

No. 91
STATE OF MICHIGAN
Journal of the Senate
97th Legislature
REGULAR SESSION OF 2013

Senate Chamber, Lansing, Tuesday, November 5, 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—excused
Jones—present
Kahn—present
Kowall—present
Marleau—present
Meekhof—present
Moolenaar—present
Nofs—present

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

Reverend Deborah Thomas of Alma United Methodist Church of Alma offered the following invocation:

Gracious God, thank You for the beauty of this day, for the fall leaves, and the beauty of the colored trees all around us. Sometimes we get so busy with life, Lord, that we forget to pause and drink in the blessings of nature. Even as the winds blow and the leaves trickle to the ground, we are reminded of the changing seasons and the inevitability of change in our lives and culture. Yet, You are a God whom we can depend upon. Your word reminds us that Jesus is the same yesterday, today, and forever. We can place our hope and trust in You, for You are our firm foundation.

Lord God, I thank You for each of the Senators and staff members represented here today. May You bless each one. May You give them grace, courage, and hope to do their work with conviction, purpose, and passion. Be with the leaders of the proceedings for today and all of the detailed work that needs to be done.

Thank You for our great state of Michigan. Bless all of the issues and people up for election in towns, villages, and cities today across our state. We ask all of these things in the precious and wonderful name of Jesus Christ, our Savior and Lord. Amen.

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

Motions and Communications

Senators Hansen and Kahn entered the Senate Chamber.

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

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

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

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

The following communication was received and read:
Office of the Auditor General

October 30, 2013

Enclosed is a copy of the follow audit report:

Follow-up of the performance audit of Consumer Finance Activities, Department of Insurance and Financial Services.

Sincerely,

Thomas H. McTavish, C.P.A.

Auditor General

The audit report was referred to the Committee on Government Operations.

The following communications were received:
Department of State

Administrative Rules Notices of Filing

October 15, 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 #2012-119-SP (Secretary of State Filing #13-10-07) on this date at 2:47 p.m. for the Department of State Police, entitled "Public Safety Officers Benefit Program."

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.

October 16, 2013

In accordance with the provisions of MCL 24.248, this is to advise you that the Department of Licensing and Regulatory Affairs and State Office of Regulatory Reinvention filed at 4:08 p.m. on this date, administrative rule (13-10-08E) for the Department of Licensing and Regulatory Affairs, entitled "Emergency Rule Unused Prescription Drugs Program."

These rules take effect upon filing with the Secretary of State and shall remain in effect for 6 months.

October 28, 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 #2012-107-EQ (Secretary of State Filing #13-10-09) on this date at 3:50 p.m. for the Department of Environmental Quality, entitled "Part 2. Air Use Approval."

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.

October 28, 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 #2013-021-EQ (Secretary of State Filing #13-10-10) on this date at 3:52 p.m. for the Department of Environmental Quality, entitled "Part 15. Mercury Rules."

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.

October 29, 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 #2012-108-EQ (Secretary of State Filing #13-10-11) on this date at 4:44 p.m. for the Department of Environmental Quality, entitled "Hazardous Waste Management."

These rules take effect 7 days after filing with the Secretary of State.

October 31, 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 #2011-017-CH (Secretary of State Filing #13-10-12) on this date at 4:45 p.m. for the Department of Community Health, entitled "Crime Victims Services."

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.

October 31, 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 #2012-013-LR (Secretary of State Filing #13-10-13) on this date at 4:47 p.m. for the Department of Licensing and Regulatory Affairs, entitled "Michigan Boiler Rules."

These rules take effect 30 days after filing with the Secretary of State.

October 31, 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 #2012-053-HS (Secretary of State Filing #13-10-14) on this date at 4:49 p.m. for the Department of Human Services, entitled "Licensing Rules for Homes for the Aged."

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 bills were received in the Senate and filed on Thursday, October 31:
House Bill Nos. 4593 4595

The Secretary announced the enrollment printing and presentation to the Governor on Thursday, October 31, for his approval the following bills:

Enrolled Senate Bill No. 235 at 11:54 a.m.
Enrolled Senate Bill No. 489 at 11:56 a.m.
Enrolled Senate Bill No. 490 at 11:58 a.m.
Enrolled Senate Bill No. 221 at 12:00 p.m.
Enrolled Senate Bill No. 332 at 12:02 p.m.
Enrolled Senate Bill No. 352 at 12:04 p.m.
Enrolled Senate Bill No. 471 at 12:06 p.m.

The Secretary announced that the following bills were printed and filed on Thursday, October 31, and are available at the Michigan Legislature website:

Senate Bill Nos. 658 659 660 661
House Bill Nos. 5114 5115 5116

The Secretary announced that the following bills were printed and filed on Friday, November 1, and are available at the Michigan Legislature website:

House Bill Nos. 5117 5118 5119 5120 5121 5122 5123 5124 5125

By unanimous consent the Senate proceeded to the order of
Messages from the House

Senate Bill No. 372, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending sections 8 and 27 (MCL 211.8 and 211.27), section 8 as amended by 2006 PA 633 and section 27 as amended by 2012 PA 409.

The House of Representatives has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The question being on concurring in the committee recommendation to give the bill immediate effect,

The recommendation was concurred in, 2/3 of the members serving voting therefor.

The Senate agreed to the full title.

The bill was referred to the Secretary for enrollment printing and presentation to the Governor.

Senate Bill No. 390, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 208b, 312a, and 312b (MCL 257.208b, 257.312a, and 257.312b), section 208b as amended by 2011 PA 159 and section 312b as amended by 2004 PA 362.

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

The House of Representatives has passed the bill as substituted (H-1), ordered that it be given immediate effect and amended the title to read as follows:

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

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

Senator Ananich entered the Senate Chamber.

House Bill No. 4344, entitled

A bill to amend 1965 PA 203, entitled “An act to provide for the creation of the commission on law enforcement standards; to prescribe its membership, powers, and duties; to prescribe the reporting responsibilities of certain state and local agencies; to provide for additional costs in criminal cases; to provide for the establishment of the law enforcement officers training fund; and to provide for disbursement of allocations from the law enforcement officers training fund to local agencies of government participating in a police training program,”

(For text of amendment, see Senate Journal No. 87, p. 1648.)

The question being on concurring in the House amendment made to the Senate amendments,

The amendment was concurred in, a majority of the members serving voting therefor, as follows:

Roll Call No. 486**Yeas—36**

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

Nays—1

Young

Excused—1

Johnson

Not Voting—0

In The Chair: President

Third Reading of Bills

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

Senate Bill No. 68

The motion prevailed.

The following bill was read a third time:

Senate Bill No. 68, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 81101, 81129, and 81133 (MCL 324.81101, 324.81129, and 324.81133), as amended by 2013 PA 119.

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. 487**Yeas—36**

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

Nays—1

Warren

Excused—1

Johnson

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

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 Gregory 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. 4585, entitled

A bill to amend 1980 PA 299, entitled "Occupational code," by amending sections 2007 and 2008 (MCL 339.2007 and 339.2008), section 2007 as amended by 1992 PA 103.

House Bill No. 4633, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 224 (MCL 257.224), as amended by 2012 PA 491.

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. 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.

Substitute (S-1).

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

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

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. 4156, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 16184 and 16185 (MCL 333.16184 and 333.16185), as amended by 2012 PA 4.

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.

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 Resolution No. 101

The resolution consent calendar was adopted.

Senators Warren, Marleau, Nofs, Schuitmaker, Hood and Johnson offered the following resolution:

Senate Resolution No. 101.

A resolution to commemorate the 50th Anniversary of President John F. Kennedy's signing into law the Community Mental Health Act.

Whereas, The Community Mental Health Act laid the foundation for significant social change by providing for the creation of community mental health centers, which drastically altered the delivery of mental health services across the United States; and

Whereas, The Community Mental Health Act symbolized a new era of delivering care to millions of Americans in need by ending the nightmare of isolating to institutions those citizens struggling with developmental, intellectual, and mental health diagnoses; and

Whereas, President Kennedy ordered federal, state, and local organizations to focus on seeking out the cause of these illnesses to better work toward their elimination; to strengthen resources and knowledge of skilled people to support those in need; and to reinforce and improve programs and facilities serving these individuals; and

Whereas, This charge sparked action to allow individuals to live with proper support within their own communities; and

Whereas, In the years since the Community Mental Health Act was signed into law, the number of Americans with intellectual disabilities who live in large state-run institutions has declined by 85 percent. In fact, the state of Michigan's last institution for persons with developmental disabilities closed in 2009; and

Whereas, Michigan was one of the first states in the nation to begin the shift from institutionalization to community-based care; and

Whereas, Michigan now has 46 different community mental health services programs and hundreds of provider organizations that serve as gatekeepers of the public mental health system and provide assistance to residents in all 83 counties in the state. These organizations provide a comprehensive range of community-based mental health services that enhance quality of life, promote emotional well-being, and contribute to healthy and secure communities for all of Michigan's citizens; and

Whereas, Mental health must remain at the forefront of policy discussions among Michigan lawmakers; now, therefore, be it

Resolved by the Senate, That the members of this legislative body honor and recognize the 50th Anniversary of the landmark Community Mental Health Act on October 31, 2013, by renewing our commitment to improving mental health care access for the citizens of this state as we continue our work in the Michigan Legislature.

Senators Anderson, Bieda, Caswell, Gregory, Hopgood and Hunter were named co-sponsors of the resolution.

Introduction and Referral of Bills

Senators Bieda, Hildenbrand and Jones introduced

Senate Joint Resolution CC, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 31 of article IV and by adding section 55 to article IV, to provide that certain state budget bills be presented to and signed by the governor on or before a certain date and to reduce compensation of state legislators, the governor, and the lieutenant governor when certain state budget bills are not presented to and signed by the governor on or before a certain date.

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

Senators Robertson, Nofs, Moolenaar, Green, Booher, Brandenburg, Colbeck and Hansen introduced

Senate Bill No. 662, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 30101 and 30105 (MCL 324.30101 and 324.30105), section 30101 as amended by 2009 PA 139 and section 30105 as amended by 2013 PA 98.

The bill was read a first and second time by title and referred to the Committee on Natural Resources, Environment and Great Lakes.

House Bill No. 4593, entitled

A bill to amend 2008 PA 429, entitled "Nonferrous metal regulatory act," by amending the title and sections 1, 3, 5, 7, 11, 13, and 17 (MCL 445.421, 445.423, 445.425, 445.427, 445.431, 445.433, and 445.437) and by adding section 10; and to repeal acts and parts of acts.

The House of Representatives has passed the bill.

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

House Bill No. 4595, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 356 (MCL 750.356), as amended by 2008 PA 431.

The House of Representatives has passed the bill.

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

By unanimous consent the Senate returned to the order of

Messages from the Governor

The following message from the Governor was received on November 1, 2013, and read:

EXECUTIVE ORDER
No. 2013-10

Flag Honors in Michigan Rescission of Executive Order 2006-10

WHEREAS, Section 1 of Article V of the Michigan Constitution vests the executive power of the state of Michigan in the Governor; and

WHEREAS, under Section 12 of Article V of the Michigan Constitution of 1963 the Governor is the commander-in-chief of Michigan's armed forces; and

WHEREAS, under Section 7 of Chapter 1 of Title 4 of the United States Code, 4 USC 7, by order of the President, the flag of the United States shall be displayed at half-staff upon the death of principal figures of the United States and the governor of a state, territory or possession; and

WHEREAS, in the event of the death of other officials or foreign dignitaries, the flag is to be displayed at half-staff according to Presidential instructions or orders, or in accordance with recognized customs or practices not inconsistent with the law; and

WHEREAS, in the event of the death of a present or former official of the government of any state, territory, or possession of the United States, the governor of that state, territory, or possession may proclaim that the flag of the United States shall be displayed at half-staff; and

WHEREAS, it is appropriate that the flag of the United States be displayed at half-staff on state buildings, grounds, and facilities as directed by the President or the Governor; and

WHEREAS, it is appropriate that the flag of the United States be displayed at half-staff throughout the state of Michigan and on Michigan waters as a mark of respect for the memory and in honor of the service of members of our Armed Forces killed in the line of duty; and

WHEREAS, it is desirable to provide direction for the uniform observance of this mark of respect to state departments and agencies and guidance to the People of the State of Michigan generally on such occasions;

NOW, THEREFORE, I, Richard D. Snyder, Governor of the state of Michigan, by virtue of the power and authority vested in me by the Michigan Constitution of 1963, the laws of the state of Michigan, and the laws of the United States of America, order:

I. DISPLAYING THE FLAG AT HALF-STAFF

A. The flag of the United States shall be displayed at half-staff throughout the state of Michigan, meaning at all state buildings, grounds, and facilities, as provided in this Order and as otherwise directed by the Governor.

B. All requests to display the flag at half-staff at state buildings, grounds, and facilities and any questions from state departments or agencies relating to displaying the flag at half-staff shall be directed to the Office of the Governor.

C. The Department of Technology, Management, and Budget shall assist the Office of the Governor with implementing this Order, communicating directions regarding displaying flags at half-staff, and assuring compliance by state departments and agencies.

D. When this Order provides for the flag to be displayed at half-staff on a statewide basis, Michigan residents, businesses, schools, local governments, and other organizations also are urged to display the flag at half-staff.

E. As provided by federal law, when displayed at half-staff, the flag of the United States should be first hoisted to the peak for an instant and then lowered to the half-staff position. The flag should be again raised to the peak before it is lowered for the day. On Memorial Day the flag should be displayed at half-staff until noon only, then raised to the top of the staff.

F. As provided by federal law, no other flag or pennant should be placed above or, if on the same level, to the right of the flag of the United States. No person shall display the flag of the United Nations or any other national or international flag equal, above, or in a position of superior prominence or honor to, or in place of, the flag of the United States. When flags of states, cities, or localities or pennants of societies are displayed on the same halyard with the flag of the United States, the flag of the United States should always be at peak. When flags are displayed from adjacent staffs, the flag of the United States should be hoisted first and lowered last. No flag of a state, city, locality, or pennant of a society may be placed above the flag of the United States or to the United States flag's right. When flags of two or more nations are displayed, they are to be displayed from separate staffs of the same height. The flags should be of approximately equal size. International usage forbids the display of the flag of one nation above that of another nation in time of peace. International usage also provides that the flag of another nation should never be displayed at half-staff unless authorized by that nation.

G. As used in this Order, the term "half-staff" means the position of the flag when it is one-half the distance between the top and bottom of the staff.

II. ANNUAL DAYS TO DISPLAY FLAG AT HALF-STAFF

A. Consistent with federal law, the flag of the United States shall be displayed at half-staff throughout the state of Michigan on the following days each year:

1. Peace Officers Memorial Day, May 15, (36 USC 136, 36 USC 137; Executive Order 2006-7).
2. Memorial Day, the last Monday in May, until noon only (4 USC 7).
3. Patriot Day, September 11 (36 USC 144).
4. Pearl Harbor Remembrance Day, December 7 (36 USC 129; Executive Order 2005-27).

III. HONORING MEMBERS OF OUR ARMED FORCES

A. Because members of our armed forces voluntarily forego comfort and wealth to face hardships and deployments away from family and loved ones while defending our nation's security, the state of Michigan recognizes the duty, honor, and selfless service of all military personnel and remembers those who have given the ultimate sacrifice by laying down their lives to defend the freedoms the United States of America holds so dear.

B. The flag of the United States shall be displayed at half-staff throughout the state of Michigan on a day designated by the Governor when any of the following occurs:

1. A member of the Michigan National Guard, including the Air National Guard, is killed in the line of duty.
2. A Michigan resident serving as a member of the United States Armed Forces is killed in the line of duty.

IV. HONORING FEDERAL OFFICIALS

In the absence of a Presidential Proclamation and in the event of the death of a federal official, the flag of the United States shall be displayed at half-staff throughout the state of Michigan according to the following schedule:

A. Upon the death of the President of the United States or a former President of the United States, the flag of the United States shall be displayed at half-staff throughout the state of Michigan for 30 days from the day of death.

B. Upon the death of the Vice President of the United States, the flag of the United States shall be displayed at half-staff throughout the state of Michigan for 10 days from the day of death.

C. Upon the death of the Chief Justice of the United States or a retired Chief Justice of the United States, the flag of the United States shall be displayed at half-staff throughout the state of Michigan for 10 days from the day of death.

D. Upon the death of the Speaker of the United States House of Representatives, the flag of the United States shall be displayed at half-staff throughout the state of Michigan for 10 days from the day of death.

E. The flag of the United States shall be displayed at half-staff throughout the state of Michigan from the day of death until interment upon the death of any of the following:

1. An Associate Justice of the United States Supreme Court.
2. A member of the Cabinet of the President of the United States.
3. A former Vice President of the United States.
4. The President Pro Tempore of the United States Senate.
5. The Majority Leader or the Minority Leader of the United States Senate.
6. The Majority Leader or the Minority Leader of the United States House of Representatives.

F. Upon the death of a United States Senator representing the state of Michigan, the flag of the United States shall be displayed at half-staff throughout the state of Michigan from the day of death until interment.

G. Upon the death of a Member of Congress representing a congressional district within the state of Michigan, the flag of the United States shall be displayed at half-staff within the state capitol complex and within the congressional district from the day of death until interment.

H. Upon the death of a former United States Senator who represented the state of Michigan, the flag of the United States shall be displayed at half-staff throughout the state of Michigan on the day of interment or on a day designated by the Governor.

I. Upon the death of a former Member of Congress who represented a congressional district within the state of Michigan, the flag of the United States shall be displayed at half-staff within the state capitol complex on the day of interment or on a day designated by the Governor.

V. HONORING STATE OFFICIALS

A. Upon the death of the Governor or a former Governor, the flag of the United States shall be displayed at half-staff throughout the state of Michigan from the day of death until interment.

B. Upon the death of the Lieutenant Governor, the Secretary of State, or the Attorney General, the flag of the United States shall be displayed at half-staff throughout the state of Michigan from the day of death until interment.

C. Upon the death of a Justice of the Michigan Supreme Court, the flag of the United States shall be displayed at half-staff throughout the state of Michigan from the day of death until interment.

D. Upon the death of the Speaker of the Michigan House of Representatives, the Majority Leader of the Michigan House of Representatives, the Minority Leader of the Michigan House of Representatives, the President Pro Tempore of the Michigan Senate, the Majority Leader of the Michigan Senate, or the Minority Leader of the Michigan Senate, the flag of the United States shall be displayed at half-staff throughout the state of Michigan from the day of death until interment.

E. Upon the death of any other member of the Michigan legislature, the flag of the United States shall be displayed at half-staff within the state capitol complex and within the legislator's district on the day of interment or on a day designated by the Governor.

G. Upon the death of a former member of the Michigan legislature, the flag of the United States shall be displayed at half-staff within the state capitol complex on the day of interment or on a day designated by the Governor.

H. Upon the death of the Adjutant General of a former Adjutant General of the state of Michigan, the flag of the United States shall be displayed at half-staff within the state capitol complex and at all Michigan military facilities on the day of interment or on a day as designated by the Governor.

VI. HONORING POLICE OFFICERS AND FIREFIGHTERS

In the event that a police officer or a firefighter is killed in the line of duty, the flag of the United States shall be displayed throughout the state of Michigan on the day of interment or on a day designated by the Governor.

VII. MISCELLANEOUS

A. In the event of the death of other officials, former officials, foreign heads of state, foreign dignitaries, and other persons, the flag of the United States shall be displayed at half-staff in accordance with any orders, directions, or instructions issued by the President of the United States or the Governor.

B. When the flag of the United States is displayed at half-staff at a government facility, the manager of the facility or other appropriate official is encouraged to post in a location visible to members of the public visiting the facility the name of the individual memorialized so as to better inform government employees and the public why the flag is displayed at half-staff.

Executive Order 2006-10 is rescinded.

This Order is effective upon filing.

[SEAL]

Given under my hand and the Great Seal of the state of Michigan this 1st day of November, in the year of our Lord, two thousand and thirteen.

Richard D. Snyder
Governor

By the Governor:

Ruth A. Johnson
Secretary of State

The executive order was referred to the Committee on Government Operations.

The following messages from the Governor were received and read:

October 25, 2013

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

Chair - Michigan Pharmacy and Therapeutics Committee

Victoria Tutag Lehr of 1091 Mohegan Drive, Birmingham, Michigan 48009, county of Oakland, is appointed for a term expiring at the pleasure of the Governor.

Michigan Pharmacy and Therapeutics Committee

Victoria Tutag Lehr of 1091 Mohegan Drive, Birmingham, Michigan 48009, county of Oakland, representing pharmacists, succeeding herself, is reappointed for a term expiring October 1, 2015.

Margo S. Farber of 1246 Berkshire Road, Grosse Pointe Park, Michigan 48230, county of Wayne, representing pharmacists, succeeding herself, is reappointed for a term expiring October 1, 2015.

Steven P. Hadesman of 23736 Old Orchard Trail, Bingham Farms, Michigan 48025, county of Oakland, representing physicians, succeeding himself, is reappointed for a term expiring October 1, 2015.

Anthony F. Ognjan of 14785 Runnymede Drive, Shelby Township, Michigan 48315, county of Macomb, representing physicians, succeeding himself, is reappointed for a term expiring October 1, 2015.

Eleonora M. Huskey of 6054 Admiral Court, Washington Township, Michigan 48094, county of Macomb, representing pharmacists, succeeding Susan DeVuyst-Miller, is appointed for a term expiring October 1, 2015.

Keith S. Getz of 1996 Oak Hollow Road, N.W., Grand Rapids, Michigan 49504, County of Kent, representing physicians, succeeding Marguerite Saith, is appointed for a term expiring October 1, 2015.

October 29, 2013

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

Chair - Michigan Interagency Coordinating Council for Infants and Toddlers with Developmental Disabilities

Nicole Sodergren of 18025 Riverhill Drive, Macomb, Michigan 48044, county of Macomb, is appointed for a term expiring at the pleasure of the Governor.

Michigan Interagency Coordinating Council for Infants and Toddlers with Developmental Disabilities

Nolana Nobles-Bandy of 16671 Fairmount Drive, Detroit, Michigan 48205, county of Wayne, representing the Head Start program, succeeding Deborah Bedard, is appointed for a term commencing November 1, 2013, and expiring October 31, 2017.

Anne M. Dallaire of 1500 N. Renaud Street, Grosse Pointe Woods, Michigan 48236, county of Wayne, representing public or private providers of early intervention services, succeeding Johanna Ostwald, is appointed for a term commencing November 1, 2013, and expiring October 31, 2017.

Kristina Donaldson of 810 Elliot Street, S.E., Grand Rapids, Michigan 49507, county of Kent, representing parents of infants or toddlers with disabilities or children with disabilities less than 13 years old at the time of appointment, succeeding Julie Kaye Lagos, is appointed for a term commencing November 1, 2013, and expiring October 31, 2017.

Laura McKechnie of 1614 E. 10th Avenue, Sault Ste. Marie, Michigan 49783, county of Chippewa, representing tribal government located within the state, succeeding herself, is reappointed for a term commencing November 1, 2013, and expiring October 31, 2017.

October 29, 2013

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

State Council for Interstate Adult Offender Supervision

Keith G. Clark of 20513 Hunt Club Drive, Harper Woods, Michigan 48225, county of Wayne, representing crime victims, is reappointed for a term expiring October 31, 2017.

October 30, 2013

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

Commission for Logistics and Supply Chain Collaboration

David J. Closs of 1516 Corkwood Trail, Williamston, Michigan 48895, county of Ingham, is appointed for a term expiring at the pleasure of the Governor.

Leslie G. Brand of 753 South Shore Drive, Holland, Michigan 49423, county of Ottawa, is appointed for a term expiring at the pleasure of the Governor.

Pasi T. Lautala of 1236 Jasberg Street, Hancock, Michigan 49930, county of Houghton, is appointed for a term expiring at the pleasure of the Governor.

Roger B. Huff of 29828 Harrow Drive, Farmington Hills, Michigan 48331, county of Oakland, is appointed for a term expiring at the pleasure of the Governor.

Robert T. Boehm of 9847 Riverside Drive, Grand Ledge, Michigan 48837, county of Eaton, is appointed for a term expiring at the pleasure of the Governor.

Frederick G. Schlemmer of 44917 Lightsway Drive, Novi, Michigan 48375, county of Oakland, nominee of the Senate Majority Leader, is appointed for a term expiring at the pleasure of the Governor.

Janice L. Walsh of 35041 Pembroke Avenue, Livonia, Michigan 48152, county of Wayne, nominee of the Speaker of the House of Representatives, is appointed for a term expiring at the pleasure of the Governor.

October 30, 2013

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

Michigan Council for Rehabilitation Services

Sara Grivetti of 3939 E. Old Pine Trail, Midland, Michigan 48642, county of Midland, representing the Statewide Independent Living Council, succeeding Sheila Ashcraft, is appointed for a term expiring December 31, 2013.

Aimee Sterk of 2093 Tyler Street, Jenison, Michigan 49428, county of Ottawa, representing disability advocacy groups, succeeding Dennis Stanford, is appointed for a term expiring December 31, 2013.

Rodney Jones of 3131 Brighton Road, Brighton, Michigan 48114, county of Livingston, representing business, industry and labor, succeeding Albert Kresta, is appointed for a term expiring December 31, 2013.

Sincerely,
Rick Snyder
Governor

The appointments were referred to the Committee on Government Operations.

By unanimous consent the Senate proceeded to the order of

Statements

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

The motion prevailed.

Senator Bieda's statement is as follows:

I would like to take the time to honor the memory of the Honorable Benjamin C. Stanczyk, who was born on Easter Sunday in 1915. He was a proud Detroit native, strong leader in the Polish community, Common Pleas Court judge, and World War II veteran. His death is a tragedy. I am deeply saddened to lose such a model citizen who was such an inspiration to me.

Judge Stanczyk, a beloved husband of the late Stephanie, leaves behind his two children, his son Ben, Jr. and daughter Kathy Thibault, as well as three loving grandsons, Charles, David, and Vincent.

Judge Stanczyk was one of the oldest living graduates of the University of Michigan Law School. Judge Stanczyk was appointed to the Detroit Common Pleas Court in 1957 by Governor G. Mennen Williams, after showing leadership in the Detroit Polish American community and his active participation in the Democratic Party. After retiring from the bench in 1975, he worked as a visiting judge and arbitrator in Southeastern Michigan until 1999.

Judge Stanczyk was very active within Polish American organizations, such as the Polish National Alliance, the American Polish Engineering Society, the Advocates Bar Association, and the Dom Ludowy, just to name a few, as well as being a lifelong member of the Lions Club. He also led the Polish Central Citizens Committee for a decade.

His hobbies of collecting watches, guns, and photographs provided him with opportunities to travel to Poland and other parts of Europe. Nourished with a big Polish heart, Judge Stanczyk became the most active Polish American in Michigan's Polonia, perhaps in its history. Due to his extensive activity, longevity, and encyclopedic mind, the Judge accumulated a wealth of genealogical and personal information about many Poles and Polish American families.

In his 98 years of life, he has touched countless lives and had many well-deserved achievements. The Honorable Judge Benjamin C. Stanczyk will be dearly missed, and may his memory live on.

A moment of silence was observed in memory of former Judge Benjamin C. Stanczyk.

Committee Reports

The Committee on Natural Resources, Environment and Great Lakes reported

House Bill No. 4768, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 3109e.

With the recommendation that the substitute (S-4) be adopted and that the bill then pass.

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

Thomas A. Casperson
Chairperson

To Report Out:

Yeas: Senators Casperson, Pavlov, Green, Kowall and Meekhof

Nays: Senators Warren and Hood

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

COMMITTEE ATTENDANCE REPORT

The Committee on Natural Resources, Environment and Great Lakes submitted the following:

Meeting held on Thursday, October 31, 2013, at 9:00 a.m., Room 210, Farnum Building

Present: Senators Casperson (C), Pavlov, Green, Kowall, Meekhof, Warren and Hood

The Committee on Local Government and Elections reported

Senate Bill No. 21, entitled

A bill to amend 1975 PA 197, entitled "An act to provide for the establishment of a downtown development authority; to prescribe its powers and duties; to correct and prevent deterioration in business districts; to encourage historic preservation; to authorize the acquisition and disposal of interests in real and personal property; to authorize the creation and implementation of development plans in the districts; to promote the economic growth of the districts; to create a board; to prescribe its powers and duties; to authorize the levy and collection of taxes; to authorize the issuance of bonds and other evidences of indebtedness; to authorize the use of tax increment financing; to reimburse downtown development authorities for certain losses of tax increment revenues; and to prescribe the powers and duties of certain state officials," by amending section 29 (MCL 125.1679), as amended by 2004 PA 66.

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.

David B. Robertson
Chairperson

To Report Out:

Yeas: Senators Robertson, Meekhof and Brandenburg

Nays: None

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

The Committee on Local Government and Elections reported

Senate Bill No. 22, entitled

A bill to amend 1966 PA 346, entitled "State housing development authority act of 1966," (MCL 125.1401 to 125.1499c) by adding chapter 3C.

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.

David B. Robertson
Chairperson

To Report Out:

Yeas: Senators Robertson, Meekhof and Brandenburg

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 Local Government and Elections submitted the following:
 Meeting held on Thursday, October 31, 2013, at 8:30 a.m., Room 100, Farnum Building
 Present: Senators Robertson (C), Meekhof and Brandenburg
 Excused: Senator Young

COMMITTEE ATTENDANCE REPORT

The Committee on Economic Development submitted the following:
 Meeting held on Wednesday, October 30, 2013, at 1:30 p.m., Kellogg Community College Regional Manufacturing and Technology Center, Room D, 405 Hill Brady Road, Battle Creek
 Present: Senators Kowall (C), Hildenbrand, Nofs and Hansen
 Excused: Senators Emmons, Smith and Ananich

COMMITTEE ATTENDANCE REPORT

The Committee on Agriculture submitted the following:
 Meeting held on Thursday, October 31, 2013, at 8:30 a.m., Room 110, Farnum Building
 Present: Senators Hune (C), Booher, Emmons and Hansen
 Excused: Senator Smith

COMMITTEE ATTENDANCE REPORT

The Joint Committee on Administrative Rules submitted the following:
 Meeting held on Thursday, October 31, 2013, at 2:00 p.m., Rooms 402 and 403, Capitol Building
 Present: Senators Pappageorge (C), Meekhof, Marleau and Johnson
 Excused: Senator Hunter

Scheduled Meetings

Appropriations -

Subcommittees -

Human Services Department - Tuesday, November 12, 2:00 p.m., Room 405, Capitol Building (373-2768)

State Police and Military Affairs - Thursday, November 7, 1:30 p.m., Rooms 402 and 403, Capitol Building (373-2768)

Families, Seniors and Human Services - Thursday, November 7, 12:00 noon, Room 100, Farnum Building; Tuesday, November 12, and Wednesday, November 13, 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)

Local Government and Elections - Wednesday, November 6, 4:30 p.m., Room 100, Farnum Building (373-5314)

Reforms, Restructuring and Reinventing - Wednesday, November 6, 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 10:28 a.m.

The President, Lieutenant Governor Calley, declared the Senate adjourned until Wednesday, November 6, 2013, at 10:00 a.m.