

No. 84
STATE OF MICHIGAN
Journal of the Senate
97th Legislature
REGULAR SESSION OF 2013

Senate Chamber, Lansing, Thursday, October 17, 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

Father Mark Przbysz of St. Anthony of Padua Catholic Church of Grand Rapids offered the following invocation:

God of power and might, wisdom and justice, our ancestors pledged their lives, fortunes, and honor to establish a place where citizens' rights were based not upon the nod of a king or ruler, but upon creation at Your hands. Grant to our state government a ministry of service to all, not the few. Grant to our State Senate the upholding of public interest, not merely a confusing complexity of competing private claims. May they always seek the ways of righteousness, justice, and mercy. Grant that they may be enabled by Your powerful protection to lead our state with honesty and integrity.

Pour Your Spirit out upon the great citizens of our state so that they may become active in the affairs of government; that they may not confuse dissent for disloyalty; that they may use their mighty power for the healing of differences among people with justice and mercy and love. Amen.

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

Motions and Communications

Senator Marleau entered the Senate Chamber.

The following communications were received:
Department of State

Administrative Rules Notices of Filing

September 19, 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 #2013-035-LR (Secretary of State Filing #13-09-09) on this date at 4:17 p.m. for the Department of Licensing and Regulatory Affairs, entitled "GI Part 91. Process Safety Management of Highly Hazardous Chemicals."

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 19, 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 #2013-036-LR (Secretary of State Filing #13-09-10) on this date at 4:19 p.m. for the Department of Licensing and Regulatory Affairs, entitled "OH Part 591. Process Safety Management of Highly Hazardous Chemicals."

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 19 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 #2013-037-LR (Secretary of State Filing #13-09-11) on this date at 4:21 p.m. for the Department of Licensing and Regulatory Affairs, entitled "OH Part 313. Methylene 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 19, 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 #2007-020-EQ (Secretary of State Filing #13-09-12) on this date at 4:23 p.m. for the Department of Environmental Quality, entitled "Small Business Pollution Prevention Assistance Loan Fund."

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

September 19 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 #2010-026-NR (Secretary of State Filing #13-09-13) on this date at 4:25 p.m. for the Department of Natural Resources, entitled “Natural River Zoning (13 Rivers).”

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 19 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 #2011-039-NR (Secretary of State Filing #13-09-14) on this date at 4:27 p.m. for the Department of Licensing and Regulatory Affairs, entitled “Construction Codes Part 7. Plumbing Code.”

These rules take effect 120 days after filing with the Secretary of State.

September 24, 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 #2013-054-LR (Secretary of State Filing #13-09-15) on this date at 4:33 p.m. for the Department of Licensing and Regulatory Affairs, entitled “Freestanding Surgical Outpatient Facilities Differentiated from Private Practice Offices.”

These rescissions 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 24, 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 #2013-055-LR (Secretary of State Filing #13-09-16) on this date at 4:35 p.m. for the Department of Licensing and Regulatory Affairs, entitled “Freestanding Surgical Outpatient Facilities.”

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 the following House bill was received in the Senate and filed on Wednesday, October 16:

House Bill No. 4394

The Secretary announced that the following bills were printed and filed on Wednesday, October 16, and are available at the Michigan Legislature website:

Senate Bill Nos. 616 617 618 619 620 621 622

House Bill Nos. 5078 5079 5080

Senator Hoppood moved that Senators Ananich and Young be temporarily excused from today’s session.

The motion prevailed.

Senator Meekhof moved that Senator Kahn be temporarily excused from today’s session.

The motion prevailed.

Senator Meekhof moved that rule 3.902 be suspended to allow the guests of Senator Richardville admittance to the Senate floor.

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.

Senator Meekhof moved that the Secretary read the following resolution and that it be printed in the Journal. The motion prevailed.

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.

A moment of silence was observed in memory of former Senator Robert D. Young.

Recess

Senator Meekhof moved that the Senate recess subject to the call of the Chair. The motion prevailed, the time being 10:09 a.m.

10:21 a.m.

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

During the recess, Senators Young, Ananich and Kahn entered the Senate Chamber.

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

The motion prevailed.

Senator Richardville's statement is as follows:

Colleagues, I rise today to recognize Senator Young's family who are here with us: Bob's wife, Shirley; his daughters, Mary Jo Ring and Barb Konuszewski; his son, Gary; and his mother-in-law, Mary Davis. Colleagues, please join me in welcoming them to the Senate this morning.

On behalf of the Michigan Senate, I would like to thank the family for their dedication and commitment to Senator Young while he served our great state. We have framed copies of the resolution that was read earlier for each of you. Senator Roger Kahn, who represents the Greater Saginaw Area, and I are going to make these presentations to each of the family members. Senator Moolenaar also represents part of that area, and he's going to help.

I would like the members, guests, and staff to one more time thank the family for their dedication and effort to Bob Young's life.

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

House Bill No. 4949

House Bill No. 4950

House Bill No. 4951

House Bill No. 4952

House Bill No. 4953

House Bill No. 4954

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

Messages from the House

Senate Bill No. 235, entitled

A bill to amend 1986 PA 54, entitled "Building officials and inspectors registration act," by amending sections 2 and 11 (MCL 338.2302 and 338.2311).

The House of Representatives has substituted (H-2) the bill.

The House of Representatives has passed the bill as substituted (H-2), ordered that it be given immediate effect and amended the title to read as follows:

A bill to amend 1986 PA 54, entitled "An act to regulate and register building officials, plan reviewers, building inspectors, electrical inspectors, mechanical inspectors, and plumbing inspectors; to prescribe the powers and duties of the state construction code commission; to create a building officials advisory board; to require the approval of educational and training programs for building officials, plan reviewers, and inspectors; to provide for the establishment and disposition of fees; to provide for the promulgation of rules; and to prescribe penalties," by amending sections 2, 9, and 11 (MCL 338.2302, 338.2309, and 338.2311).

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

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 Robertson 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 bills:

House Bill No. 4930, entitled

A bill to amend 1929 PA 269, entitled "An act to protect benevolent, humane, fraternal or charitable corporations in the use of their names and emblems; to provide penalties for the violation thereof; and to repeal Act No. 255 of the Public Acts of 1909," by repealing section 3 (MCL 430.53).

House Bill No. 4950, entitled

A bill to amend 1936 (Ex Sess) PA 1, entitled "Michigan employment security act," by amending section 20 (MCL 421.20), as amended by 2011 PA 269.

House Bill No. 4951, entitled

A bill to amend 1936 (Ex Sess) PA 1, entitled "Michigan employment security act," by amending section 54 (MCL 421.54), as amended by 2011 PA 269.

House Bill No. 4954, entitled

A bill to amend 1936 (Ex Sess) PA 1, entitled "Michigan employment security act," by amending section 26 (MCL 421.26), as amended by 2005 PA 16.

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. 434, entitled

A bill to amend 2003 PA 215, entitled "Credit union act," (MCL 490.101 to 490.601) by adding section 413.
Substitute (S-2).

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

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:
Senate Bill No. 435, entitled

A bill to amend 1996 PA 354, entitled "Savings bank act," (MCL 487.3101 to 487.3804) by adding section 436.
Substitute (S-2).

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

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:
Senate Bill No. 436, entitled

A bill to amend 1999 PA 276, entitled "Banking code of 1999," (MCL 487.11101 to 487.15105) by adding section 4110.
Substitute (S-2).

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

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:
Senate Bill No. 554, entitled

A bill to amend 1995 PA 279, entitled "Horse racing law of 1995," (MCL 431.301 to 431.336) by adding section 9b.
Substitute (S-2).

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

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:
Senate Bill No. 555, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," (MCL 436.1101 to 436.2303) by adding section 1024.

Substitute (S-3).

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. 556, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending section 57v (MCL 400.57v), as added by 2012 PA 197.

Substitute (S-3).

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:
House Bill No. 4949, entitled

A bill to amend 1936 (Ex Sess) PA 1, entitled "Michigan employment security act," by amending section 62 (MCL 421.62), as amended by 2011 PA 269.

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:

House Bill No. 4952, entitled

A bill to amend 1936 (Ex Sess) PA 1, entitled "Michigan employment security act," by amending section 29 (MCL 421.29), as amended by 2011 PA 269.

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:

House Bill No. 4953, entitled

A bill to amend 1936 (Ex Sess) PA 1, entitled "Michigan employment security act," by amending section 32 (MCL 421.32), as amended by 2002 PA 192.

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 rules be suspended and that the following bills, now on the order of Third Reading of Bills, be placed on their immediate passage:

House Bill No. 4949

House Bill No. 4950

House Bill No. 4951

House Bill No. 4952

House Bill No. 4953

House Bill No. 4954

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

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

Senate Bill No. 358

Senate Bill No. 312

Senate Bill No. 476

Senate Bill No. 477

Senate Bill No. 478

Senate Bill No. 494

House Bill No. 4949

House Bill No. 4950

House Bill No. 4951

House Bill No. 4952

House Bill No. 4953

House Bill No. 4954

The motion prevailed.

The following bill was read a third time:

Senate Bill No. 358, entitled

A bill to amend 1956 PA 217, entitled "Electrical administrative act," by amending section 7 (MCL 338.887), as amended by 2013 PA 69.

The question being on the passage of the bill,

Senator Young offered the following amendment:

1. Amend page 5, line 15, after "**THE**" by striking out the balance of the line through "**RENOVATION**" on line 16 and inserting "**MAINTENANCE OR REPAIR**".

The amendment was not adopted, a majority of the members serving not voting therefor.

Senator Hunter requested the yeas and nays.

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

The amendment was not adopted, a majority of the members serving not voting therefor, as follows:

Roll Call No. 413**Yeas—16**

Ananich	Gregory	Johnson	Smith
Anderson	Hood	Jones	Warren
Bieda	Hopgood	Nofs	Whitmer
Casperson	Hunter	Rocca	Young

Nays—21

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

Excused—0**Not Voting—1**

Kahn

In The Chair: President

Senator Warren offered the following amendment:

1. Amend page 5, line 18, after “EMPLOYEE” by striking out “OR AGENT”.

The amendment was not adopted, a majority of the members serving not voting therefor.

Senator Hunter requested the yeas and nays.

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

The amendment was not adopted, a majority of the members serving not voting therefor, as follows:

Roll Call No. 414**Yeas—18**

Ananich	Gregory	Johnson	Smith
Anderson	Hansen	Jones	Warren
Bieda	Hood	Nofs	Whitmer
Casperson	Hopgood	Rocca	Young
Green	Hunter		

Nays—20

Booher	Hildenbrand	Marleau	Proos
Brandenburg	Hune	Meekhof	Richardville
Caswell	Jansen	Moolenaar	Robertson
Colbeck	Kahn	Pappageorge	Schuitmaker
Emmons	Kowall	Pavlov	Walker

Excused—0

Not Voting—0

In The Chair: President

Senator Young offered the following amendment:

1. Amend page 6, following line 4, by inserting:

“(iii) THE INSTALLATION, ALTERATION, MAINTENANCE, REPAIR, OR RENOVATION OF THE ELECTRICAL WIRING DESCRIBED IN THIS SUBDIVISION IS DIRECTLY SUPERVISED BY A LICENSED JOURNEYMAN OR LICENSED MASTER ELECTRICIAN.”.

The amendment was not adopted, a majority of the members serving not voting therefor.

Senator Hunter requested the yeas and nays.

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

The amendment was not adopted, a majority of the members serving not voting therefor, as follows:

Roll Call No. 415

Yeas—18

Ananich	Gregory	Johnson	Smith
Anderson	Hansen	Jones	Warren
Bieda	Hood	Nofs	Whitmer
Casperson	Hopgood	Rocca	Young
Green	Hunter		

Nays—20

Booher	Hildenbrand	Marleau	Proos
Brandenburg	Hune	Meekhof	Richardville
Caswell	Jansen	Moolenaar	Robertson
Colbeck	Kahn	Pappageorge	Schuitmaker
Emmons	Kowall	Pavlov	Walker

Excused—0

Not Voting—0

In The Chair: President

Senator Young offered the following amendment:

1. Amend page 7, following line 1, by inserting:

“(5) AFTER THE END OF EACH CALENDAR YEAR, THE DEPARTMENT SHALL PREPARE A REPORT THAT DESCRIBES EACH DEATH OR PERSONAL INJURY IN THAT CALENDAR YEAR THAT IS RELATED TO OR THE RESULT OF THE PERFORMANCE OF WORK DESCRIBED IN SUBSECTION (3)(C), (D), OR (P) AND MAKE THAT REPORT AVAILABLE TO THE PUBLIC ON ITS INTERNET WEBSITE.” and renumbering the remaining subsection.

The amendment was not adopted, a majority of the members serving not voting therefor.

Senator Hunter requested the yeas and nays.

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

The amendment was not adopted, a majority of the members serving not voting therefor, as follows:

Roll Call No. 416**Yeas—18**

Ananich	Green	Johnson	Smith
Anderson	Gregory	Jones	Warren
Bieda	Hood	Nofs	Whitmer
Brandenburg	Hopgood	Rocca	Young
Caswell	Hunter		

Nays—20

Booher	Hildenbrand	Marleau	Proos
Casperson	Hune	Meekhof	Richardville
Colbeck	Jansen	Moolenaar	Robertson
Emmons	Kahn	Pappageorge	Schuitmaker
Hansen	Kowall	Pavlov	Walker

Excused—0**Not Voting—0**

In The Chair: President

Senator Warren offered the following amendment:

1. Amend page 7, following line 5, by inserting:

“Enacting section 1. It is the intent of the legislature that if the department notifies the legislature that the number of injuries or deaths related to the installation, alteration, maintenance, repair, or renovation of electrical wiring in the manufacturing, mining, or power production industries in any calendar year increases by 5% over the number of those injuries or deaths in the preceding calendar year, the legislature shall amend this section to remove the amendments to this section made by this amendatory act.”.

The amendment was not adopted, a majority of the members serving not voting therefor.

Senator Hunter requested the yeas and nays.

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

The amendment was not adopted, a majority of the members serving not voting therefor, as follows:

Roll Call No. 417**Yeas—17**

Ananich	Hansen	Johnson	Smith
Anderson	Hood	Jones	Warren
Bieda	Hopgood	Nofs	Whitmer
Casperson	Hunter	Rocca	Young
Gregory			

Nays—21

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

Excused—0

Not Voting—0

In The Chair: President

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. 418

Yeas—21

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

Nays—17

Ananich	Gregory	Johnson	Smith
Anderson	Hood	Jones	Warren
Bieda	Hopgood	Nofs	Whitmer
Casperson	Hunter	Rocca	Young
Green			

Excused—0

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

Protest

Senator Young, under his constitutional right of protest (Art. 4, Sec. 18), protested against the passage of Senate Bill No. 358 and moved that the statement he made during the discussion of the bill be printed as his reasons for voting “no.” The motion prevailed.

Senator Young’s statement is as follows:

Mr. President, why do the members of the majority party insist on making life more difficult for the working men and women of this state by making their workplaces less safe? This bill wants to allow unlicensed electricians to work in already-dangerous places, such as the mining industry. We should be making sure that all work is done to the highest standard to ensure that not only those doing the electrical work are safe, but that those who work in these areas are safe.

The Democrats have offered several amendments designed to decrease the dangers presented in this bill, which you have rejected. This is further evidence that the majority party is interested in serving the interests of the corporate elite, not the hardworking men and women of the great state of Michigan. At every turn, my colleagues on the other side of the aisle have insisted on attacking middle-class families and workers. Next November, our citizens will remember that you turned your back on them and embraced high-powered, big money, special interests, and corporations. Any of my colleagues who support the men and women who work for a living should vote against this bill.

The following bill was read a third time:

Senate Bill No. 312, entitled

A bill to amend 2008 PA 549, entitled “Michigan promise zone authority act,” by amending sections 3, 5, 7, 11, 15, and 17 (MCL 390.1663, 390.1665, 390.1667, 390.1671, 390.1675, and 390.1677).

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. 419

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. 476, entitled

A bill to amend 1980 PA 299, entitled “Occupational code,” by amending section 303a (MCL 339.303a), as amended by 2006 PA 489; and to repeal acts and parts of acts.

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. 420

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. 477, entitled

A bill to amend 1979 PA 152, entitled “State license fee act,” by repealing section 28 (MCL 338.2228).

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. 421

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. 478, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 82101 (MCL 324.82101), as amended by 2010 PA 371.

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. 422**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. 494, entitled

A bill to amend 1979 PA 152, entitled "State license fee act," by repealing section 23 (MCL 338.2223).

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. 423**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—12

Ananich	Gregory	Hunter	Warren
Anderson	Hood	Johnson	Whitmer
Bieda	Hopgood	Smith	Young

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. 4949, entitled

A bill to amend 1936 (Ex Sess) PA 1, entitled “Michigan employment security act,” by amending section 62 (MCL 421.62), as amended by 2011 PA 269.

The question being on the passage of the bill,

Senator Warren offered the following amendment:

1. Amend page 3, line 19, after “AGENCY.” by striking out the balance of the subdivision and inserting:

“(iv) THE REQUIREMENT TO REPAY BENEFITS RESULTED FROM A JUDGMENT THAT BENEFITS WERE IMPROPERLY AWARDED, AS DETERMINED BY A FINAL DETERMINATION, REDETERMINATION, OR ORDER OF THE UNEMPLOYMENT AGENCY, AN ADMINISTRATIVE LAW JUDGE OF THE MICHIGAN ADMINISTRATIVE HEARING SYSTEM, OR THE MICHIGAN COMPENSATION APPELLATE COMMISSION OR BY A CIRCUIT OR APPELLATE COURT DECISION.”.

The amendment was not adopted, a majority of the members serving not voting therefor.

Senator Hunter requested the yeas and nays.

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

The amendment was not adopted, a majority of the members serving not voting therefor, as follows:

Roll Call No. 424**Yeas—12**

Ananich	Gregory	Hunter	Warren
Anderson	Hood	Johnson	Whitmer
Bieda	Hopgood	Smith	Young

Nays—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		

Excused—0**Not Voting—0**

In The Chair: President

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. 425**Yeas—35**

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

Nays—3

Hood	Warren	Young
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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 protect the welfare of the people of this state through the establishment of an unemployment compensation fund, and to provide for the disbursement thereof; to create certain other funds; to create the Michigan employment security commission, and to prescribe its powers and duties; to provide for the protection of the people of this state from the hazards of unemployment; to levy and provide for contributions from employers; to levy and provide for obligation assessments; to provide for the collection of those contributions and assessments; to enter into reciprocal agreements and to cooperate with agencies of the United States and of other states charged with the administration of any unemployment insurance law; to furnish certain information to certain governmental agencies for use in administering public benefit and child support programs and investigating and prosecuting fraud; to provide for the payment of benefits; to provide for appeals from redeterminations, decisions and notices of assessments; and for referees and a board of review to hear and decide the issues arising from redeterminations, decisions and notices of assessment; to provide for the cooperation of this state and compliance with the provisions of the social security act and the Wagner-Peyser act passed by the Congress of the United States of America; to provide for the establishment and maintenance of free public employment offices; to provide for the transfer of funds; to make appropriations for carrying out the provisions of this act; to prescribe remedies and penalties for the violation of this act; and to repeal all acts and parts of acts inconsistent with this act.”

The Senate agreed to the full title.

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

The motion prevailed.

Senator Casperson’s statement, in which Senator Hansen concurred, is as follows:

I rise to explain my “yes” vote on this bill. I will be supporting the bill, but I want to preface it by letting the members know that the good Senator from the 18th District had very legitimate concerns concerning what we’re dealing with, with the unemployment office. I don’t believe that the amendment and this bill will address the concerns that the good Senator has and myself as well. We do have a commitment from the chairman of our committee that these bills went through to work on more language to address the problems that really are out there internally, within the department. I think to address that issue, it needs to happen at the front desk, at the beginning of this process. Hopefully, we can come up with some language in other bills that will address that. As far as House Bill No. 4949 is concerned, I will be supporting it.

The following bill was read a third time:

House Bill No. 4950, entitled

A bill to amend 1936 (Ex Sess) PA 1, entitled “Michigan employment security act,” by amending section 20 (MCL 421.20), as amended by 2011 PA 269.

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. 426

Yeas—34

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

Nays—4

Hood	Smith	Warren	Young
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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 protect the welfare of the people of this state through the establishment of an unemployment compensation fund, and to provide for the disbursement thereof; to create certain other funds; to create the Michigan employment security commission, and to prescribe its powers and duties; to provide for the protection of the people of this state from the hazards of unemployment; to levy and provide for contributions from employers; to levy and provide for obligation assessments; to provide for the collection of those contributions and assessments; to enter into reciprocal agreements and to cooperate with agencies of the United States and of other states charged with the administration of any unemployment insurance law; to furnish certain information to certain governmental agencies for use in administering public benefit and child support programs and investigating and prosecuting fraud; to provide for the payment of benefits; to provide for appeals from redeterminations, decisions and notices of assessments; and for referees and a board of review to hear and decide the issues arising from redeterminations, decisions and notices of assessment; to provide for the cooperation of this state and compliance with the provisions of the social security act and the Wagner-Peyser act passed by the Congress of the United States of America; to provide for the establishment and maintenance of free public employment offices; to provide for the transfer of funds; to make appropriations for carrying out the provisions of this act; to prescribe remedies and penalties for the violation of this act; and to repeal all acts and parts of acts inconsistent with this act.”

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 4951, entitled

A bill to amend 1936 (Ex Sess) PA 1, entitled “Michigan employment security act,” by amending section 54 (MCL 421.54), as amended by 2011 PA 269.

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. 427

Yeas—35

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

Nays—3

Hood	Warren	Young
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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 protect the welfare of the people of this state through the establishment of an unemployment compensation fund, and to provide for the disbursement thereof; to create certain other funds; to create the Michigan employment security commission, and to prescribe its powers and duties; to provide for the protection of the people of this state from the hazards of unemployment; to levy and provide for contributions from employers; to levy and provide for obligation assessments; to provide for the collection of those contributions and assessments; to enter into reciprocal agreements and to cooperate with agencies of the United States and of other states charged with the administration of any unemployment insurance law; to furnish certain information to certain governmental agencies for use in administering public benefit and child support programs and investigating and prosecuting fraud; to provide for the payment of benefits; to provide for appeals from redeterminations, decisions and notices of assessments; and for referees and a board of review to hear and decide the issues arising from redeterminations, decisions and notices of assessment; to provide for the cooperation of this state and compliance with the provisions of the social security act and the Wagner-Peyser act passed by the Congress of the United States of America; to provide for the establishment and maintenance of free public employment offices; to provide for the transfer of funds; to make appropriations for carrying out the provisions of this act; to prescribe remedies and penalties for the violation of this act; and to repeal all acts and parts of acts inconsistent with this act.”.

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 4952, entitled

A bill to amend 1936 (Ex Sess) PA 1, entitled “Michigan employment security act,” by amending section 29 (MCL 421.29), as amended by 2011 PA 269.

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. 428

Yeas—28

Anderson	Green	Kahn	Pavlov
Booher	Hansen	Kowall	Proos

Brandenburg	Hildenbrand	Marleau	Richardville
Casperson	Hune	Meekhof	Robertson
Caswell	Hunter	Moolenaar	Rocca
Colbeck	Jansen	Nofs	Schuitmaker
Emmons	Jones	Pappageorge	Walker

Nays—10

Ananich	Hood	Smith	Whitmer
Bieda	Hopgood	Warren	Young
Gregory	Johnson		

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 protect the welfare of the people of this state through the establishment of an unemployment compensation fund, and to provide for the disbursement thereof; to create certain other funds; to create the Michigan employment security commission, and to prescribe its powers and duties; to provide for the protection of the people of this state from the hazards of unemployment; to levy and provide for contributions from employers; to levy and provide for obligation assessments; to provide for the collection of those contributions and assessments; to enter into reciprocal agreements and to cooperate with agencies of the United States and of other states charged with the administration of any unemployment insurance law; to furnish certain information to certain governmental agencies for use in administering public benefit and child support programs and investigating and prosecuting fraud; to provide for the payment of benefits; to provide for appeals from redeterminations, decisions and notices of assessments; and for referees and a board of review to hear and decide the issues arising from redeterminations, decisions and notices of assessment; to provide for the cooperation of this state and compliance with the provisions of the social security act and the Wagner-Peyser act passed by the Congress of the United States of America; to provide for the establishment and maintenance of free public employment offices; to provide for the transfer of funds; to make appropriations for carrying out the provisions of this act; to prescribe remedies and penalties for the violation of this act; and to repeal all acts and parts of acts inconsistent with this act.”

The Senate agreed to the full title.

Protest

Senator Young, under his constitutional right of protest (Art. 4, Sec. 18), protested against the passage of House Bill No. 4952 and moved that the statement he made during the discussion of the bill be printed as his reasons for voting “no.”

The motion prevailed.

Senator Young’s statement is as follows:

Mr. President, I would like to start with a quote from a great man, Benjamin Franklin. He said, “Those that would sacrifice liberty for temporary security deserve neither liberty nor security.” Mr. President, this bill that we’re about to vote on seems like a solution in search of a problem, an expensive solution at that. We saw a few years ago that Florida attempted to drug test welfare recipients, with disastrous and costly results. It was also ruled unconstitutional. It seems foolish for us to think that we would do any better or have any hope of saving money by testing individuals receiving unemployment benefits. It was ruled unconstitutional in this state.

If you were really interested in helping people gain employment, you wouldn’t kick them and their families off of UIA. You would offer them drug treatment so that they can live a sober life. This isn’t about good stewardship; it’s about demonizing a group of Michigan citizens and starting a witch hunt to score political points. Instead of wasting time vilifying

the unemployed and low-income families, why not spend our time passing legislation that will create more jobs and create better opportunities for our citizens? This bill represents another baseless attack designed to promote a political agenda rather than meaningful policy debate.

Mr. President, in a time when people are losing their jobs, they're losing their houses, they're going bankrupt because they can't afford high medical costs, this is not the time to be finding ways to take people who are in need of treatment, who are in need of health care, who are in need of genuine human compassion, to be kicking them off of unemployment.

"He who has the right to criticize also must have the heart to help." Abraham Lincoln said that. This policy is condemning people who have drug addiction issues but not doing anything to help them. That's wrong. It's unjust and so is this legislation. We need to vote "no" on this bill and actually help those who are in need. I ask my colleagues to vote "no."

The following bill was read a third time:

House Bill No. 4953, entitled

A bill to amend 1936 (Ex Sess) PA 1, entitled "Michigan employment security act," by amending section 32 (MCL 421.32), as amended by 2002 PA 192.

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. 429

Yeas—35

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

Nays—3

Hood	Warren	Young
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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 protect the welfare of the people of this state through the establishment of an unemployment compensation fund, and to provide for the disbursement thereof; to create certain other funds; to create the Michigan employment security commission, and to prescribe its powers and duties; to provide for the protection of the people of this state from the hazards of unemployment; to levy and provide for contributions from employers; to levy and provide for obligation assessments; to provide for the collection of those contributions and assessments; to enter into reciprocal agreements and to cooperate with agencies of the United States and of other states charged with the administration of any unemployment insurance law; to furnish certain information to certain governmental agencies for use in administering public benefit and child support programs and investigating and prosecuting fraud; to provide for the payment of benefits; to provide for

appeals from redeterminations, decisions and notices of assessments; and for referees and a board of review to hear and decide the issues arising from redeterminations, decisions and notices of assessment; to provide for the cooperation of this state and compliance with the provisions of the social security act and the Wagner-Peyser act passed by the Congress of the United States of America; to provide for the establishment and maintenance of free public employment offices; to provide for the transfer of funds; to make appropriations for carrying out the provisions of this act; to prescribe remedies and penalties for the violation of this act; and to repeal all acts and parts of acts inconsistent with this act.”.

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 4954, entitled

A bill to amend 1936 (Ex Sess) PA 1, entitled “Michigan employment security act,” by amending section 26 (MCL 421.26), as amended by 2005 PA 16.

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. 430

Yeas—35

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

Nays—3

Hood	Warren	Young
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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 protect the welfare of the people of this state through the establishment of an unemployment compensation fund, and to provide for the disbursement thereof; to create certain other funds; to create the Michigan employment security commission, and to prescribe its powers and duties; to provide for the protection of the people of this state from the hazards of unemployment; to levy and provide for contributions from employers; to levy and provide for obligation assessments; to provide for the collection of those contributions and assessments; to enter into reciprocal agreements and to cooperate with agencies of the United States and of other states charged with the administration of any unemployment insurance law; to furnish certain information to certain governmental agencies for use in administering public benefit and child support programs and investigating and prosecuting fraud; to provide for the payment of benefits; to provide for appeals from redeterminations, decisions and notices of assessments; and for referees and a board of review to hear and

decide the issues arising from redeterminations, decisions and notices of assessment; to provide for the cooperation of this state and compliance with the provisions of the social security act and the Wagner-Peyser act passed by the Congress of the United States of America; to provide for the establishment and maintenance of free public employment offices; to provide for the transfer of funds; to make appropriations for carrying out the provisions of this act; to prescribe remedies and penalties for the violation of this act; and to repeal all acts and parts of acts inconsistent with this act.”

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.

Senator Meekhof moved that rule 3.204 be suspended to permit immediate consideration of the following resolution:

Senate Resolution No. 96

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

Senators Schuitmaker, Whitmer, Warren and Emmons offered the following resolution:

Senate Resolution No. 96.

A resolution to recognize and honor the eleven women who served as delegates to the 1961-1962 Michigan Constitutional Convention.

Whereas, One hundred forty-seven delegates gathered at Lansing to rewrite Michigan's Constitution; and

Whereas, Of the one hundred forty-seven delegates, only eleven were women; and

Whereas, The women were Vera Andrus, Ruth Gibson Butler, Anne M. Conklin, Katherine Moore Cushman, Marjorie Frances McGowan, Daisy Elizabeth Elliott, Adelaide Julia Hart, Lillian Hatcher, Dorothy Leonard Judd, Ella Demmink Koeze, and Ann Elizabeth Donnelly; and

Whereas, The women, five Democrats and six Republicans, were elected from districts across the state; and

Whereas, Identified in the official record by occupation, they included five homemakers, four teachers, two attorneys, one Realtor, and one union representative; and

Whereas, All had distinguished themselves with extensive participation in civic and political organizations and the leadership positions they attained within those groups; and

Whereas, Women were appointed to eleven of the fourteen convention committees, but as was typical of the times, none were appointed to chair a committee, and only three served as vice chairmen; and

Whereas, After the convention, several of the women delegates served in other political offices, such as the State Legislature and gubernatorial commissions, or received statewide recognition from notable organizations; and

Whereas, The success of the “Con-Con Eleven” encouraged more women to run for statewide public office, making women a greater and more powerful voice in the governance of our state; and

Whereas, The year 2013 marks the 50th anniversary of Michigan's current State Constitution, approved by voters in 1963; now, therefore, be it

Resolved by the Senate, That we offer this expression of our gratitude and admiration in honor and in memory to the eleven women of the 1961-1962 Michigan Constitutional Convention; and be it further

Resolved, That a copy of this resolution be transmitted to the only surviving member of the “Con-Con Eleven,” Daisy Elizabeth Elliott, as evidence of our highest esteem.

The question being on the adoption of the resolution,

The resolution was adopted.

Senators Ananich, Anderson, Bieda, Booher, Brandenburg, Casperson, Caswell, Colbeck, Green, Gregory, Hansen, Hildenbrand, Hood, Hopgood, Hune, Hunter, Jansen, Johnson, Jones, Kahn, Kowall, Marleau, Meekhof, Moolenaar, Nofs, Pappageorge, Pavlov, Proos, Richardville, Robertson, Rocca, Smith, Walker and Young and the Lieutenant Governor were named co-sponsors of the resolution.

Senators Whitmer, Emmons, Warren and Schuitmaker asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator Whitmer's statement is as follows:

I rise to speak on behalf of the resolution, and I am joined at the podium by our colleagues: Senator Schuitmaker, Senator Warren, and Senator Emmons. This year marks the 50th anniversary of Michigan's Constitution, and today the Michigan Women's Historical Center and Hall of Fame celebrates its 30th anniversary. As part of that celebration, a number of women will be honored, including eleven women who served at Michigan's Constitutional Convention in 1961-1962.

Senator Emmons' statement is as follows:

Of the 147 convention delegates, only eleven were women, yet they made a significant impact. They were appointed to eleven of the fourteen convention committees, but as was typical of the times, none were appointed to chair a committee, and only three served as vice chairmen.

Senator Warren's statement is as follows:

The women came from diverse backgrounds and fields and included attorneys, teachers, homemakers, a Realtor, and a union representative. They served from both political parties and had previously distinguished themselves in leadership roles in civic and political organizations.

Senator Schuitmaker's statement is as follows:

After the convention, the women went on to serve in other ways and received further recognition. Their contributions encouraged more women to run for statewide public office and made women a greater and more powerful voice in the governance of our state. We ask for your support of this resolution as we honor these eleven women.

The President pro tempore, Senator Schuitmaker, assumed the Chair.

Senators Pappageorge, Meekhof, Kahn, Nofs, Colbeck, Robertson, Anderson, Proos, Green, Booher, Marleau, Brandenburg, Pavlov, Caswell, Walker, Kowall, Jansen, Jones, Emmons, Casperson, Hansen, Hildenbrand, Moolenaar, Bieda, Hoppgood, Johnson, Warren, Ananich and Smith offered the following resolution:

Senate Resolution No. 97.

A resolution to amend the Standing Rules of the Senate.

Resolved by the Senate, That Rule 3.604 be added to the Standing Rules of the Senate to read as follows:

“3.604 FISCAL YEAR BUDGET TARGETS

THE SENATE MAJORITY LEADER SHALL NOTIFY THE SENATE BY WRITTEN COMMUNICATION FOR PUBLICATION IN THE SENATE JOURNAL OF THE DATE AN APPROPRIATIONS SUBCOMMITTEE CHAIRPERSON IS INFORMED OF HIS/HER SUBCOMMITTEE TARGET FOR THE ENSUING FISCAL YEAR BUDGET. UNDER NORMAL CIRCUMSTANCES, THE ENSUING BUDGET SHALL NOT BE PASSED BY THE SENATE BEFORE THE EXPIRATION OF FOURTEEN (14) DAYS FROM THE DATE THE SENATE IS NOTIFIED OF THE TARGETS.”

Pursuant to rule 3.204, the resolution was referred to the Committee on Government Operations.

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.

(For text of resolution, see Senate Journal No. 82, p. 1552.)

The House of Representatives has adopted the concurrent resolution and the entire membership were named co-sponsors.

The concurrent resolution was referred to the Secretary for record.

Introduction and Referral of Bills

Senators Hune, Jones, Marleau, Robertson, Schuitmaker, Booher and Emmons introduced

Senate Bill No. 627, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” (MCL 333.1101 to 333.25211) by adding section 21517. The bill was read a first and second time by title and referred to the Committee on Health Policy.

Senator Schuitmaker introduced

Senate Bill No. 628, entitled

A bill to amend 1985 PA 87, entitled “William Van Regenmorter crime victim's rights act,” by amending section 2 (MCL 780.752), as amended by 2009 PA 28.

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

Senators Jones and Whitmer introduced

Senate Bill No. 629, entitled

A bill to amend 1948 (1st Ex Sess) PA 31, entitled "An act to provide for the incorporation of authorities to acquire, furnish, equip, own, improve, enlarge, operate, and maintain buildings, automobile parking lots or structures, transit-oriented developments, transit-oriented facilities, recreational facilities, stadiums, and the necessary site or sites therefor, together with appurtenant properties and facilities necessary or convenient for the effective use thereof, for the use of any county, city, village, or township, or for the use of any combination of 2 or more counties, cities, villages, or townships, or for the use of any school district and any city, village, or township wholly or partially within the district's boundaries, or for the use of any school district and any combination of 2 or more cities, villages, or townships wholly or partially within the district's boundaries, or for the use of any intermediate school district and any constituent school district or any city, village, or township, wholly or partially within the intermediate school district's boundaries; to provide for compensation of authority commissioners; to permit transfers of property to authorities; to authorize the execution of contracts, leases, and subleases pertaining to authority property and the use of authority property; to authorize incorporating units to impose taxes without limitation as to rate or amount and to pledge their full faith and credit for the payment of contract of lease obligations in anticipation of which bonds are issued by an authority; to provide for the issuance of bonds by such authorities; to validate action taken and bonds issued; to provide other powers, rights, and duties of authorities and incorporating units, including those for the disposal of authority property; and to prescribe penalties and provide remedies," by amending section 11 (MCL 123.961), as amended by 2008 PA 452.

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

Senators Jones and Whitmer introduced

Senate Bill No. 630, entitled

A bill to amend 1980 PA 450, entitled "The tax increment finance authority act," by amending section 1 (MCL 125.1801), as amended by 2013 PA 61.

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

Senators Hopgood, Nofs and Booher introduced

Senate Bill No. 631, entitled

A bill to amend 1974 PA 57, entitled "An act relating to the sport of racing and carrier pigeons; authorizing the flying of such pigeons; and providing for regulation thereof by cities, villages, townships, and counties," by amending section 2 (MCL 433.352).

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

House Bill No. 4394, entitled

A bill to amend 1846 RS 16, entitled "Of the powers and duties of townships, the election and duties of township officers, and the division of townships," by amending section 8 (MCL 41.8), as amended by 1990 PA 101.

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

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

Committee Reports

The Committee on Judiciary reported

Senate Bill No. 378, entitled

A bill to amend 1969 PA 287, entitled "An act to regulate pet shops, animal control shelters, and animal protection shelters; to establish uniform procedures and minimum requirements for adoption of dogs, cats, and ferrets; and to prescribe penalties and civil fines and to provide remedies," (MCL 287.331 to 287.340) by adding section 8b.

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.

Rick Jones
Chairperson

To Report Out:

Yeas: Senators Jones, Schuitmaker, Rocca and Bieda

Nays: None

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

The Committee on Judiciary reported

Senate Bill No. 386, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending sections 49, 50, and 50b (MCL 750.49, 750.50, and 750.50b), section 49 as amended by 2006 PA 129, section 50 as amended by 2007 PA 152, and section 50b as amended by 2008 PA 339.

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.

Rick Jones
Chairperson

To Report Out:

Yeas: Senators Jones, Schuitmaker, Rocca and Bieda

Nays: None

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

The Committee on Judiciary reported

Senate Bill No. 581, entitled

A bill to amend 1962 PA 60, entitled "An act to provide for the day parole of prisoners in county jails to permit them to be gainfully employed outside the jail or pursue other activities; to provide for the granting of reductions in terms of imprisonment and the regulation thereof; and to provide for the disposition of earnings from such employment," by amending section 1 (MCL 801.251), as amended by 2012 PA 613.

With the recommendation that the bill pass.

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

Rick Jones
Chairperson

To Report Out:

Yeas: Senators Jones, Schuitmaker, Rocca and Bieda

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Judiciary reported

Senate Bill No. 582, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending sections 234a and 234b (MCL 750.234a and 750.234b), as amended by 2005 PA 303.

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

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

Rick Jones
Chairperson

To Report Out:

Yeas: Senators Jones, Schuitmaker, Rocca and Bieda

Nays: None

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

The Committee on Judiciary reported

Senate Bill No. 583, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16m of chapter XVII (MCL 777.16m), as amended by 2012 PA 124.

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

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

Rick Jones
Chairperson

To Report Out:

Yeas: Senators Jones, Schuitmaker, Rocca and Bieda

Nays: None

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

The Committee on Judiciary reported

Senate Bill No. 603, entitled

A bill to amend 1935 PA 120, entitled "An act to prescribe a method for the fingerprinting of residents of the state, and to provide for the recording and filing thereof by the central records division of the department of state police," by amending section 3 (MCL 28.273), as amended by 2012 PA 318.

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

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

Rick Jones
Chairperson

To Report Out:

Yeas: Senators Jones, Schuitmaker, Rocca and Bieda

Nays: None

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

The Committee on Judiciary reported

Senate Bill No. 604, entitled

A bill to amend 1969 PA 287, entitled "An act to regulate pet shops, animal control shelters, and animal protection shelters; to establish uniform procedures and minimum requirements for adoption of dogs, cats, and ferrets; and to prescribe penalties and civil fines and to provide remedies," by amending section 1 (MCL 287.331), as amended by 1997 PA 7, and by adding section 8c.

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.

Rick Jones
Chairperson

To Report Out:

Yeas: Senators Jones, Schuitmaker, Rocca and Bieda

Nays: None

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

The Committee on Judiciary reported

Senate Bill No. 610, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 224b (MCL 750.224b), as amended by 2008 PA 196.

With the recommendation that the bill pass.

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

Rick Jones
Chairperson

To Report Out:

Yeas: Senators Jones, Schuitmaker, Rocca and Bieda

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Judiciary submitted the following:

Meeting held on Tuesday, October 15, 2013, at 2:30 p.m., Room 110, Farnum Building

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

The Committee on Finance reported

Senate Bill No. 425, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 7dd (MCL 211.7dd), as amended by 2012 PA 324.

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.

Jack M. Brandenburg
Chairperson

To Report Out:

Yeas: Senators Brandenburg, Jansen, Pappageorge, Proos, Robertson, Bieda and Warren

Nays: None

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

COMMITTEE ATTENDANCE REPORT

The Committee on Finance submitted the following:

Meeting held on Wednesday, October 16, 2013, at 12:30 p.m., Room 210, Farnum Building

Present: Senators Brandenburg (C), Jansen, Pappageorge, Proos, Robertson, Bieda and Warren

The Committee on Reforms, Restructuring and Reinventing reported

House Bill No. 4949, entitled

A bill to amend 1936 (Ex Sess) PA 1, entitled "Michigan employment security act," by amending section 62 (MCL 421.62), as amended by 2011 PA 269.

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.

Mark C. Jansen
Chairperson

To Report Out:

Yeas: Senators Jansen, Colbeck, Casperson, Kowall and Robertson

Nays: Senators Young and Warren

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

The Committee on Reforms, Restructuring and Reinventing reported

House Bill No. 4950, entitled

A bill to amend 1936 (Ex Sess) PA 1, entitled "Michigan employment security act," by amending section 20 (MCL 421.20), as amended by 2011 PA 269.

With the recommendation that the bill pass.

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

Mark C. Jansen
Chairperson

To Report Out:

Yeas: Senators Jansen, Colbeck, Casperson, Kowall and Robertson

Nays: Senators Young and Warren

The bill was referred to the Committee of the Whole.

The Committee on Reforms, Restructuring and Reinventing reported

House Bill No. 4951, entitled

A bill to amend 1936 (Ex Sess) PA 1, entitled "Michigan employment security act," by amending section 54 (MCL 421.54), as amended by 2011 PA 269.

With the recommendation that the bill pass.

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

Mark C. Jansen
Chairperson

To Report Out:

Yeas: Senators Jansen, Colbeck, Casperson, Kowall and Robertson

Nays: Senators Young and Warren

The bill was referred to the Committee of the Whole.

The Committee on Reforms, Restructuring and Reinventing reported

House Bill No. 4952, entitled

A bill to amend 1936 (Ex Sess) PA 1, entitled "Michigan employment security act," by amending section 29 (MCL 421.29), as amended by 2011 PA 269.

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.

Mark C. Jansen
Chairperson

To Report Out:

Yeas: Senators Jansen, Colbeck, Casperson, Kowall and Robertson

Nays: Senators Young and Warren

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

The Committee on Reforms, Restructuring and Reinventing reported

House Bill No. 4953, entitled

A bill to amend 1936 (Ex Sess) PA 1, entitled "Michigan employment security act," by amending section 32 (MCL 421.32), as amended by 2002 PA 192.

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.

Mark C. Jansen
Chairperson

To Report Out:

Yeas: Senators Jansen, Colbeck, Casperson, Kowall and Robertson

Nays: Senators Young and Warren

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

The Committee on Reforms, Restructuring and Reinventing reported

House Bill No. 4954, entitled

A bill to amend 1936 (Ex Sess) PA 1, entitled "Michigan employment security act," by amending section 26 (MCL 421.26), as amended by 2005 PA 16.

With the recommendation that the bill pass.

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

Mark C. Jansen
Chairperson

To Report Out:

Yeas: Senators Jansen, Colbeck, Casperson, Kowall and Robertson

Nays: Senators Young and Warren

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on Wednesday, October 16, 2013, at 8:30 a.m., Rooms 402 and 403, Capitol Building

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

The Committee on Economic Development reported

Senate Bill No. 533, entitled

A bill to amend 1996 PA 381, entitled "Brownfield redevelopment financing act," by amending section 15a (MCL 125.2665a), as added by 2008 PA 154.

With the recommendation that the bill pass.

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

Michael W. Kowall
Chairperson

To Report Out:

Yeas: Senators Kowall, Hildenbrand, Nofs, Emmons, Hansen and Ananich

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Economic Development submitted the following:

Meeting held on Wednesday, October 16, 2013, at 1:30 p.m., Room 110, Farnum Building

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

Excused: Senator Smith

COMMITTEE ATTENDANCE REPORT

The Committee on Education submitted the following:

Meeting held on Wednesday, October 16, 2013, at 12:00 noon, Senate Hearing Room, Ground Floor, Boji Tower

Present: Senators Pavlov (C), Emmons, Colbeck and Hopgood

Excused: Senator Young

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

Agriculture and Rural Development - Tuesday, October 29, 3:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower (373-2768)

Human Services Department - Tuesdays, October 22, October 29, November 5 (CANCELED), and November 12, 2:00 p.m., Room 405, Capitol Building (373-2768)

Families, Seniors and Human Services - Wednesday, October 23, 3:00 p.m., Room 210, Farnum Building (373-5323)

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

Reforms, Restructuring and Reinventing - Wednesday, October 23, 8:30 a.m., Rooms 402 and 403, Capitol Building (373-5307)

Senator Meekhof moved that the Senate adjourn.

The motion prevailed, the time being 11:56 a.m.

The President pro tempore, Senator Schuitmaker, declared the Senate adjourned until Tuesday, October 22, 2013, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate

