

No. 3
STATE OF MICHIGAN
Journal of the Senate
97th Legislature
REGULAR SESSION OF 2013

Senate Chamber, Lansing, Wednesday, January 23, 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.

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—excused
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 Stephen Petry of Cornerstone Community Church of Iron Mountain offered the following invocation:

Heavenly Father, I was 11 years old when I heard the inspiring bipartisan words of John F. Kennedy: "Ask not what your country can do for you, but ask what you can do for your country."

I am thankful to be here with men and women who have chosen the high calling of serving and being servant-leaders of this great state of Michigan and its people. God, I pray that You would give them wisdom that comes from above. I pray that You would give them integrity, honesty, and transparency in the way that they handle the Legislature in this 2013 opening session.

God, I pray that You would help them to be considerate, kind, and loving. May their words be constructive and encouraging. Guide them to be quick to hear and slow to speak. God, fill them with a sense of Your purpose for this great state. Help them to be full of mercy and to be productive as they do the work of the people they serve.

God, we thank You for the way that You have blessed our nation and blessed our state. We give You the honor and glory in Jesus' name. Amen.

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

Motions and Communications

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

January 17, 2013

Enclosed is a copy of the following audit report:

Performance audit of Medicaid Pharmacy Services, Medical Services Administration, Department of Community Health.

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

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

The Secretary announced that the Majority Leader has made the appointment of the following standing committees:

Transportation - Senators Hood (MVC) and Warren.

Outdoor Recreation and Tourism - Senators Young (MVC) and Hopgood.

Agriculture - Senator Smith (MVC).

Health Policy - Senator Johnson.

The standing committee appointments were approved, a majority of the members serving voting therefor.

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

January 23, 2013

Pursuant to Senate Rule 3.203, I am hereby re-referring Senate Bills 21 and 22 from the Senate Committee on Economic Development to the Senate Committee on Local Government and Elections.

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

Sincerely,
Randy Richardville
Senate Majority Leader

The communication was referred to the Secretary for record.

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

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

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

The Secretary announced that the following bills and joint resolutions were printed and filed on Thursday, January 17, and are available at the Michigan Legislature website:

Senate Bill Nos.	1	2	3	4	5	6	7	8	9	10	11	12	13	14
	15	16	17	18	19	20	21	22	23	24	25	26	27	28
	29	30	31	32	33	34	35	36	37	38	39	40	41	42
	43	44	45	46	47	48	49	50	51	52	53	54	55	56
	57	58	59	60	61	62	63							
Senate Joint Resolutions	A	B	C	D	E									

Messages from the Governor

Senators Richardville and Smith entered the Senate Chamber.

The following message from the Governor was received on January 17, 2013, and read:

EXECUTIVE ORDER
No. 2013-1

Executive Reorganization
Department of Licensing and Regulatory Affairs
Office of Financial and Insurance Regulation

Creation of the
Department of Insurance and Financial Services

WHEREAS, Section 1 of Article V of the Michigan Constitution of 1963 vests the executive power of the state of Michigan in the Governor; and

WHEREAS, Section 2 of Article V of the Michigan Constitution of 1963 empowers the Governor to make changes in the organization of the Executive Branch or in the assignment of functions among its units that he considers necessary for efficient administration; and

WHEREAS, Section 8 of Article V of the Michigan Constitution of 1963 provides that each principal department shall be under the supervision of the Governor unless otherwise provided by the Constitution; and

WHEREAS, there is a continued need to reorganize functions among state departments to ensure efficient administration; and

WHEREAS, the insurance and financial services industries are significant components of our state economy, directly employing over 150,000 Michigan residents and generating more than \$9 billion in annual payroll; and

WHEREAS, Michigan is home to over 300 state banks and credit unions and 149 insurance companies are domiciled here. Michigan serves as a port of entry and chief U.S. regulator for 5 Canadian insurance companies, and nearly 1,500 foreign insurance companies also do business in this state; and

WHEREAS, it is an important function of state government to protect consumers of insurance and financial services products through public information and effective regulation; and

WHEREAS, the world of insurance and financial services is rapidly changing, health insurance is becoming more accessible, and digital banking is revolutionizing the way that money is used; and

WHEREAS, consolidating all functions related to the regulation of insurance and financial services into a new Department of Insurance and Financial Services will provide a focal point of consumer protection, enable efficient and effective regulation, and position the insurance and financial services sector of Michigan’s economy for growth;

NOW, THEREFORE, I, Richard D. Snyder, Governor of the state of Michigan, by virtue of the powers and authority vested in the Governor by the Michigan Constitution of 1963 and Michigan law, order the following:

I. DEFINITIONS

As used in this Order:

A. “Autism Coverage Reimbursement Program” means the program created under the Autism Coverage Reimbursement Act, 2012 PA 101, MCL 550.1831 to 1841.

B. “Commissioner” means the head of the Office of Financial and Insurance Regulation.

C. “Department of Licensing and Regulatory Affairs” means the principal department of state government created as the Department of Commerce under Section 225 of the Executive Organization Act of 1965, 1965 PA 380, MCL 16.325, renamed the Department of Consumer and Industry Services under Executive Order 1996-2, MCL 445.2001, renamed the

Department of Labor and Economic Growth under Executive Order 2003-18, MCL 445.2011, and renamed the Department of Licensing and Regulatory Affairs under Executive Order 2011-4, MCL 445.2030.

D. "Department of Insurance and Financial Services" means the principal department of state government created under Section II of this Order.

E. "Office of Financial and Insurance Regulation" means the Office of Financial and Insurance Services created by Executive Order 2000-4, MCL 445.2003, renamed the Office of Financial and Insurance Regulation under Executive Order 2008-2, MCL 445.2005, and reorganized under Executive Order 2012-13.

F. "State Budget Director" means the individual appointed by the Governor pursuant to Section 321 of The Management Budget Act, 1984 PA 431, MCL 18.1321.

G. "Type III transfer" means that phrase as defined in Section 3 of the Executive Organization Act of 1965, 1965 PA 380, MCL 16.103.

II. CREATION OF THE DEPARTMENT OF INSURANCE AND FINANCIAL SERVICES

A. The Department of Insurance and Financial Services is created as a principal department in the executive branch of state government. The Department shall regulate the insurance and financial services industries in this state.

B. The Department shall be headed by a Director of Insurance and Financial Services who shall be appointed by the Governor, with the advice and consent of the Michigan Senate commencing on the date of this Order. The individual appointed as the Director shall serve as a member of the Governor's Cabinet.

C. The position of the Commissioner of the Office of Financial and Insurance Regulation as a member or chairperson of all of the following boards or commissions is transferred to the Director of the Department of Insurance and Financial Services:

- a. State Employees Retirement System Board. MCL 38.3(1)(a).
- b. Interstate Insurance Product Regulation Compact Commission. MCL 3.1031 Art. II (4), (5) & (8).
- c. State Advisory Council on Mental Health and Aging. MCL 330.1941(1).
- d. Governing Board, Data Collection Agency for Workers Compensation Data. MCL 500.2402(2)(f).
- e. Catastrophic Claims Association Board. MCL 500.3104(13).
- f. Multiple Employer Welfare Arrangement Security Fund Board of Trustees. MCL 500.7080(2).

III. TRANSFER OF OFFICE OF FINANCIAL AND INSURANCE REGULATION FUNCTIONS

A. All the authority, powers, duties, functions and responsibilities of the Commissioner of the Office of Financial and Insurance Regulation created by Executive Order 2000-4, and amended by Executive Order 2008-2, Executive Order 2011-4, and Executive Order 2012-13 are hereby transferred by a Type III transfer to the Director of the Department of Insurance and Financial Services as defined by Section 3 of Act No. 380 of the Public Acts of 1965, as amended, being Section 16.103 of the Michigan Compiled Laws.

B. Any and all statutory or other references to the Office of Financial and Insurance Regulation not inconsistent with this Order shall be deemed references to the Department of Insurance and Financial Services.

C. Any and all statutory or other references to the Commissioner of the Office of Financial and Insurance Regulation not inconsistent with this Order shall be deemed references to the Director of the Department of Insurance and Financial Services.

D. The Office of Financial and Insurance Regulation and the Office of Commissioner of the Office of Financial and Insurance Regulation are hereby abolished.

IV. TRANSFER OF AUTISM COVERAGE REIMBURSEMENT PROGRAM FUNCTIONS

The Autism Coverage Reimbursement Program created under the Autism Coverage Reimbursement Act, 2012 PA 101, MCL 550.1831 to 1841, together with all the authority, powers, duties, functions, responsibilities, records, personnel, property, unexpended balances of appropriations, allocations of other funds, including functions of budgeting and procurement, are transferred from the Department of Licensing and Regulatory Affairs to the Department of Insurance and Financial Services. The Director of the Department of Insurance and Financial Services shall replace the Director of the Department of Licensing and Regulatory Affairs as a member of the Autism Council created by Executive Order 2012-11.

V. IMPLEMENTATION OF TRANSFERS

A. The Director of the Department of Insurance and Financial Services shall provide executive direction and supervision for the implementation of all transfers of authority under this Order.

B. The Director of the Department of Insurance and Financial Services and the Director of the Department of Licensing and Regulatory Affairs shall immediately coordinate in order to facilitate the transfer and develop memoranda of record identifying any pending settlements, issues of compliance with applicable federal and state laws and regulations, or other obligations to be resolved related to the authority being transferred.

C. The Director of the Department of Insurance and Financial Services shall establish the internal organization of the Department and allocate and reallocate duties and functions to promote economic and efficient administration and operation of the Department. The Director of the Department of Insurance and Financial Services shall supervise the staff of the Department and shall be responsible for its day-to-day operations.

D. The State Budget Director shall determine and authorize the most efficient manner possible for handling financial transactions and records in the state's financial management system as necessary for the implementation of this Order.

E. The Director of the Department of Insurance and Financial Services may by written instrument delegate a duty or power conferred by law or this Order and the person to whom such duty or power is so delegated may perform such duty or exercise such power at the time and to the extent such duty or power is delegated by the Director of the Department of Insurance and Financial Services.

VI. MISCELLANEOUS

A. All records, personnel, and property used, held, employed, or to be made available to the Office of Financial and Insurance Regulation and the Department of Licensing and Regulatory Affairs for the activities, powers, duties, functions, and responsibilities transferred by this Order are hereby transferred to the Department of Insurance and Financial Services.

B. All unexpended balances of appropriations, allocations, and other funds used, held, employed, or to be made available to the Office of Financial and Insurance Regulation and the Department of Licensing and Regulatory Affairs for the activities, powers, duties, functions, and responsibilities transferred by this Order are hereby transferred to the Department of Insurance and Financial Services.

C. All rules, orders, contracts, plans, and agreements relating to the functions transferred to the Department of Insurance and Financial Services by this Order lawfully adopted prior to the effective date of this Order shall continue to be effective until revised, amended, or rescinded.

D. Any suit, action, or other proceeding lawfully commenced by, against, or before any entity transferred to the Department of Insurance and Financial Services by this Order shall not abate by reason of the taking effect of this Order. Any lawfully commenced suit, action, or other proceeding may be maintained by, against, or before the appropriate successor of any entity affected by this Order.

E. The invalidity of any portion of this Order shall not affect the validity of the remainder of the Order, which may be given effect without any invalid portion. Any portion of this Order found invalid by a court or other entity with proper jurisdiction shall be severable from the remaining portions of this Order.

In fulfillment of the requirements of Section 2 of Article V of the Michigan Constitution of 1963, the provisions of this Order shall be effective 60 days after the filing of this Order.

[SEAL]

Given under my hand and the Great Seal of the state of Michigan this 16th day of January, in the Year of our Lord Two Thousand 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 message from the Governor was received on January 19, 2013, and read:

EXECUTIVE ORDER
No. 2013-2

**Executive Reorganization
Department of Military and Veterans Affairs**

**Creation of the
Michigan Veterans Affairs Agency**

WHEREAS, Section 1 of Article V of the Michigan Constitution of 1963 vests the executive power of the state of Michigan in the Governor; and

WHEREAS, Section 2 of Article V of the Michigan Constitution of 1963 empowers the Governor to make changes in the organization of the Executive Branch or in the assignment of functions among its units that he considers necessary for efficient administration; and

WHEREAS, there is a continued need to increase collaboration, optimize service delivery and ensure efficient administration; and

WHEREAS, Michigan's citizens include more than 650,000 veterans of the armed forces, making the state home to the 11th largest population of veterans among the states; and

WHEREAS, veterans have unique needs and an array of specific services and benefits are available to them; and

WHEREAS, veterans require dedicated strategic outreach, collaboration between many departments and partners at the federal, state and local level; and

WHEREAS, Michigan's current service delivery model is not structured to provide coordinated, high-quality services to help veterans recognize and access the benefits and services for which they are eligible; and

WHEREAS, such high-quality services can be best provided if a single entity coordinates the many efforts the state of Michigan makes to serve this population;

NOW, THEREFORE, I, Richard D. Snyder, Governor of the state of Michigan, by virtue of the powers and authority vested in the Governor by the Michigan Constitution of 1963 and Michigan law, order the following:

I. DEFINITIONS

As used in this Order:

A. "Agency" means the Michigan Veterans Affairs Agency created under Section II of this order.

B. "Department of Military and Veterans Affairs" means the principal department of state government created as the Department of Military Affairs by 1965 P.A. 380, MCL 16.225, and renamed the Department of Military and Veterans Affairs by Executive Order 1997-7, MCL 32.91.

C. "Director" means the director of the Michigan Veterans Affairs Agency created by Section II of this Order.

II. CREATION OF THE MICHIGAN VETERANS AFFAIRS AGENCY

A. The Michigan Veterans Affairs Agency is created as an agency within the Department of Military and Veterans Affairs.

B. The Agency shall be headed by a Director who shall be appointed by the Governor and serve at the pleasure of the Governor.

C. The Director shall be the chief advisor to the Governor, the Adjutant General and the directors of state departments regarding the development of policies, programs and procedures for services to veterans.

D. The Director shall report to the head of the Department of Military and Veterans Affairs.

E. The Director shall be a member of the Executive Cabinet and regularly attend and fully participate in Cabinet meetings and functions.

III. FUNCTIONS OF THE VETERANS AFFAIRS AGENCY

A. The Agency shall perform the following functions:

i. Review, investigate, evaluate, and assess all programs within the executive branch of government related to services and benefits for veterans, including but not limited to programs involving health care, education, employment assistance, and quality of life.

ii. Serve as the coordinating office for all agencies of the executive branch of government that are responsible for programs related to services for veterans.

iii. Analyze and make recommendations to the Governor on proposed programs and policies relating to veterans, and on the elimination of duplication in existing state programs in these areas.

iv. Provide information and assistance to all departments and agencies of the executive branch of government, both directly and by functioning as a clearinghouse for information received from such agencies, other branches of government, other states, and the federal government.

v. Serve as the Governor's liaison with the Secretary of State, the Michigan Economic Development Corporation, the Michigan Strategic Fund, and with all other departments and agencies of the executive branch of government with respect to programs, services, or benefits for veterans.

vi. The Agency may request advice and assistance to re-engineer business processes and establish inter-agency and intra-agency data sharing requirements, policies, procedures and standards to improve services to veterans in Michigan. All executive branch departments and agencies shall cooperate fully with the new Agency in the performance of these responsibilities.

vii. The Agency may make and execute contracts and other instruments necessary or convenient to the proper exercise of its functions.

B. The Agency shall administer the Veterans Speakers Program created under the Veterans Speakers Program Act, 2000 P.A. 81, MCL 32.281 to 283. The powers, duties, functions, responsibilities, records, and personnel necessary for such administration shall be transferred to the Agency from the Department of Military and Veterans Affairs.

C. The Department shall transfer to the Agency all duties, responsibilities, and powers to provide assistance to the State Veterans Home Board of Managers in the administration of all facilities governed by the Michigan Veterans' Facility Act, 1885 PA 152, MCL Section 36.1 to 12, including but not limited to the Grand Rapids Veterans Home and the D.J. Jacobetti Veterans Home. The powers, duties, functions, responsibilities, records, and personnel necessary for such administration shall be transferred to the Agency from the Department of Military and Veterans Affairs.

V. IMPLEMENTATION OF TRANSFERS

A. The Director shall provide executive direction and supervision for the implementation of all transfers of authority under this Order in consultation with the head of the Department of Military and Veterans Affairs.

B. The Director shall establish the internal organization of the Agency and allocate and reallocate duties and functions to promote economic and efficient administration and operation of the Agency. The Director shall be responsible for the day-to-day operations of the Agency.

VI. MISCELLANEOUS

A. All records, personnel, and property used, held, employed, or to be made available to the Department of Military and Veterans Affairs for the activities, powers, duties, functions, and responsibilities transferred by this Order are hereby transferred to the Agency.

B. All rules, orders, contracts, plans, and agreements relating to the functions transferred to the Agency by this Order lawfully adopted prior to the effective date of this Order shall continue to be effective until revised, amended, or rescinded.

C. Any suit, action, or other proceeding lawfully commenced by, against, or before any entity transferred by this Order shall not abate by reason of the taking effect of this Order. Any lawfully commenced suit, action, or other proceeding may be maintained by, against, or before the appropriate successor of any entity affected by this Order.

D. The invalidity of any portion of this Order shall not affect the validity of the remainder of the Order, which may be given effect without any invalid portion. Any portion of this Order found invalid by a court or other entity with proper jurisdiction shall be severable from the remaining portions of this Order.

In fulfillment of the requirements of Section 2 of Article V of the Michigan Constitution of 1963, the provisions of this Order shall be effective March 20, 2013.

[SEAL]

Given under my hand and the Great Seal of the state of Michigan this 18th day of January, in the Year of our Lord Two Thousand 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:

January 15, 2013

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

Barrier Free Design Board

Emily G. Blauw of 400 Spaulding Hills Circle, Apt. 101, Ada, Michigan 49301, county of Kent, representing wheelchair users, succeeding Daryl Domke, is appointed for a term expiring October 31, 2015.

Aaron Besmer of 7415 East Morgan Lane Court, S.E., Caledonia, Michigan 49316, county of Kent, representing engineers, succeeding Donald Link, is appointed for a term expiring October 31, 2015.

January 15, 2013

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

Michigan Gaming Control Board

Michael J. Watza of 21916 Bedford Road, Novi, Michigan 48167, county of Oakland, a Republican, succeeding himself, is reappointed for a term expiring December 31, 2016.

Dennis M. Beagen of 38895 Westchester Lane, Northville, Michigan 48167, county of Oakland, an Independent, succeeding Benjamin Friedman, is appointed for a term expiring December 31, 2016.

January 15, 2013

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

Michigan Long-Term Care Supports and Services Advisory Commission

Christine M. Chesny of 1800 Center Avenue, Bay City, Michigan 48708, county of Bay, representing providers of Medicaid-funded long-term care supports and services, succeeding herself, is reappointed for a term expiring December 31, 2016.

Connie L. Fuller of 14081 Evergreen Road, Rock, Michigan 49880, county of Delta, representing primary or secondary consumers of long-term care supports and services, succeeding herself, is reappointed for a term expiring December 31, 2016.

Larry D. Yachcik of 2045 Conservation Trail, Lowell, Michigan 49331, county of Kent, representing direct care staff providing long-term care supports and services, succeeding Denise Bortoloni Rabidoux, is appointed for a term expiring December 31, 2016.

Clare C. Luz of 1665 Cahill Drive, East Lansing, Michigan 48823, county of Ingham, representing primary or secondary consumers of long-term care supports and services, succeeding Dohn R. Hoyle, is appointed for a term expiring December 31, 2016.

Sincerely,
Rick Snyder
Governor

The appointments were referred to the Committee on Government Operations.

Senator Meekhof moved that rule 3.902 be suspended to allow the guests of Senator Hildenbrand admittance to the Senate floor, including the center aisle.

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

Senator Meekhof moved that rule 3.901 be suspended to allow photographs to be taken from the Senate floor.

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

Recess

Senator Meekhof moved that the Senate recess subject to the call of the Chair.

The motion prevailed, the time being 10:09 a.m.

10:17 a.m.

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

During the recess, Senator Hildenbrand introduced the Grand Rapids Christian Football Team, Division 3 State Champions, and Coach Don Fellows; and presented them with a Special Tribute.

Coach Fellows responded briefly.

During the recess, Senator Young entered the Senate Chamber.

By unanimous consent the Senate returned to the order of

Motions and Communications

Associate President Pro Tempore

The President, Lieutenant Governor Calley, announced that the next order of business was the election of the Associate President pro tempore of the Senate.

Senator Whitmer nominated Senator Gregory as Associate President pro tempore of the Senate.

Senator Hansen seconded the nomination.

The question being on the election of Senator Gregory as Associate President pro tempore of the Senate,

The election was approved, a majority of the members serving voting therefor, as follows:

Roll Call No. 1

Yeas—34

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

Nays—0

Excused—3

Hunter

Johnson

Marleau

Not Voting—0

In The Chair: President

Oath of Office

The Associate President pro tempore, Senator Gregory, took and subscribed to the Constitutional Oath of Office, which was administered by the President, Lieutenant Governor Calley, and entered upon the discharge of his respective duties.

Senators Whitmer, Hansen and Gregory 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 today to nominate my colleague and friend, Senator Vincent Gregory, for the position of Associate President pro tempore. Senator Gregory has the respect and admiration of members on both sides of the aisle, one of his many traits that are befitting of this important and esteemed position.

Senator Gregory is a proven leader in both his current and previous professions. Through his time in the Marine Corps, the Wayne County Sheriff's Department, and in local and state government, he has dedicated his life to public service in serving and protecting our people. He's always collegial in his demeanor, judicious in his decision-making, and ardent in his advocacy. He will serve this body well in this position.

While I cannot guarantee that Senator Gregory will be as entertaining as his predecessor, John Gleason, I can assure you he will be more efficient. I call upon my Senate colleagues for a second on Senator Gregory's nomination, and for the full support of electing Senator Vincent Gregory as Associate President pro tempore of the Michigan Senate.

Senator Hansen's statement is as follows:

I rise today to second the nomination of Senator Gregory to the office of Associate President pro tempore. I've served with him a long time. He's always been a man of great respect. I respect the work that he's done, and I know he'll do a great job as the Associate President pro tempore.

I would like to follow up Senator Whitmer's words and say that I'm sure Senator Gregory won't spend as much time at the microphone as the former Associate President pro tempore did. It will be a great honor to have him serving with us in the pro tempore role.

Senator Gregory's statement is as follows:

First off, let me say thanks to all my colleagues. The first thanks I want to give is to Senator Gretchen Whitmer, who made the nomination. I appreciate the nomination, and I appreciate the kind and thoughtful words. I would also like to thank Senator Hansen for seconding the nomination and his very kind and thoughtful words also. They're good friends. Let me say thank you to all of you.

You know, this is now starting out our third year, and I've got the chance to meet everybody in here. A lot of you I've seen at our leadership breakfast, and hopefully, I'll see a lot more of you at the leadership breakfast. Because of that, I've gotten a chance to know you on more of a personal basis.

As we go about our business, it's a struggle a lot of the time, but still we should always remain friends. Above and beyond what we do here, it's how we are as people. Certainly, through this position, I would like to maintain that; to be friends and listen to people; to understand where they are coming from. Again, thanks to all of my colleagues for all of your support.

Resolutions

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

Senate Resolution No. 5

Senate Resolution No. 6

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

Senator Schuitmaker offered the following resolution:

Senate Resolution No. 5.

A resolution recognizing February 1, 2013, as National Wear Red Day.

Whereas, The American Heart Association's Go Red For Women movement has been impacting the health of women for ten years, and more than 627,000 women's lives have been saved, with 330 fewer women dying every day; and

Whereas, Heart disease is the No. 1 killer of women, yet only 1 in 5 American women believe that heart disease is her greatest health threat; and

Whereas, Cardiovascular diseases cause 1 in 3 women's deaths each year, killing approximately one woman every minute; and

Whereas, An estimated 43 million women in the U.S. are affected by cardiovascular diseases, and 90 percent of women have one or more risk factors for developing heart disease; and

Whereas, Women comprise only 24 percent of participants in all heart-related studies; and

Whereas, Since 1984, more women than men have died each year from heart disease, and the gap between men and women's survival continues to widen; and

Whereas, Women are less likely to call 9-1-1 for themselves when experiencing symptoms of a heart attack than they are if someone else were having a heart attack; and

Whereas, In celebration of the 10th National Wear Red Day on February 1, 2013, Go Red For Women is asking women all across America to join them in making America Go Red and save women's lives; now, therefore, be it

Resolved by the Senate, That we hereby recognize February 1, 2013, as National Wear Red Day in the state of Michigan, in recognition of the importance of the ongoing fight against heart disease and stroke. We urge all citizens to show their support for women and the fight against heart disease by commemorating this day by wearing the color red. By increasing awareness, speaking up about heart disease, and empowering women to reduce their risk for cardiovascular disease, we can save thousands of lives each year.

The question being on the adoption of the resolution,

The resolution was adopted.

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

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

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

The motion prevailed.

Senator Schuitmaker's statement is as follows:

I am joined by the Women's Caucus and our Cardiologist's Caucus, along with many women who feel as passionate as we do about raising awareness for heart disease in Michigan. They are all up in the Gallery wearing red jackets, along with our speaker today. We rise today to support these resolutions recognizing February 1 as Wear Red Day in the state of Michigan and declaring February as American Heart Month in Michigan.

Senator Whitmer's statement is as follows:

Heart disease causes 1 in 3 women's deaths each year, killing approximately one woman every minute. An estimated 43 million women in the United States are affected by heart disease, and 90 percent of women have one or more risk factors for developing heart disease. Yet only 1 in 5 correctly identifies heart disease as their greatest health concern.

Senator Emmons' statement is as follows:

We need to increase efforts to combat this threat. Women comprise only 24 percent of participants in all heart-related studies, and women are less likely to call 9-1-1 for themselves when experiencing symptoms of a heart attack than they are for someone else.

Senator Warren's statement is as follows:

The American Heart Association's Go Red For Women movement has been impacting the health of women for ten years. More than 627,000 women have been saved from heart disease, and 330 fewer women per day are dying. Through efforts like this, we hope to see those numbers continue to improve.

Senator Kahn's statement is as follows:

While the Go Red campaign is primarily focused on women, it is important to remember that heart disease affects everyone, both men and women. We urge all legislators to join with us in raising awareness about heart disease and encouraging both men and women to live healthier lives. With the right information, education, and care, heart disease can be treated, prevented, and it can dramatically be reduced and wiped out. We ask for your support of these resolutions.

Senator Schuitmaker offered the following resolution:

Senate Resolution No. 6.

A resolution celebrating February 2013 as American Heart Month in the state of Michigan.

Whereas, While progress has been significant in reducing deaths from heart disease, it is still the No. 1 killer of both women and men; and

Whereas, Cardiovascular diseases are the nation's leading cause of death and costliest disease with direct and indirect costs estimated at \$312.6 billion; and

Whereas, Between 1999 and 2009, the rate of deaths from cardiovascular diseases fell 32.7 percent, but still accounted for nearly 1 in 3 deaths in the nation; and

Whereas, About 2,150 people die from cardiovascular diseases each day, accounting for about one death every 40 seconds; and

Whereas, The American Heart Association's 2020 impact goal seeks to improve the cardiovascular health of all Americans by 20 percent, while reducing deaths from cardiovascular diseases and stroke by 20 percent through research, population- and community-level interventions, public health, and policy measures; and

Whereas, Efforts of the American Heart Association encourage citizens to help save lives by calling 9-1-1 if symptoms occur, becoming trained in CPR, and supporting comprehensive automated external defibrillator programs in their communities; and

Whereas, The American Heart Association is celebrating February 2013 as American Heart Month and promoting education and awareness by urging citizens to learn the warning signs of heart attack and stroke; now, therefore, be it

Resolved by the Senate, That we hereby proclaim February 2013 as American Heart Month in the state of Michigan, in recognition of the importance of the ongoing fight against heart disease. We urge all citizens to recognize the critical importance of tools and skills that will increase survival rates from cardiac arrest. By incorporating these tools into aggressive programs, we can save thousands of lives each year.

The question being on the adoption of the resolution,

The resolution was adopted.

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

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

Senator Proos offered the following resolution:

Senate Resolution No. 4.

A resolution to memorialize the President and the United States Congress to support the continued and increased importation of oil derived from Canadian oil sands and to urge the United States Secretary of State to approve the TransCanada Keystone Coast Expansion pipeline project.

Whereas, Despite efforts to increase the use of renewable energy, the United States is still many years away from ending its dependence on nonrenewable resources. In order to fuel our economy, the United States will need more oil and natural gas; and

Whereas, The United States is the largest consumer of oil in the world. More than half the oil we consume is imported from countries in volatile regions of the world. This dependence on foreign oil has created difficult geopolitical relationships with damaging consequences for our national security; and

Whereas, Canada, our friendly neighbor to the north, contains vast oil reserves, second in size only to those in Saudi Arabia. Most of these reserves are contained in oil sands located in the western Canadian province of Alberta. Oil sands account for more than half of Canada's total oil output, and oil sands production is predicted to increase significantly; and

Whereas, Growing oil sands production in Canada has the potential to substantially reduce U.S. dependence on foreign oil. Canada is already the largest supplier of oil to the United States. Expanded production from Alberta's oil sands offers the probability for this proportion to increase; and

Whereas, Canadians and Americans share the closest energy relationship in the world. Energy infrastructure, including oil and gas pipeline networks and electricity grids, is tightly integrated between our two countries; and

Whereas, Increasing U.S. imports of Canadian oil will lead to the expansion of oil refineries and pipelines, providing growing investments in the U.S. and more American jobs. Oil companies are investing huge sums to upgrade and expand refineries to make gasoline and other refined products from oil derived from Canadian oil sands. Thousands of construction jobs would be created in the Midwest as a result of this investment; and

Whereas, The money that America uses to buy Canadian oil will likely end up being spent on American goods and services. This contrasts with money sent to purchase oil from other regions of the world, which may be used to further anti-democratic agendas; now, therefore, be it

Resolved by the Senate, That we memorialize the President and the United States Congress to support the continued and increased importation of oil derived from Canadian oil sands, and we urge the U.S. Secretary of State to approve the newly-routed pipeline application from TransCanada to reduce dependence on unstable governments, improve our national security, and strengthen ties with an important ally; and be it further

Resolved, That copies of this resolution be transmitted to the Office of the President of the United States, the U.S. Secretary of State, the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

Pending the order that, under rule 3.204, the resolution be referred to the Committee on Government Operations, Senator Meekhof moved that the rule be suspended.

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

The question being on the adoption of the resolution,

Senator Meekhof moved that the resolution be referred to the Committee on Energy and Technology.

The motion prevailed.

Senators Proos, Booher, Brandenburg, Hansen, Kowall, Marleau, Nofs and Pavlov were named co-sponsors of the resolution.

Senator Proos offered the following concurrent resolution:

Senate Concurrent Resolution No. 5.

A concurrent resolution to urge the United States Department of Energy and the Nuclear Regulatory Commission to fulfill their obligation to establish a permanent repository for high-level nuclear waste.

Whereas, Over the past four decades, nuclear power has been a significant source for the nation's production of electricity. According to the U.S. Nuclear Energy Institute, nuclear power provided 19.2 percent of the electricity produced in the United States in 2011. The Michigan Public Service Commission estimates that 22 percent of the electricity generated for use in Michigan is from nuclear energy; and

Whereas, Since the earliest days of nuclear power, the great dilemma associated with this technology is how to deal with used nuclear fuel. This high-level radioactive waste demands exceptional care in all facets of its storage and disposal, including its transportation; and

Whereas, In 1982, Congress passed the Nuclear Waste Policy Act of 1982. This legislation requires the federal government, through the Department of Energy, to build a repository for the permanent storage of high-level radioactive waste from nuclear power plants. This act, which was amended in 1987, includes a specific timetable to identify a suitable location and to establish the waste repository. The costs for this undertaking are paid from a fee that is assessed on all nuclear energy produced; and

Whereas, In accordance with the federal act, customers of Michigan electric utilities have paid \$763 million through September 30, 2010, into the federal Nuclear Waste Fund for construction of the federal nuclear waste repository. Every year, the total Nuclear Waste Fund balance grows by approximately \$750 million in direct ratepayer payments; and

Whereas, There are serious concerns that the federal government is not complying with the timetables set forth in federal law. Every delay places our country at greater risk for a catastrophe to occur. The large number of temporary storage sites at nuclear facilities across the country make us vulnerable to potential problems. The events since September 11, 2001, clearly illustrate the urgency of the need to establish a safe and permanent high-level nuclear waste repository as soon as possible. The Department of Energy, along with the Nuclear Regulatory Commission, must work diligently to meet its obligation as provided by law. There is too much at stake; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That we urge the United States Department of Energy and the Nuclear Regulatory Commission to fulfill their obligation to establish a permanent repository for high-level nuclear waste; and be it further

Resolved, That copies of this resolution be transmitted to the United States Department of Energy, the Nuclear Regulatory Commission, the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

Pending the order that, under rule 3.204, the concurrent resolution be referred to the Committee on Government Operations,

Senator Meekhof moved that the rule be suspended.

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

The question being on the adoption of the concurrent resolution,

Senator Meekhof moved that the concurrent resolution be referred to the Committee on Energy and Technology.

The motion prevailed.

Senators Booher, Brandenburg, Hansen, Kowall, Marleau, Nofs and Pavlov were named co-sponsors of the concurrent resolution.

Introduction and Referral of Bills

Senator Marleau entered the Senate Chamber.

Senator Brandenburg introduced

Senate Bill No. 64, entitled

A bill to amend 1941 PA 122, entitled "An act to establish the revenue collection duties of the department of treasury; to prescribe its powers and duties as the revenue collection agency of this state; to prescribe certain powers and duties of the state treasurer; to establish the collection duties of certain other state departments for money or accounts owed to this state; to regulate the importation, stamping, and disposition of certain tobacco products; to provide for the transfer of powers and duties now vested in certain other state boards, commissions, departments, and offices; to prescribe certain duties of and require certain reports from the department of treasury; to provide procedures for the payment, administration, audit, assessment, levy of interests or penalties on, and appeals of taxes and tax liability; to prescribe its powers and duties if an agreement to act as agent for a city to administer, collect, and enforce the city income tax act on behalf of a city is entered into with any city; to provide an appropriation; to abolish the state board of tax administration; to prescribe penalties and provide remedies; and to declare the effect of this act," by amending section 27a (MCL 205.27a), as amended by 2012 PA 211.

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

Senator Brandenburg introduced

Senate Bill No. 65, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 703 (MCL 206.703), as amended by 2012 PA 217.

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

Senator Proos introduced

Senate Bill No. 66, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 1278a and 1278b (MCL 380.1278a and 380.1278b), section 1278a as amended by 2009 PA 205 and section 1278b as amended by 2010 PA 80.

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

Senators Anderson and Bieda introduced

Senate Bill No. 67, entitled

A bill to amend 1986 PA 268, entitled "Legislative council act," by amending section 204a (MCL 4.1204a), as added by 1998 PA 429; and to repeal acts and parts of acts.

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

Scheduled Meetings

Agriculture - Thursday, January 24, 9:00 a.m., Room 110, Farnum Building (373-5312)

Appropriations -

Subcommittees -

Agriculture and Rural Development - Tuesday, February 12, 3:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower (373-2768)

Corrections Department - Thursday, January 24, 9:00 a.m., Room 100, Farnum Building (373-2768)

Licensing and Regulatory Affairs Department - Thursday, January 24, 1:30 p.m., Room 405, Capitol Building (373-2768)

Natural Resources, Environment and Great Lakes - Thursday, January 24, 9:00 a.m., Room 210, Farnum Building (373-5323)

Senator Meekhof moved that the Senate adjourn.

The motion prevailed, the time being 10:34 a.m.

The President, Lieutenant Governor Calley, declared the Senate adjourned until Thursday, January 24, 2013, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate