160).

**House Bill No. 5101, entitled**

A bill to amend 1961 PA 236, entitled "Revised judiciary act of 1961," by amending sections 524, 8146, 8147, and 8148 (MCL 600.524, 600.8146, 600.8147, and 600.8148), as amended by 2002 PA 92.

**House Bill No. 5102, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 525 and 549d (MCL 600.525 and 600.549d).

**House Bill No. 5103, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 8121 and 8123 (MCL 600.8121 and 600.8123), section 8121 as amended by 2001 PA 258 and section 8123 as amended by 2000 PA 448.

**House Bill No. 5104, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 519 and 8139 (MCL 600.519 and 600.8139).

**House Bill No. 5106, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 526 (MCL 600.526).

**House Bill No. 5107, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 8140 (MCL 600.8140).

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

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

**House Bill No. 5071**

**House Bill No. 5072**

**House Bill No. 5073**

**House Bill No. 5074**

**House Bill No. 5075**

**House Bill No. 5093**

**House Bill No. 5094**

**House Bill No. 5095**

**House Bill No. 5101**

**House Bill No. 5102**

**House Bill No. 5103**

**House Bill No. 5104**

**House Bill No. 5106**

**House Bill No. 5107**

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

### **Messages from the Governor**

The following messages from the Governor were received and read:

January 19, 2012

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

**Michigan Food Policy Council**

Michael W. Hamm of 2300 Lamb Road, Mason, Michigan 48854, county of Ingham, representing institutions of higher education, succeeding himself, is appointed for a term expiring October 31, 2015.

Susan E. Goodell of 420 Suffield Avenue, Birmingham, Michigan 48009, county of Oakland, representing anti-hunger organizations, succeeding Jane Marshall, is appointed for a term expiring October 31, 2015.

Renee R. DeWindt of 6837 River Street, Benzonia, Michigan 49616, county of Benzie, representing K-12 schools, succeeding Kristen Misiak, is appointed for a term expiring October 31, 2012.

Martha A. Gerencer of 875 Whispering Oaks Lane, North Muskegon, Michigan 49445, county of Muskegon, representing food system organizations, succeeding Elaine Brown, is appointed for a term expiring October 31, 2015.

January 24, 2012

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

**Michigan Board of Psychology**

Eric D. Ozkan of 6109 Evergreen Court, Midland, Michigan 48642, county of Midland, representing professionals, succeeding James Reed, is appointed for a term expiring December 31, 2015.

Joseph J. Horak of 7888 Golfpoint Drive, Caledonia, Michigan 49316, county of Kent, representing professionals, succeeding Roberta Toll, is appointed for a term expiring December 31, 2015.

Michael J. Connelly of 6029 Horizon Drive, East Lansing, Michigan 48823, county of Ingham, representing the general public, succeeding Julie Cowie, is appointed for a term expiring December 31, 2015.

Alan O. Warbelow of 12894 Glenview Drive, Plymouth, Michigan 48170, county of Wayne, representing professionals, succeeding himself, is appointed for a term expiring December 31, 2015.

January 30, 2012

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

**Michigan Tax Tribunal**

Bernard D. Copping of 7414 Mallow Lane, Grand Ledge, Michigan 48837, county of Eaton, representing certified public accountants, is appointed for a term commencing February 6, 2012 and expiring June 30, 2013.

February 1, 2012

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

**Chair - Michigan Gaming Control Board**

Robert L. Anthony, IV, of 49909 Jonathan Court, Northville, Michigan 48167, county of Wayne, is appointed for a term expiring at the pleasure of the Governor.

**Michigan Gaming Control Board**

Benjamin J. Friedman of 25105 E. Roy Court, Huntington Woods, Michigan 48070, county of Oakland, is appointed for a term expiring December 31, 2012.

Patrick M. McQueen of 1915 Hickory Bark Lane, Bloomfield Hills, Michigan 48304, county of Oakland, is appointed for a term expiring December 31, 2015.

Andrew T. Palms of 10500 Scio Church Road, Chelsea, Michigan 48118, county of Washtenaw, is appointed for a term expiring December 31, 2015.

Sincerely,  
Rick Snyder  
Governor

The appointments were referred to the Committee on Government Operations.

By unanimous consent the Senate proceeded to the order of

**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. 726**

**Senate Bill No. 845**

**Senate Bill No. 846**

**Senate Bill No. 847**

**Senate Bill No. 848**

The motion prevailed.

The following bill was read a third time:

**Senate Bill No. 726, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 24 of chapter VII (MCL 767.24), as amended by 2005 PA 35.

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. 37**

**Yeas—38**

Anderson  
Bieda

Gregory  
Hansen

Kahn  
Kowall

Richardville  
Robertson

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

**Nays—0**

**Excused—0**

**Not Voting—0**

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 845, entitled**

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 4a of chapter IX (MCL 769.4a), as amended by 2006 PA 663.

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. 38**

**Yeas—38**

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

**Nays—0**

**Excused—0**

**Not Voting—0**

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 846, entitled**

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 16d of chapter XVII (MCL 777.16d), as amended by 2011 PA 169.

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. 39**

**Yeas—38**

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

**Nays—0**

**Excused—0**

**Not Voting—0**

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 847, entitled**

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending sections 81 and 81a (MCL 750.81 and 750.81a), as amended by 2001 PA 190.

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. 40**

**Yeas—38**

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

**Nays—0**

**Excused—0**

**Not Voting—0**

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 848, entitled**

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending section 84 (MCL 750.84).

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. 41**

**Yeas—38**

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

**Nays—0**

**Excused—0**

**Not Voting—0**

In The Chair: President

The Senate agreed to the title of the bill.

By unanimous consent the Senate proceeded to the order of

**General Orders**

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

The motion prevailed, and the President, Lieutenant Governor Calley, designated Senator Jansen as Chairperson.



After some time spent therein, the Committee arose; and the President, Lieutenant Governor Calley, having resumed the Chair, the Committee reported back to the Senate, favorably and without amendment, the following bills:

**House Bill No. 5073, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 8125 and 8134 (MCL 600.8125 and 600.8134), section 8125 as amended by 1995 PA 112 and section 8134 as amended by 2001 PA 253.

**House Bill No. 5074, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 8133 (MCL 600.8133).

**House Bill No. 5075, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 528 and 8144 (MCL 600.528 and 600.8144), section 528 as amended by 1988 PA 134 and section 8144 as amended by 2002 PA 92.

**House Bill No. 5094, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 8152, 8153, and 8154 (MCL 600.8152, 600.8153, and 600.8154), section 8152 as amended by 2008 PA 137.

**House Bill No. 5095, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 8160 (MCL 600.8160).

**House Bill No. 5106, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 526 (MCL 600.526).

**House Bill No. 5093, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 8116 and 8117 (MCL 600.8116 and 600.8117), section 8117 as amended by 2005 PA 237.

**House Bill No. 5107, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 8140 (MCL 600.8140).  
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 amendment, the following bill:

**House Bill No. 5101, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 524, 8146, 8147, and 8148 (MCL 600.524, 600.8146, 600.8147, and 600.8148), as amended by 2002 PA 92.

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

1. Amend page 4, line 3, after "**THE**" by striking out the balance of the subsection and inserting "**CONSOLIDATION OF THE EIGHTY-SECOND AND EIGHTY-THIRD DISTRICTS.**".

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 amendment, the following bill:

**House Bill No. 5071, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 8149 and 8151 (MCL 600.8149 and 600.8151), section 8151 as amended by 2000 PA 38.

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

1. Amend page 1, following "**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**" by striking out all of section 8149.

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:  
**House Bill No. 5102, entitled**

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending sections 525 and 549d (MCL 600.525 and 600.549d).

Substitute (S-1).

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

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

**House Bill No. 5104, entitled**

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending sections 519 and 8139 (MCL 600.519 and 600.8139).

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

1. Amend page 1, line 11, by striking out all of section 8139.

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 amendment, the following bill:

**House Bill No. 5072, entitled**

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending sections 8158, 8162, and 8163 (MCL 600.8158, 600.8162, and 600.8163).

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

1. Amend page 2, line 5, by striking out all of section 8162.

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.

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:

- House Bill No. 5071**
- House Bill No. 5072**
- House Bill No. 5073**
- House Bill No. 5074**
- House Bill No. 5075**
- House Bill No. 5093**
- House Bill No. 5094**
- House Bill No. 5095**
- House Bill No. 5101**
- House Bill No. 5102**
- House Bill No. 5104**
- House Bill No. 5106**
- House Bill No. 5107**

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

The following bill was read a third time:

**House Bill No. 5071, entitled**

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending sections 8149 and 8151 (MCL 600.8149 and 600.8151), section 8151 as amended by 2000 PA 38.

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. 42**

**Yeas—36**

Anderson  
Bieda

Green  
Gregory

Johnson  
Jones

Pavlov  
Proos

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

**Nays—2**

Walker	Young
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**Excused—0****Not Voting—0**

In The Chair: President

Senator Meekhof moved that the bill be given immediate effect.

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

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

A bill to amend 1961 PA 236, entitled “An act to revise and consolidate the statutes relating to the organization and jurisdiction of the courts of this state; the powers and duties of the courts, and of the judges and other officers of the courts; the forms and attributes of civil claims and actions; the time within which civil actions and proceedings may be brought in the courts; pleading, evidence, practice, and procedure in civil and criminal actions and proceedings in the courts; to provide for the powers and duties of certain state governmental officers and entities; to provide remedies and penalties for the violation of certain provisions of this act; to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act; and to repeal acts and parts of acts,” by amending section 8151 (MCL 600.8151), as amended by 2000 PA 38.

The amendment to the title was adopted.

The Senate agreed to the title as amended.

The following bill was read a third time:

**House Bill No. 5072, entitled**

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending sections 8158, 8162, and 8163 (MCL 600.8158, 600.8162, and 600.8163).

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. 43****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	Warren
Gleason	Johnson	Pavlov	Whitmer
Green			

**Nays—1**

Young

**Excused—0**

**Not Voting—0**

In The Chair: President

Senator Meekhof moved that the bill be given immediate effect.

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

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

A bill to amend 1961 PA 236, entitled “An act to revise and consolidate the statutes relating to the organization and jurisdiction of the courts of this state; the powers and duties of the courts, and of the judges and other officers of the courts; the forms and attributes of civil claims and actions; the time within which civil actions and proceedings may be brought in the courts; pleading, evidence, practice, and procedure in civil and criminal actions and proceedings in the courts; to provide for the powers and duties of certain state governmental officers and entities; to provide remedies and penalties for the violation of certain provisions of this act; to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act; and to repeal acts and parts of acts,” by amending sections 8158 and 8163 (MCL 600.8158 and 600.8163).

The amendment to the title was adopted.

The Senate agreed to the title as amended.

The following bill was read a third time:

**House Bill No. 5073, entitled**

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending sections 8125 and 8134 (MCL 600.8125 and 600.8134), section 8125 as amended by 1995 PA 112 and section 8134 as amended by 2001 PA 253.

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. 44**

**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	Warren
Gleason	Johnson	Pavlov	Whitmer
Green			

**Nays—1**

Young

**Excused—0**

**Not Voting—0**

In The Chair: President

Senator Meekhof moved that the bill be given immediate effect.

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

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

“An act to revise and consolidate the statutes relating to the organization and jurisdiction of the courts of this state; the powers and duties of the courts, and of the judges and other officers of the courts; the forms and attributes of civil claims and actions; the time within which civil actions and proceedings may be brought in the courts; pleading, evidence, practice, and procedure in civil and criminal actions and proceedings in the courts; to provide for the powers and duties of certain state governmental officers and entities; to provide remedies and penalties for the violation of certain provisions of this act; to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act; and to repeal acts and parts of acts.”.

The Senate agreed to the full title.

The following bill was read a third time:

**House Bill No. 5074, entitled**

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending section 8133 (MCL 600.8133).

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. 45**

**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	Smith
Colbeck	Hune	Moolenaar	Warren
Emmons	Hunter	Nofs	Whitmer
Gleason	Jansen	Pappageorge	

**Nays—3**

Schuitmaker	Walker	Young
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**Excused—0**

**Not Voting—0**

In The Chair: President

Senator Meekhof moved that the bill be given immediate effect.

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

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

“An act to revise and consolidate the statutes relating to the organization and jurisdiction of the courts of this state; the powers and duties of the courts, and of the judges and other officers of the courts; the forms and attributes of civil claims and actions; the time within which civil actions and proceedings may be brought in the courts; pleading, evidence, practice, and procedure in civil and criminal actions and proceedings in the courts; to provide for the powers and duties of certain state governmental officers and entities; to provide remedies and penalties for the violation of certain provisions of this act; to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act; and to repeal acts and parts of acts.”.

The Senate agreed to the full title.

The following bill was read a third time:

**House Bill No. 5075, entitled**

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending sections 528 and 8144 (MCL 600.528 and 600.8144), section 528 as amended by 1988 PA 134 and section 8144 as amended by 2002 PA 92.

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. 46**

**Yeas—34**

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

**Nays—4**

Hansen	Schuitmaker	Walker	Young
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**Excused—0**

**Not Voting—0**

In The Chair: President

Senator Meekhof moved that the bill be given immediate effect.

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

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

“An act to revise and consolidate the statutes relating to the organization and jurisdiction of the courts of this state; the powers and duties of the courts, and of the judges and other officers of the courts; the forms and attributes of civil claims and actions; the time within which civil actions and proceedings may be brought in the courts; pleading, evidence, practice, and procedure in civil and criminal actions and proceedings in the courts; to provide for the powers and duties of certain state governmental officers and entities; to provide remedies and penalties for the violation of certain provisions of this act; to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act; and to repeal acts and parts of acts.”.

The Senate agreed to the full title.

The following bill was read a third time:

**House Bill No. 5093, entitled**

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending sections 8116 and 8117 (MCL 600.8116 and 600.8117), section 8117 as amended by 2005 PA 237.

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. 47**

**Yeas—34**

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

**Nays—4**

Proos	Schuitmaker	Walker	Young
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**Excused—0**

**Not Voting—0**

In The Chair: President

Senator Meekhof moved that the bill be given immediate effect.

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

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

“An act to revise and consolidate the statutes relating to the organization and jurisdiction of the courts of this state; the powers and duties of the courts, and of the judges and other officers of the courts; the forms and attributes of civil claims and actions; the time within which civil actions and proceedings may be brought in the courts; pleading, evidence, practice, and procedure in civil and criminal actions and proceedings in the courts; to provide for the powers and duties of certain state governmental officers and entities; to provide remedies and penalties for the violation of certain provisions of this act; to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act; and to repeal acts and parts of acts.”

The Senate agreed to the full title.

The following bill was read a third time:

**House Bill No. 5094, entitled**

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending sections 8152, 8153, and 8154 (MCL 600.8152, 600.8153, and 600.8154), section 8152 as amended by 2008 PA 137.

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. 48****Yeas—35**

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

**Nays—3**

Moolenaar	Walker	Young
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**Excused—0****Not Voting—0**

In The Chair: President

Senator Meekhof moved that the bill be given immediate effect.

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

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

“An act to revise and consolidate the statutes relating to the organization and jurisdiction of the courts of this state; the powers and duties of the courts, and of the judges and other officers of the courts; the forms and attributes of civil claims and actions; the time within which civil actions and proceedings may be brought in the courts; pleading, evidence, practice, and procedure in civil and criminal actions and proceedings in the courts; to provide for the powers and duties of certain state governmental officers and entities; to provide remedies and penalties for the violation of certain provisions of this act; to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act; and to repeal acts and parts of acts.”

The Senate agreed to the full title.

The following bill was read a third time:

**House Bill No. 5095, entitled**

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending section 8160 (MCL 600.8160).

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. 49****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  
Gleason  
Green

Jansen  
Johnson

Pappageorge  
Pavlov

Warren  
Whitmer

**Nays—1**

Young

**Excused—0**

**Not Voting—0**

In The Chair: President

Senator Meekhof moved that the bill be given immediate effect.

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

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

“An act to revise and consolidate the statutes relating to the organization and jurisdiction of the courts of this state; the powers and duties of the courts, and of the judges and other officers of the courts; the forms and attributes of civil claims and actions; the time within which civil actions and proceedings may be brought in the courts; pleading, evidence, practice, and procedure in civil and criminal actions and proceedings in the courts; to provide for the powers and duties of certain state governmental officers and entities; to provide remedies and penalties for the violation of certain provisions of this act; to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act; and to repeal acts and parts of acts.”

The Senate agreed to the full title.

The following bill was read a third time:

**House Bill No. 5101, entitled**

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending sections 524, 8146, 8147, and 8148 (MCL 600.524, 600.8146, 600.8147, and 600.8148), as amended by 2002 PA 92.

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. 50**

**Yeas—37**

Anderson  
Bieda  
Booher  
Brandenburg  
Casperson  
Caswell  
Colbeck  
Emmons  
Gleason  
Green

Gregory  
Hansen  
Hildenbrand  
Hood  
Hopgood  
Hune  
Hunter  
Jansen  
Johnson

Jones  
Kahn  
Kowall  
Marleau  
Meekhof  
Moolenaar  
Nofs  
Pappageorge  
Pavlov

Proos  
Richardville  
Robertson  
Rocca  
Schuitmaker  
Smith  
Walker  
Warren  
Whitmer

**Nays—1**

Young

**Excused—0**

**Not Voting—0**

In The Chair: President

Senator Meekhof moved that the bill be given immediate effect.

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

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

“An act to revise and consolidate the statutes relating to the organization and jurisdiction of the courts of this state; the powers and duties of the courts, and of the judges and other officers of the courts; the forms and attributes of civil claims and actions; the time within which civil actions and proceedings may be brought in the courts; pleading, evidence, practice, and procedure in civil and criminal actions and proceedings in the courts; to provide for the powers and duties of certain state governmental officers and entities; to provide remedies and penalties for the violation of certain provisions of this act; to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act; and to repeal acts and parts of acts.”.

The Senate agreed to the full title.

The following bill was read a third time:

**House Bill No. 5102, entitled**

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending sections 550a, 803, 8138, and 8156 (MCL 600.550a, 600.803, 600.8138, and 600.8156), section 550a as amended by 2002 PA 92 and sections 803 and 8138 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. 51**

**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	Warren
Gleason	Jansen	Pappageorge	Whitmer

**Nays—2**

Walker	Young
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**Excused—0**

**Not Voting—0**

In The Chair: President

Senator Meekhof moved that the bill be given immediate effect.

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

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

“An act to revise and consolidate the statutes relating to the organization and jurisdiction of the courts of this state; the powers and duties of the courts, and of the judges and other officers of the courts; the forms and attributes of civil claims and actions; the time within which civil actions and proceedings may be brought in the courts; pleading, evidence, practice, and procedure in civil and criminal actions and proceedings in the courts; to provide for the powers and duties of certain state governmental officers and entities; to provide remedies and penalties for the violation of certain provisions of this act; to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act; and to repeal acts and parts of acts.”

The Senate agreed to the full title.

The following bill was read a third time:

**House Bill No. 5104, entitled**

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending sections 519 and 8139 (MCL 600.519 and 600.8139).

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. 52**

**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	Warren
Gleason	Johnson	Pavlov	Whitmer
Green			

**Nays—1**

Young

**Excused—0**

**Not Voting—0**

In The Chair: President

Senator Meekhof moved that the bill be given immediate effect.

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

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

A bill to amend 1961 PA 236, entitled “An act to revise and consolidate the statutes relating to the organization and jurisdiction of the courts of this state; the powers and duties of the courts, and of the judges and other officers of the courts; the forms and attributes of civil claims and actions; the time within which civil actions and proceedings may be brought in the courts; pleading, evidence, practice, and procedure in civil and criminal actions and proceedings in the

courts; to provide for the powers and duties of certain state governmental officers and entities; to provide remedies and penalties for the violation of certain provisions of this act; to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act; and to repeal acts and parts of acts,” by amending section 519 (MCL 600.519).

The amendment to the title was adopted.  
The Senate agreed to the title as amended.

The following bill was read a third time:

**House Bill No. 5106, entitled**

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending section 526 (MCL 600.526).

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. 53**

**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	Warren
Gleason	Johnson	Pavlov	Whitmer
Green			

**Nays—1**

Young

**Excused—0**

**Not Voting—0**

In The Chair: President

Senator Meekhof moved that the bill be given immediate effect.

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

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

“An act to revise and consolidate the statutes relating to the organization and jurisdiction of the courts of this state; the powers and duties of the courts, and of the judges and other officers of the courts; the forms and attributes of civil claims and actions; the time within which civil actions and proceedings may be brought in the courts; pleading, evidence, practice, and procedure in civil and criminal actions and proceedings in the courts; to provide for the powers and duties of certain state governmental officers and entities; to provide remedies and penalties for the violation of certain provisions of this act; to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act; and to repeal acts and parts of acts,”.

The Senate agreed to the full title.

The following bill was read a third time:

**House Bill No. 5107, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 8140 (MCL 600.8140).

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. 54**

**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	Warren
Gleason	Johnson	Pavlov	Whitmer
Green			

**Nays—1**

Young

**Excused—0**

**Not Voting—0**

In The Chair: President

Senator Meekhof moved that the bill be given immediate effect.

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

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

"An act to revise and consolidate the statutes relating to the organization and jurisdiction of the courts of this state; the powers and duties of the courts, and of the judges and other officers of the courts; the forms and attributes of civil claims and actions; the time within which civil actions and proceedings may be brought in the courts; pleading, evidence, practice, and procedure in civil and criminal actions and proceedings in the courts; to provide for the powers and duties of certain state governmental officers and entities; to provide remedies and penalties for the violation of certain provisions of this act; to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act; and to repeal acts and parts of acts,".

The Senate agreed to the full title.

By unanimous consent the Senate proceeded to the order of

**Resolutions**

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

**Senate Resolution No. 34**

**Senate Resolution No. 67**

The motion prevailed.

**House Concurrent Resolution No. 42.**

A concurrent resolution to memorialize Congress to extend the Chemical Facility Anti-Terrorism Standards (CFATS) program.

Whereas, Ten years ago, America suffered through the worst terrorist attack in its history. Our country grieved for those who lost their lives and we rediscovered the heroes who make us proud to be Americans. The events of September 11, 2001, changed many things for our country, including how we view homeland security; and

Whereas, After September 11th, the American chemical industry recognized the need to re-examine its approach to security to make sure the nation's chemical facilities, which are central to our economy and face heightened terrorist threats, were adequately protected. Since then, industry initiatives and investments, coupled with a comprehensive set of common sense government regulations, have vastly improved the security of the nation's chemical facilities; and

Whereas, The Chemical Facility Anti-Terrorism Standards (CFATS) program, enacted with strong bipartisan support in 2007, has proven to be one of the most important regulatory programs administered by the Department of Homeland Security. Under the CFATS program, chemical facilities across the country, including scores in Michigan, are taking action to prevent terrorist attacks and lower the attractiveness of chemical facilities as potential targets of terrorism. The CFATS program addresses the need to protect chemical facilities, while preserving the chemical industry's ability to provide essential jobs and products; and

Whereas, With the CFATS program set to expire in October 2012, it is imperative that Congress pass a long-term extension for the program to keep moving forward on chemical security, to enhance public safety, and to protect the more than 60,000 jobs across Michigan that are dependent on the chemical industry. Extending the CFATS program will allow the chemical industry to enhance that which has already been achieved so far, a more secure nation, a steady source of jobs, and the validation of the United States' reputation as a leader in innovation; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we memorialize Congress to extend the Chemical Facility Anti-Terrorism Standards (CFATS) program; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

The House of Representatives has adopted the concurrent resolution.

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

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

The question being on the adoption of the concurrent resolution,

Senator Meekhof moved that the concurrent resolution be referred to the Committee on Veterans, Military Affairs and Homeland Security.

The motion prevailed.

Senators Booher, Brandenburg, Colbeck, Jansen, Marleau, Nofs and Rocca were named co-sponsors of the concurrent resolution.

**Introduction and Referral of Bills**

Senators Proos, Booher, Brandenburg, Hansen, Jones, Colbeck, Jansen, Pappageorge, Robertson and Marleau introduced **Senate Bill No. 927, entitled**

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending section 101 (MCL 388.1701), as amended by 2010 PA 110.

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

Senators Proos, Booher, Brandenburg, Hansen, Jones, Colbeck, Jansen, Pappageorge, Robertson and Marleau introduced **Senate Bill No. 928, entitled**

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending section 161 (MCL 388.1761), as amended by 1990 PA 207.

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

Senator Kowall introduced

**Senate Bill No. 929, entitled**

A bill to amend 1984 PA 270, entitled "Michigan strategic fund act," by amending sections 9, 88b, 88c, 88h, and 88k (MCL 125.2009, 125.2088b, 125.2088c, 125.2088h, and 125.2088k), section 9 as amended by 2011 PA 291, section 88b as amended by 2011 PA 250, sections 88c and 88h as amended by 2011 PA 251, and section 88k as added by 2005 PA 215.

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

Senators Kahn, Pappageorge, Proos and Jones introduced

**Senate Bill No. 930, entitled**

A bill to amend 1993 PA 327, entitled "Tobacco products tax act," by amending sections 2, 5a, 6a, 7, and 12 (MCL 205.422, 205.425a, 205.426a, 205.427, and 205.432), section 2 as amended by 2005 PA 238, sections 5a and 6a as added by 1997 PA 187, section 7 as amended by 2008 PA 458, and section 12 as amended by 2004 PA 164, and by adding section 17.

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

**House Bill No. 4618, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 7d (MCL 211.7d), as amended by 2010 PA 8.

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. 5053, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 48729 (MCL 324.48729), as added by 1995 PA 57.

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

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

**House Bill No. 5119, entitled**

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 677 (MCL 168.677), as amended by 1997 PA 158.

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

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

**House Bill No. 5127, entitled**

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 699 (MCL 168.699), as amended by 2005 PA 71.

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. 5142, entitled**

A bill to amend 2005 PA 280, entitled "Corridor improvement authority act," by amending sections 2, 4, 6, 8, and 11 (MCL 125.2872, 125.2874, 125.2876, 125.2878, and 125.2881), sections 2 and 6 as amended by 2008 PA 44 and section 11 as amended by 2007 PA 44.

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. 5226, entitled**

A bill to amend 1935 PA 220, entitled "An act to provide family home care for children committed to the care of the state, to create the Michigan children's institute under the control of the Michigan social welfare commission, to prescribe the powers and duties thereof, and to provide penalties for violations of certain provisions of this act," by amending section 9 (MCL 400.209), as amended by 2011 PA 30.

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

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

### Committee Reports

The Committee on Families, Seniors and Human Services reported

**Senate Bill No. 711, entitled**

A bill to amend 1972 PA 239, entitled "McCauley-Traxler-Law-Bowman-McNeely lottery act," (MCL 432.1 to 432.47) by adding section 32a.

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

Judith K. Emmons  
Chairperson

To Report Out:

Yeas: Senators Emmons, Rocca and Nofs

Nays: None

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

The Committee on Families, Seniors and Human Services reported

**Senate Bill No. 712, entitled**

A bill to amend 1939 PA 280, entitled "The social welfare act," (MCL 400.1 to 400.119b) by adding sections 10c and 57v.

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.

Judith K. Emmons  
Chairperson

To Report Out:

Yeas: Senators Emmons, Rocca and Nofs

Nays: None

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

#### COMMITTEE ATTENDANCE REPORT

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

Meeting held on Wednesday, February 1, 2012, at 3:00 p.m., Room 210, Farnum Building

Present: Senators Emmons (C), Rocca and Nofs

Excused: Senator Gregory

The Committee on Local Government and Elections reported

**Senate Bill No. 823, entitled**

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 198, 326, 352, 624, 759, 931, and 973 (MCL 168.198, 168.326, 168.352, 168.624, 168.759, 168.931, and 168.973), section 624 as amended by 1999 PA 218, section 759 as amended by 1995 PA 261, and section 931 as amended by 1996 PA 583, and by adding sections 483a, 871b, 932c, and 932e; 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.

David B. Robertson  
Chairperson

To Report Out:

Yeas: Senators Robertson, Meekhof and Brandenburg

Nays: Senator Young

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

The Committee on Local Government and Elections reported

**Senate Bill No. 824, entitled**

A bill to amend 1976 PA 388, entitled "Michigan campaign finance act," by amending sections 4, 6, 15, 26, 29, 32, 33, 34, 36, 47, and 55 (MCL 169.204, 169.206, 169.215, 169.226, 169.229, 169.232, 169.233, 169.234, 169.236, 169.247, and 169.255), section 4 as amended by 1989 PA 95, section 6 as amended by 2003 PA 69, sections 15, 26, 29, and 47 as amended by 2001 PA 250, section 32 as amended by 1999 PA 236, sections 33 and 34 as amended by 1999 PA 238, section 36 as amended by 1996 PA 590, and section 55 as amended by 1995 PA 264.

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.

David B. Robertson  
Chairperson



## To Report Out:

Yeas: Senators Robertson, Meekhof and Brandenburg

Nays: Senator Young

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

The Committee on Local Government and Elections reported

**Senate Bill No. 825, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 11d of chapter XVII (MCL 777.11d), as added by 2002 PA 31.

With the recommendation that the bill pass.

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

David B. Robertson  
Chairperson

## To Report Out:

Yeas: Senators Robertson, Meekhof and Brandenburg

Nays: Senator Young

The bill was referred to the Committee of the Whole.

The Committee on Local Government and Elections reported

**House Bill No. 5085, entitled**

A bill to amend 1978 PA 390, entitled "An act to regulate the time and manner of payment of wages and fringe benefits to employees; to prescribe rights and responsibilities of employers and employees, and the powers and duties of the department of labor; to require keeping of records; to provide for settlement of disputes regarding wages and fringe benefits; to prohibit certain practices by employers; to prescribe penalties and remedies; and to repeal certain acts and parts of acts," by amending section 7 (MCL 408.477), as amended by 1995 PA 278.

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

1. Amend page 2, line 9, after "**OR**" by inserting "**A CONTRIBUTION OR ANY PAYMENT**".

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

David B. Robertson  
Chairperson

## To Report Out:

Yeas: Senators Robertson, Meekhof and Brandenburg

Nays: Senator Young

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

The Committee on Local Government and Elections reported

**House Bill No. 5086, entitled**

A bill to amend 1976 PA 388, entitled "Michigan campaign finance act," by amending sections 4, 6, 11, 15, and 57 (MCL 169.204, 169.206, 169.211, 169.215, and 169.257), section 4 as amended by 1989 PA 95, section 6 as amended by 2003 PA 69, section 11 as amended by 1996 PA 590, and sections 15 and 57 as amended by 2001 PA 250.

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

1. Amend page 2, line 11, after "liable." by inserting "**EXCEPT FOR THE PURPOSES OF SECTION 57,**".

2. Amend page 2, line 13, after "**COMMITTEE**" by striking out the balance of the subsection and inserting a period.

3. Amend page 5, following line 10, by inserting:

**"(I) EXCEPT FOR THE PURPOSES OF SECTION 57, AN EXPENDITURE TO OR FOR A FEDERAL CANDIDATE OR A FEDERAL COMMITTEE."**

4. Amend page 14, line 24, after the first "**TO**" by inserting a comma and "**OR MAKE AN EXPENDITURE FOR,**".

5. Amend page 15, line 24, after "**TO**" by inserting a comma and "**OR MAKE AN EXPENDITURE FOR,**".

6. Amend page 15, line 24, after "**SECTION,**" by inserting "**OR IF THE SECRETARY OF STATE ENTERS INTO A CONCILIATION AGREEMENT UNDER SECTION 15(10) THAT DOES NOT PREVENT A PUBLIC BODY OR A PERSON ACTING FOR A PUBLIC BODY TO USE OR AUTHORIZE THE USE OF PUBLIC RESOURCES TO ESTABLISH OR ADMINISTER A PAYROLL DEDUCTION PLAN TO COLLECT OR DELIVER A CONTRIBUTION TO, OR MAKE AN EXPENDITURE FOR, A COMMITTEE IN VIOLATION OF THIS SECTION,**".

7. Amend page 16, line 6, after “PERSON” by inserting “WHO RESIDES, OR HAS A PLACE OF BUSINESS, IN THE JURISDICTION WHERE THE USE OR AUTHORIZATION OF THE USE OF PUBLIC RESOURCES OCCURRED”.

8. Amend page 16, line 7, after “ACTION” by striking out “THAT THE COMPLAINANT OR ANY OTHER PERSON”.

9. Amend page 16, line 12, after “THAT” by striking out “SO”.

10. Amend page 16, line 14, after “PERSON” by inserting “WHO RESIDES, OR HAS A PLACE OF BUSINESS, IN THE JURISDICTION WHERE THE USE OR AUTHORIZATION OF THE USE OF PUBLIC RESOURCES OCCURRED”.

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

David B. Robertson  
Chairperson

To Report Out:

Yeas: Senators Robertson, Meekhof and Brandenburg

Nays: Senator Young

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

#### COMMITTEE ATTENDANCE REPORT

The Committee on Local Government and Elections submitted the following:

Meeting held on Wednesday, February 1, 2012, at 3:00 p.m., Room 100, Farnum Building

Present: Senators Robertson (C), Meekhof, Brandenburg and Young

#### COMMITTEE ATTENDANCE REPORT

The Committee on Education submitted the following:

Meeting held on Wednesday, February 1, 2012, at 12:00 noon, Senate Hearing Room, Ground Floor, Boji Tower

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

#### Scheduled Meetings

**Administrative Rules** - Thursday, February 9, 8:30 a.m., Rooms 402 and 403, Capitol Building (373-5773)

**Agriculture** - Thursday, February 9, 9:30 a.m., Room 110, Farnum Building (373-5312) (CANCELED)

**Appropriations** - Wednesday, February 8, 2:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-1106)

##### Subcommittees -

**Agriculture and Rural Development** - Tuesdays, February 21 and February 28, 3:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower (373-2768)

**Capital Outlay** - Thursday, February 16, 9:00 a.m., House Appropriations Room, 3rd Floor, Capitol Building (373-8080)

**Human Services Department** - Tuesday, February 14, 2:00 p.m., Room 210, Farnum Building (373-2768)

**K-12, School Aid, Education** - Wednesday, February 15, 8:30 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

**Licensing and Regulatory Affairs Department** - Wednesday, February 8, 8:30 a.m., Rooms 402 and 403, Capitol Building (373-2768)

**State Police and Military Affairs, House State Police Appropriations Subcommittee and House Military and Veterans Affairs Appropriations Subcommittee** - Thursdays, February 16 and March 1, 3:00 p.m., Rooms 402 and 403, Capitol Building; and Thursday, February 23, 2:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

**Appropriations and House Appropriations** - Thursday, February 9, 11:00 a.m., House Appropriations Room, 3rd Floor, Capitol Building (373-1106)

**Banking and Financial Institutions** - Thursday, February 9, 1:30 p.m., Room 100, Farnum Building (373-5324)

**Economic Development** - Wednesday, February 8, 1:30 p.m., Room 110, Farnum Building (373-5323)

**Education** - Wednesday, February 8, 12:00 noon, Senate Hearing Room, Ground Floor, Boji Tower (373-5314)

**Finance** - Wednesday, February 8, 12:30 p.m., Room 210, Farnum Building (373-5307)

**Michigan Law Revision Commission** - Thursday, February 16, 11:30 a.m., Legislative Council Conference Room, 3rd Floor, Boji Tower (373-0212)

**Natural Resources, Environment and Great Lakes** - Thursday, February 9, 8:30 a.m., Room 210, Farnum Building (373-5323)

**Outdoor Recreation and Tourism** - Thursday, February 9, 12:30 p.m., Room 210, Farnum Building (373-5323)

Senator Meekhof moved that the Senate adjourn.  
The motion prevailed, the time being 11:21 a.m.

The President, Lieutenant Governor Calley, declared the Senate adjourned until Wednesday, February 8, 2012, at 10:00 a.m.

CAROL MOREY VIVENTI  
Secretary of the Senate

