

No. 77  
STATE OF MICHIGAN  
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Senate Chamber, Lansing, Tuesday, October 11, 2011.

10:00 a.m.

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

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

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

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

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

Pastor Demetrius Booker of Lighthouse Community Church of God of Redford offered the following invocation:

Almighty God, You who have made the heavens and the earth; You who have established these United States of America and the great state of Michigan, we acknowledge the prayers of those clergy who have gone on before us and the willingness of this Senate that allows us to be a part of the business of the day.

Almighty God, hear the prayers of Your children, prayers offered in the time of great uncertainty and instability. We take comfort in the fact that You are the Lord of the harvest. Lord of the harvest, we would ask that You would provide Your children during these stressful times with wisdom to face all challenges with resolve, knowledge to make the right decisions, and love to respect our differences.

We ask for Your blessings and counsel upon our elected officials and the many men and women who serve alongside them. Give them strength to perform their duty, clarity in their mission, and mercy when they err. May our leaders lead, and may they listen before judgment and process before implementation.

And finally, Almighty God, in the words of the great psalmist David, we remember these words: "Unless the Lord builds the house, they labor in vain that build it." Lord, we invite You to build our community, transform our neighborhoods, and revive our state into a fruitful vineyard that ushers forth peaceful homesteads. Make happy this gathering and memorable their actions on this day. Amen.

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

### Motions and Communications

Senator Young entered the Senate Chamber.

Senator Hunter moved that Senator Hood be temporarily excused from today's session.  
The motion prevailed.

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

**House Bill No. 4462**

**House Bill No. 4478**

**House Bill No. 4492**

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

### Recess

Senator Meekhof moved that the Senate recess subject to the call of the Chair.  
The motion prevailed, the time being 10:06 a.m.

11:40 a.m.

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

During the recess, Senator Hood entered the Senate Chamber.

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

October 6, 2011

Enclosed is a copy of the following audit report:

Follow-up of the performance audit of the Severance and Motor Carrier Fuel Tax Collections, Department of Treasury.  
Michigan Auditor General

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

The Secretary announced that the following House bill was received in the Senate and filed on Thursday, October 6:  
**House Bill No. 4990**

The Secretary announced that the following official bills were printed on Thursday, October 6, and are available at the legislative website:

**House Bill Nos. 5037 5038 5039 5040 5041 5042 5043 5044 5045 5046 5047 5048 5049**

The Secretary announced that the following official bills were printed on Friday, October 7, and are available at the legislative website:

**Senate Bill Nos. 729 730 731 732 733 734 735 736 737 738 739 740 741**

### Messages from the House

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

**Senate Bill No. 493**  
**House Bill No. 4309**  
**House Bill No. 4311**  
**House Bill No. 4312**  
**Senate Bill No. 43**  
**Senate Bill No. 249**  
**Senate Bill No. 250**  
**Senate Bill No. 251**  
**Senate Bill No. 252**

The motion prevailed

#### **Senate Bill No. 374, entitled**

A bill to amend 1987 PA 230, entitled "Municipal health facilities corporations act," by amending sections 209 and 258 (MCL 331.1209 and 331.1258), section 209 as amended by 1994 PA 398 and section 258 as amended by 1990 PA 273.

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. 650, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 653 (MCL 206.653), as added by 2011 PA 38.

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. 654, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 685 (MCL 206.685), as added by 2011 PA 38.

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. 655, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 671 (MCL 206.671), as added by 2011 PA 38.

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. 660, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 681 (MCL 206.681), as added by 2011 PA 38.

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. 669, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 621 (MCL 206.621), as added by 2011 PA 38.

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. 670, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 703 (MCL 206.703), as added by 2011 PA 38.

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. 671, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 667 (MCL 206.667), as added by 2011 PA 38.

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. 672, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 683 (MCL 206.683), as added by 2011 PA 38.

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. 674, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 661 (MCL 206.661), as added by 2011 PA 38.

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. 677, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 705 (MCL 206.705), as added by 2011 PA 38.

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. 679, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 711 (MCL 206.711), as added by 2011 PA 38.

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. 680, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 701 (MCL 206.701), as added by 2011 PA 38.

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.

### Third Reading of Bills

The following bill was read a third time:

**Senate Bill No. 210, entitled**

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

The question being on the passage of the bill,  
Senator Hune 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. 565****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.

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

**Senate Bill No. 703****House Bill No. 4458****House Bill No. 4732**

The motion prevailed.

The following bill was read a third time:

**Senate Bill No. 703, entitled**

A bill to amend 2000 PA 274, entitled "Large carnivore act," (MCL 287.1101 to 287.1123) by adding section 8a.

The question being on the passage of the bill,

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

**Roll Call No. 566****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:

**House Bill No. 4458, entitled**

A bill to amend 1978 PA 566, entitled “An act to encourage the faithful performance of official duties by certain public officers and public employees; to prescribe standards of conduct for certain public officers and public employees; to prohibit the holding of incompatible public offices; and to provide certain judicial remedies,” by amending section 3 (MCL 15.183), as amended by 2011 PA 122.

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. 567**

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

The following bill was read a third time:

**House Bill No. 4732, entitled**

A bill to amend 1978 PA 90, entitled “Youth employment standards act,” by amending section 11 (MCL 409.111), as amended by 2000 PA 418.

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

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

“An act to provide for the legal employment and protection of minors; to provide for the issuance and revocation of work permits; to provide for the regulation of hours and conditions of employment of minors; to prescribe powers and duties of the departments of labor and education; to provide for the enforcement of this act; to prescribe penalties; and to repeal certain acts and parts of acts,”.

The Senate agreed to the full title.

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

The motion prevailed.

Senator Schuitmaker’s statement is as follows:

It is with a heavy heart that I am announcing the death of a soldier from Kalamazoo. Captain Drew Edward Russell, 25 years old, a lifelong resident of Scotts, was killed Saturday while serving his country in Afghanistan.

The U.S. Defense Department reported that Russell and another soldier died from injuries they sustained in a rocket-propelled grenade attack. Both soldiers were members of the U.S. Army 2nd Brigade Combat Team of the 4th Infantry Division. According to his mother, “He was a wonderful son, and he had a wonderful sense of humor. There’s just an empty hole in my heart that will never be filled again,” she said.

Russell left for his first overseas deployment on June 13, 2011, and was in charge of a group of U.S. troops and Afghan soldiers at different police substations in Afghanistan.

Drew Russell attended school in Vicksburg and graduated in 2004 from Vicksburg High School. He signed up with the U.S. Army immediately after graduation, finishing basic training over the course of two summers while he was enrolled at Western Michigan University. He later enrolled in WMU’s Reserve Officers Training Corps (ROTC) program, graduating from the university in 2008 with a double major in criminal justice and military science.

He leaves behind his parents, Patti and Jim Russell; his brother James and James’ wife Jill; his girlfriend, Sarah Pfeiffer, of Colorado; and many friends.

I ask the members to help keep the Russell family in their thoughts this weekend.

A moment of silence was observed in memory of Army Captain Drew Edward Russell.



The Assistant President pro tempore, Senator Hansen, assumed the Chair.

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 Assistant President pro tempore, Senator Hansen, designated Senator Robertson 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 without amendment, the following bills:

#### **House Bill No. 4462, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending sections 248 and 249 (MCL 750.248 and 750.249), as amended by 2008 PA 378, and by adding sections 248b and 249b.

#### **House Bill No. 4478, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16n of chapter XVII (MCL 777.16n), as amended by 2002 PA 321.

#### **House Bill No. 4492, entitled**

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

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. 269, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 8401 (MCL 600.8401), as amended by 1999 PA 27.

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.

### **Resolutions**

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

#### **Senate Resolution No. 34**

#### **Senate Resolution No. 67**

#### **Senate Concurrent Resolution No. 18**

The motion prevailed

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

#### **Senate Resolution No. 86**

The resolution consent calendar was adopted.

Senators Green and Booher offered the following resolution:

#### **Senate Resolution No. 86.**

A resolution to declare October 16-22, 2011, as Credit Union Week in the state of Michigan.

Whereas, Credit unions have been organized in Michigan since 1934, and they have a proud tradition of innovation and leadership among the nation's credit unions. The Michigan credit union movement is one of growth, progress, and success; and

Whereas, Michigan credit unions are rooted in the communities in which they serve, whether supporting local charities, offering financial education seminars, or operating student-run credit union branches in schools. They do this voluntarily because as not-for-profit, member-owned financial cooperatives, credit unions recognize that social responsibility is an integral part of their mission; and

Whereas, Credit unions in Michigan continually demonstrate their ability to improve the lives of individuals, families, and communities, and they have done so for generations, following the credit union philosophy of “People Helping People”; and

Whereas, Michigan credit unions remain informed through the assistance of the Michigan Credit Union League & Affiliates, which has focused exclusively on serving its members throughout its history. It’s a commitment that is concisely expressed in its mission statement: “The Michigan Credit Union League will strengthen the credit union community and its image by providing advocacy on important issues, coordinating cooperative initiatives and by providing high-quality solutions that help credit unions succeed and enrich the lives of their members”; now, therefore, be it

Resolved by the Senate, That we hereby declare October 16-22, 2011, as Credit Union Week in the state of Michigan. We honor Michigan credit unions as they celebrate Credit Union Week.

Senators Bieda, Brandenburg, Caswell, Gleason, Hopgood, Jones, Kowall, Marleau, Pavlov, Proos and Richardville were named co-sponsors of the resolution.

### **House Concurrent Resolution No. 34.**

A concurrent resolution relative to secondary road patrol funds for counties providing road patrol services to cities and villages during Fiscal Year 2012.

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

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

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

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

Resolved by the House of Representatives (the Senate concurring), That, for Fiscal Year 2012, counties, cities, and villages in Michigan have been required to reduce general services because of economic conditions and are not reducing law enforcement services as stipulated in sections 76 or 77 of Chapter 14 of the Revised Statutes of 1846, as added by 1978 PA 416; and be it further

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

The House of Representatives has adopted the concurrent resolution.

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

Senator Meekhof moved that the rule be suspended.

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

The question being on the adoption of the concurrent resolution,

Senator Meekhof moved that the concurrent resolution be referred to the Committee on Appropriations.

The motion prevailed.

Senators Booher, Colbeck, Gleason, Jones and Marleau were named co-sponsors of the concurrent resolution.

Senators Richardville, Colbeck, Kahn, Jones, Hansen, Brandenburg, Kowall, Robertson, Booher, Jansen, Green, Hune, Meekhof, Moolenaar, Caswell, Nofs, Proos, Casperson, Pappageorge, Hildenbrand and Schuitmaker offered the following resolution:

### **Senate Resolution No. 87.**

A resolution to recognize October 17, 2011, as Young Marines Day in the state of Michigan.

Whereas, The Young Marines is a youth education and service program for boys and girls, ages 8 through completion of high school. The Young Marines promotes the mental, moral, and physical development of its members. The program focuses on character building, leadership, and encourages a healthy, drug-free lifestyle; and

Whereas, In 1965, the United States Marine Corps League officially chartered and created the national youth program known today as the Young Marines; and

Whereas, The Young Marines is the focal point for the U.S. Marine Corps' Youth Drug Demand Reduction efforts; and

Whereas, The mission of the Young Marines is to positively impact America's future by providing quality youth development programs for boys and girls that nurtures and develops its members into responsible citizens; and

Whereas, The Young Marines is the proud four-time recipient of the U.S. Department of Defense's Fulcrum Shield Award for Excellence in Youth Anti-Drug Programs. The award recognizes military-affiliated youth organizations around the world that have made concerted efforts at spreading anti-drug messages throughout their communities; and

Whereas, Since the Young Marines' humble beginnings in 1958, with one unit and a handful of boys, the organization has grown to over 300 units with 10,000 youth and 3,000 adult volunteers in 46 states, the District of Columbia, and affiliates in Germany, Japan, and a host of other countries; now, therefore, be it

Resolved by the Senate, That the members of this legislative body do hereby declare October 17, 2011, as Young Marines Day in Michigan. We thank this group of inspiring young boys and girls for dedicating their time to serve as role models for their peers; and be it further

Resolved, That copies of this resolution be transmitted to all of the Young Marines units throughout the state of Michigan as a token of our high esteem.

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

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

The resolution was adopted.

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

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

### **Introduction and Referral of Bills**

Senators Jansen, Caswell, Proos, Green, Pappageorge and Schuitmaker introduced

#### **Senate Joint Resolution O, entitled**

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 48 of article IV and section 5 of article XI, to grant power to the legislature to establish dispute resolution procedures and regulate compensation for employees in the state classified civil service and to restrict state employment benefits to certain persons.

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

Senators Robertson and Marleau introduced

#### **Senate Bill No. 742, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1229 (MCL 380.1229), as amended by 2011 PA 105.

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

Senators Jones, Schuitmaker and Marleau introduced

#### **Senate Bill No. 743, entitled**

A bill to adopt the uniform child abduction prevention act; to allow courts in this state to impose measures to prevent the abduction of children; to establish standards for determining whether a child is subject to a significant risk of abduction; and to provide remedies.

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

Senators Kowall, Proos and Pappageorge introduced

#### **Senate Bill No. 744, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 1307 (MCL 324.1307), as added by 2004 PA 325.

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

Senators Hopgood, Bieda, Pappageorge, Casperson and Kowall introduced  
**Senate Bill No. 745, entitled**

A bill to amend 1975 PA 197, entitled "An act to provide for the establishment of a downtown development authority; to prescribe its powers and duties; to correct and prevent deterioration in business districts; to encourage historic preservation; to authorize the acquisition and disposal of interests in real and personal property; to authorize the creation and implementation of development plans in the districts; to promote the economic growth of the districts; to create a board; to prescribe its powers and duties; to authorize the levy and collection of taxes; to authorize the issuance of bonds and other evidences of indebtedness; to authorize the use of tax increment financing; to reimburse downtown development authorities for certain losses of tax increment revenues; and to prescribe the powers and duties of certain state officials," by amending section 29 (MCL 125.1679), as amended by 2004 PA 66.

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

Senators Hopgood, Bieda, Pappageorge, Casperson and Kowall introduced  
**Senate Bill No. 746, entitled**

A bill to amend 1966 PA 346, entitled "State housing development authority act of 1966," (MCL 125.1401 to 125.1499c) by adding chapter 3C.

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

Senators Proos, Kowall, Marleau, Hopgood and Colbeck introduced

**Senate Bill No. 747, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding sections 21334 and 21736.

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

**House Bill No. 4990, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 520 (MCL 206.520), as amended by 2011 PA 38.

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.

### Committee Reports

The Committee on Natural Resources, Environment and Great Lakes reported

**House Bill No. 4554, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 1301, 1307, 30102, 30104, 32603, 32604, 32606, 32607, 32609, and 32611 (MCL 324.1301, 324.1307, 324.30102, 324.30104, 324.32603, 324.32604, 324.32606, 324.32607, 324.32609, and 324.32611), section 1301 as amended by 2009 PA 120, section 1307 as added by 2004 PA 325, sections 30102 and 30104 as amended by 2009 PA 139, sections 32603, 32604, 32606, and 32609 as added by 2000 PA 278, section 32607 as amended by 2004 PA 546, and section 32611 as added by 2000 PA 277.

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, Green, Kowall and Meekhof

Nays: Senators Warren and Hood

The bill and the substitute recommended by the committee were 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, October 6, 2011, at 8:30 a.m., Room 210, Farnum Building

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

The Committee on Outdoor Recreation and Tourism reported

**Senate Bill No. 412, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 43524 (MCL 324.43524), as amended by 2002 PA 81.

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.

Goeffrey M. Hansen  
Chairperson

To Report Out:

Yeas: Senators Hansen, Hildenbrand, Brandenburg, Casperson, Moolenaar, Gleason and Young

Nays: None

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

#### COMMITTEE ATTENDANCE REPORT

The Committee on Outdoor Recreation and Tourism submitted the following:

Meeting held on Thursday, October 6, 2011, at 12:30 p.m., Room 210, Farnum Building

Present: Senators Hansen (C), Hildenbrand, Brandenburg, Casperson, Moolenaar, Gleason and Young

The Committee on Banking and Financial Institutions reported

**Senate Bill No. 604, entitled**

A bill to amend 1999 PA 276, entitled "Banking code of 1999," (MCL 487.11101 to 487.15105) by adding section 4103a.

With the recommendation that the bill be referred to the Committee on Families, Seniors and Human Services.

Darwin L. Booher  
Chairperson

To Report Out:

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

Nays: None

The bill was referred to the Committee on Families, Seniors and Human Services.

The Committee on Banking and Financial Institutions reported

**Senate Bill No. 605, entitled**

A bill to amend 1980 PA 307, entitled "Savings and loan act of 1980," (MCL 491.102 to 491.1202) by adding section 629.

With the recommendation that the bill be referred to the Committee on Families, Seniors and Human Services.

Darwin L. Booher  
Chairperson

To Report Out:

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

Nays: None

The bill was referred to the Committee on Families, Seniors and Human Services.

The Committee on Banking and Financial Institutions reported

**House Bill No. 4462, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending sections 248 and 249 (MCL 750.248 and 750.249), as amended by 2008 PA 378, and by adding sections 248b and 249b.

With the recommendation that the bill pass.

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

Darwin L. Booher  
Chairperson

To Report Out:

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

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Banking and Financial Institutions reported

**House Bill No. 4478, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16n of chapter XVII (MCL 777.16n), as amended by 2002 PA 321.

With the recommendation that the bill pass.

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

Darwin L. Booher  
Chairperson

To Report Out:

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

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Banking and Financial Institutions reported

**House Bill No. 4492, entitled**

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

With the recommendation that the bill pass.

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

Darwin L. Booher  
Chairperson

To Report Out:

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

Nays: None

The bill was referred to the Committee of the Whole.

#### COMMITTEE ATTENDANCE REPORT

The Committee on Banking and Financial Institutions submitted the following:

Meeting held on Thursday, October 6, 2011, at 2:32 p.m., Room 100, Farnum Building

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

Excused: Senator Smith

The Committee on Health Policy reported

**Senate Bill No. 611, entitled**

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending section 109 (MCL 400.109), as amended by 2011 PA 53.

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

James A. Marleau  
Chairperson

To Report Out:

Yeas: Senators Marleau, Robertson, Emmons, Hune, Jones, Warren and Gleason

Nays: None

The bill was referred to the Committee on Appropriations.

The Committee on Health Policy reported

**House Bill No. 4369, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 7333a (MCL 333.7333a), as added by 2001 PA 231.

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.

James A. Marleau  
Chairperson

To Report Out:

Yeas: Senators Marleau, Robertson, Emmons, Hune, Jones, Warren 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 Health Policy submitted the following:

Meeting held on Thursday, October 6, 2011, at 2:30 p.m., Senate Hearing Room, Ground Floor, Boji Tower

Present: Senators Marleau (C), Robertson, Emmons, Hune, Jones, Schuitmaker, Warren and Gleason

## COMMITTEE ATTENDANCE REPORT

The Subcommittee on Department of Human Services submitted the following:

Joint meeting held on Thursday, October 6, 2011, at 8:00 a.m., House Appropriations Room, 3rd Floor, Capitol Building

Present: Senators Caswell (C), Jansen, Proos and Gregory

## COMMITTEE ATTENDANCE REPORT

The Joint Committee on Administrative Rules submitted the following:

Meeting held on Thursday, October 6, 2011, at 9:00 a.m., Room 426, Capitol Building

Present: Senators Pappageorge (C), Meekhof and Marleau

Absent: Senators Hunter and Johnson

## COMMITTEE ATTENDANCE REPORT

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

Joint meeting held on Thursday, October 6, 2011, at 2:00 p.m., Rooms 402 and 403, Capitol Building

Present: Senators Colbeck (C) and Gregory

Excused: Senator Pappageorge

## COMMITTEE ATTENDANCE REPORT

The Subcommittee on Department of Corrections submitted the following:

Joint meeting held on Thursday, October 6, 2011, at 3:00 p.m., House Appropriations Room, 3rd Floor, Capitol Building

Present: Senators Proos (C), Walker and Anderson

**Scheduled Meetings**

**Appropriations** - Wednesday, October 12, 2:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-1106)

**Subcommittee -**

**Human Services Department; Families, Seniors and Human Services; House Families, Children, and Seniors; and House Human Services Appropriations Subcommittee** - Thursday, October 27, 8:00 a.m., Senate Hearing Room, Ground Floor, Boji Tower (373-2768)

**Economic Development** - Wednesday, October 12, 1:30 p.m., Senate Hearing Room, Ground Floor, Boji Tower (373-5312)

**Education** - Wednesday, October 12, 12:00 noon, Room 110, Farnum Building (373-5314)

**Families, Seniors and Human Services; Human Services Department Appropriations Subcommittee; House Families, Children, and Seniors; and House Human Services Appropriations Subcommittee** - Thursday, October 27, 8:00 a.m., Senate Hearing Room, Ground Floor, Boji Tower (373-5312)

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

**Michigan Law Revision Commission** - Thursday, October 13, 11:00 a.m., Legislative Council Conference Room, 3rd Floor, Boji Tower (373-0212) (CANCELED)

**Natural Resources, Environment and Great Lakes** - Thursday, October 13, 8:30 a.m., Room 210, Farnum Building (373-5323)

**Reforms, Restructuring and Reinventing** - Wednesday, October 12, 8:30 a.m., Rooms 402 and 403, Capitol Building (373-5307)

**Regulatory Reform** - Thursday, October 13, 12:30 p.m., Room 110, Farnum Building (373-5307)

Senator Meekhof moved that the Senate adjourn.  
The motion prevailed, the time being 12:25 p.m.

The Assistant President pro tempore, Senator Hansen, declared the Senate adjourned until Wednesday, October 12, 2011, at 10:00 a.m.

CAROL MOREY VIVENTI  
Secretary of the Senate