

No. 97
STATE OF MICHIGAN
Journal of the Senate
97th Legislature
REGULAR SESSION OF 2013

Senate Chamber, Lansing, Tuesday, December 3, 2013.

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.

Ananich—present
Anderson—present
Bieda—present
Booher—present
Brandenburg—present
Casperson—present
Caswell—present
Colbeck—present
Emmons—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

Pastor Steve Baker of Woodside Bible Church of Farmington Hills offered the following invocation:

Dear Lord, we want to thank You for this, another day that You have created. We acknowledge that all comes from You, as You are the Creator and Sustainer of life. We praise You for all that You have done. We're overwhelmed by the beauty of nature as seen in so many different ways throughout our country and in our beautiful state. We praise You for the ultimate gift of life through Your Son Jesus Christ.

Today, may we seek Your face. What a simple thought to know there is wisdom, power, and help available to us if we would only seek You. May we not miss out on the blessings You are ready to pour out on us, if we will but look to You.

Lord, today I especially pray for wisdom to be granted to those who will be meeting here. May they have a sense of guidance from You. Thwart ideas that will not prosper our land and establish those that will.

God, we also turn our attention to those men and women who are protecting us, both for those fighting for our national safekeeping and those who are responding here at home to crises. Please guard them and guide them by Your hand today.

Yours be the glory. We pray this 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 Kahn entered the Senate Chamber.

Senator Bieda moved that Senators Hunter, Johnson and Young be temporarily excused from today's session. The motion prevailed.

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

Senator Meekhof moved that rule 3.902 be suspended to allow the guests of Senator Pavlov 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.

11:08 a.m.

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

During the recess, Senator Pavlov introduced the 2013 St. Clair High School Cross Country Team, MHSAA Division 2 State Champions, and Coach Jon Davidson; and presented them with a Special Tribute.

Coach Davidson responded briefly.

During the recess, Senators Young, Johnson and Hunter entered the Senate Chamber.

The following communication was received and read:

Michigan Legislature

November 7, 2013

Pursuant to Public Act 224 of 2004 (MCL 600.1082), we make the following appointment and reappointments to the State Drug Treatment Court Advisory Committee:

The Honorable William T. Ervin of Mt. Pleasant, representing a judge of the family division of circuit court who has presided at least two years over a juvenile drug court program, to continue his term to 6/13/2017.

The Honorable Brian MacKenzie of Novi, representing a circuit or district court judge who has presided at least two years over an alcohol treatment court, to continue his term to 6/13/2017.

The Honorable Frederick J. Mulhauser of Charlevoix, representing a circuit court judge presiding over a drug treatment court for at least two years, for a term from today's date to 11/6/2017.

Sincerely,
Randy Richardville
Senate Majority Leader

Jase Bolger
Speaker of the House

The communication was referred to the Secretary for record.

The following communication was received and read:
Office of the Senate Majority Leader

December 3, 2013

Pursuant to Senate Rule 3.203, I am hereby re-referring Senate Bills 690 through 694 from the Senate Committee on Insurance to the Senate Committee on Health Policy.

Should you have any questions regarding this matter, please do not hesitate to contact me.

Sincerely,
Randy Richardville
Senate Majority Leader

The communication was referred to the Secretary for record.

The following communications were received and read:
Office of the Auditor General

November 15, 2013

Enclosed is a copy of the following audit report:
Performance audit of Early On, Michigan Department of Education.

November 19, 2013

Enclosed is a copy of the following audit report:
Performance audit of the Office of Financial Services, Department of Treasury.

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

The audit reports were referred to the Committee on Government Operations.

The following communication was received and read:
Department of State

December 2, 2013

I, Ruth Johnson, Secretary of State of the State of Michigan, certify that the attached proposed law appeared on the legislative initiative petition filed with the Secretary of State on October 4, 2013 by No Taxes for Abortion Insurance, P.O. Box 901, Grand Rapids, MI 49509. I further certify that on December 2, 2013, the Michigan Board of State Canvassers determined that said initiative petition contains "at least the minimum number of valid signatures required under Article 2, Section 9, of the Constitution of the State of Michigan of 1963." I therefore submit to the Michigan State Legislature said legislative proposal for consideration as provided under Article 2, Section 9, of the Constitution of 1963.

Sincerely,
Ruth Johnson
Secretary of State

INITIATION OF LEGISLATION

An initiation of Legislation to enact the Abortion Insurance Opt-Out Act. The initiated law would require the purchase of coverage for elective abortion in a health care plan to be by an optional rider only; require notice to employees for whom elective abortion coverage is purchased by their employer; and provide penalties for violations of this act.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

Sec. 1. This act shall be known and may be cited as the "Abortion Insurance Opt-Out Act."

Sec. 2. A qualified health plan offered through an American health benefit exchange in this state pursuant to the Patient Protection and Affordable Care Act, Public Law 111-148, as amended by the Health Care and Education Reconciliation Act of 2010, Public Law 111-152, shall not provide coverage for elective abortion. This section does not prohibit an individual, organization, or employer participating in a qualified health plan offered through an American health benefit exchange in this state from purchasing supplemental coverage for elective abortion outside of the exchange by an optional rider as provided in this act.

Sec. 3. An expense-incurred hospital, medical or surgical policy or certificate, or health care corporation group or nongroup certificate delivered, issued for delivery, or renewed in this state, or a health maintenance organization group or individual contact offered outside of an American health benefit exchange shall provide coverage for elective abortion only by an optional rider for which an additional premium has been paid by the purchaser.

Sec. 4. An employer may purchase an optional rider to provide coverage for elective abortion if the employer provides notice to each employee that elective abortion will be included as a rider to his or her health coverage and that the coverage may be used by a covered dependent without notice to the employee.

Sec. 5. This act does not require an insurer, health maintenance organization, health care corporation or employer to provide or offer to provide an optional rider for elective abortion coverage.

Sec. 6. This act applies to plans, policies, certificates, or contracts delivered, issued for delivery, or renewed in this state on and after the effective date of this act.

Sec. 7. This act does not apply to benefits provided under Title XIX of the Social Security Act, 42 USC 1396 to 1396W-5.

Sec. 8. This act does not create a right to abortion.

Sec. 9. Notwithstanding any other provision of this act, a person shall not perform an abortion that is prohibited by law.

Sec. 10. (1) An individual or a health facility or agency shall not seek or accept reimbursement from a qualified health plan; an expense-incurred hospital, medical, or surgical policy or certificate; a health maintenance organization group or individual contract; or a health care corporation group or nongroup certificate for any services provided that are directly related to the performance of an elective abortion unless the reimbursement sought or accepted is from an optional rider provided under this act.

(2) This section does not affect legitimate and routine obstetric care, diagnostic testing, or other nonabortion procedures.

(3) An individual or a health facility or agency that violates this section is liable for a civil fine of up to \$10,000.00 per violation. The department shall investigate an alleged violation of this section, and the attorney general, in cooperation with the department, may bring an action to enforce this section.

(4) This section does not restrict the right of a physician or other individual licensed or registered under the public health code to discuss abortion or abortion services with a patient who is pregnant.

Sec. 11. As used in this act:

(a) "Elective abortion" means the intentional use of an instrument, drug, or other substance or device to terminate a woman's pregnancy for a purpose other than to increase the probability of a live birth, to preserve the life or health of the child after live birth, or to remove a fetus that has died as a result of natural causes, accidental trauma, or a criminal assault on the pregnant woman. Elective abortion does not include any of the following:

(i) The use or prescription of a drug or device intended as a contraceptive.

(ii) The intentional use of an instrument, drug, or other substance or device by a physician to terminate a woman's pregnancy if the woman's physical condition, in the physician's reasonable medical judgment, necessitates the termination of the woman's pregnancy to avert her death.

(iii) Treatment upon a pregnant woman who is experiencing a miscarriage or has been diagnosed with an ectopic pregnancy.

(b) "Department" means the Michigan Department of Licensing and Regulatory Affairs or its successor.

(c) "Health care corporation" means a nonprofit health care corporation as defined in section 105 of the nonprofit health corporation reform act, 1980 PA 350, MCL 550.1105.

(d) "Health facility or agency" means that term as defined in section 20106 of the public health code, 1978 PA 368, MCL 333.20106.

(e) "Physician" means an individual licensed or otherwise authorized to engage in the practice of medicine or the practice of osteopathic medicine and surgery under article 15 of the public health code, 1978 PA 368, MCL 333.16101 to 333.18838.

(f) "Qualified health plan" means that term as defined in section 1301 of the Patient Protection and Affordable Care Act, Public Law 111-148.

Enacting Section 1. If any part or parts of this act are found to be in conflict with the state constitution of 1963, the United States constitution, or federal law, this act shall be implemented to the maximum extent that the state constitution of 1963, the United States constitution, and federal law permit. Any provision held invalid or inoperative shall be severable from the remaining portions of this act.

CERTIFICATION OF PETITION TO INITIATE LEGISLATION

We, the undersigned members of the Michigan Board of State Canvassers, hereby certify that the legislative initiative petition filed with the Secretary of State on October 4, 2013 by No Taxes for Abortion Insurance, P.O. Box 901, Grand Rapids, MI 49509, contains at least the minimum number of valid signatures required under Article 2, Section 9, of the Constitution of the State of Michigan of 1963. The minimum number of valid signatures required is 258,088.

Colleen A. Pero
Chairperson

Jeannette L. Bradshaw
Vice-Chairperson

Julie Matuzak
Member

Norman D. Shinkle
Member

The initiative petition was received in the Senate on December 2, 2013, at 11:18 a.m.
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, November 14:
House Bill Nos. 4257 4513 4546 4624 4642 4709 4710 4711 4782 4788 4918 5046 5069 5070
5071 5086 5134 5135 5140

The Secretary announced the enrollment printing and presentation to the Governor on Wednesday, November 20, for his approval the following bill:

Enrolled Senate Bill No. 390 at 9:38 a.m.

The Secretary announced the enrollment printing and presentation to the Governor on Thursday, November 21, for his approval the following bills:

Enrolled Senate Bill No. 540 at 11:54 a.m.

Enrolled Senate Bill No. 539 at 11:56 a.m.

Enrolled Senate Bill No. 172 at 11:58 a.m.

Enrolled Senate Bill No. 171 at 12:00 p.m.

The Secretary announced that the following bills were printed and filed on Thursday, November 14, and are available at the Michigan Legislature website:

Senate Bill Nos. 679 680 681 682 683 684
House Bill Nos. 5145 5146 5147 5148 5149 5150 5151

The Secretary announced that the following bills were printed and filed on Friday, November 15, and are available at the Michigan Legislature website:

Senate Bill Nos. 685 686 687 688 689 690 691 692 693 694 695 696 697
House Bill Nos. 5152 5153 5154 5155 5156 5157 5158 5159 5160 5161 5162

Messages from the Governor

The following messages from the Governor were received:

Date: November 26, 2013
Time: 2:28 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 539 (Public Act No. 173), being

An act to amend 1964 PA 170, entitled "An act to make uniform the liability of municipal corporations, political subdivisions, and the state, its agencies and departments, officers, employees, and volunteers thereof, and members of certain boards, councils, and task forces when engaged in the exercise or discharge of a governmental function, for injuries to property and persons; to define and limit this liability; to define and limit the liability of the state when engaged in a proprietary function; to authorize the purchase of liability insurance to protect against loss arising out of this liability; to provide for defending certain claims made against public officers, employees, and volunteers and for paying damages sought or awarded against them; to provide for the legal defense of public officers, employees, and volunteers; to provide for reimbursement of public officers and employees for certain legal expenses; and to repeal acts and parts of acts," by amending section 7 (MCL 691.1407), as amended by 2005 PA 318.

(Filed with the Secretary of State on November 26, 2013, at 3:55 p.m.)

Date: November 26, 2013
Time: 2:34 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 390 (Public Act No. 177), being

An act to amend 1949 PA 300, entitled “An act to provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or generally accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways; to create certain funds; to provide penalties and sanctions for a violation of this act; to provide for civil liability of owners and operators of vehicles and service of process on residents and nonresidents; to regulate the introduction and use of certain evidence; to provide for the levy of certain assessments; to provide for the enforcement of this act; to provide for the creation of and to prescribe the powers and duties of certain state and local agencies; to impose liability upon the state or local agencies; to provide appropriations for certain purposes; to repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date,” by amending sections 312a and 312b (MCL 257.312a and 257.312b), section 312b as amended by 2004 PA 362.

(Filed with the Secretary of State on November 26, 2013, at 4:03 p.m.)

Date: November 26, 2013
Time: 2:36 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 171 (Public Act No. 175), being

An act to amend 1994 PA 451, entitled “An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to protect the people’s right to hunt and fish; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, assessments, and donations; to provide certain appropriations; to prescribe penalties and provide remedies; and to repeal acts and parts of acts,” by amending section 40119 (MCL 324.40119), as amended by 2004 PA 587.

(Filed with the Secretary of State on November 26, 2013, at 3:59 p.m.)

Date: November 26, 2013
Time: 2:38 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 172 (Public Act No. 176), being

An act to amend 1994 PA 451, entitled “An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to protect the people’s right to hunt and fish; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, assessments, and donations; to provide certain appropriations; to prescribe penalties and provide remedies; and to repeal acts and parts of acts,” by amending sections 73109 and 73110 (MCL 324.73109 and 324.73110), as amended by 1998 PA 546.

(Filed with the Secretary of State on November 26, 2013, at 4:01 p.m.)

Date: November 26, 2013
Time: 3:10 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 540 (Public Act No. 174), being

An act to enhance public safety, protect the environment, and prevent the disruption of vital public services by reducing the incidences of damage to underground facilities caused by excavation or blasting activity by providing notices to facility owners and facility operators before excavation or blasting; to provide for certain notices to affected parties when

underground facilities are damaged; to provide for the powers and duties of certain state governmental officers and entities; to allow the promulgation of rules; to prescribe penalties; to allow the imposition of a fee; to provide for immunity for certain individuals; to allow claims for damages against certain governmental entities in certain circumstances; and to repeal acts and parts of acts.

(Filed with the Secretary of State on November 26, 2013, at 3:57 p.m.)

Respectfully,
Rick Snyder
Governor

The following messages from the Governor were received and read:

November 13, 2013

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

Library of Michigan Board of Trustees

Kathy M. Irwin of 2340 Coyote Creek Drive, Okemos, Michigan 48864, county of Ingham, representing the Michigan Library Association, succeeding herself, is reappointed for a term expiring October 1, 2016.

Pamela R. Christensen of 118 E. Kaye Avenue, Marquette, Michigan 49855, county of Marquette, representing public libraries, succeeding Carolyn Nash, is appointed for a term expiring October 1, 2016.

Jennifer M. Crowley of 306 Briarwood Avenue, S.E., Grand Rapids, Michigan 49506, county of Kent, representing the general public, succeeding Franics Spaniola, is appointed for a term expiring October 1, 2016.

November 21, 2013

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

Michigan Strategic Fund Board of Directors

R. Kevin Clinton of 6410 Oakencliff Lane, East Lansing, Michigan 48823, county of Ingham, succeeding Andy Dillon, is appointed for a term expiring at the pleasure of the Governor.

December 2, 2013

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

City of Highland Park Financial Review Team

Edward B. Koryzno of 1110 Pearl Street, Ypsilanti, Michigan 48197, county of Washtenaw, Treasurer's designee, is appointed for a term expiring at the pleasure of the Governor.

Doug A. Ringler of 2624 S. Edgar Road, Mason, Michigan 48854, county of Ingham, nominee of the Department of Technology, Management and Budget, is appointed for a term expiring at the pleasure of the Governor.

Frederick B. Headen of 5571 White Ash Lane, Haslett, Michigan 48840, county of Ingham, representing people with relevant professional experience, is appointed for a term expiring at the pleasure of the Governor.

Robert G. Burgess of 4302 Stoneleigh Road, Bloomfield Hills, Michigan 48302, county of Oakland, nominee of the Senate Majority Leader, is appointed for a term expiring at the pleasure of the Governor.

Christopher K. Roosen of 44584 Spring Hill, Northville, Michigan 48168, county of Wayne, nominee of the Speaker of the House, is appointed for a term expiring at the pleasure of the Governor.

December 2, 2013

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

Charter Township of Royal Oak Financial Review Team

Suzanne K. Schafer of 4100 Driftwood Drive, DeWitt, Michigan 48820, county of Ingham, nominee of the Treasurer, is appointed for a term expiring at the pleasure of the Governor.

Doug A. Ringler of 2624 S. Edgar Road, Mason, Michigan 48854, county of Ingham, nominee of the Department of Technology, Management and Budget, is appointed for a term expiring at the pleasure of the Governor.

Frederick B. Headen of 5571 White Ash Lane, Haslett, Michigan 48840, county of Ingham, representing people with relevant professional experience, is appointed for a term expiring at the pleasure of the Governor.

Mark E. Wollenweber of 8120 Old Lakeshore Road, Burtchville, Michigan 48059, county of St. Clair, nominee of the Senate Majority Leader, is appointed for a term expiring at the pleasure of the Governor.

Dennis G. Cowan of 2716 Trafford Street, Royal Oak, Michigan 48304, county of Oakland, nominee of the Speaker of the House, is appointed 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 bill be postponed for today:

House Bill No. 4277

The motion prevailed.

Senate Bill No. 35, entitled

A bill to amend 1909 PA 279, entitled "The home rule city act," by amending section 4q (MCL 117.4q), as amended by 2008 PA 51.

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

The House of Representatives has passed the bill as substituted (H-1), and pursuant to Joint Rule 20, inserted the full title. Pursuant to rule 3.202, the bill was laid over one day.

Senate Bill No. 36, entitled

A bill to amend 2006 PA 110, entitled "Michigan zoning enabling act," by amending section 406 (MCL 125.3406).

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

The House of Representatives has passed the bill as substituted (H-1), and pursuant to Joint Rule 20, inserted the full title. Pursuant to rule 3.202, the bill was laid over one day.

Senate Bill No. 37, entitled

A bill to amend 1972 PA 230, entitled "Stille-DeRossett-Hale single state construction code act," (MCL 125.1501 to 125.1531) by adding section 9c.

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

The House of Representatives has passed the bill as substituted (H-1), and pursuant to Joint Rule 20, inserted the full title. Pursuant to rule 3.202, the bill was laid over one day.

Senate Bill No. 38, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," (MCL 600.101 to 600.9947) by adding section 4027.

The House of Representatives has passed the bill, 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,

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

The motion prevailed.

Senate Bill No. 39, entitled

A bill to amend 1909 PA 279, entitled "The home rule city act," by amending section 4r (MCL 117.4r), as amended by 2008 PA 51.

The House of Representatives has amended the bill as follows:

1. Amend page 2, line 14, by inserting "However, property **THAT IS EXEMPT AS A PRINCIPAL RESIDENCE UNDER SECTION 7CC OF THE GENERAL PROPERTY TAX ACT, 1893 PA 206, MCL 211.7CC**, is not subject to forfeiture, foreclosure, and sale under sections 78 to 79a of the general property tax act, 1893 PA 206, MCL 211.78 to 211.79a, for nonpayment of a civil fine or costs or an installment ordered under section 4q unless the property is also subject to forfeiture, foreclosure, and sale under sections 78 to 79a of the general property tax act, 1893 PA 206, MCL 211.78 to 211.79a, for delinquent property taxes."

The House of Representatives has passed the bill as amended, and pursuant to Joint Rule 20, inserted the full title.

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

By unanimous consent the Senate returned to the order of

Motions and Communications

Senator Meekhof moved that the Committee on Transportation be discharged from further consideration of the following bill:

Senate Bill No. 101, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," (MCL 257.1 to 257.923) by adding section 811v.

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

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. 4242

House Bill No. 5002

The motion prevailed.

The following bill was read a third time:

House Bill No. 4242, entitled

A bill to amend 1969 PA 306, entitled "Administrative procedures act of 1969," by amending section 45 (MCL 24.245), as amended by 2011 PA 242.

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. 547**Yeas—26**

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

Nays—11

Ananich	Gregory	Johnson	Whitmer
Anderson	Hopgood	Smith	Young
Bieda	Hunter	Warren	

Excused—1

Hood

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 effect, processing, promulgation, publication, and inspection of state agency rules, determinations, and other matters; to provide for the printing, publishing, and distribution of certain publications; to provide for state agency administrative procedures and contested cases and appeals from contested cases in licensing and other matters; to create and establish certain committees and offices; to provide for declaratory judgments as to rules; to repeal certain acts and parts of acts; and to repeal certain parts of this act on a specific date."

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 5002, entitled

A bill to amend 2001 PA 142, entitled "Michigan memorial highway act," (MCL 250.1001 to 250.2080) by adding section 1061.

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. 548

Yeas—37

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

Nays—0

Excused—1

Hood

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 consolidate prior acts naming certain Michigan highways; to provide for the naming of certain highways; to prescribe certain duties of the state transportation department; and to repeal acts and parts of acts and certain resolutions,".

The Senate agreed to the full title.

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 Casperson as Chairperson.

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

Senate Bill No. 642, entitled

A bill to amend 1995 PA 29, entitled "Uniform unclaimed property act," by amending section 24 (MCL 567.244).

Senate Bill No. 671, entitled

A bill to amend 1979 PA 152, entitled "State license fee act," (MCL 338.2201 to 338.2277) by adding section 4.

Senate Bill No. 672, entitled

A bill to amend 1968 PA 330, entitled "Private security business and security alarm act," by amending sections 6 and 9 (MCL 338.1056 and 338.1059), section 6 as amended by 2012 PA 419 and section 9 as amended by 2010 PA 68. 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. 656, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," (MCL 400.1 to 400.119b) by adding section 109I. Substitute (S-4).

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

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:
Senate Bill No. 516, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending sections 651, 653, 655, and 657 (MCL 206.651, 206.653, 206.655, and 206.657), section 651 as amended by 2011 PA 171, section 653 as amended by 2011 PA 183, and sections 655 and 657 as added by 2011 PA 38.

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.

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

The President, Lieutenant Governor Calley, resumed the Chair.

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

Senate Bill No. 101

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

By unanimous consent the Senate returned to the order of
General Orders

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

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

After some time spent therein, the Committee arose; and the President pro tempore, Senator Schuitmaker, having resumed the Chair, the Committee reported back to the Senate, favorably and with a substitute therefor, the following bill:

Senate Bill No. 101, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," (MCL 257.1 to 257.923) by adding section 811v. 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.

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

**No Taxes for Abortion Insurance
Legislative Initiative Petition**

An initiation of legislation to enact the abortion insurance opt-out act; to require the purchase of coverage for elective abortion in a health care plan to be by an optional rider only; require notice to employees for whom elective abortion coverage is purchased by their employer; and provide penalties for violations of this act.

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

Senator Smith introduced

Senate Bill No. 698, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 24a, 30g, 307, 308, 323, 347, 355, 426c, 426f, 426l, 792, 806, 809, 822, 823, 826, 866, 867, and 868 (MCL 168.24a, 168.30g, 168.307, 168.308, 168.323, 168.347, 168.355, 168.426c, 168.426f, 168.426l, 168.792, 168.806, 168.809, 168.822, 168.823, 168.826, 168.866, 168.867, and 168.868), as amended by 2013 PA 51, and by adding sections 30a, 30b, 30c, 30d, 30e, and 360.

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

Senators Ananich, Smith and Hood introduced

Senate Bill No. 699, entitled

A bill to amend 2008 PA 429, entitled "Nonferrous metal regulatory act," by amending section 3 (MCL 445.423).

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

Senators Hood and Smith introduced

Senate Bill No. 700, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 27a (MCL 257.27a), as amended by 1993 PA 300.

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

Senators Colbeck, Nofs, Proos, Green, Caswell, Brandenburg and Marleau introduced

Senate Bill No. 701, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding sections 1238 and 1259.

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

Senators Colbeck, Nofs, Proos, Green, Caswell, Brandenburg, Marleau and Booher introduced

Senate Bill No. 702, entitled

A bill to amend 1984 PA 431, entitled "The management and budget act," by amending sections 261 and 268 (MCL 18.1261 and 18.1268), section 261 as amended by 2012 PA 555 and section 268 as amended by 2007 PA 183.

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

Senators Colbeck, Nofs, Proos, Green, Caswell, Brandenburg, Marleau and Booher introduced

Senate Bill No. 703, entitled

A bill to amend 1984 PA 431, entitled "The management and budget act," by amending section 295 (MCL 18.1295), as amended by 2010 PA 372.

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

Senator Hune introduced

Senate Bill No. 704, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 16233, 16241, 17702, 17706, 17707, 17709, 17742, and 17748 (MCL 333.16233, 333.16241, 333.17702, 333.17706, 333.17707, 333.17709, 333.17742, and 333.17748), section 16233 as amended by 2010 PA 382, section 16241 as amended by 1993 PA 87, section 17702 as amended by 2012 PA 209, section 17706 as amended by 1986 PA 304, section 17707 as amended by 1990 PA 333, section 17709 as amended by 2006 PA 672, section 17742 as added by 1987 PA 250, and section 17748 as amended by 1988 PA 462, and by adding sections 17748a, 17748b, 17748c, and 17748d.

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

House Bill No. 4257, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 521a (MCL 436.1521a), as amended by 2010 PA 369.

The House of Representatives has passed the bill.

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

House Bill No. 4513, entitled

A bill to amend 1933 (Ex Sess) PA 18, entitled "An act to authorize any city, village, township, or county to purchase, acquire, construct, maintain, operate, improve, extend, and repair housing facilities; to eliminate housing conditions which are detrimental to the public peace, health, safety, morals, or welfare; and for any such purposes to authorize any such city, village, township, or county to create a commission with power to effectuate said purposes, and to prescribe the powers and duties of such commission and of such city, village, township, or county; and for any such purposes to authorize any such commission, city, village, township, or county to issue notes and revenue bonds; to regulate the issuance, sale, retirement, and refunding of such notes and bonds; to regulate the rentals of such projects and the use of the revenues of the projects; to prescribe the manner of selecting tenants for such projects; to provide for condemnation of private property for such projects; to confer certain powers upon such commissions, cities, villages, townships, and counties in relation to such projects, including the power to receive aid and cooperation of the federal government; to provide for a referendum thereon; to provide for cooperative financing by 2 or more commissions, cities, villages, townships, or counties or any combination thereof; to provide for the issuance, sale, and retirement of revenue bonds and special obligation notes for such purposes; to provide for financing agreements between cooperating borrowers; to provide for other matters relative to the bonds and notes and methods of cooperative financing; for other purposes; and to prescribe penalties and provide remedies," by amending section 44 (MCL 125.694).

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

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

House Bill No. 4546, entitled

A bill to amend 1970 PA 29, entitled "An act relating to potatoes; to create a potato commission; to prescribe its powers and duties and authority; to impose an assessment on the privilege of introducing potatoes into the channels of trade and commerce; to provide for the collection of the assessment; to provide for penalties; and to repeal certain acts and parts of acts," by amending sections 1, 2, 3, 4, 8, and 9a (MCL 290.421, 290.422, 290.423, 290.424, 290.428, and 290.429a), sections 1 and 3 as amended by 1980 PA 304, section 2 as amended by 2005 PA 59, and sections 4 and 8 as amended and section 9a as added by 1996 PA 99.

The House of Representatives has passed the bill.

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

House Bill No. 4624, entitled

A bill to amend 1947 PA 336, entitled "An act to prohibit strikes by certain public employees; to provide review from disciplinary action with respect thereto; to provide for the mediation of grievances and the holding of elections; to declare and protect the rights and privileges of public employees; to require certain provisions in collective bargaining agreements; to prescribe means of enforcement and penalties for the violation of the provisions of this act; and to make appropriations," (MCL 423.201 to 423.217) by adding section 15a.

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

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

House Bill No. 4642, entitled

A bill to amend 1962 PA 150, entitled "An act relating to solicitations for employment; to prohibit recruitment of or advertising for employees to take the place of employees engaged in a labor dispute without stating that the employment offered is in place of employees involved in a labor dispute; to prohibit the importation of strikebreakers; and to provide penalties for violations of this act," (MCL 423.251 to 423.254) by amending the title; and to repeal acts and parts of acts.

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

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

House Bill No. 4709, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 109 (MCL 436.1109), as amended by 2010 PA 213.

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

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

House Bill No. 4710, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 603 (MCL 436.1603), as amended by 2011 PA 298.

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

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

House Bill No. 4711, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 411 (MCL 436.1411), as amended by 2011 PA 298.

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

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

House Bill No. 4782, entitled

A bill to amend 2010 PA 275, entitled "Next Michigan development act," by amending section 4 (MCL 125.2954).

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

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

House Bill No. 4788, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," (MCL 257.1 to 257.923) by adding section 811x.

The House of Representatives has passed the bill.

The bill was read a first and second time by title.

Senator Meekhof moved that rule 3.203 be suspended and that the bill be referred to the Committee of the Whole and placed on the order of General Orders.

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

House Bill No. 4918, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 675d (MCL 257.675d), as amended by 2010 PA 211.

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

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

House Bill No. 5046, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 1021 (MCL 436.2021), as amended by 2005 PA 21.

The House of Representatives has passed the bill.

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

House Bill No. 5069, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 2918, 5711, and 5714 (MCL 600.2918, 600.5711, and 600.5714), section 2918 as amended by 2013 PA 127 and section 5714 as amended by 2012 PA 139.

The House of Representatives has passed the bill.

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

House Bill No. 5070, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 553.

The House of Representatives has passed the bill.

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

House Bill No. 5071, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16bb of chapter XVII (MCL 777.16bb), as added by 2007 PA 20.

The House of Representatives has passed the bill.

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

House Bill No. 5086, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 522 (MCL 206.522), as amended by 2011 PA 180.

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. 5134, entitled

A bill to amend 2004 PA 177, entitled "Michigan law enforcement officers memorial act," by amending section 5 (MCL 28.785).

The House of Representatives has passed the bill.

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

House Bill No. 5135, entitled

A bill to amend 1984 PA 431, entitled "The management and budget act," by amending sections 219 and 298b (MCL 18.1219 and 18.1298b), section 219 as amended by 2001 PA 61 and section 298b as amended by 1992 PA 132; and to repeal acts and parts of acts.

The House of Representatives has passed the bill.

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

House Bill No. 5140, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 531 (MCL 436.1531), as amended by 2012 PA 212.

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.

Committee Reports

The Committee on Local Government and Elections reported

Senate Bill No. 677, entitled

A bill to amend 1964 PA 170, entitled "An act to make uniform the liability of municipal corporations, political subdivisions, and the state, its agencies and departments, officers, employees, and volunteers thereof, and members of certain boards, councils, and task forces when engaged in the exercise or discharge of a governmental function, for injuries to property and persons; to define and limit this liability; to define and limit the liability of the state when engaged in a proprietary function; to authorize the purchase of liability insurance to protect against loss arising out of this liability; to provide for defending certain claims made against public officers, employees, and volunteers and for paying damages sought or awarded against them; to provide for the legal defense of public officers, employees, and volunteers; to provide for reimbursement of public officers and employees for certain legal expenses; and to repeal acts and parts of acts," by amending sections 16, 17, 18, and 19 (MCL 691.1416, 691.1417, 691.1418, and 691.1419), as added by 2001 PA 222.

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

David B. Robertson
Chairperson

To Report Out:

Yeas: Senators Robertson, Meekhof, Brandenburg and Young

Nays: None

The bill was referred to the Committee on Judiciary.

COMMITTEE ATTENDANCE REPORT

The Committee on Compliance and Accountability submitted the following:

Meeting held on Wednesday, November 20, 2013, at 2:00 p.m., Rooms 402 and 403, Capitol Building

Present: Senators Meekhof (C), Brandenburg and Schuitmaker

Excused: Senator Hopgood

Scheduled Meetings

Appropriations - Wednesday, December 4, 9:00 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-1760)

Subcommittee -

State Police and Military Affairs - Thursday, December 5, 8:30 a.m., Rooms 402 and 403, Capitol Building (373-2768)

Banking and Financial Institutions - Thursday, December 5, 1:30 p.m., Room 100, Farnum Building (373-5314)

Compliance and Accountability - Wednesday, December 4, 4:00 p.m., Rooms 402 and 403, Capitol Building (373- 5307)

Economic Development - Wednesday, December 4, 8:30 a.m., Room 405, Capitol Building (373-5312)

Health Policy - Thursday, December 5, 2:30 p.m., Senate Hearing Room, Ground Floor, Boji Tower (373-5312)

Michigan Law Revision Commission - Wednesday, December 11, 12:00 noon, Room 424, Capitol Building (373-0212)

Outdoor Recreation and Tourism - Thursday, December 5, 12:30 p.m., Room 110, Farnum Building (373-5312)

Regulatory Reform - Thursday, December 5, 1:00 p.m., Room 210, Farnum Building (373-5307)

Senator Meekhof moved that the Senate adjourn.
The motion prevailed, the time being 11:43 a.m.

The President pro tempore, Senator Schuitmaker, declared the Senate adjourned until Wednesday, December 4, 2013, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate