

No. 8
STATE OF MICHIGAN
Journal of the Senate
96th Legislature
REGULAR SESSION OF 2012

Senate Chamber, Lansing, Tuesday, January 31, 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
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

Reverend Michael Brown of the Kalamazoo Gospel Mission of Kalamazoo offered the following invocation:

Father God, we give You praise, glory, and honor, Lord, and we thank You for this assembly. Lord, we pray that Your presence would be evident here. I pray, Father, that You would give wisdom and understanding to these elected officials as they deliberate. I pray that they would have a sense of Your presence here and a sense of responsibility to You and to those who have elected them to these positions.

Father, we give You glory for this day. In Jesus' name. Amen.

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

Motions and Communications

Senators Hunter, Johnson and Smith entered the Senate Chamber.

The following communications were received:
Department of State

Administrative Rules Notices of Filing

January 12, 2012

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2011-037-EQ (Secretary of State Filing #12-01-01) on this date at 4:27 p.m. for the Department of Environmental Quality, entitled "Inland Lakes and Streams."

These rules take effect immediately upon filing with the Secretary of State.

January 12, 2012

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2011-038-EQ (Secretary of State Filing #12-01-02) on this date at 4:29 p.m. for the Department of Environmental Quality, entitled "Great Lakes Submerged Lands."

These rules take effect immediately upon filing with the Secretary of State.

January 12, 2012

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2011-025-TB (Secretary of State Filing #12-01-03) on this date at 4:31 p.m. for the Department of Technology, Management and Budget, entitled "Suggestion Awards Program."

These rescissions take effect immediately upon filing with the Secretary of State.

January 12, 2012

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2011-026-TB (Secretary of State Filing #12-01-04) on this date at 4:33 p.m. for the Department of Technology, Management and Budget, entitled "Local Government Claims Review Board General Rules."

These rescissions take effect immediately upon filing with the Secretary of State.

January 12, 2012

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2011-027-TB (Secretary of State Filing #12-01-05) on this date at 4:35 p.m. for the Department of Technology, Management and Budget, entitled "Unlawful Acts on State Fair Properties."

These rescissions take effect immediately upon filing with the Secretary of State.

January 12, 2012

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2011-028-TB (Secretary of State Filing #12-01-06) on this date at 4:37 p.m. for the Department of Technology, Management and Budget, entitled "Regulation 851. Michigan State Fair."

These rescissions take effect immediately upon filing with the Secretary of State.

Sincerely,
Ruth Johnson
Secretary of State
Robin L. Houston, Departmental Supervisor
Office of the Great Seal

The communications were referred to the Secretary for record.

The following communication was received:
State Budget Office

January 27, 2012

The Office of Financial Management has issued preliminary, unaudited financial statements for the fiscal year ended September 30, 2011, as required by Section 18.1493 of the Michigan Compiled Laws. These unaudited statements are available on the Internet at www.michigan.gov/budget.

Final, audited financial statements will be included in the State of Michigan Comprehensive Annual Financial Report, which is scheduled to be available no later than March 2012.

If you have questions regarding the preliminary, unaudited financial statements, please contact Mike Moody, Director, Office of Financial Management, at 517-373-1010.

Sincerely,
John E. Nixon, CPA
State Budget Director

The communication was referred to the Secretary for record.

The following communication was received:
Department of State Police

January 27, 2012

Attached is the 2011 Annual Report for the Automobile Theft Prevention Authority (ATPA). This report satisfies the reporting requirements contained in Public Act 174 of 1992, as amended. Copies of the ATPA's Annual Report are transmitted to the Governor and the Legislature on or before February 1 of each year, reporting on ATPA's activities in the preceding year.

This year as a cost cutting measure, the report is being sent to you via e-mail and will also be accessible on our website located at www.michigan.gov/atpa.

A limited number of hard copies of the report will be available and can be requested by calling (517) 241-1087. Should you have any questions about this report, please contact Mr. Tim Bailor of the ATPA at (517) 241-1086.

Dan Vartanian
Executive Director
Auto Theft Prevention Authority

The communication was referred to the Secretary for record.

The Secretary announced that the following House bills were received in the Senate and filed on Thursday, January 26:
House Bill Nos. 4116 4146 4658 4838

The Secretary announced that the following official bills were printed on Thursday, January 26, and are available at the legislative website:
House Bill Nos. 5283 5284 5285 5286

The Secretary announced that the following official bills and joint resolution were printed on Friday, January 27, and are available at the legislative website:
Senate Bill Nos. 909 910 911 912 913 914 915 916 917 918 919 920 921
House Bill Nos. 5287 5288 5289 5290 5291 5292 5293 5294 5295 5296 5297 5298 5299 5300
5301 5302 5303 5304 5305 5306 5307 5308 5309 5310 5311 5312 5313 5314
5315
House Joint Resolution MM

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

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

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

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

Recess

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

The motion prevailed, the time being 10:05 a.m.

10:19 a.m.

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

During the recess, Senator Gleason introduced the Flint Powers Catholic High School Football Team, 2011 Division 5 State Champions, and Head Coach Bob Buckel. Senator Robertson presented them with a Special Tribute.

Coach Buckel responded briefly.

Messages from the Governor

The following messages from the Governor were received and read:

January 13, 2012

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

Michigan Board of Medicine

Richard E. Burney of 4319 Miller Road, Ann Arbor, Michigan 48103, county of Washtenaw, representing professionals, succeeding himself, is reappointed for a term expiring December 31, 2015.

Rosalie Tocco-Bradley of 3664 Deer Ridge Court, Ann Arbor, Michigan 48105, county of Washtenaw, representing physicians, succeeding Abd Alghanem, is appointed for a term expiring December 31, 2015.

Mohammed A. Arsiwala of 45625 West 9 Mile Road, Novi, Michigan 48374, county of Oakland, representing physicians, succeeding Busharat Ahmad, is appointed for a term expiring December 31, 2015.

Dennis C. Szymanski of 174 N. M-63, Benton Harbor, Michigan 49022, county of Berrien, representing physicians, succeeding Rao Gudipati, is appointed for a term expiring December 31, 2015.

Gail Torreano of 2865 Greenbriar Drive, Harbor Springs, Michigan 49740, county of Emmet, representing the general public, succeeding Lynn Larson, is appointed for a term expiring December 31, 2015.

James D. Rogers of 4612 Arthur Court, Williamsburg, Michigan 49690, county of Grand Traverse, representing physicians, succeeding George Shade, is appointed for a term expiring December 31, 2015.

Louis J. Prues of 1047 Audubon, Grosse Pointe Park, Michigan 48230, county of Wayne, representing the general public, succeeding Frank Raines, is appointed for a term expiring December 31, 2015.

January 27, 2012

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

Emergency Manager - Highland Park Schools

Jackie Martin of 1466 W. Square Lake Road, Bloomfield Hills, Michigan 48302, county of Oakland, is appointed to serve for a term expiring at the pleasure of the Governor.

Sincerely,
Rick Snyder
Governor

The appointments were referred to the Committee on Government Operations.

Messages from the House

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

Senate Bill No. 291

House Bill No. 4369

The motion prevailed.

Senate Bill No. 130, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 321a (MCL 257.321a), as amended by 2004 PA 362.

The House of Representatives has amended the bill as follows:

1. Amend page 6, line 2, after "parking" by inserting "**OR, BEGINNING JANUARY 1, 2018, FAILED TO ANSWER 6 OR MORE PARKING VIOLATION NOTICES OR CITATIONS REGARDING ILLEGAL PARKING**".

2. Amend page 6, line 13, after "subsection (7)(b)" by inserting a comma and "**OR, BEGINNING JANUARY 1, 2018, LESS THAN 6 PARKING VIOLATIONS UNDER SUBSECTION (7)(B),**".

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

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

Senator Meekhof moved that the rule be suspended.

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

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

The amendments were concurred in, a majority of the members serving voting therefor, as follows:

Roll Call No. 25

Yeas—27

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

Nays—11

Anderson	Hunter	Nofs	Whitmer
Gregory	Johnson	Rocca	Young
Hood	Meekhof	Warren	

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 full title.

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

Third Reading of Bills

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

House Bill No. 4920

House Bill No. 4921

House Bill No. 4922

House Bill No. 4923

House Bill No. 4924

Senate Bill No. 702

The motion prevailed.

The following bill was read a third time:

House Bill No. 4920, entitled

A bill to amend 1909 PA 279, entitled “The home rule city act,” by amending sections 3 and 4i (MCL 117.3 and 117.4i), section 3 as amended by 2004 PA 541 and section 4i as amended by 1999 PA 55.

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. 26

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 incorporation of cities and for revising and amending their charters; to provide for certain powers and duties; to provide for the levy and collection of taxes by cities, borrowing of money, and issuance of bonds or other evidences of indebtedness; to validate actions taken, bonds issued, and obligations heretofore incurred; to prescribe penalties and provide remedies; and to repeal acts and parts of acts on specific dates.”.

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 4921, entitled

A bill to amend 1947 PA 359, entitled "The charter township act," by amending section 21 (MCL 42.21), as amended by 1999 PA 58.

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. 27

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 authorize the incorporation of charter townships; to provide a municipal charter therefor; to prescribe the powers and functions thereof; and to prescribe penalties and provide remedies,".

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 4922, entitled

A bill to amend 1945 PA 246, entitled "An act to authorize township boards to adopt ordinances and regulations to secure the public health, safety and general welfare; to provide for the establishment of a township police department; to provide for policing of townships by certain law enforcement officers and agencies; to provide for the publication of ordinances; to prescribe powers and duties of township boards and certain local and state officers and agencies; to provide sanctions; and to repeal all acts and parts of acts in conflict with the act," by amending sections 1 and 4 (MCL 41.181 and 41.184), as amended by 1999 PA 257.

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. 28

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. 4923, entitled

A bill to amend 1895 PA 3, entitled “The general law village act,” by amending sections 2 and 4 of chapter VI (MCL 66.2 and 66.4), section 2 as amended by 1999 PA 57 and section 4 as amended by 1999 PA 259.

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. 29

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 government of certain villages; to define their powers and duties; to provide for the levy and collection of taxes, borrowing of money, and issuance of bonds and other evidences of indebtedness by villages subject to this act; to define the powers and duties of certain state and local officers and entities; to define the application of this act and provide for its amendment by villages subject to this act; to validate prior amendments and certain prior actions taken and bonds issued by villages subject to this act; to provide for the disincorporation of villages; and to prescribe penalties and provide remedies.”.

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 4924, entitled

A bill to amend 1909 PA 278, entitled “The home rule village act,” by amending sections 23 and 24 (MCL 78.23 and 78.24), section 23 as amended by 2003 PA 304 and section 24 as amended by 1999 PA 56.

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. 30

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	Pros	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 incorporation of villages and for revising and amending their charters; to provide for the levy and collection of taxes, borrowing of money, and issuance of bonds and other evidences of indebtedness; to validate bonds issued and obligations previously incurred; and to prescribe penalties and provide remedies.”.

The Senate agreed to the full title.

The following bill was read a third time:

Senate Bill No. 702, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 16174 (MCL 333.16174), as amended by 2006 PA 398.

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. 31**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 Proos 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 bill:

House Bill No. 4745, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 16i of chapter XVII (MCL 777.16i), as amended by 2010 PA 95.

The bill 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. 4284, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending section 167d (MCL 750.167d), as added by 2006 PA 148.

Substitute (S-2).

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

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

Senate Bill No. 787, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 21313 (MCL 333.21313), as amended by 2010 PA 381.

Substitute (S-2).

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

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:
Senate Bill No. 788, entitled

A bill to amend 1979 PA 218, entitled "Adult foster care facility licensing act," by amending section 13 (MCL 400.713), as amended by 2010 PA 380.

Substitute (S-2).

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

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:
Senate Bill No. 499, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 72116.

Substitute (S-2).

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

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.

Senators Nofs and Schuitmaker offered the following resolution:

Senate Resolution No. 113.

A resolution to urge the United States Department of Defense to fulfill its commitment to deliver no fewer than four C-27J cargo aircraft to the 110th Airlift Wing of the Air National Guard in Battle Creek.

Whereas, The C-27J has been the chosen aircraft to carry out the medium-lift, intra-theatre airlift requirements of the Army and Air Force since 2007; and

Whereas, The C-27J is unmatched in its ability to support the homeland defense, disaster response, and recovery missions of the Air National Guard. The C-27J will allow the Michigan Air National Guard to provide mission-critical personnel and supplies in a rapid and economical manner to sites not accessible by other airlift aircraft; and

Whereas, The placement of C-27J aircraft in Battle Creek will take full advantage of Michigan's ability to ensure northern border security. Battle Creek's central location will allow the 110th Airlift Wing to provide superior response capability in Federal Emergency Management Agency Region 5 and the region served by the 51st Civil Support Team; and

Whereas, The existing infrastructure, trained personnel, and investment at the Battle Creek Air National Guard base is second to no other location in the nation for C-27J mission support, as well as being adjacent to the extensive Michigan Army Reserve and National Guard Fort Custer Training Center; and

Whereas, The Battle Creek Air National Guard base is integral to the economy of Southwest Michigan, providing \$22.2 million in total wages and salaries and \$26 million in gross regional product to Calhoun County; and

Whereas, More than \$22 million in taxpayer funding has been invested in the Battle Creek Air National Guard Base from 2001 to 2011, \$16.7 million of which represents the federal share and \$5.2 million of which was invested by the state of Michigan. The 110th Airlift Wing has been the recipient of \$477 million in funding for operating expenses from 2001 to 2011, including military construction, personnel, and operations and maintenance; and

Whereas, The loss of previously committed C-27J aircraft would cause significant harm to Battle Creek and Michigan's economy and severely inhibit disaster response readiness in Michigan for threats both natural and terrorist in origin; and

Whereas, The Air Force has been an important partner in the Battle Creek community since 1947. During this same time period, the greater Battle Creek/Calhoun County region has been a staunch supporter and defender of the Battle Creek Air National Guard Base, as well as its other defense and military installations; and

Whereas, The 110th Airlift Wing has been one of the most decorated units in the nation, receiving the Air Force Outstanding Unit Award in 1992, 1998, 2000, 2004, and 2011. This honor is bestowed on fewer than 10 percent of Air Force units annually; and

Whereas, The Secretary of the Air Force proposed the expansion of the C-27J program in Battle Creek as a part of the Air Force "Roadmap for the 21st Century" in the summer of 2008; and

Whereas, Michigan is next in line among the states slated to receive C-27J aircraft; now, therefore, be it

Resolved by the Senate, That we urge the United States Department of Defense to fulfill its commitment to deliver no fewer than four C-27J cargo aircraft to the 110th Airlift Wing of the Air National Guard in Battle Creek, as planned, prior to other prospective locations throughout the United States; and be it further

Resolved, That copies of this resolution be transmitted to the United States Secretary of the Air Force, the United States Secretary of Defense, and the members of Michigan's congressional delegation.

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 question being on the adoption of the resolution,

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

The motion prevailed.

Senators Booher, Brandenburg, Colbeck, Emmons, Hildenbrand, Jones and Rocca were named co-sponsors of the resolution.

Introduction and Referral of Bills

Senator Gleason introduced

Senate Bill No. 922, entitled

A bill to amend 1921 PA 13, entitled "An act to promote the agricultural interests of the state of Michigan; to create a state department of agriculture; to define the powers and duties thereof; to provide for the transfer to and vesting in said department of powers and duties now vested by law in certain other state boards, commissions and officers, and to abolish certain boards, commissions and officers the powers and duties of which are hereby transferred," by amending the title and sections 1, 2, 3, and 5 (MCL 285.1, 285.2, 285.3, and 285.5), sections 2 and 3 as amended by 1980 PA 314.

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

Senator Gleason introduced

Senate Bill No. 923, entitled

A bill to amend 1965 PA 380, entitled "Executive organization act of 1965," by amending sections 175, 176, 179, 180, 183, 186, and 187 (MCL 16.275, 16.276, 16.279, 16.280, 16.283, 16.286, and 16.287); and to repeal acts and parts of acts.

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

Senator Gleason introduced

Senate Bill No. 924, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 501 (MCL 324.501).

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

Senator Gleason introduced

Senate Bill No. 925, entitled

A bill to amend 1965 PA 380, entitled "Executive organization act of 1965," by amending sections 250, 251, 254, and 255 (MCL 16.350, 16.351, 16.354, and 16.355), section 254 as amended by 1994 PA 446.

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

House Bill No. 4116, entitled

A bill to amend 1846 RS 12, entitled "Of certain state officers," (MCL 14.28 to 14.35) by adding section 32a.

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 Government Operations.

House Bill No. 4146, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 698 (MCL 257.698), as amended by 1998 PA 247 and by adding section 682c.

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

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

House Bill No. 4658, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 4a (MCL 205.54a), as amended by 2008 PA 415.

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. 4838, entitled

A bill to authorize interstate mutual aid for certain emergency responses; to provide for the recognition of certain credentials of emergency responders from other states; and to provide for certain civil immunity.

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.

Committee Reports

The Committee on Natural Resources, Environment and Great Lakes reported

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.

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

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

Thomas A. Casperson
Chairperson

To Report Out:

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

Nays: None

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

COMMITTEE ATTENDANCE REPORT

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

Meeting held on Thursday, January 26, 2012, at 8:30 a.m., Room 210, Farnum Building

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

Excused: Senator Hood

The Committee on Regulatory Reform reported

Senate Bill No. 602, entitled

A bill to amend 1973 PA 116, entitled "An act to provide for the protection of children through the licensing and regulation of child care organizations; to provide for the establishment of standards of care for child care organizations; to prescribe powers and duties of certain departments of this state and adoption facilitators; to provide penalties; and to repeal acts and parts of acts," (MCL 722.111 to 722.128) by adding section 9b.

With the recommendation that the bill pass.

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

Tory Rocca
Chairperson

To Report Out:

Yeas: Senators Rocca, Jones, Hune, Meekhof, Pavlov, Johnson and Warren

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Regulatory Reform reported

Senate Bill No. 603, entitled

A bill to amend 1976 PA 331, entitled "Michigan consumer protection act," by amending section 3 (MCL 445.903), as amended by 2010 PA 195 and by adding section 3j.

With the recommendation that the bill pass.

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

Tory Rocca
Chairperson

To Report Out:

Yeas: Senators Rocca, Jones, Hune, Meekhof, Pavlov, Johnson and Warren

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Regulatory Reform reported

Senate Bill No. 874, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 501 (MCL 436.1501), as amended by 2006 PA 547.

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.

Tory Rocca
Chairperson

To Report Out:

Yeas: Senators Rocca, Jones, Hune, Meekhof, Pavlov, Johnson and Warren

Nays: None

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

The Committee on Regulatory Reform reported

House Bill No. 5011, entitled

A bill to amend 1972 PA 230, entitled "Stille-DeRossett-Hale single state construction code act," by amending section 2a (MCL 125.1502a), as added by 1999 PA 245, and by adding section 9.

With the recommendation that the bill pass.

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

Tory Rocca
Chairperson

To Report Out:

Yeas: Senators Rocca, Jones, Hune, Meekhof and Pavlov

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Regulatory Reform submitted the following:

Meeting held on Thursday, January 26, 2012, at 12:30 p.m., Room 110, Farnum Building

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

COMMITTEE ATTENDANCE REPORT

The Committee on Outdoor Recreation and Tourism submitted the following:

Meeting held on Thursday, January 26, 2012, at 12:30 p.m., Room 210, Farnum Building

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

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Department of Licensing and Regulatory Affairs submitted the following:

Meeting held on Thursday, January 26, 2012, at 1:30 p.m., Rooms 402 and 403, Capitol Building

Present: Senators Jansen (C), Proos and Johnson

Scheduled Meetings

Agriculture - Thursday, February 2, 9:30 a.m., Room 110, Farnum Building (373-5312) (CANCELED)

Appropriations -**Subcommittees -**

Licensing and Regulatory Affairs Department - Thursday, February 2, 1:30 p.m. (CANCELED); Wednesday, February 8, 8:30 a.m., Rooms 402 and 403, Capitol Building (373-2768)

State Police and Military Affairs - Thursday, February 2, 3:00 p.m., Rooms 402 and 403, Capitol Building (373-2768) (CANCELED)

Education - Wednesday, February 1, 12:00 noon, Senate Hearing Room, Ground Floor, Boji Tower (373-5314)

Families, Seniors and Human Services - Wednesday, February 1, 3:00 p.m., Room 210, Farnum Building (373-5324)

Local Government and Elections - Wednesday, February 1, 3:00 p.m., Room 100, Farnum Building (373-5314)

Natural Resources, Environment and Great Lakes - Monday, February 6, 10:00 a.m., University Center of Gaylord, Room U-111/112, 80 Livingston Boulevard, Gaylord (373-5323)

Senator Meekhof moved that the Senate adjourn.
The motion prevailed, the time being 10:55 a.m.

The President, Lieutenant Governor Calley, declared the Senate adjourned until Wednesday, February 1, 2012, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate

