

No. 19
STATE OF MICHIGAN
Journal of the Senate
97th Legislature
REGULAR SESSION OF 2013

Senate Chamber, Lansing, Thursday, February 28, 2013.

10:00 a.m.

The Senate was called to order by the President pro tempore, Senator Tonya Schuitmaker.

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
Green—excused
Gregory—present
Hansen—present
Hildenbrand—present
Hood—present

Hopgood—present
Hune—present
Hunter—present
Jansen—present
Johnson—excused
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 Dr. Deane B. Wyllys of Commerce United Methodist Church of Commerce offered the following invocation: Almighty and gracious God, we thank You, Lord, for Your presence with us here today and your faithfulness. We thank You, O God, that we can turn to You and look to You in this time. We pray, Lord, that we who call upon Your name will humble ourselves now and will pray and turn away from our ways and turn to Yours. We pray that You will bring healing into this state and into our land. We pray, O God, that You will guide these who are here before You today. We thank You for their leadership, and we thank You for the gifts and skills that You have given them and blessed them with. We pray for Your divine intervention and guidance through the course of this session together.

We ask these things in Christ's name. Amen.

The President pro tempore, Senator Shuitmaker, led the members of the Senate in recital of the *Pledge of Allegiance*.

Motions and Communications

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

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

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

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

Senator Meekhof moved that rule 3.902 be suspended to allow his guests 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 and Gallery.

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

The Secretary announced that the following bills were printed and filed on Wednesday, February 27, and are available at the Michigan Legislature website:

House Bill Nos.	4310	4311	4312	4313	4314	4315	4316	4317	4318	4319	4320	4321	4322	4323
	4324	4325	4326	4327										

Recess

Senator Meekhof moved that the Senate recess subject to the call of the Chair. The motion prevailed, the time being 10:04 a.m.

10:13 a.m.

The Senate was called to order by the President pro tempore, Senator Schuitmaker.

During the recess, Senator Meekhof introduced the Hudsonville Unity Christian High School Boys Varsity Soccer Team, MHSAA Division 2 State Champions; Head Coach Randy Heetuis and assistant coaches; and presented them with a Special Tribute.

Coach Heetuis responded briefly.

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

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 pro tempore, Senator Schuitmaker, designated Senator Hildenbrand 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 without amendment, the following bills:

Senate Bill No. 154, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 74126 (MCL 324.74126), as added by 2006 PA 248.

Senate Bill No. 29, entitled

A bill to prohibit the sale of certain engine coolant in this state that does not contain denatonium benzoate as a bittering agent; to require certain record keeping; and to provide for penalties.

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. 78, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 504, 35101, 35501, 35502, 35503, and 52502 (MCL 324.504, 324.35101, 324.35501, 324.35502, 324.35503, and 324.52502), section 504 as amended by 2009 PA 47, section 35101 as amended by 1996 PA 290, sections 35501, 35502, and 35503 as added by 1995 PA 59, and section 52502 as added by 2004 PA 125; and to repeal acts and parts of acts.

Substitute (S-1).

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

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

Senate Bill No. 123, entitled

A bill to amend 1999 PA 203, entitled "The convention facility authority act," by amending sections 3, 5, and 8 (MCL 141.1403, 141.1405, and 141.1408).

Substitute (S-1).

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

1. Amend page 2, line 16, after "city" by striking out the period and inserting a comma and "and that is not a charter county or a county with an optional unified form of government."

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

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

The motion prevailed.

Senator Young's statement is as follows:

Madam President, it brings me great sorrow, as well as tremendous excitement, that Tamara Warren has been with us for a year and a half, as the most incredible, phenomenal, stupendous, wonderful, tremendous legislative assistant. But you know what happens when you have great talent; other people want it. She is leaving.

She was the first smiling face I would always see in the office. Things were good; things were bad. Madam President, we both know we have had some hard times here. She always wanted to do everything on the phone; she was the first person to do anything with constituents. Every time we had a major issue or a major fire, she was the first one to pick up the fire extinguisher and put it out. She is a great friend, and she has been one of the most loyal people I have had in my office. Whether it was letter writing, tributes, certificates, answering the phones, or anything else, she was the quintessential definition of a true worker and a team player.

She is leaving my office to work as an enrolling clerk for the Secretary of the Senate. I am very proud of her, and I am going to truly miss her. I just wanted to say in conclusion that a great man once said that "man should aspire to stand on top of the world, but to stoop down and lift mankind higher." I can't think of a better person who has done that other than Tamara Warren. Please give a round of applause from the Senate for my great friend and great colleague and greatest legislative assistant ever: Tamara Warren.

Introduction and Referral of Bills

Senators Jones, Hansen, Brandenburg, Pappageorge, Hopgood and Anderson introduced

Senate Bill No. 235, entitled

A bill to amend 1986 PA 54, entitled "Building officials and inspectors registration act," by amending section 11 (MCL 338.2311).

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

Senator Schuitmaker introduced

Senate Bill No. 236, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 2534 (MCL 600.2534), as amended by 2006 PA 506.

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

Senators Marleau, Warren, Jones, Emmons, Kahn, Pappageorge, Booher, Bieda and Robertson introduced

Senate Bill No. 237, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 9208 (MCL 333.9208), as amended by 2000 PA 90.

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

Senators Warren, Marleau, Jones, Emmons, Pappageorge, Bieda, Robertson and Kahn introduced

Senate Bill No. 238, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1177 (MCL 380.1177), as amended by 2000 PA 91.

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

Senators Emmons, Marleau, Warren, Pappageorge, Kahn, Jones, Bieda and Robertson introduced

Senate Bill No. 239, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending section 167 (MCL 388.1767), as amended by 2006 PA 342.

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

Senators Marleau, Nofs, Hopgood, Moolenaar, Bieda, Anderson and Kowall introduced

Senate Bill No. 240, 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 Banking and Financial Institutions.

Senators Caswell, Jones and Walker introduced

Senate Bill No. 241, entitled

A bill to amend 1957 PA 261, entitled "Michigan legislative retirement system act," by amending sections 50b and 79 (MCL 38.1050b and 38.1079), section 50b as amended by 1998 PA 501 and section 79 as amended by 2011 PA 200.

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

Committee Reports

COMMITTEE ATTENDANCE REPORT

The Committee on Economic Development submitted the following:

Meeting held on Wednesday, February 27, 2013, at 1:30 p.m., Room 110, Farnum Building

Present: Senators Kowall (C), Hildenbrand, Nofs, Emmons and Hansen

Excused: Senators Hunter and Smith

COMMITTEE ATTENDANCE REPORT

The Committee on Families, Seniors and Human Services submitted the following:
 Meeting held on Wednesday, February 27, 2013, at 3:00 p.m., Room 210, Farnum Building
 Present: Senators Emmons (C), Nofs and Gregory
 Excused: Senator Rocca

COMMITTEE ATTENDANCE REPORT

The Committee on Local Government and Elections submitted the following:
 Meeting held on Wednesday, February 27, 2013, at 3:00 p.m., Room 100, Farnum Building
 Present: Senators Robertson (C), Meekhof and Young
 Excused: Senator Brandenburg

COMMITTEE ATTENDANCE REPORT

The Joint Subcommittee on Capital Outlay submitted the following:
 Meeting held on Wednesday, February 27, 2013, at 4:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building
 Present: Senators Booher (C), Schuitmaker, Jansen, Green, Moolenaar, Hood and Anderson

Scheduled Meetings**Appropriations -****Subcommittees -**

Agriculture and Rural Development - Tuesday, March 5, 3:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower (373-2768)

Community Colleges and House Community Colleges Appropriations Subcommittee - Friday, March 8, 1:00 p.m., Schoolcraft Community College, VisTaTech Center, Sutherland Room, 18600 Haggerty Road, Livonia; and Monday, March 11, 1:00 p.m., St. Clair County Community College, Michigan Technical Education Center, Room 150, 323 Erie Street, Port Huron (373-2768)

Environmental Quality Department - Tuesday, March 5, 12:00 noon, Room 110, Farnum Building (373-2768) (CANCELED)

General Government - Tuesdays, March 5, March 12, March 19, and April 9, 2:30 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

Human Services Department - Tuesdays, March 5 and March 12, 2:00 p.m., Room 405, Capitol Building (373-2768)

K-12, School Aid, Education - Wednesday, March 6, 9:00 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

Natural Resources Department - Tuesday, March 5, 1:00 p.m., Room 110, Farnum Building (373-2768) (CANCELED)

State Police and Military Affairs - Thursday, March 7, 3:00 p.m., Room 405, Capitol Building (373-2768)

Outdoor Recreation and Tourism - Wednesday, March 6, 8:30 a.m. and Thursday, March 7, 12:30 p.m., Room 110, Farnum Building (373-5323)

Transportation - Tuesday, March 5, 12:30 p.m., Room 100, Farnum Building (373-5314)

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

The President pro tempore, Senator Schuitmaker, declared the Senate adjourned until Tuesday, March 5, 2013, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate