

No. 82
STATE OF MICHIGAN
Journal of the Senate
97th Legislature
REGULAR SESSION OF 2013

Senate Chamber, Lansing, Tuesday, October 15, 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—present
Hopgood—present
Hune—present
Hunter—present
Jansen—present
Johnson—present
Jones—present
Kahn—present
Kowall—present
Marleau—present
Meekhof—present
Moolenaar—present
Nofs—present

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

Senator Vincent Gregory of the 14th District offered the following invocation:

Father God, we come together this day, thanking You for another opportunity to enjoy Your grace, Your mercy, and Your love. We thank You, Lord, for the privilege of serving Your people as a legislative body; yet at the same time, we realize, Lord, that we can do nothing apart from You. We realize that we are mere men and women who will be making decisions which will affect the lives of the men, women, and children of this great state of Michigan.

Therefore, we call on You, Lord, for only You are all-knowing and all-loving. We ask You, Lord, to guide us in making decisions that are fair and equitable for all residents and not just the few. We ask, Lord, that You enable us to reach across the aisle in an effort to make this great state a great place for all who live here, whether they are serving at McDonald's, teaching children in a classroom, or chairing a meeting in a board room.

We ask this and all things in our Savior's name. Amen.

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

Motions and Communications

Senators Emmons and Hunter entered the Senate Chamber.

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

Senator Meekhof moved that Senators Pappageorge and Robertson be temporarily 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 10:05 a.m.

11:14 a.m.

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

During the recess, Senators Robertson, Pappageorge and Young entered the Senate Chamber.

The following communications were received:
Department of State

Administrative Rules Notices of Filing

September 18, 2013

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2013-012-LR (Secretary of State Filing #13-09-05) on this date at 4:19 p.m. for the Department of Licensing and Regulatory Affairs, entitled "OH Part 350. Carcinogens."

These rules become effective immediately upon filing with the Secretary of State unless adopted under section 33, 44 or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

September 18, 2013

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2013-013-LR (Secretary of State Filing #13-09-06) on this date at 4:21 p.m. for the Department of Licensing and Regulatory Affairs, entitled "OH Part 302. Vinyl Chloride."

These rules become effective immediately upon filing with the Secretary of State unless adopted under section 33, 44 or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

September 18, 2013

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2013-014-LR (Secretary of State Filing #13-09-07) on this date at 4:23 p.m. for the Department of Licensing and Regulatory Affairs, entitled "OH Part 314. Coke Oven Emissions."

These rules become effective immediately upon filing with the Secretary of State unless adopted under section 33, 44 or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

September 18, 2013

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2013-033-LR (Secretary of State Filing #13-09-08) on this date at 4:25 p.m. for the Department of Licensing and Regulatory Affairs, entitled "GI Part 75. Flammable Liquids."

These rules become effective immediately upon filing with the Secretary of State unless adopted under section 33, 44 or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

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

The communications were referred to the Secretary for record.

The Secretary announced that pursuant to Rule 2.109 of the Standing Rules of the Senate, the following expense reports have been filed with the Secretary of the Senate for the quarter from April 1, 2013 through June 30, 2013, and are available in the Secretary's office during business hours for public inspection:

Committee

Agriculture
Appropriations
Banking and Financial Institutions
Economic Development
Education
Energy and Technology
Families, Seniors and Human Services
Finance
Government Operations
Health Policy
Insurance
Judiciary
Local Government and Elections
Natural Resources, Environment and Great Lakes
Outdoor Recreation and Tourism
Redistricting
Reforms, Restructuring and Reinventing
Regulatory Reform
Transportation
Veterans, Military Affairs and Homeland Security

Chairperson

Senator Joe Hune
Senator Roger Kahn
Senator Darwin Booher
Senator Mike Kowall
Senator Phil Pavlov
Senator Mike Nofs
Senator Judy Emmons
Senator Jack Brandenburg
Senator Randy Richardville
Senator Jim Marleau
Senator Joe Hune
Senator Rick Jones
Senator David Robertson
Senator Tom Casperson
Senator Geoff Hansen
Senator Joe Hune
Senator Mark Jansen
Senator Tory Rocca
Senator Tom Casperson
Senator John Moolenaar

The Secretary announced that the following bills were printed and filed on Thursday, October 10, and are available at the Michigan Legislature website:

Senate Bill Nos. 612 613 614 615
House Bill Nos. 5066 5067 5068 5069 5070 5071

The Secretary announced that the following bills were printed and filed on Friday, October 11, and are available at the Michigan Legislature website:

House Bill Nos. 5072 5073 5074 5075 5076 5077

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 pro tempore, Senator Schuitmaker, designated Senator Hildenbrand 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. 387, entitled

A bill to amend 1969 PA 317, entitled "Worker's disability compensation act of 1969," by amending section 161 (MCL 418.161), as amended by 2012 PA 83.

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

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

Senate Bill No. 492, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1147 (MCL 380.1147), as amended by 2012 PA 198.

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
Third Reading of Bills

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

Senate Bill No. 418
House Bill No. 4636
Senate Bill No. 277
Senate Bill No. 427
House Bill No. 4289
Senate Bill No. 307

The motion prevailed.

Senator Johnson entered the Senate Chamber.

The following bill was read a third time:

Senate Bill No. 418, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 1202 (MCL 500.1202), as amended by 2012 PA 552.

The question being on the passage of the bill,

Senator Casperson offered the following amendment:

1. Amend page 5, line 21, after "**INCLUDING**" by striking out the comma and "**BUT NOT LIMITED TO,**".

The amendment was adopted, a majority of the members serving voting therefor.

The question being on the passage of the bill,

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

Roll Call No. 402

Yeas—38

Ananich	Gregory	Kahn	Richardville
Anderson	Hansen	Kowall	Robertson
Bieda	Hildenbrand	Marleau	Rocca
Booher	Hood	Meekhof	Schuitmaker
Brandenburg	Hopgood	Moolenaar	Smith

Casperson	Hune	Nofs	Walker
Caswell	Hunter	Pappageorge	Warren
Colbeck	Jansen	Pavlov	Whitmer
Emmons	Johnson	Proos	Young
Green	Jones		

Nays—0

Excused—0

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

House Bill No. 4636, entitled

A bill to amend 1985 PA 87, entitled “William Van Regenmorter crime victim’s rights act,” by amending sections 16, 44, and 76 (MCL 780.766, 780.794, and 780.826), as amended by 2009 PA 28.

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. 403

Yeas—38

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

Nays—0

Excused—0

Not Voting—0

In The Chair: President

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

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

“An act to establish the rights of victims of crime and juvenile offenses; to provide for certain procedures; to establish certain immunities and duties; to limit convicted criminals from deriving profit under certain circumstances; to prohibit certain conduct of employers or employers’ agents toward victims; and to provide for penalties and remedies,”.

The Senate agreed to the full title.

The following bill was read a third time:

Senate Bill No. 277, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending section 723 (MCL 257.723), as amended by 2005 PA 179.

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. 404

Yeas—38

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

Nays—0

Excused—0

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 427, entitled

A bill to amend 1936 (Ex Sess) PA 1, entitled “Michigan employment security act,” by amending section 43 (MCL 421.43), as amended by 2004 PA 243.

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. 405

Yeas—38

Ananich	Gregory	Kahn	Richardville
Anderson	Hansen	Kowall	Robertson

Bieda	Hildenbrand	Marleau	Rocca
Booher	Hood	Meekhof	Schuitmaker
Brandenburg	Hopgood	Moolenaar	Smith
Casperson	Hune	Nofs	Walker
Caswell	Hunter	Pappageorge	Warren
Colbeck	Jansen	Pavlov	Whitmer
Emmons	Johnson	Proos	Young
Green	Jones		

Nays—0

Excused—0

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

House Bill No. 4289, entitled

A bill to amend 1995 PA 29, entitled “Uniform unclaimed property act,” by amending section 31 (MCL 567.251), as amended by 1997 PA 195.

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. 406

Yeas—38

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

Nays—0

Excused—0

Not Voting—0

In The Chair: President

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

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

“An act concerning unclaimed property; to provide for the reporting and disposition of unclaimed property; to make uniform the law concerning unclaimed property; to prescribe the powers and duties of certain state agencies and officials; to prescribe penalties and provide remedies; and to repeal acts and parts of acts.”

The Senate agreed to the full title.

By unanimous consent the Senate proceeded to the order of

Resolutions

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

Senate Resolution No. 34

The motion prevailed.

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

Senate Concurrent Resolution No. 11

The resolution consent calendar was adopted.

Senator Richardville offered the following concurrent resolution:

Senate Concurrent Resolution No. 11.

A concurrent resolution of tribute offered as a memorial for Robert D. Young, former member of the House of Representatives and the Senate.

Whereas, The members of this legislative body were saddened to learn of the passing of our former colleague, Robert D. Young. A devoted public servant, he will be remembered for his lifelong commitment to family, friends, community, and the entire state of Michigan; and

Whereas, A native of Michigan, Robert Young attended Saginaw High School and Michigan State University. A farmer and home builder, he would dedicate his life to serving people and helping improve his community. During the 1960s, he served as Spaulding Township Supervisor, as a Saginaw County Commissioner, and as chairman of the Saginaw County Parks and Recreation Commission. In 1970, he was elected to the House of Representatives, and he would join the Senate in 1975; and

Whereas, For twelve years, Robert Young served faithfully the people of Michigan, and particularly his constituents in Saginaw and other areas of the Great Lakes Bay Region, in the House of Representatives and the Senate. During his tenure, he served on several committees covering a wide variety of issues, ranging from agriculture to commerce to local government to veterans affairs. With earnestness and distinction, he worked tirelessly to solve the challenges facing our state; and

Whereas, Upon completing his legislative services, Robert Young would spend the next 13 years representing growers in Lansing and Washington, D.C., as executive director of the Great Lakes Sugar Beet Growers Association. In retirement, he would remain active in local organizations during his summers in Michigan and winters in Florida until his death; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That we offer this expression of our highest tribute to honor the memory of Robert D. Young, a member of the House of Representatives from 1971 to 1974 and a member of the Senate from 1975 to 1982; and be it further

Resolved, That copies of this resolution be transmitted to the Young family as evidence of our lasting esteem for his memory and contributions.

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

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

Introduction and Referral of Bills

Senator Kahn introduced

Senate Bill No. 616, entitled

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2014; and to provide for the expenditure of the appropriations.

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

Senators Marleau, Green, Pappageorge, Emmons, Kahn, Jones, Johnson, Warren and Ananich introduced
Senate Bill No. 617, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding part 52A.
The bill was read a first and second time by title and referred to the Committee on Health Policy.

Senator Hildenbrand introduced

Senate Bill No. 618, entitled

A bill to amend 2012 PA 580, entitled "Security alarm systems act," by amending sections 2, 3, 4, and 5 (MCL 338.2182, 338.2183, 338.2184, and 338.2185).

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

Senator Hildenbrand introduced

Senate Bill No. 619, entitled

A bill to amend 1968 PA 330, entitled "Private security business and security alarm act," by amending the title and sections 1, 2, 3, 4, 5, 6, 8, 9, 14, 16, 17, 19, 22, 25, and 26 (MCL 338.1051, 338.1052, 338.1053, 338.1054, 338.1055, 338.1056, 338.1058, 338.1059, 338.1064, 338.1066, 338.1067, 338.1069, 338.1072, 338.1075, and 338.1076), the title and sections 3, 4, 8, 9, 14, 17, 19, and 25 as amended by 2010 PA 68, sections 1 and 22 as amended by 2000 PA 411, section 2 as amended by 2012 PA 581, and section 6 as amended by 2012 PA 419; and to repeal acts and parts of acts.

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

Senator Hildenbrand introduced

Senate Bill No. 620, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 208c and 698 (MCL 257.208c and 257.698), section 208c as amended by 2008 PA 539 and section 698 as amended by 2012 PA 262.

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

Senator Hildenbrand introduced

Senate Bill No. 621, entitled

A bill to amend 1972 PA 222, entitled "An act to provide for an official personal identification card; to provide for its form, issuance and use; to regulate the use and disclosure of information obtained from the card; to prescribe the powers and duties of the secretary of state; to prescribe fees; to prescribe certain penalties for violations; and to provide an appropriation for certain purposes," by amending section 8 (MCL 28.298), as amended by 2008 PA 32.

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

Senator Booher introduced

Senate Bill No. 622, entitled

A bill to amend 2012 PA 474, entitled "An act to amend 1937 PA 94, entitled "An act to provide for the levy, assessment, and collection of a specific excise tax on the storage, use, or consumption in this state of tangible personal property and certain services; to appropriate the proceeds of that tax; to prescribe penalties; and to make appropriations," by amending sections 3a, 4, and 4o (MCL 205.93a, 205.94, and 205.94o), section 3a as amended by 2012 PA 299, section 4 as amended by 2008 PA 314, and section 4o as amended by 2010 PA 115," by amending enacting section 1.

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

Statements

Senators Young, Kahn and Colbeck asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator Young's statement is as follows:

Mr. President, I come bearing a message from the mighty, magnificent citizens of Detroit: Jim Bonsall must go. The fact that this man thought that it was okay to call a woman of African-American descent "the fat black lady"; that this man thought that it was okay to make a joke about shooting African-American children in hoodies is not only insensitive, it's inhumane and it's disgusting. The only place where that type of rhetoric would be okay is if we were on the set of "Mad Men." Mr. President, we're not. He needs to go.

Kevin Orr, he needs to go. Gary Brown, who turned off the lights on pregnant women when they were in the elevator, he needs to go. The emergency manager law, it needs to be repealed. It needs to be repealed, and it needs to go. If Governor Snyder keeps doing this, he needs to go—period. It's unconstitutional, and it's the biggest threat to our democratic republic in my lifetime. This thing is falling apart under its own tyrannical weight. It needs to be repealed for everything that is pure and everything that is sacred with our constitutional liberty. For the sake of democracy in this state and in this nation, it is time for the emperor and his viceroys to leave the city of Detroit. That means Roy Roberts too—I didn't forget, just in case you thought.

Thank you, Mr. President, I appreciate your time. They need to go. Vamoose. Deuces. Adios. Whatever word you want to say, they need to leave. State Senator Young, I'm out.

Senator Kahn's statement is as follows:

Mr. President, I rise today after following over the past week or so articles in the Detroit newspapers regarding Belle Isle. My interest in this goes back to the appropriations process and, subsequently to that, the appropriations process when we were looking to find dollars to repair the State Capitol. Mr. President, our State Capitol has a leaky roof. It needs to be funded and repaired. As a matter of fact, we haven't done much in the way of repairs for the State Capitol for more than the last century. The repairs last year to fix the carpet were the first, well, of this century.

When we were finding a way to do these repairs, we talked to the folks from the DNR, and they were very skittish because our proposal was to make this, our Capitol, into a state park. Their skittishness was about the competition for funds for our already thinly-available revenue source to fund our state parks. So I looked with interest for the notion that this would be resurfaced in Belle Isle—resurfaced despite the fact that neither mayoral candidate supports it. We saw over the weekend that it was rejected by city council; the proposal that's come from the emergency financial manager and from the administration.

During the budget negotiations last year, culminating in June and which I have been spanked about on and off, we put in a couple million dollars for Belle Isle. That's two, not twenty. I noticed in the newspapers that the ongoing need for funding to refurbish, repair, and to bring Belle Isle up to visiting standards could be as much as \$20 million, ten times the amount we put into the budget, for a project not supported by the elected officials in Wayne County or Detroit.

How is this \$20 million to be obtained? Well, it appears that among the ideas being discussed is for the Recreation Passport to provide dollars to do such. At \$11 per car and 200,000 visitors to Belle Isle last year, it's pretty easy to do the math on that. But nobody I've talked to believes that those 200,000 visitors are going to turn into 200,000 Recreation Passports. Therefore, the business plan to support this spend is, first of all, unavailable; and second of all, as reported in the newspapers, pretty dubious.

I know this: When we start talking about our state parks and talk about the State Parks Endowment Fund, we're talking about roads and trade and waterfront development across the parks in our state. If you've been into some of the bathrooms in some of our parks, they need a lot of help. We're talking about taking dollars from those areas where there is support for the parks and moving those precious dollars—of which there are not enough—to another park that is not supported.

I'd like to work with the administration as much as anybody else—I think, arguably more. However, it's hard to do so in the absence of a plan to justify the spend, and I would like to see such.

Senator Colbeck's statement is as follows:

I want to speak about something that I've noticed as a disturbing trend in our policy discussions—not just here at the state level, but also at the federal level. What I'd like to do is review a little bit about how government was designed to operate. You see, our government was founded on the principal that we are endowed by our Creator with certain unalienable rights, and that these rights, ultimately, our government is supposed to protect under the consent of the governed. There is a balance of power where We the People were supposed to have more power than the government. The governing authorities were supposed to respect the will of the people.

What I've seen of late is that disturbing trend where too much of this control is being centralized higher and higher up in the government. You see it manifest in the budget discussions that are happening right now in the federal government. You see what happens when power and control take over from the will of the people. You start seeing how people are being excluded from national parks. You see how veterans are being excluded from open-air memorials. You see thug tactics being applied to go off and influence people to see things their way or the way of the governing officials who are trying to implement these thug tactics.

This is especially disturbing when one considers that 42 percent of our state budget is dependent on federal resources. What I'd like to highlight here are a couple examples. When we start seeing that the federal government controls 42 percent of our budget, you might say that they almost have a controlling interest in our operations in the state. When you start talking about education, there's more and more of a trend toward centralizing education policies and education standards at the federal level. When you start talking about health care, we've all seen what's happened with Obamacare. The disturbing trend is to centralize more and more power up in the federal government to dictate how the state should go off and deliver health care. When we start looking at roads—even simple things like road funding—we can't go off and set our own wages for people to get compensated for it here at the state level. The federal government has the prevailing wage restriction on what we need to pay workers in the state. That ends up driving up our highway costs for maintaining our road infrastructure here in the state of Michigan.

The federal government likes to enforce these controls via the enforcement arm of the federal government, which is the Internal Revenue Service. I must say, I'm a little concerned with some of the trends I see coming out of the Internal Revenue Service, where I see different standards being applied for different groups of people and different individuals. I can't tell you how many people I know who have been audited because they are speaking out on particular topics that are not politically consistent with the power in Washington right now. It's very concerning. I've got a nonprofit that has been waiting to get its nonprofit status issued by the federal government for well over a year. When I look at another organization that has a union label associated with it, all of a sudden, they've gotten their approval in two months. That's picking winners and losers. That's playing favorites, and it violates the principal that we are all created equal.

The fact remains that the federal government, in particular, has been delegated limited powers. The Legislature has been delegated limited powers in Article I, Section 8, by We the People. The executive branch has been delegated limited powers in Article II, Section 2. The judiciary has been delegated limited powers in Article III, Section 2.

My friends, President Reagan once said that a government big enough to give you everything you want is also big enough to take away everything that you have. The trendline that we're on right now is going to make those words ring truer than ever before.

I ask my colleagues here on the Senate floor to please renew our commitment to recognizing that our rights, our policies, all of our powers are derived from We the People. It is We the People whom we respond to. It's not the other way around where We the People respond to the government. Let's renew our commitment to respecting our constituents and where the true source of those powers come from.

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

Committee Reports

The Committee on Regulatory Reform reported

Senate Bill No. 479, entitled

A bill to amend 1980 PA 299, entitled "Occupational code," by amending sections 411 and 601 (MCL 339.411 and 339.601), section 411 as amended by 2008 PA 309 and section 601 as amended by 2008 PA 319, and by adding section 205b; and to repeal acts and parts of acts.

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

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

Tory Rocca
Chairperson

To Report Out:

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

Nays: None

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

The Committee on Regulatory Reform reported

Senate Bill No. 480, entitled

A bill to amend 1943 PA 148, entitled "Proprietary schools act," by amending section 2a (MCL 395.102a), as amended by 2009 PA 212, and by adding section 2d; and to repeal acts and parts of acts.

With the recommendation that the bill pass.

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

Tory Rocca
Chairperson

To Report Out:

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

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Regulatory Reform reported

Senate Bill No. 481, entitled

A bill to amend 1980 PA 299, entitled "Occupational code," by amending sections 303a and 411 (MCL 339.303a and 339.411), section 303a as amended by 2006 PA 489 and section 411 as amended by 2008 PA 309, and by adding section 205a; and to repeal acts and parts of acts.

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

Tory Rocca
Chairperson

To Report Out:

Yeas: Senators Rocca, Jones, Hune, Meekhof, Pavlov and Johnson
Nays: Senator Warren
The bill was referred to the Committee of the Whole.

The Committee on Regulatory Reform reported
Senate Bill No. 484, entitled

A bill to amend 1979 PA 152, entitled "State license fee act," by repealing section 29 (MCL 338.2229), as amended by 2012 PA 308.

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

Tory Rocca
Chairperson

To Report Out:

Yeas: Senators Rocca, Jones, Hune, Meekhof, Pavlov and Johnson
Nays: Senator Warren
The bill was referred to the Committee of the Whole.

The Committee on Regulatory Reform reported
House Bill No. 4379, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 50703, 50706, 51101, and 51103 (MCL 324.50703, 324.50706, 324.51101, and 324.51103), sections 50703 and 50706 as added by 1995 PA 57 and sections 51101 and 51103 as amended by 2006 PA 383.

With the recommendation that the substitute (S-3) be adopted and that the bill then pass.
The committee further recommends that the bill be given immediate effect.

Tory Rocca
Chairperson

To Report Out:

Yeas: Senators Rocca, Jones, Hune, Meekhof, Pavlov and Johnson
Nays: Senator Warren
The bill and the substitute recommended by the committee were referred to the Committee of the Whole.

The Committee on Regulatory Reform reported
House Bill No. 4380, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 7jj (MCL 211.7jj[1]), as added by 2006 PA 378.

With the recommendation that the substitute (S-2) be adopted and that the bill then pass.
The committee further recommends that the bill be given immediate effect.

Tory Rocca
Chairperson

To Report Out:

Yeas: Senators Rocca, Jones, Hune, Meekhof, Pavlov and Johnson
Nays: Senator Warren
The bill and the substitute recommended by the committee were referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Regulatory Reform submitted the following:

Meeting held on Thursday, October 10, 2013, at 1:00 p.m., Room 210, Farnum Building
Present: Senators Rocca (C), Jones, Hune, Meekhof, Pavlov, Johnson and Warren

The Committee on Banking and Financial Institutions reported

Senate Bill No. 547, entitled

A bill to amend 1962 PA 174, entitled "Uniform commercial code," by amending sections 3103, 3106, 3116, 3119, 3305, 3309, 3312, 3416, 3417, 3419, 3602, 3604, and 3605 (MCL 440.3103, 440.3106, 440.3116, 440.3119, 440.3305, 440.3309, 440.3312, 440.3416, 440.3417, 440.3419, 440.3602, 440.3604, and 440.3605), section 3103 as amended by 2012 PA 86 and sections 3106, 3116, 3119, 3305, 3416, 3417, 3419, 3602, 3604, and 3605 as amended and sections 3309 and 3312 as added by 1993 PA 130.

With the recommendation that the bill pass.

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

Darwin L. Booher
Chairperson

To Report Out:

Yeas: Senators Booher, Nofs, Green, Marleau, Rocca, Ananich and Smith

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Banking and Financial Institutions reported

Senate Bill No. 548, entitled

A bill to amend 2000 PA 305, entitled "Uniform electronic transactions act," by amending section 16 (MCL 450.846).

With the recommendation that the bill pass.

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

Darwin L. Booher
Chairperson

To Report Out:

Yeas: Senators Booher, Nofs, Green, Marleau, Rocca, Ananich and Smith

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Banking and Financial Institutions reported

Senate Bill No. 549, entitled

A bill to amend 1962 PA 174, entitled "Uniform commercial code," by amending sections 4104, 4207, 4208, 4212, 4301, and 4403 (MCL 440.4104, 440.4207, 440.4208, 440.4212, 440.4301, and 440.4403), section 4104 as amended by 2012 PA 87 and sections 4207, 4208, 4212, 4301, and 4403 as amended by 1993 PA 130.

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.

Darwin L. Booher
Chairperson

To Report Out:

Yeas: Senators Booher, Nofs, Green, Marleau, Rocca, Ananich and Smith

Nays: None

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

The Committee on Banking and Financial Institutions reported

Senate Bill No. 550, entitled

A bill to amend 1962 PA 174, entitled "Uniform commercial code," by amending section 4A108 (MCL 440.4608), as added by 1992 PA 100.

With the recommendation that the bill pass.

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

Darwin L. Booher
Chairperson

To Report Out:

Yeas: Senators Booher, Nofs, Green, Marleau, Rocca, Ananich and Smith

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Banking and Financial Institutions reported

Senate Bill No. 551, entitled

A bill to amend 1962 PA 174, entitled "Uniform commercial code," by amending sections 9625 and 9626 (MCL 440.9625 and 440.9626), as added by 2000 PA 348.

With the recommendation that the bill pass.

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

Darwin L. Booher
Chairperson

To Report Out:

Yeas: Senators Booher, Nofs, Green, Marleau, Rocca, Ananich and Smith

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Banking and Financial Institutions submitted the following:

Meeting held on Thursday, October 10, 2013, at 1:30 p.m., Room 100, Farnum Building

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

COMMITTEE ATTENDANCE REPORT

The Committee on Outdoor Recreation and Tourism submitted the following:

Meeting held on Thursday, October 10, 2013, at 12:30 p.m., Room 110, Farnum Building

Present: Senators Hansen (C), Hildenbrand, Meekhof, Moolenaar, Young and Hopgood

Excused: Senator Casperson

COMMITTEE ATTENDANCE REPORT

The Committee on Health Policy submitted the following:

Meeting held on Thursday, October 10, 2013, at 2:30 p.m., Senate Hearing Room, Ground Floor, Boji Tower

Present: Senators Marleau (C), Hune, Jones, Warren, Johnson and Ananich

Excused: Senators Robertson, Emmons and Schuitmaker

Scheduled Meetings

Appropriations -

Subcommittee -

Human Services Department - Tuesdays, October 22, October 29, and November 5, 2:00 p.m., Room 405, Capitol Building (373-2768)

Economic Development - Wednesday, October 16, 1:30 p.m., Room 110, Farnum Building and Thursday, October 17, 2:30 p.m., Bridging Communities, 6900 McGraw Street, Detroit (373-5312)

Education - Wednesday, October 16, 12:00 noon, Senate Hearing Room, Ground Floor, Boji Tower (373-5314)

Finance - Wednesday, October 16, 12:30 p.m., Room 210, Farnum Building (373-5307)

Legislative Council - Thursday, November 7, 9:30 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-0212)

Natural Resources, Environment and Great Lakes - Thursday, October 17, 9:00 a.m., Room 210, Farnum Building (373-5312)

Reforms, Restructuring and Reinventing - Wednesday, October 16, 8:30 a.m., Rooms 402 and 403, Capitol Building (373-5307)

Regulatory Reform - Thursday, October 17, 1:00 p.m., Room 210, Farnum Building (373-5307)

Senator Meekhof moved that the Senate adjourn.
The motion prevailed, the time being 11:54 a.m.

The Assistant President pro tempore, Senator Hansen, declared the Senate adjourned until Wednesday, October 16, 2013, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate

