

No. 12
STATE OF MICHIGAN
Journal of the Senate
97th Legislature
REGULAR SESSION OF 2013

Senate Chamber, Lansing, Wednesday, February 13, 2013.

10:00 a.m.

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

The roll was called by the Secretary of the Senate, who announced that a quorum was present.

Anderson—present
Bieda—present
Booher—present
Brandenburg—present
Casperson—present
Caswell—present
Colbeck—present
Emmons—present
Green—present
Gregory—excused
Hansen—present
Hildenbrand—present
Hood—present

Hopgood—present
Hune—present
Hunter—present
Jansen—present
Johnson—present
Jones—present
Kahn—present
Kowall—present
Marleau—present
Meekhof—present
Moolenaar—present
Nofs—present

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

Pastor Nick Ramsey of Church of the Living God of Detroit offered the following invocation:

Let us pray the prayer that Jesus left on record, found in Matthew 6:9-13:

“Our Father which art in heaven, Hallowed be thy name.

Thy kingdom come. Thy will be done in earth, as it is in heaven.

Give us this day our daily bread.

And forgive us of our debts, as we forgive our debtors.

And lead us not into temptation, but deliver us from evil: For thine is the kingdom, and the power, and the glory, for ever. Amen.”

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

Motions and Communications

Senator Hunter moved that Senators Johnson and Young be temporarily excused from today’s session.

The motion prevailed.

Senator Hunter moved that Senator Gregory be excused from today’s session.

The motion prevailed.

Senator Meekhof moved that Senators Brandenburg and Richardville be temporarily excused from today’s session.

The motion prevailed.

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

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

The Secretary announced that the following bills were printed and filed on Tuesday, February 12, and are available at the Michigan Legislature website:

Senate Bill Nos. 171 172 173 174 175 176 177 178 179

Messages from the Governor

The following message from the Governor was received on February 12, 2013, and read:

EXECUTIVE ORDER

No. 2013-4

Governor’s Task Force on Child Abuse and Neglect Department of Human Services

Rescission of Executive Order 2010-18

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 107 of the federal Child Abuse Prevention and Treatment Act, as amended by the federal Keeping Children and Families Safe Act of 2003, Public Law 108-36, 42 USC 5106c, authorizes grants to states for the purpose of assisting states in developing, establishing, and operating programs designed to improve: (1) the handling of child abuse and neglect cases, particularly cases of child sexual abuse and exploitation, in a manner that limits additional trauma to the child victim; (2) the handling of cases of suspected child abuse - or neglect-related fatalities; (3) the investigation and prosecution of cases of child abuse and neglect, particularly child sexual abuse and exploitation; and (4) the handling of cases involving children with disabilities or serious health-related problems who are victims of abuse or neglect; and

WHEREAS, to qualify for grants to states under Section 107 of the federal Child Abuse Prevention and Treatment Act, a state must establish or designate and maintain a multidisciplinary task force on children’s justice; and

WHEREAS, Executive Order 1991-38 created the Governor's Task Force on Children's Justice within the Executive Office and was amended by Executive Order 1993-8; and

WHEREAS, Executive Order 2010-18 rescinded Executive Orders 1991-38 and 1993-8 and established the Governor's Task Force on Child Abuse and Neglect within the Department of Human Services ("Department"); and

WHEREAS, because this state remains committed to continual improvement in the handling of child abuse and neglect cases and to securing federal funding for such efforts, it is appropriate to refocus the activities of the Governor's Task Force on Child Abuse and Neglect established by Executive Order 2010-18 through a newly focused Governor's Task Force on Child Abuse and Neglect; and

WHEREAS, decreasing the membership of the Governor's Task Force on Child Abuse and Neglect will ensure efficient administration and effectiveness of government;

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

I. RECISSION OF EXECUTIVE ORDER

Executive Order 2010-18 is rescinded.

II. CREATION OF THE TASK FORCE

A. The Governor's Task Force on Child Abuse and Neglect ("Task Force") is established within the Department of Human Services.

B. The Task Force is designated as the multidisciplinary task force for this state for purposes of Section 107(c) of the federal Child Abuse Prevention and Treatment Act, 42 USC 5106c(c).

C. The Task Force shall consist of 18 members appointed by the Governor and shall be composed of professionals with knowledge and experience relating to the criminal justice system and issues of child physical abuse, child neglect, child sexual abuse and exploitation, and child maltreatment-related fatalities. Membership shall include the Director of the Department of Human Services, or his or her designee, and shall include all of the following:

1. Individuals representing the law enforcement community.
2. Judges and attorneys involved in both civil and criminal court proceedings related to child abuse and neglect, including individuals involved with the defense and the prosecution of child abuse and neglect cases.
3. Child advocates, including both attorneys for children or court appointed special advocates.
4. Health and mental health professionals.
5. Individuals representing child protective services agencies.
6. Parents, including, but not limited to, parents experienced in working with children with disabilities.
7. Individuals representing parents' groups.

D. Of the members of the Task Force appointed under Section II. C., one-third of the members shall be appointed for a term expiring on December 31, 2013; one-third of the members shall be appointed for a term expiring on December 31, 2014; and one-third of the members shall be appointed for a term expiring on December 31, 2015. After the initial appointments, members of the Task Force shall be appointed for terms of three years.

E. A vacancy on the Task Force occurring other than by expiration of a term shall be filled by the Governor in the same manner as the original appointment for the balance of the unexpired term. A member of the Task Force may be reappointed for subsequent additional terms.

F. The Governor shall designate a member of the Task Force to serve as Chairperson of the Task Force. The Chairperson of the Task Force shall appoint a member of the Task Force to serve as Vice-Chairperson at the pleasure of the Chairperson.

G. The Chairperson may establish and disband committees consisting of members of the Task Force as deemed necessary.

H. Members who attend less than 66% of the scheduled meetings in any calendar year shall be considered to have vacated their appointment. Upon notification, the Governor shall fill the vacancy in the same manner as the original appointment.

III. CHARGE TO THE TASK FORCE

A. At least once every 3 years, the Task Force shall comprehensively review and evaluate state investigative and administrative handling, civil judicial handling, and criminal judicial handling of all of the following:

1. Cases of child abuse and neglect, particularly child sexual abuse and exploitation.
2. Cases involving suspected child maltreatment-related fatalities.
3. Cases of child abuse and neglect involving a potential combination of jurisdictions, including, but not limited to, interstate, federal-state, and state-tribal.

B. At least once every 3 years, the Task Force shall comprehensively make policy and training recommendations to the Governor, the Michigan Supreme Court, and the Michigan Legislature in each of the following categories:

1. Investigative, administrative, and judicial handling of all of the following in a manner that reduces any additional trauma to a child victim and the victim's family and that also ensures procedural fairness to the accused:
 - a. Cases of child abuse and neglect, particularly child sexual abuse and exploitation.
 - b. Cases involving suspected child maltreatment-related fatalities.
 - c. Cases of child abuse and neglect involving a potential combination of jurisdictions, including, but not limited to, interstate, federal-state, and state-tribal.
2. Experimental, model, and demonstration programs for testing innovative approaches and techniques that improve the prompt and successful resolution of civil and criminal court proceedings or enhance the effectiveness of judicial and

administrative action in child abuse and neglect cases, particularly child sexual abuse and exploitation cases, including the enhancement of the performance of court-appointed attorneys and guardians ad litem for children, and that also ensure procedural fairness to the accused.

3. Reform of state laws, ordinances, regulations, protocols, procedures, and rules to provide comprehensive protection for children from abuse, particularly child sexual abuse and exploitation, while ensuring fairness to all affected persons.

C. The Task Force shall function as a statewide coordinating council to oversee the implementation of recommendations of the Task Force under Section III. B. Acting as the statewide coordinating council, the Task Force shall develop both of the following:

1. Model statewide protocols adaptable to local needs.

2. A statewide comprehensive initiative to disseminate and encourage the proper use of protocols and to educate the public about child abuse and neglect, particularly child sexual abuse and exploitation.

D. The Task Force shall make other recommendations relating to child abuse and neglect to the Governor, the Michigan Supreme Court, and the Michigan Legislature that the Task Force considers relevant and useful.

E. The Task Force shall coordinate with the Task Force on the Prevention of Sexual Abuse of Children created by 2012 P.A. 593.

F. The Task Force shall perform other functions related to the Task Force's duties as requested by the Governor.

IV. OPERATIONS OF THE TASK FORCE

A. The Task Force shall be staffed and assisted by personnel from the Department, subject to available funding. Any budgeting, procurement, or related management functions of the Task Force shall be performed under the direction and supervision of the Director of the Department and the Chairperson of the Task Force.

B. The Task Force shall adopt procedures consistent with applicable law and this Order governing its organization and operations.

C. A majority of the members serving shall constitute a quorum for the transaction of the Task Force's business. The Task Force shall act by a majority vote of its members in attendance.

D. The Task Force shall meet at the call of the Chairperson and as may be provided in procedures adopted by the Task Force.

E. The Task Force may establish subcommittees of Task Force members and advisory workgroups composed of public officers, public employees, or members of the public who are not members of the Task Force. The Task Force may adopt, reject, or modify any recommendations proposed by a subcommittee or an advisory workgroup.

F. The Task Force may, as appropriate, make inquiries, conduct studies or investigations, hold hearings, and receive comments from the public. The Task Force also may consult with outside experts in order to perform its duties including, but not limited to, experts in the private sector, organized labor, government agencies, tribal governments, and at institutions of higher education.

G. Members of the Task Force shall serve without compensation. Members of the Task Force may receive reimbursement for necessary travel and expenses according to relevant statutes and the rules and procedures of the Michigan Civil Service Commission and the Department of Technology, Management, and Budget, subject to available funding.

H. The Task Force may hire or retain contractors, subcontractors, advisors, consultants, and agents, and may make and enter into contracts necessary or incidental to the exercise of the powers of the Task Force and the performance of its duties, in accordance with this Order, and the relevant statutes, rules, and procedures of the Michigan Civil Service Commission and the Department of Technology, Management, and Budget, subject to available funding.

I. The Task Force may accept donations of labor, services, or other things of value from any public or private agency or person.

J. Members of the Task Force shall refer all legal, legislative, and media contacts to the Department.

V. MISCELLANEOUS

A. Any suit, action, or other proceeding lawfully commenced by, against, or before any entity affected by this Order shall not abate by reason of the taking effect of this Order.

B. 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.

This Executive Order shall become effective upon filing.

[SEAL]

Given under my hand and the Great Seal of the State of Michigan this 12th day of February, 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 message from the Governor was received on February 12, 2013, and read:

EXECUTIVE ORDER
No. 2013-5

**Creation of the
Michigan State Council for Interstate Juvenile Supervision**

WHEREAS, the supervision and tracking of juvenile delinquents across state lines is necessary to provide for the welfare and protection of juveniles and of the public; and

WHEREAS, Congress, by enacting the Crime Control Act, 4 U.S.C. Sec. 112 (1965), authorized and encouraged states to enter into compacts for cooperative efforts and mutual assistance in the prevention of crime; and

WHEREAS, the Interstate Compact for Juveniles empowers states to regulate juveniles' interstate movement, to provide proper supervision or return of juveniles, delinquents, or status offenders who are on probation or parole and who have absconded, escaped, or run away from supervision and control, and in doing so have endangered their own safety and the safety of others; and

WHEREAS, Michigan is a party to the Interstate Compact for Juveniles, and the Compact requires Michigan to create a State Council;

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

I. DEFINITIONS

As used herein:

A. "Council" means the Michigan State Council for Interstate Juveniles Supervision established by this Order.

B. "Department of Human Services" means the principal department of state government created by 1965 P.A. 380, MCL 16.550.

C. "Interstate Commission" means the entity created by the Interstate Compact for Juveniles.

D. "Interstate Compact for Juveniles" means the compact entered into by the state of Michigan pursuant to 2003 P.A. 56, MCL 3.691-692.

II. MICHIGAN STATE COUNCIL FOR INTERSTATE JUVENILE SUPERVISION

A. The Michigan State Council for Interstate Juvenile Supervision is hereby created as an advisory body pursuant to 2003 P.A. 56, MCL 3.691 - 692, within the Department of Human Services.

B. The Council shall consist of five (5) members as follows:

1. A representative of the legislature selected by the Legislative Council;
2. A representative of the judiciary appointed by the Governor;
3. A representative of the executive branch appointed by the Governor;
4. A representative of crime victims appointed by the Governor; and
5. The compact administrator appointed by the Governor.

C. Appointees shall hold office for a term of four (4) years. However, of the appointees initially appointed, the Governor shall designate two (2) of the Governor's appointees to serve a term of one (1) year and two (2) to serve a term three (3) years, and the representative of the legislature shall serve a term of two (2) years.

D. A vacancy on the council caused by the expiration of a term or by any other cause of termination of membership on the council shall be filled in the same manner as the original appointment.

E. An appointee appointed to fill a vacancy created other than by expiration of a term shall be appointed for the unexpired term of the appointee who he or she is to succeed in the same manner as the original appointment. An appointee may be reappointed for additional terms.

III. CHARGE TO THE COUNCIL

The council shall exercise oversight and advocacy concerning Michigan's participation in Interstate Commission activities including, but not limited to, the development of policies concerning operations and procedures of the compact within the state.

IV. OPERATIONS OF THE COUNCIL

A. The compact administrator shall direct the operations of the council.

B. The council may adopt procedures, not inconsistent with law and with this Order, governing its organization, operation and procedure.

C. Members of the council shall not delegate their responsibilities to other persons. A majority of the serving members constitutes a quorum for the transaction of businesses at a meeting. The council shall act by a majority vote of its serving members.

D. The council shall meet at least annually and at the call of the compact administrator as may be provided in the procedures of the council. Meetings of the council may be held at any location within the state of Michigan and the council may meet by conference call or teleconference.

E. In developing recommendations, the council may, as appropriate, make inquiries, studies, investigations, hold hearings, and receive comments from the public. The council may consult with outside experts in order to perform its duties.

F. Members of the council shall serve without compensation. Members of the council may receive reimbursement for necessary travel and expenses according to relevant statutes, rules and procedures of the Department of Technology, Management and Budget and the Michigan Civil Service Commission.

G. Members of the council shall refer all legal, legislative, and media contacts to the Department of Human Services.

H. The Council shall be staffed by personnel within the Department of Human Services.

I. All departments, committees, commissioners, or officers of the state or of any political subdivision of the state shall give the council or any member or representative of the council, any necessary assistance required by the council so far as that assistance is compatible with its duties; free access shall also be given to any books, records, or documents in its, his or her custody, relating to matters within the scope of inquiry, study, or investigation of the council.

J. The invalidity of any portion of this Order shall not affect the validity of the remainder thereof.

This Executive Order shall become effective upon filing.

[SEAL]

Given under my hand and the Great Seal of the state of Michigan this 12th day of February, 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:

February 12, 2013

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

Chair - Governor's Task Force on Child Abuse and Neglect

Kenneth L. Tacoma of 6121 Pointe East Drive, Cadillac, Michigan 49601, county of Wexford, is appointed for a term expiring December 31, 2015.

Governor's Task Force on Child Abuse and Neglect

Maura Corrigan of 880 Bishop Road, Grosse Pointe, Michigan 48239, county of Wayne, representing the Department of Human Services, is appointed for a term expiring December 31, 2015.

Daniel L. Adams of 7298 Pine Valley Drive, Allendale, Michigan 48401, county of Ottawa, representing the law enforcement community, is appointed for a term expiring December 31, 2013.

Jennifer L. Pintar of 884 Townline Road, Tawas City, Michigan 48764, county of Iosco, representing the law enforcement community, is appointed for a term expiring December 31, 2014.

Linda S. Hallmark of 4467 S. Willoway Estates Court, Bloomfield Hills, Michigan 48302, county of Oakland, representing judges and attorneys involved in both civil and criminal court proceedings related to child abuse and neglect, including individuals with the defense and the prosecution of child abuse and neglect cases, is appointed for a term expiring December 31, 2015.

Robinjit Eagleson of 15787 Pastoral Path, East Lansing, Michigan 48823, county of Ingham, representing judges and attorneys involved in both civil and criminal court proceedings related to child abuse and neglect, including individuals with the defense and the prosecution of child abuse and neglect cases, is appointed for a term expiring December 31, 2015.

Robert S. Sykes, Jr., of 243 Oakwood Court, Ionia, Michigan 48846, county of Ionia, representing judges and attorneys involved in both civil and criminal court proceedings related to child abuse and neglect, including individuals with the defense and the prosecution of child abuse and neglect cases, is appointed for a term expiring December 31, 2014.

Kenneth L. Tacoma of 6121 Pointe East Drive, Cadillac, Michigan 49601, county of Wexford, representing judges and attorneys involved in both civil and criminal court proceedings related to child abuse and neglect, including individuals with the defense and the prosecution of child abuse and neglect cases, is appointed for a term expiring December 31, 2015.

Julie A. Nakfoor Pratt of 97 Sherwood Drive, Hastings, Michigan 49058, county of Barry, representing judges and attorneys involved in both civil and criminal court proceedings related to child abuse and neglect, including individuals with the defense and the prosecution of child abuse and neglect cases, is appointed for a term expiring December 31, 2014.

Lisa Wenger of 765 Washington Road, Grosse Pointe, Michigan 48230, county of Wayne, representing judges and attorneys involved in both civil and criminal court proceedings related to child abuse and neglect, including individuals with the defense and the prosecution of child abuse and neglect cases, is appointed for a term expiring December 31, 2014.

Frederick Gruber of 18551 Country Club Court, Riverview, Michigan 48193, county of Wayne, representing child advocates, including both attorneys for children and court-appointed special advocates, is appointed for a term expiring December 31, 2015.

Terrance P. Gilsean of 32121 Lancaster Drive, Warren, Michigan 48088, county of Macomb, representing child advocates, including both attorneys for children and court-appointed special advocates, is appointed for a term expiring December 31, 2013.

Gary R. Anderson of 3630 Beechtree Lane, Okemos, Michigan 48864, county of Ingham, representing health and mental health professionals, is appointed for a term expiring December 31, 2015.

Shannon M. Lowder of 3724 Luella Street, Jackson, Michigan 49201, county of Jackson, representing health and mental health professionals, is appointed for a term expiring December 31, 2014.

Susan L. Hull of 250 Franklin Lake Circle, Oxford, Michigan 48371, county of Oakland, representing child protective services agencies, is appointed for a term expiring December 31, 2013.

Lori A. Budnik of 365 South Fourth Street, Rogers City, Michigan 49779, county of Presque Isle, representing child protective services agencies, is appointed for a term expiring December 31, 2013.

Danielle N. Loupee of 325 M-62 Highway, Cassopolis, Michigan 49031, county of Cass, representing child protective services agencies, is appointed for a term expiring December 31, 2014.

Luann R. Forbes of 7419 Hammond Road, Freeport, Michigan 49325, county of Barry, representing parents, including, but not limited to, parents experienced in working with children with disabilities, is appointed for a term expiring December 31, 2013.

Betsy B. Boggs of 8130 Conservation Street, N.E., Ada, Michigan 49301, county of Kent, representing parents' groups, is appointed for a term expiring December 31, 2013.

February 12, 2013

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

State Council - Interstate Compact for Juveniles

John A. Hohman, Jr., of 448 Birdie Court, Monroe, Michigan 48162, county of Monroe, representing judiciary, is appointed for a term expiring February 12, 2014.

Caroline D. Blinkhorn of 13457 Green Street, Grand Haven, Michigan 49417, county of Ottawa, representing victims, is appointed for a term expiring February 12, 2014.

Ted G. Forrest of 5423 Jo Pass, East Lansing, Michigan 48823, county of Ingham, representing the compact administrator, is appointed for a term expiring February 12, 2016.

Cheri Arwood of 5665 S. Forrest Hill Road, St. Johns, Michigan 48879, county of Clinton, representing the Executive Branch, is appointed for a term expiring February 12, 2016.

Sincerely,
Rick Snyder
Governor

The appointments were referred to the Committee on Government Operations.

By unanimous consent the Senate proceeded to the order of

Introduction and Referral of Bills

Senators Richardville, Brandenburg and Young entered the Senate Chamber.

Senators Green and Nofs introduced

Senate Bill No. 180, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 17201 (MCL 333.17201).

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

Senator Kahn introduced

Senate Bill No. 181, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 11, 17b, 201, and 236 (MCL 388.1611, 388.1617b, 388.1801, and 388.1836), sections 11 and 201 as amended by 2012 PA 465, section 17b as amended by 2007 PA 137, and section 236 as amended by 2012 PA 201.

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

Senator Kahn introduced

Senate Bill No. 182, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 11 and 17b (MCL 388.1611 and 388.1617b), section 11 as amended by 2012 PA 465 and section 17b as amended by 2007 PA 137.

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

Senator Kahn introduced

Senate Bill No. 183, entitled

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2013; and to provide for the expenditure of the appropriations.

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

Senator Pappageorge introduced

Senate Bill No. 184, entitled

A bill to make appropriations for the department of transportation for the fiscal year ending September 30, 2014; and to provide for the expenditure of the appropriations.

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

Senator Colbeck introduced

Senate Bill No. 185, entitled

A bill to make appropriations for the department of state police for the fiscal year ending September 30, 2014; and to provide for the expenditure of the appropriations.

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

Senator Walker introduced

Senate Bill No. 186, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 11, 17b, 201, and 236 (MCL 388.1611, 388.1617b, 388.1801, and 388.1836), sections 11 and 201 as amended by 2012 PA 465, section 17b as amended by 2007 PA 137, and section 236 as amended by 2012 PA 201.

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

Senator Colbeck introduced

Senate Bill No. 187, entitled

A bill to make appropriations for the department of military and veterans affairs for the fiscal year ending September 30, 2014; and to provide for the expenditure of the appropriations.

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

Senator Green introduced

Senate Bill No. 188, entitled

A bill to make appropriations for the department of natural resources for the fiscal year ending September 30, 2014; and to provide for the expenditure of the appropriations.

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

Senator Jansen introduced

Senate Bill No. 189, entitled

A bill to make appropriations for the department of insurance and financial services for the fiscal year ending September 30, 2014; and to provide for the expenditure of the appropriations.

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

Senator Jansen introduced

Senate Bill No. 190, entitled

A bill to make appropriations for the department of licensing and regulatory affairs for the fiscal year ending September 30, 2014; and to provide for the expenditure of the appropriations.

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

Senator Proos introduced

Senate Bill No. 191, entitled

A bill to make appropriations for the judiciary for the fiscal year ending September 30, 2014; and to provide for the expenditure of the appropriations.

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

Senator Caswell introduced

Senate Bill No. 192, entitled

A bill to make appropriations for the department of human services for the fiscal year ending September 30, 2014; and to provide for the expenditure of the appropriations.

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

Senator Schuitmaker introduced

Senate Bill No. 193, entitled

A bill to make appropriations for higher education for the fiscal year ending September 30, 2014; and to provide for the expenditure of the appropriations.

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

Senator Pappageorge introduced

Senate Bill No. 194, entitled

A bill to make appropriations for the legislature, the judiciary, the executive, the department of attorney general, the department of state, the department of treasury, the department of technology, management, and budget, the department of civil service, the department of civil rights, and certain state purposes related thereto for the fiscal year ending September 30, 2014; to provide for the expenditure of the appropriations; to provide for the disposition of fees and other income received by the state agencies; and to declare the effect of this act.

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

Senator Green introduced

Senate Bill No. 195, entitled

A bill to make appropriations for the department of environmental quality for the fiscal year ending September 30, 2014; and to provide for the expenditure of the appropriations.

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

Senator Walker introduced

Senate Bill No. 196, entitled

A bill to make appropriations for the department of education for the fiscal year ending September 30, 2014; and to provide for the expenditure of the appropriations.

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

Senator Proos introduced

Senate Bill No. 197, entitled

A bill to make appropriations for the department of corrections for the fiscal year ending September 30, 2014; and to provide for the expenditure of the appropriations.

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

Senator Moolenaar introduced

Senate Bill No. 198, entitled

A bill to make appropriations for the department of community health for the fiscal year ending September 30, 2014; and to provide for the expenditure of the appropriations.

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

Senator Booher introduced

Senate Bill No. 199, entitled

A bill to make appropriations for community and junior colleges for the fiscal year ending September 30, 2014; and to provide for the expenditure of the appropriations.

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

Senator Booher introduced
Senate Bill No. 200, entitled

A bill to provide for a capital outlay program; to set forth the provisions for its implementation within the budgetary process; to make appropriations for planning and construction at state institutions and the acquisition of land; to provide for the elimination of fire hazards at the institutions; to provide for certain special maintenance, remodeling, alteration, renovation, or demolition of and additions to projects at state institutions; to provide for elimination of occupational safety and health hazards at state agencies and institutions; to provide for the award of contracts; and to provide for the expenditure thereof under the supervision of the director of the department of technology, management, and budget and the state administrative board.

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

Senator Green introduced
Senate Bill No. 201, entitled

A bill to make appropriations for the department of agriculture and rural development for the fiscal year ending September 30, 2014; and to provide for the expenditure of the appropriations.

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

Senators Bieda, Whitmer and Anderson introduced
Senate Bill No. 202, entitled

A bill to amend 1976 PA 442, entitled "Freedom of information act," by amending section 2 (MCL 15.232), as amended by 1996 PA 553.

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

Senators Johnson, Hoptgood, Young, Anderson and Hood introduced
Senate Bill No. 203, entitled

A bill to amend 1964 PA 154, entitled "Minimum wage law of 1964," by amending sections 4 and 7a (MCL 408.384 and 408.387a), section 4 as amended by 2006 PA 81 and section 7a as amended by 1997 PA 1.

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

By unanimous consent the Senate returned to the order of
Third Reading of Bills

The following bill was read a third time:

Senate Bill No. 43, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 530 and 8132 (MCL 600.530 and 600.8132), section 8132 as amended by 2011 PA 300.

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. 22

Yeas—35

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

Nays—0

Excused—2

Gregory

Johnson

Not Voting—0

In The Chair: Schuitmaker

The Senate agreed to the title of the bill.

General Orders

Senator Meekhof moved that the Senate resolve itself into the Committee of the Whole for consideration of the General Orders calendar.

The motion prevailed, and the President pro tempore, Senator Schuitmaker, designated Senator Colbeck as Chairperson.

After some time spent therein, the Committee arose; and the President pro tempore, Senator Schuitmaker, having resumed the Chair, the Committee reported back to the Senate, favorably and without amendment, the following bills:

Senate Bill No. 48, entitled

A bill to amend 2000 PA 274, entitled “Large carnivore act,” by amending sections 2 and 22 (MCL 287.1102 and 287.1122).

Senate Bill No. 16, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 43559 (MCL 324.43559), as amended by 1998 PA 95, and by adding section 1616.

The bills were placed on the order of Third Reading of Bills.

Resolutions

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

Senate Resolution No. 15

The resolution consent calendar was adopted.

Senators Emmons, Bieda, Hopgood, Colbeck, Jansen, Booher, Green, Marleau and Hood offered the following resolution:

Senate Resolution No. 15.

A resolution to observe February 17-23, 2013, as National Engineers Week.

Whereas, Engineers employ their scientific knowledge and analytical skills for the betterment of the United States; and

Whereas, Engineers have helped meet the major global challenges of our time, including state-of-the-art transportation and information technology infrastructures, enhancing national security, and developing the clean energy technologies needed to power the people of the United States into the future; and

Whereas, Engineers are a crucial link in research, development, and the transformation of scientific discoveries into useful products and jobs, as the people of the United States look more than ever to engineers and their imagination, knowledge, and analytical skills to meet the challenges of the future; and

Whereas, The sponsors of National Engineers Week are working together to transform the engineering workforce through greater inclusion of women and underrepresented minorities; and

Whereas, The 2010 National Academy of Sciences report entitled “Rising Above the Gathering Storm, Revisited: Rapidly Approaching Category 5” emphasizes that a primary driver of the future economy and the creation of jobs will be innovations derived from advances in science and engineering. It states that “while only four percent of the nation’s workforce is composed of scientists and engineers, this group disproportionately creates jobs for the other 96 percent”; and

Whereas, The mission of the National Engineers Week Foundation is to sustain and grow a dynamic engineering profession through outreach, education, celebration, and volunteerism as needed to replace the increasing number of the approximately 2 million engineers in the United States who are nearing retirement; and

Whereas, National Engineers Week has grown into a formal coalition of more than 100 professional societies, major corporations, and government agencies that are dedicated to ensuring a diverse and well-educated engineering workforce; promoting literacy in science, technology, engineering, and math; and raising public awareness and appreciation of the contributions of engineers to society; and

Whereas, National Engineers Week is celebrated during the week of George Washington's birthday to honor the contributions that our first President, a military engineer and land surveyor, made to engineering; now, therefore, be it

Resolved by the Senate, That February 17-23, 2013, be hereby observed as National Engineers Week by the National Engineers Week Foundation, with the theme "Celebrate Awesome"; and be it further

Resolved, That a copy of this resolution be transmitted to the National Society of Professional Engineers as a token of our highest esteem.

Senators Brandenburg, Hansen, Kowall, Pappageorge, Proos, Richardville, Robertson and Rocca were named co-sponsors of the resolution.

Senator Johnson entered the Senate Chamber.

Senator Richardville offered the following resolution:

Senate Resolution No. 16.

A resolution of tribute offered as a memorial for George Zaven Hart, former member of the Michigan Senate.

Whereas, This legislative body was saddened to learn of the passing of George Z. Hart. For 20 years, he served the constituents of Dearborn and its surrounding communities in the Senate. He will be remembered for his good cheer, fine voice, dapper dress, and most importantly, commitment to his district and our entire state; and

Whereas, George Hart enjoyed a long and memorable political career. Following his service to our country in World War II and graduation from Wayne State University, he would become a fixture for more than four decades in Dearborn and Wayne County politics. He served 14 years on the Dearborn City Council and 7 years on the Wayne County Board of Commissioners. A gregarious man, he thoroughly enjoyed meeting and chatting with the people he represented. After a number of failed runs, he finally achieved his goal of election to the Senate in 1978; and

Whereas, Senator Hart would carve a legacy for himself in the Senate based on his colorful personality and his significant achievements. An avid singer, he would frequently break into song on the Senate floor to commemorate special occasions, earning him the moniker of the "Singing Senator." At the same time, he worked diligently for his constituents and the good of our state. Notably, he championed Michigan's child car seat safety law that has saved the lives of children across Michigan. In recognition, the American Automobile Association of Michigan would award him the Steering Wheel Award as the outstanding legislator of 1987; and

Whereas, Upon completing his service in the Senate, George Hart remained a public figure in his hometown and led an active private life. He continued to participate in local ceremonies and parades for Flag Day, Veterans Day, and Memorial Day. In December, he married his longtime companion Catherine; now, therefore, be it

Resolved by the Senate, That we offer this expression of our highest tribute to honor the memory of George Zaven Hart, a member of this legislative body from 1979 to 1982 and 1987 to 2002; and be it further

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

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 resolution was adopted by a unanimous standing vote of the Senate.

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.

A moment of silence was observed in memory of former State Senator George Z. Hart.

Senators Richardville, Bieda and Hood asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator Richardville's statement is as follows:

Before we get started, I'd like to let the members know that up in the east Gallery we have three former members of this Senate who served with Senator Hart. There's Art Miller, Bob Emerson, and Jack Schick who are there. I believe over with Senator Green is Doug Cruce who also served during that time frame. Please take a moment and welcome them.

It's good to see you gentleman here, along with some of us in the body, who also served with Senator Hart. I have heard him sing and as a fitting tribute to Senator Hart, we're going to actually play a recording of one of his performances ("God Bless America").

Senator Bieda's statement is as follows:

There are several longtime staff members here from Senator Hart's office. Shannon Thelen and Amanda Pietchak are with us here in the back of the chamber. It made me a little teary-eyed listening to the rendition by Senator Hart.

Senator Hood's statement is as follows:

I think that was a great thing that we've done for Senator Hart, and I know that he would've enjoyed listening to his voice being rung over this chamber. I had the honor of representing Senator Hart. He was a constituent, and when I came into the State House in 2003, he always had words of advice on how I should conduct myself and how I should run my office and how I should become a statesman like him.

It was always a joy to be with him in the different parades and activities that were going around the city of Dearborn. As was noted earlier, his colorful jackets and his colorful ties made it so that when Senator Hart was walking in the room, you knew he was walking in the room.

I just wanted to acknowledge and say thank you to him for the things that he did for me to make me a better person and to make me a better man. Thank you to his family, and thank you for him being a statesman not only for city of Dearborn, but for the state as a whole.

Committee Reports

The Committee on Transportation reported

Senate Bill No. 97, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 907 (MCL 257.907), as amended by 2011 PA 159.

With the recommendation that the bill pass.

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

Thomas A. Casperson
Chairperson

To Report Out:

Yeas: Senators Casperson, Kowall, Brandenburg, Pavlov, Hansen, Hood and Warren

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Transportation submitted the following:

Meeting held on Tuesday, February 12, 2013, at 12:30 p.m., Room 100, Farnum Building

Present: Senators Casperson (C), Kowall, Brandenburg, Pavlov, Hansen, Hood and Warren

The Committee on Judiciary reported

Senate Bill No. 135, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending sections 520d and 520e (MCL 750.520d and 750.520e), as amended by 2012 PA 372.

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

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

Rick Jones
Chairperson

To Report Out:

Yeas: Senators Jones, Rocca and Bieda

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 Judiciary submitted the following:

Meeting held on Tuesday, February 12, 2013, at 2:30 p.m., Room 110, Farnum Building

Present: Senators Jones (C), Rocca and Bieda

Absent: Senator Schuitmaker

The Committee on Energy and Technology reported

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.

(For text of resolution, see Senate Journal No. 3, p. 40.)

With the recommendation that the concurrent resolution be adopted.

Mike Nofs
Chairperson

To Report Out:

Yeas: Senators Nofs, Proos, Jones, Marleau, Schuitmaker, Walker, Hopgood and Bieda

Nays: Senator Young

The concurrent resolution was placed on the order of Resolutions.

The Committee on Energy and Technology reported

Senate Concurrent Resolution No. 6.

A concurrent resolution to memorialize the President and the Congress of the United States to support the continued and increased development and importation of oil derived from North American reserves and to urge the United States Secretary of State to approve the newly-routed Keystone XL pipeline application from TransCanada.

(For text of resolution, see Senate Journal No. 11, p. 154.)

With the recommendation that the concurrent resolution be adopted.

Mike Nofs
Chairperson

To Report Out:

Yeas: Senators Nofs, Proos, Jones, Marleau and Hopgood

Nays: Senator Young

The concurrent resolution was placed on the order of Resolutions.

COMMITTEE ATTENDANCE REPORT

The Committee on Energy and Technology submitted the following:

Meeting held on Tuesday, February 12, 2013, at 1:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower

Present: Senators Nofs (C), Proos, Jones, Marleau, Schuitmaker, Walker, Hopgood, Bieda and Young

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Agriculture and Rural Development submitted the following:

Meeting held on Tuesday, February 12, 2013, at 3:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower

Present: Senators Green (C), Moolenaar and Hopgood

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Department of Corrections submitted the following:

Joint meeting held on Tuesday, February 12, 2013, at 3:00 p.m., Room 519, South Tower, House Office Building

Present: Senators Proos (C), Walker and Anderson

COMMITTEE ATTENDANCE REPORT

The Committee on Infrastructure Modernization submitted the following:

Joint meeting held on Tuesday, February 12, 2013, at 3:03 p.m., House Appropriations Room, 3rd Floor, Capitol Building

Present: Senators Kahn (C), Pappageorge, Booher, Jansen, Brandenburg, Hood and Warren

Scheduled Meetings

Administrative Rules - Thursday, February 14, 2:00 p.m., Room 426, Capitol Building (373-5575) (CANCELED)

Appropriations -**Subcommittees -**

Agriculture and Rural Development - Tuesdays, February 19 and February 26, 3:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower (373-2768)

Community Colleges - Wednesday, February 20, 9:00 a.m., Room 405, Capitol Building (373-2768)

Community Health Department - Thursday, February 14, 1:30 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

Corrections Department and House Corrections Appropriations Subcommittee - Tuesday, February 19, 3:00 p.m., House Appropriations Room, 3rd Floor, Capitol Building (373-2768)

Environmental Quality Department - Tuesday, February 19, 12:30 p.m., Room 110, Farnum Building (373-2768)

General Government - Tuesdays, February 19, February 26, March 5, March 12, March 19, and April 9, 2:30 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

Human Services Department - Thursday, February 14, 8:00 a.m., Senate Hearing Room, Ground Floor, Boji Tower; and Tuesday, February 19, 2:00 p.m., Room 405, Capitol Building (373-2768)

K-12, School Aid, Education - Wednesday, February 20, 9:00 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

K-12, School Aid, Education and House School Aid Appropriations Subcommittee - Tuesday, February 26, 8:00 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

Licensing and Regulatory Affairs Department - Thursday, February 14, 1:30 p.m., Senate Hearing Room, Ground Floor, Boji Tower (373-2768)

Natural Resources Department - Tuesday, February 19, 12:00 noon, Room 110, Farnum Building (373-2768)

State Police and Military Affairs - Thursdays, February 14, February 21, February 28, and March 7, 3:00 p.m., Room 405, Capitol Building (373-2768)

Infrastructure Modernization and House Transportation and Infrastructure - Thursday, February 14, 2:00 p.m., House Appropriations Room, 3rd Floor, Capitol Building (373-1760)

Legislative Council - Thursday, February 21, 8:45 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-0212)

Michigan Law Revision Commission - Thursday, February 21, 11:30 a.m., Legislative Council Conference Room, 3rd Floor, Boji Tower (373-0212)

Natural Resources, Environment and Great Lakes - Thursday, February 14, 8:30 a.m., Room 210, Farnum Building (373-5323)

Senator Meekhof moved that the Senate adjourn.
The motion prevailed, the time being 10:27 a.m.

The President pro tempore, Senator Schuitmaker, declared the Senate adjourned until Thursday, February 14, 2013, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate

