

No. 6
STATE OF MICHIGAN
Journal of the Senate
96th Legislature
REGULAR SESSION OF 2011

Senate Chamber, Lansing, Wednesday, January 26, 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—excused
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 Robert Derheim of New Life Assembly of God Church of Escanaba offered the following invocation:

Heavenly Father, I am reminded of our sixteenth President, Abraham Lincoln, who acknowledged that we are the recipients of the choicest bounties of heaven: "We have been preserved, these many years, in peace and prosperity." And, Father, that was over 150 years ago, and the times have changed, but You have not.

We, once again, want to remind ourselves that it was Your hand that brought us these blessings and not our own wisdom and abilities. In our past success, we have become proud, self-sufficient, and arrogant, but now as we face seemingly insurmountable problems, we are humbled. We need Your forgiveness, and we ask for Your wisdom again.

Father, I believe that these elected officials, before whom I have the privilege of leading in prayer, have a great opportunity in the history and destiny of Michigan. They have heard from the people as they voted, and may they also hear from You as we pray today. We need You, Lord. We acknowledge You. We confess our need of Your guidance and wisdom and direction. I ask Your blessings on each one of these who are here today.

We ask these things 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

Senator Meekhof moved that rule 3.902 be suspended to allow the guests of Senator Kahn 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, including the center aisle.

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

Senator Hunter moved that Senator Johnson be temporarily excused from today's session.

The motion prevailed.

Senator Hunter moved that Senator Hood be 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 10:06 a.m.

10:15 a.m.

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

During the recess, Senator Kahn introduced the Ithaca High School Varsity Football Team, Division 6 State Champions, and presented them with a Special Tribute.

Representative Opsommer and Coach Terry Hessbrook responded briefly.

During the recess, Senator Johnson entered the Senate Chamber.

The following communication was received and read:

Office of Senator Roger Kahn, M.D.

January 25, 2011

Pursuant to Senate Rule 2.105, I am hereby making the appointment to the following Appropriations subcommittee:
Department of Corrections – Senators Proos (C), Walker (VC) and Anderson (MVC).

Respectfully yours,

Roger Kahn

Chair, Senate Appropriations Committee

The communication was referred to the Secretary for record.

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

Senate Bill No. 22

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, 2011

I respectfully submit to the Senate, pursuant to Section 2 of the FSU 1949 PA 114, MCL 390.802, please be advised of the following appointments to office:

Ferris State University Board of Control

Paul E. Boyer of 7147 Driftwood, S.E., Ada, Michigan 49301, county of Kent, succeeding R. Thomas Cook, whose term expired December 31, 2010, is appointed to represent Ferris State University Board of Control, for a term commencing January 12, 2011 and expiring December 31, 2018.

Gary L. Granger of 3120 Oakdale Drive, Hickory Corners, Michigan 49060, county of Barry, succeeding James K. Haveman, whose term expired December 31, 2010, is appointed to represent Ferris State University Board of Control, for a term commencing January 12, 2011 and expiring December 31, 2018.

January 19, 2011

I respectfully submit to the Senate the following appointment:

Investment Advisory Committee

Mr. James B. Nicholson of 10900 Harper Avenue, Detroit, Michigan 48213, county of Wayne, succeeding Glenn Philip Murray, for a term expiring on December 31, 2013.

January 19, 2011

I respectfully submit to the Senate, pursuant to Section 2 of the MTU, 1885 PA 70, MCL 390.352, please be advised of the following appointments to office:

Michigan Technological University Board of Control

Terry J. Woychowski of 9333 Park Lane, Commerce Township, Michigan 48382, county of Oakland, succeeding Russell A. Gronewelt, whose term expired on December 31, 2010, is appointed to represent Michigan Technological University Board of Control, for a term commencing January 12, 2011 and expiring December 31, 2018.

Julie A. Fream of 1620 Northlawn, Birmingham, Michigan 48382, county of Oakland, succeeding Ruth Annette Reck, whose term expired on December 31, 2010, is appointed to represent Michigan Technological University Board of Control, for a term commencing January 12, 2011 and expiring December 31, 2018.

January 19, 2011

I respectfully submit to the Senate the following appointments:

Western Michigan University Board of Control

Mr. Kenneth V. Miller of 6835 S. 6th Street, Kalamazoo, Michigan 49009, county of Kalamazoo, succeeding Larry F. Tolbert, for a term expiring on December 31, 2018.

Ms. Dana Debel of 5721 Le Blanc, Ann Arbor, Michigan 48103, county of Washtenaw, succeeding Dennis W. Archer, for a term expiring on December 31, 2018.

January 21, 2011

I respectfully submit to the Senate the following appointments:

Michigan State Housing Development Authority

Mr. Kirk T. Steudle of 57694 Hidden Timbers Drive, South Lyon, Michigan 48601, county of Oakland, is reappointed for a term expiring at the pleasure of the Governor.

Honorable Maura Corrigan of 880 Bishop Road, Grosse Pointe, Michigan 48230, county of Wayne, succeeding Ismael Ahmed, as Principal Department Head, for a term expiring at the pleasure of the Governor.

Mr. Andy Dillon of 26284 Graham Road, Redford, Michigan 48239, county of Wayne, succeeding Robert J. Kleine, as Principal Department Head, for a term expiring at the pleasure of the Governor.

January 21, 2011

I respectfully submit to the Senate the following appointments:

Michigan Strategic Fund Board of Directors

Mr. Michael Finney of 8805 Old Oak Drive, Plymouth, Michigan 48170, county of Wayne, succeeding D. Gregory Main, as Chairman and President, for a term commencing January 20, 2011 and expiring at the pleasure of the Governor.

Mr. Andy Dillon of 26284 Graham Road, Redford, Michigan 48239, county of Wayne, as Vice President, for a term commencing January 20, 2011 and expiring at the pleasure of the Governor.

January 21, 2011

I respectfully submit to the Senate the following appointments:

Michigan State Transportation Commission

Mr. Todd Wyett of 808 E. Dixon Avenue, Charlevoix, Michigan 49720, county of Charlevoix, succeeding Steven K. Girard, as Commissioner, for a term expiring December 21, 2013.

Mr. Charles F. Moser of 29929 Backmack Row, Drummond Island, Michigan 49726, county of Chippewa, succeeding Maureen M. Brosnan, as Commissioner, for a term expiring December 21, 2013.

Mr. Jerrold M. Jung of 111 Willits Road, Birmingham, Michigan 48009, county of Oakland, is appointed Chairperson, for a term expiring at the pleasure of the Governor.

Sincerely,
Rick Snyder
Governor

The appointments were referred to the Committee on Government Operations.

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 Anderson 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:

Senate Bill No. 22, entitled

A bill to amend 1988 PA 418, entitled "Uniform statutory rule against perpetuities," by amending section 5 (MCL 554.75), as amended by 2008 PA 149.

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

Resolutions

Senator Meekhof offered the following concurrent resolution:

Senate Concurrent Resolution No. 5.

A concurrent resolution for the adoption of the Joint Rules of the Senate and House of Representatives.

Resolved by the Senate (the House of Representatives concurring), That the following rules be and are hereby adopted as the Joint Rules of the Senate and House of Representatives:

JOINT RULES OF THE SENATE AND HOUSE OF REPRESENTATIVES

Transmission of Messages.

Rule 1. All messages necessary for conducting legislative business between the two houses shall be communicated in writing and electronically by the Secretary of the Senate and the Clerk of the House of Representatives.

Amendments.

Rule 2. It shall be in the power of either house to amend an amendment made by the other to any bill or resolution.

Conference Committees.

Rule 3. (a) The house not concurring in the amendments of the other house shall appoint conferees and notify the amending house of its action. The amending house shall request return of the bill or resolution or appoint conferees. The conference committee shall consist of three members from each house, to be appointed as each house may determine. The first named member of the house in which the bill or resolution originated shall be chairperson of the conference committee. Upon appointment of conferees by both houses, the bill or resolution shall be referred to the conference committee. When one house amends or substitutes a bill that has been returned for concurrence from the other house, but then non-concurs in that bill as amended or substituted, those amendments or that substitute shall not be referred to the conference committee. The conference committee shall serve until the conference report has been adopted by both houses or rejected by a house.

(b) The conference committee shall consist of committees of the two houses with those two committees voting separately while in conference. The adoption of a conference report shall require concurring majorities of the members of each house. The conference committees of the two houses shall vote separately while in conference. The majority of each committee

shall constitute a quorum of each committee and shall determine the position to be taken toward the propositions of the conference committee. If the conferees agree, a report shall be made which shall be signed by at least a majority of the conferees of each house who were present and voted in the conference committee meeting to adopt the report. The bill or resolution, including the original signed conference report and three copies, shall be filed in the house of origin where the question shall be on the adoption of the conference report. If the conference report is adopted in the house of origin, the bill or resolution, including the original signed conference report, and two copies of the conference report shall be transmitted to the other house where the question shall be on the adoption of the conference report. If the conference report is adopted in the other house, the bill or resolution and the original signed copy of the conference report shall be returned to the house of origin and referred for enrollment printing and presentation to the Governor, filing with the Secretary of State, or filing for record with the Secretary of the Senate or Clerk of the House of Representatives.

Conference Committee Clerk.

Rule 4. The conference committee clerk shall be from the house of origin, who shall notify the Secretary of the Senate and the Clerk of the House of Representatives of all scheduled meetings for public posting and shall deliver written notice to each member of the conference committee and the majority and minority leaders of each house indicating the time and place of all scheduled meetings. Conference committees on appropriation bills may use fiscal agency personnel from the same house as the Chairperson for clerks.

Conference Report: Rejection.

Rule 5. If the conference report is rejected by the house of origin, it shall appoint second conferees and notify the other house of its action. The procedure shall then be the same as for an original conference.

If the conference report is rejected by the other house, it shall appoint second conferees, notify the house of origin of its action, and transmit the bill or resolution to the house of origin. Upon receipt of the bill or resolution, the house of origin shall appoint second conferees and refer the bill or resolution to the second conference committee. The procedure shall then be the same as for an original conference.

Disagreement of Conferees.

Rule 6. If the conferees are unable to agree, a report of that fact shall be made to both houses. The report, that the conferees were unable to agree, shall be signed by at least a majority of the conferees of each house who were present and voted in the conference committee meeting to adopt the report. The bill or resolution, including the original signed conference report that the conferees were unable to agree, and three copies shall be filed in the house of origin. Both houses shall appoint second conferees, and the house of origin shall refer the bill or resolution to the second conference committee. The procedure shall then be the same as for an original conference.

Second Conference: Failure.

Rule 7. When a second conference committee fails to reach agreement, or when a second conference report is rejected by either house, no further conference is in order.

Power of Conferees.

Rule 8. The conference committee shall not consider any matters other than the matters of difference between the two houses.

For all bills making appropriations, adoption of a substitute by either house shall not open identical provisions contained in the other house-passed version of the bill as a matter of difference; nor shall the adoption of a substitute by either house open provisions not contained in either house version of the bill as a matter of difference.

When the conferees arrive at an agreement on the matters of difference that affects other parts of the bill or resolution, the conferees may recommend amendments to conform with the agreement. In addition, the conferees may also recommend technical amendments to the other parts of the bill or resolution, such as, necessary date revisions, adjusting totals, cross-references, misspelling and punctuation corrections, conflict amendments for bills enacted into law, additional anticipated federal or other flow through funding, and corrections to any errors in the bill or resolution or the title.

Adoption of Conference Report.

Rule 9. Conference reports shall not be subject to amendments or division. The vote on conference reports shall be taken by "yeas" and "nays" and shall require the same number of votes constitutionally required for passage of the bill or adoption of the resolution. Conference reports shall not be considered until printed in the Journal. The Journal printing requirement may be suspended by a house by a majority vote in that house, provided that a copy of the conference report has been made available to each Member.

Conference Reports: Points of Order.

Rule 10. Points of order regarding conference reports shall be decided by the presiding officer, subject to an appeal, which appeal shall be determined by a majority vote. When a conference report is ruled out of order, the conference report is returned to the originating conference committee with instructions to eliminate from the report such matters as have been declared not within the powers of the conferees to consider.

Either House May Recede.

Rule 11. At any time while in possession of the bill or resolution, either house may recede from its position in whole or in part, and the bill or resolution upon request may be returned to the other house for that purpose. If this further action

is agreed to by both houses, the bill or resolution shall be referred for enrollment printing and presentation to the Governor, filing with the Secretary of State, or filing for record with the Secretary of the Senate or Clerk of the House of Representatives.

Correction of Errors.

Rule 12. If errors are found in a bill or resolution which has been passed or adopted by both houses, the house in which the bill or resolution originated may make amendments to correct the errors and shall notify the other house of its action. If the corrective amendments are agreed to by the other house, the corrected bill or resolution shall be referred for enrollment printing and presentation to the Governor, filing with the Secretary of State, or filing for record with the Secretary of the Senate or Clerk of the House of Representatives.

In addition, the Secretary of the Senate and Clerk of the House of Representatives, as the case may be, shall correct obvious technical errors in the enrolled bill or resolution, including adjusting totals, misspellings, the omission or redundancy of grammatical articles, cross-references, punctuation, updating bill or resolution titles, capitalization, citation formats, and plural or singular word forms.

Bills and Joint Resolutions.

Rule 13. Upon introduction, no bill shall include catch lines, a severing clause, or a general repealing clause, as distinguished from a specific or an express repealing clause. The Secretary of the Senate and the Clerk of the House of Representatives shall delete such catch lines and clauses from all bills.

The same joint resolution shall not propose an amendment to the Constitution on more than one subject matter. However, more than one section of the Constitution may be included in the same joint resolution if the subject matter of each section is germane to the proposed amendment.

Yeas and Nays.

Rule 14. The yeas and nays shall be taken and printed in the Journal of the house taking action upon the passage or adoption of any bill, joint resolution, conference report, and amendments made by the other house to a bill or joint resolution.

No Members Present.

Rule 15. In the event the presiding officer and all members are absent on a day scheduled for meeting, the Secretary of the Senate or the Clerk of the House of Representatives, as the case may be, shall call that house to order at the designated time and announce the absence of a quorum. That house shall be declared adjourned until the succeeding legislative day and hour previously designated.

In any event where either or both houses of the Legislature adjourns to a date certain for more than two days, a committee composed of the Majority Leader of the Senate and the Speaker of the House of Representatives may, by a unanimous vote of that committee, convene either or both houses of the Legislature at any time in case of emergency.

If a gubernatorial appointment that is subject to the advice and consent process is made at a time such that 60 days would lapse during an extended recess of the Senate, the Senate Majority Leader may schedule a session of the Senate for the sole purpose of carrying out the Senate's constitutional duties to advise and consent on gubernatorial appointments. No other action shall be taken by the Senate during session convened under this provision. The Senate Majority Leader shall notify the Secretary of the Senate at least 10 calendar days prior to the date of the scheduled session, and the Secretary of the Senate shall take all reasonable steps to notify the members of the Senate of the scheduled session.

Passage, Adoption, and Enrollment Printing.

Rule 16. Every bill passed or joint resolution adopted by both houses and returned to the house of origin shall forthwith be enrolled and signed by the Secretary of the Senate and the Clerk of the House of Representatives. Enrolled bills shall be presented to the Governor, and enrolled joint resolutions that propose an amendment to the Constitution shall be filed with the Secretary of State with a certificate attached to the effect that the joint resolution has been adopted by the Senate and House of Representatives, respectively, in accordance with the provisions of the Constitution. If the house having last passed the bill or adopted the joint resolution requests its return and such request is granted or a motion is made in the house of origin to amend errors in the bill or joint resolution or to give the bill immediate effect, the enrollment printing shall not occur.

Every bill, joint resolution, and concurrent resolution passed or adopted by either house shall be transmitted to the other house unless a motion for reconsideration is pending.

Immediate Effect.

Rule 17. Whenever both houses, by the constitutional vote, order that a bill take immediate effect, a statement shall be added at the enrollment of the bill in words to this effect: "This act is ordered to take immediate effect."

Joint Resolutions.

Rule 18. Joint resolutions shall be used for the following purposes:

1. Amendments to the Constitution of Michigan.
2. Ratification of amendments to the Constitution of the United States submitted by the Congress.
3. Matters upon which power is solely vested in the Legislatures of the several states by the Constitution of the United States.

Joint resolutions proposing amendments to the Constitution of Michigan shall require a 2/3 vote of the members elected and serving in each house for adoption. Other joint resolutions shall require a majority of the members elected and serving in each house for adoption. All joint resolutions shall require a record roll call vote.

Veto Override: Filing with Secretary of State.

Rule 19. When a bill is passed by both houses over the objections of the Governor or a bill is not filed by the Governor with the Secretary of State within the constitutionally mandated 14-day period, and the Legislature continues in session, an official enrolled bill with a letter from the house of origin signed by the Secretary of the Senate or the Clerk of the House of Representatives, as appropriate, shall be filed with the Secretary of State for a public act number to be assigned. The letter shall certify that the Governor's veto has been overridden by both houses of the Legislature or that the bill has not been returned within the specified time, as the case may be, in accordance with the provisions of the Constitution.

Section Numbers of Compiled Laws - Amendments.

Rule 20. The title of every bill to amend or repeal existing laws shall be clear and explicit so as to definitely fix what is proposed to be done. Such title shall refer to the act number and the year in which it was passed. If the bill was passed at an extra session of the Legislature, the title shall designate which extra session.

Such title shall contain the last title of the act it is proposed to amend. However, the short title (e.g., This act shall be known and may be cited as "The revised judicature act of 1961,") shall be used in acts where it has been defined by legislative enactment. The title shall also contain the chapter, part numbers and compiler's section numbers, if any, and the year of the compilation containing the same.

Following the passage of a bill with a short title, the house other than the house of origin shall replace the short title with the last full title of the act it is proposed to amend or repeal. Other corrective amendments to the title shall be made as may be necessary. The full title and amended title shall be agreed to by both houses.

When an amendment to a bill or a bill to amend an existing law is printed, words proposed to be added to such law shall be printed in upper case bold type, and the words to be omitted shall be printed in stricken-through type. This style requirement also applies to joint resolutions that amend the Constitution of Michigan.

All bills and joint resolutions introduced, amendments to joint resolutions, substitute bills and joint resolutions, and conference committee reports shall be approved as to form and section numbers by the Legislative Service Bureau.

Tie-bars.

Rule 21. A bill or resolution that is tie-barred to a request number shall not be considered for passage or adoption unless that tie-barred request item has been introduced. No bill or resolution shall be passed or adopted by either house until the tie-barred item has been designated in the appropriate blank space provided.

Elections in Joint Convention.

Rule 22. Whenever there is an election of any officer in joint convention, the result shall be certified by the President of the Senate and the Speaker of the House of Representatives. The results shall be announced by the presiding officers to their respective houses, printed in the Journal of each house, and communicated to the Governor by the Secretary of the Senate and the Clerk of the House of Representatives.

Legislative Handbook.

Rule 23. The initial appointment of the standing committee members of the two houses shall be printed in their respective Journals as soon as possible after the announcement. The Secretary of the Senate and the Clerk of the House of Representatives shall prepare and have printed a legislative handbook containing these appointments and other information they deem appropriate.

Compensation.

Rule 24. Compensation for members, officers, and employees of the Legislature shall be delivered to the Secretary of the Senate or Clerk of the House of Representatives, as the case may be, and transmitted directly to the payee.

If the office of a member of the Legislature becomes vacant, the compensation for the elected successor shall begin on the date of his or her oath of office.

Committee Expenses.

Rule 25. No committee created by concurrent resolution shall incur expenses in excess of \$2,500.00 unless authorized in the resolution creating that committee.

Final Adjournment of Regular Sessions.

Rule 26. In the regular session in each year, this rule for adjournment shall govern.

The Majority Floor Leader of the Senate and/or the Majority Floor Leader of the House of Representatives shall introduce a concurrent resolution providing for an adjournment schedule for the Legislature for that regular session.

Daily Adjournment.

Rule 27. Neither house shall remain in session on any legislative day beyond 12:00 midnight. If either house is in session at 12:00 midnight, the presiding officer shall declare that house adjourned until a fixed hour for meeting on the next legislative day. That house shall stand adjourned until the next fixed meeting time.

Pending Business.

Rule 28. Any business, bill, or joint resolution which has not been defeated by either house shall be considered pending under the provisions of Article 4, Section 13 of the Constitution.

It shall not be in order for either house, by suspension of rules or any other means, to reconsider in a subsequent year the vote by which any business, bill, joint resolution, or veto override was defeated in a previous year unless there is a pending motion to reconsider offered in the odd-numbered year.

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 concurrent resolution was adopted, a majority of the members serving voting therefor.

Senator Meekhof requested the yeas and nays.

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

The concurrent resolution was adopted, a majority of the members serving voting therefor, as follows:

Roll Call No. 7**Yeas—37**

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

Nays—0**Excused—1**

Hood

Not Voting—0

In The Chair: President

Senators Booher, Brandenburg, Caswell, Hansen, Jones, Kowall and Pappageorge were named co-sponsors of the concurrent resolution.

Introduction and Referral of Bills

Senators Anderson, Bieda, Johnson and Young introduced

Senate Joint Resolution D, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by amending sections 2, 3, and 6 of article IV, to modify congressional and legislative apportionment and districting.

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

Senators Anderson, Bieda and Johnson introduced

Senate Bill No. 67, entitled

A bill to amend 1984 PA 431, entitled "The management and budget act," (MCL 18.1101 to 18.1594) by adding section 264a.

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

Senators Anderson, Gregory, Young and Johnson introduced

Senate Bill No. 68, 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.

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

Senators Anderson, Kowall, Gregory, Johnson and Hopgood introduced

Senate Bill No. 69, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," (MCL 211.1 to 211.155) by adding section 7II.

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

Senators Anderson, Young and Johnson introduced

Senate Bill No. 70, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 2229.

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

Senators Anderson, Bieda, Gregory, Johnson, Young and Hopgood introduced

Senate Bill No. 71, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding sections 2203, 3149, 3400a, 3501a, 3600a, 4003, and 4403.

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

Senators Anderson and Hopgood introduced

Senate Bill No. 72, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding part 86.

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

Senators Anderson, Bieda, Gregory, Johnson, Young and Hopgood introduced

Senate Bill No. 73, entitled

A bill to prohibit employers from making employment decisions based upon certain factors that are unrelated to employment; to prohibit certain inquiries; to prohibit retaliation; and to provide remedies.

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

Senators Anderson, Bieda, Gregory, Johnson and Young introduced

Senate Bill No. 74, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending sections 134 and 3104 (MCL 500.134 and 500.3104), section 134 as amended by 1990 PA 256 and section 3104 as amended by 2002 PA 662.

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

Senators Anderson, Bieda, Gregory, Johnson and Young introduced

Senate Bill No. 75, entitled

A bill to amend 1976 PA 267, entitled "Open meetings act," by amending sections 2 and 3 (MCL 15.262 and 15.263), section 2 as amended by 2001 PA 38 and section 3 as amended by 1988 PA 278.

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

Senators Bieda, Smith, Gleason, Warren, Hunter, Whitmer, Anderson, Schuitmaker and Johnson introduced **Senate Bill No. 76, entitled**

A bill to amend 1954 PA 116, entitled “Michigan election law,” by amending sections 509v, 509w, and 509x (MCL 168.509v, 168.509w, and 168.509x), as added by 1994 PA 441.

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

Statements

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

The motion prevailed.

Senator Hunter’s statement is as follows:

Thank you for yet another opportunity to urge this body to take action on Senate Bill Nos. 38 and 39. These bills would provide insurance coverage for autism spectrum disorder treatments. Behind the facts and figures are real people—those parents and children—trying to cope every day with this disorder. Treating autism is an issue that we should all care about. Autism can hit any family, anywhere, at any anytime.

Today, I want to talk about one of those families. In 2007, after I was first elected to the Senate, I was contacted by one of my constituents from the great city of Dearborn Heights. His name is Mr. Daniel Meyers. His son Jacob, who was 4 years old at the time, had been diagnosed with autism. All Mr. Meyers and his family wanted was to find the right treatment for their son. The good news is there is treatment available for Jacob. The bad news is the treatments can cost up to \$50,000 a year, and Mr. Meyers has been repeatedly denied by his insurance company. These insurance companies turned him down because they treat autism as a pre-existing condition.

Many of us are parents and could only imagine how we’d feel if our child needed treatment and we couldn’t afford it. Many of us would be in the same boat as the Meyers family is today. That is why I got involved in this effort to pass autism insurance legislation. I will continue to advocate for this legislation on behalf of the Meyers family and the countless others facing this issue.

For the sake of the Meyers family and the thousands of other Michigan families and their autistic children, let’s get to work on crafting a bipartisan and bicameral solution. I look forward to our passing legislation that gives parents hope and their children the help that they need.

Committee Reports

The Committee on Judiciary reported

Senate Bill No. 19, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending section 169 (MCL 750.169).

With the recommendation that the bill pass.

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

Rick Jones
Chairperson

To Report Out:

Yeas: Senators Jones, Schuitmaker, Rocca and Bieda

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Judiciary reported

Senate Bill No. 22, entitled

A bill to amend 1988 PA 418, entitled “Uniform statutory rule against perpetuities,” by amending section 5 (MCL 554.75), as amended by 2008 PA 149.

With the recommendation that the bill pass.

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

Rick Jones
Chairperson

To Report Out:

Yeas: Senators Jones, Schuitmaker, Rocca and Bieda

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Judiciary reported

Senate Bill No. 23, entitled

A bill to amend 2008 PA 148, entitled "Personal property trust perpetuities act," by amending section 4 (MCL 554.94). With the recommendation that the substitute (S-1) be adopted and that the bill then pass.

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

Rick Jones
Chairperson

To Report Out:

Yeas: Senators Jones, Schuitmaker, Rocca and Bieda

Nays: None

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

The Committee on Judiciary reported

Senate Bill No. 53, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," (MCL 600.101 to 600.9947) by adding section 2155.

With the recommendation that the bill pass.

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

Rick Jones
Chairperson

To Report Out:

Yeas: Senators Jones, Schuitmaker, Rocca and Bieda

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Judiciary submitted the following:

Meeting held on Tuesday, January 25, 2011, at 2:30 p.m., Room 110, Farnum Building

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

COMMITTEE ATTENDANCE REPORT

The Committee on Transportation submitted the following:

Meeting held on Tuesday, January 25, 2011, at 1:00 p.m., Room 100, Farnum Building

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

Excused: Senator Hood

COMMITTEE ATTENDANCE REPORT

The Committee on Reforms, Restructuring and Reinventing submitted the following:

Meeting held on Wednesday, January 26, 2011, at 8:30 a.m., Rooms 402 and 403, Capitol Building

Present: Senators Jansen (C), Colbeck, Casperson, Kowall, Robertson, Young and Warren

Scheduled Meetings

Appropriations -

Subcommittee -

State Police and Military Affairs - Thursdays, January 27, February 3, February 24, March 3, March 10 and March 17, 1:00 p.m., Rooms 402 and 403, Capitol Building (373-2768)

Natural Resources, Environment and Great Lakes - Thursday, January 27, 8:30 a.m., Room 210, Farnum Building (373-5323)

Regulatory Reform - Thursday, January 27, 12:30 p.m., Room 110, Farnum Building (373-5307)

Senator Meekhof moved that the Senate adjourn.
The motion prevailed, the time being 10:32 a.m.

The President, Lieutenant Governor Calley, declared the Senate adjourned until Thursday, January 27, 2011, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate