

No. 63
STATE OF MICHIGAN
Journal of the Senate
97th Legislature
REGULAR SESSION OF 2013

Senate Chamber, Lansing, Wednesday, July 31, 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.

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

Hood—excused
Hopgood—present
Hune—present
Hunter—present
Jansen—excused
Johnson—present
Jones—present
Kahn—excused
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—excused
Walker—present
Warren—present
Whitmer—present
Young—present

Senator Patrick J. Colbeck of the 7th District offered the following invocation:

Lord, while everything else in the world seems to be in turmoil—everything's upside down and we've got things in the middle of being repaired and refurbished—we know that You alone stand firm, God. We fix our eyes upon You. Help us to find strength and wisdom by seeking You, God.

Please guide our proceedings this day, that they may be filled with the wisdom that You alone can provide. We ask this in the name of our Lord and Savior Jesus Christ. Amen.

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

Motions and Communications

Senator Johnson entered the Senate Chamber.

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

The motion prevailed.

Senator Whitmer's statement is as follows:

It's with a heavy heart that I rise today to announce that a member of our family lost his wife over this last week. Senator Hood's wife Angela passed away last week, and I wanted to ask that we acknowledge a moment of silence and that we keep Senator Hood and his family in our thoughts and prayers. Anyone who is interested in details or visitation or her funeral, which is Friday, please contact my office. We have that information to share.

A moment of silence was observed in memory of Angela Hood, wife of Senator Hood.

The following communications were received and read:

Office of the Auditor General

June 27, 2013

Enclosed is a copy of the following audit report:

Single audit report for the State of Michigan for the period October 1, 2010 through September 30, 2011.

June 28, 2013

Enclosed is a copy of the following audit report:

Single audit report for the State of Michigan for the period October 1, 2011 through September 30, 2012.

July 5, 2013

Enclosed is a copy of the financial report with supplementary information of the Bureau of State Lottery for the six-month periods ended March 31, 2013 and 2012.

If you have questions regarding this report, please call me; Scott M. Strong, C.P.A., Deputy Auditor General; or Mark A. Freeman, C.P.A., Audit Division Administrator, who administers our contractual audits.

July 17, 2013

Enclosed is a copy of the following audit report:

Follow-up of the performance audit of Suitability of Child Development and Care Program Providers, Department of Human Services and Michigan Department of Education.

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

The audit reports were referred to the Committee on Government Operations.

The following communication was received:

Department of State Police

June 27, 2013

In accordance with MCL 333.7524a, I am pleased to present to the Michigan Legislature the 21st comprehensive report on asset forfeiture. Michigan's asset forfeiture program saves taxpayer money and deprives drug criminals of cash and property obtained through illegal activity. Michigan's law enforcement community has done an outstanding job of stripping drug dealers of illicit gain and utilizing these proceeds to expand and enhance drug enforcement efforts to protect our citizens.

During 2012, over \$26.5 million in cash and assets amassed by drug traffickers was forfeited. Extensive multi-agency teamwork is evident in this report. Considerable assets were obtained as the result of joint enforcement involving many agencies at the federal, state, and local levels.

Forfeiture funds were used to enhance law enforcement by providing resources for personnel, needed equipment, K-9 expenses, prevention programs, and matching funds to obtain federal grants. Michigan's recently amended Drug Forfeiture Statute allowed some agencies to contribute monies to non-profit organizations that assist in obtaining information for solving crimes.

I commend our law enforcement community for the tremendous job they have done and submit this report for your information and review.

Sincerely,
Kriste Etue
Director

The communication was referred to the Secretary for record.

The Secretary announced that the following bills and joint resolutions were printed and filed on Friday, July 19, and are available at the Michigan Legislature website:

House Bill Nos.	4891	4892	4893	4894	4895	4896	4897	4898	4899	4900	4901	4902	4903	4904
	4905	4906	4907	4908	4909	4910	4911	4912	4913	4914	4915	4916	4917	
House Joint Resolutions		V	W											

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

Senator Meekhof moved that Senators Brandenburg, Booher, Jansen, Kahn, Green and Casperson be excused from today's session.

The motion prevailed.

Senator Meekhof moved that the Committee on Appropriations be discharged from further consideration of the following bill:

Senate Bill No. 422, entitled

A bill to create a low-income health plan; to create a low-income health plan trust fund; to provide for the powers and duties of certain state and local governmental officers and entities; to allow for the promulgation of rules; and to promote the availability and affordability of health coverage in this state.

The motion prevailed, a majority of the members serving voting therefor, and the bill was placed on the order of General Orders.

Senator Meekhof moved that the bill be referred to the Committee on Government Operations.

The motion prevailed.

Messages from the Governor

The following messages from the Governor were received:

Date: June 25, 2013
Time: 10:28 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 256 (Public Act No. 76), being

An act to amend 2008 PA 398, entitled "An act to create the Michigan supply chain management development commission; to prescribe the powers and duties of the commission; and to provide for certain regulations," by amending the title and sections 1, 2, 3, and 4 (MCL 125.1891, 125.1892, 125.1893, and 125.1894).

(Filed with the Secretary of State on June 25, 2013, at 2:39 p.m.)

Date: June 27, 2013
Time: 3:16 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 264 (Public Act No. 87), being

An act to amend 1994 PA 451, entitled "An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge

of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to protect the people's right to hunt and fish; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, assessments, and donations; to provide certain appropriations; to prescribe penalties and provide remedies; and to repeal acts and parts of acts," by amending sections 1301 and 3109c (MCL 324.1301 and 324.3109c), section 1301 as amended by 2012 PA 249 and section 3109c as added by 2006 PA 97, and by adding sections 30106b and 32515a.

(Filed with the Secretary of State on June 28, 2013, at 3:47 p.m.)

Date: June 28, 2013

Time: 10:08 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 341 (Public Act No. 91), being

An act to amend 2002 PA 712, entitled "An act to prescribe the Amber alert of Michigan as the official response to reports of child abductions; to prohibit certain conduct; and to prescribe penalties," (MCL 28.751 to 28.754) by amending the title, as amended by 2005 PA 205, and by adding section 5.

(Filed with the Secretary of State on June 28, 2013, at 3:55 p.m.)

Date: June 28, 2013

Time: 10:10 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 342 (Public Act No. 92), being

An act to amend 1967 PA 281, entitled "An act to meet deficiencies in state funds by providing for the imposition, levy, computation, collection, assessment, reporting, payment, and enforcement by lien and otherwise of taxes on or measured by net income and on certain commercial, business, and financial activities; to prescribe the manner and time of making reports and paying the taxes, and the functions of public officers and others as to the taxes; to permit the inspection of the records of taxpayers; to provide for interest and penalties on unpaid taxes; to provide exemptions, credits and refunds of the taxes; to prescribe penalties for the violation of this act; to provide an appropriation; and to repeal acts and parts of acts," by amending section 435 (MCL 206.435), as amended by 2012 PA 154.

(Filed with the Secretary of State on June 28, 2013, at 3:57 p.m.)

Date: June 28, 2013

Time: 10:14 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 150 (Public Act No. 90), being

An act to amend 1967 PA 281, entitled "An act to meet deficiencies in state funds by providing for the imposition, levy, computation, collection, assessment, reporting, payment, and enforcement by lien and otherwise of taxes on or measured by net income and on certain commercial, business, and financial activities; to prescribe the manner and time of making reports and paying the taxes, and the functions of public officers and others as to the taxes; to permit the inspection of the records of taxpayers; to provide for interest and penalties on unpaid taxes; to provide exemptions, credits and refunds of the taxes; to prescribe penalties for the violation of this act; to provide an appropriation; and to repeal acts and parts of acts," by amending section 435 (MCL 206.435), as amended by 2012 PA 154.

(Filed with the Secretary of State on June 28, 2013, at 3:53 p.m.)

Date: July 1, 2013

Time: 3:09 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 284 (Public Act No. 95), being

An act to amend 1939 PA 3, entitled "An act to provide for the regulation and control of public and certain private utilities and other services affected with a public interest within this state; to provide for alternative energy suppliers; to provide for licensing; to include municipally owned utilities and other providers of energy under certain provisions of this act; to create a public service commission and to prescribe and define its powers and duties; to abolish the Michigan

public utilities commission and to confer the powers and duties vested by law on the public service commission; to provide for the continuance, transfer, and completion of certain matters and proceedings; to abolish automatic adjustment clauses; to prohibit certain rate increases without notice and hearing; to qualify residential energy conservation programs permitted under state law for certain federal exemption; to create a fund; to provide for a restructuring of the manner in which energy is provided in this state; to encourage the utilization of resource recovery facilities; to prohibit certain acts and practices of providers of energy; to allow for the securitization of stranded costs; to reduce rates; to provide for appeals; to provide appropriations; to declare the effect and purpose of this act; to prescribe remedies and penalties; and to repeal acts and parts of acts,” (MCL 460.1 to 460.11) by adding section 9t.

(Filed with the Secretary of State on July 1, 2013, at 3:39 p.m.)

Date: July 1, 2013

Time: 3:11 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 301 (Public Act No. 94), being

An act to amend 1927 PA 175, entitled “An act to revise, consolidate, and codify the laws relating to criminal procedure and to define the jurisdiction, powers, and duties of courts, judges, and other officers of the court under the provisions of this act; to provide laws relative to the rights of persons accused of criminal offenses and ordinance violations; to provide for the arrest of persons charged with or suspected of criminal offenses and ordinance violations; to provide for bail of persons arrested for or accused of criminal offenses and ordinance violations; to provide for the examination of persons accused of criminal offenses; to regulate the procedure relative to grand juries, indictments, informations, and proceedings before trial; to provide for trials of persons complained of or indicted for criminal offenses and ordinance violations and to provide for the procedure in those trials; to provide for judgments and sentences of persons convicted of criminal offenses and ordinance violations; to establish a sentencing commission and to prescribe its powers and duties; to provide for procedure relating to new trials and appeals in criminal and ordinance violation cases; to provide a uniform system of probation throughout this state and the appointment of probation officers; to prescribe the powers, duties, and compensation of probation officers; to provide penalties for the violation of the duties of probation officers; to provide for procedure governing proceedings to prevent crime and proceedings for the discovery of crime; to provide for fees of officers, witnesses, and others in criminal and ordinance violation cases; to set forth miscellaneous provisions as to criminal procedure in certain cases; to provide penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act,” by amending section 16 of chapter XV (MCL 775.16), as amended by 1980 PA 506.

(Filed with the Secretary of State on July 1, 2013, at 3:37 p.m.)

Date: July 2, 2013

Time: 3:26 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 175 (Public Act No. 99), being

An act to amend 1967 PA 150, entitled “An act to provide for the militia of this state and its organization, command, personnel, administration, training, supply, discipline, deployment, employment, and retirement; and to repeal acts and parts of acts,” by amending sections 105, 151, 155, 159, 171, 179, 300, 302, 306, 316, 328, 354, 368, 372, 374, 376, 378, 380, 382, 382a, 384, 388, and 410 (MCL 32.505, 32.551, 32.555, 32.559, 32.571, 32.579, 32.700, 32.702, 32.706, 32.716, 32.728, 32.754, 32.768, 32.772, 32.774, 32.776, 32.778, 32.780, 32.782, 32.782a, 32.784, 32.788, and 32.810), sections 105 and 179 as amended by 2002 PA 133, section 159 as amended by 1998 PA 212, section 302 as amended by 2002 PA 654, section 306 as amended by 2010 PA 255, section 328 as amended by 1988 PA 493, sections 368 and 382 as amended and section 382a as added by 1992 PA 307, and section 410 as amended by 1980 PA 145; and to repeal acts and parts of acts.

(Filed with the Secretary of State on July 2, 2013, at 4:44 p.m.)

Date: July 2, 2013

Time: 3:28 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 27 (Public Act No. 101), being

An act to amend 1998 PA 58, entitled “An act to create a commission for the control of the alcoholic beverage traffic within this state, and to prescribe its powers, duties, and limitations; to provide for powers and duties for certain state

departments and agencies; to impose certain taxes for certain purposes; to provide for the control of the alcoholic liquor traffic within this state and to provide for the power to establish state liquor stores; to prohibit the use of certain devices for the dispensing of alcoholic vapor; to provide for the care and treatment of alcoholics; to provide for the incorporation of farmer cooperative wineries and the granting of certain rights and privileges to those cooperatives; to provide for the licensing and taxation of activities regulated under this act and the disposition of the money received under this act; to prescribe liability for retail licensees under certain circumstances and to require security for that liability; to provide procedures, defenses, and remedies regarding violations of this act; to provide for the enforcement and to prescribe penalties for violations of this act; to provide for allocation of certain funds for certain purposes; to provide for the confiscation and disposition of property seized under this act; to provide referenda under certain circumstances; and to repeal acts and parts of acts,” by amending section 537 (MCL 436.1537), as amended by 2011 PA 298.

(Filed with the Secretary of State on July 2, 2013, at 4:48 p.m.)

Date: July 2, 2013

Time: 3:32 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 163 (Public Act No. 98), being

An act to amend 1994 PA 451, entitled “An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to protect the people’s right to hunt and fish; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, assessments, and donations; to provide certain appropriations; to prescribe penalties and provide remedies; and to repeal acts and parts of acts,” by amending sections 1307, 1311, 30103, 30104, 30105, 30305, 30306, 30306b, 30311, 30311a, 30311d, 30312, 30312d, 30321, and 32513 (MCL 324.1307, 324.1311, 324.30103, 324.30104, 324.30105, 324.30305, 324.30306, 324.30306b, 324.30311, 324.30311a, 324.30311d, 324.30312, 324.30312d, 324.30321, and 324.32513), section 1307 as amended by 2012 PA 164, section 1311 as amended by 2011 PA 246, section 30103 as amended by 2009 PA 139, section 30104 as amended by 2013 PA 13, sections 30105 and 30311 as amended and sections 30311a, 30311d, and 30312d as added by 2009 PA 120, sections 30305, 30306, and 30312 as amended by 2012 PA 247, section 30306b as amended by 2010 PA 180, section 30321 as amended by 1996 PA 530, and section 32513 as amended by 2013 PA 11, and by adding sections 30101a and 30328; and to repeal acts and parts of acts.

(Filed with the Secretary of State on July 2, 2013, at 4:42 p.m.)

Date: July 2, 2013

Time: 4:07 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 79 (Public Act No. 100), being

An act to amend 1998 PA 58, entitled “An act to create a commission for the control of the alcoholic beverage traffic within this state, and to prescribe its powers, duties, and limitations; to provide for powers and duties for certain state departments and agencies; to impose certain taxes for certain purposes; to provide for the control of the alcoholic liquor traffic within this state and to provide for the power to establish state liquor stores; to prohibit the use of certain devices for the dispensing of alcoholic vapor; to provide for the care and treatment of alcoholics; to provide for the incorporation of farmer cooperative wineries and the granting of certain rights and privileges to those cooperatives; to provide for the licensing and taxation of activities regulated under this act and the disposition of the money received under this act; to prescribe liability for retail licensees under certain circumstances and to require security for that liability; to provide procedures, defenses, and remedies regarding violations of this act; to provide for the enforcement and to prescribe penalties for violations of this act; to provide for allocation of certain funds for certain purposes; to provide for the confiscation and disposition of property seized under this act; to provide referenda under certain circumstances; and to repeal acts and parts of acts,” (MCL 436.1101 to 436.2303) by adding section 415.

(Filed with the Secretary of State on July 2, 2013, at 4:46 p.m.)

Date: July 3, 2013

Time: 11:50 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 380 (Public Act No. 103), being

An act to amend 1961 PA 236, entitled “An act to revise and consolidate the statutes relating to the organization and jurisdiction of the courts of this state; the powers and duties of the courts, and of the judges and other officers of the courts;

the forms and attributes of civil claims and actions; the time within which civil actions and proceedings may be brought in the courts; pleading, evidence, practice, and procedure in civil and criminal actions and proceedings in the courts; to provide for the powers and duties of certain state governmental officers and entities; to provide remedies and penalties for the violation of certain provisions of this act; to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act; and to repeal acts and parts of acts," by amending section 3204 (MCL 600.3204), as amended by 2012 PA 521.

(Filed with the Secretary of State on July 3, 2013, at 4:17 p.m.)

Date: July 3, 2013

Time: 11:52 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 383 (Public Act No. 104), being

An act to amend 1961 PA 236, entitled "An act to revise and consolidate the statutes relating to the organization and jurisdiction of the courts of this state; the powers and duties of the courts, and of the judges and other officers of the courts; the forms and attributes of civil claims and actions; the time within which civil actions and proceedings may be brought in the courts; pleading, evidence, practice, and procedure in civil and criminal actions and proceedings in the courts; to provide for the powers and duties of certain state governmental officers and entities; to provide remedies and penalties for the violation of certain provisions of this act; to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act; and to repeal acts and parts of acts," by amending section 3240 (MCL 600.3240), as amended by 2011 PA 303.

(Filed with the Secretary of State on July 3, 2013, at 4:19 p.m.)

Respectfully,
Rick Snyder
Governor

The following message from the Governor was received:

July 3, 2013

I have today signed Enrolled Senate Bills 380 and 383 and Enrolled House Bills 4765 and 4766 which together help protect lenders against property destruction by foreclosees who reside in the homes. That said, in discussions we have agreed it is vital that follow-up legislation be enacted swiftly, and my office will be issuing invitations to key legislative staff and stakeholder representatives to attend a workgroup meeting next week to find good solutions on key issues.

Our present situation makes clear we need to ensure lenders are able to prevent damage from homeowners who are destroying properties they no longer intend to occupy. It is also clear that respecting the privacy and dignity of responsible Michiganders who are caring for properties to the best of their abilities is also vital to the future of Michigan's communities. To that end, I note that MSHDA is continuing to devote a portion of this year's budget to foreclosure counseling. Keeping Michiganders in their homes must remain our first goal—it not only benefits the homeowner, but it also helps the lender ensure the home retains value and reduces vacant structures in our neighborhoods.

To that end, I believe that the follow-up legislation must be more specific on a number of points to protect foreclosees, lenders, and the community. For instance, the new legislation should clearly state what constitutes a reasonable inspection, including what notice must be given and how frequently such inspections can occur. In addition, the bill should ensure that measures that responsible Michiganders may take to protect their property (for instance, boarding up a window broken by vandals) are distinguished from malicious damage, which requires a swift and decisive response. Clarifications like this will ensure bad actors do not destroy the value of homes and neighborhoods, but good actors can be assured that responsible actions are respected.

I look forward to working with you to rapidly craft and enact legislation that protects and strengthens Michigan's communities.

Sincerely,
Rick Snyder
Governor

The following messages from the Governor were received and read:

June 14, 2013

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

Michigan Commission on Services to the Aging

Michael W. Burri of 2320 Delange, S.E., Grand Rapids, Michigan 49506, county of Kent, a Republican, succeeding Owen Bieber, is appointed for a term expiring July 28, 2013.

June 14, 2013

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

Michigan Civil Rights Commission

Linda Gobler of 4232 Redbud Trail, Williamston, Michigan 48895, county of Ingham, a Republican, succeeding Stephanie Comai, is appointed for a term expiring December 31, 2014.

June 25, 2013

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

Barrier Free Design Board

Aaron M. Andres of 1500 Norway Avenue, Marquette, Michigan 49855, county of Marquette, representing the physically limited, succeeding James F. McGaugh, is appointed for a term expiring October 31, 2015.

June 25, 2013

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

Michigan Collection Practices Board

Thomas J. Oldani of 1618 Harbal Drive, Ann Arbor, Michigan 48105, county of Washtenaw, representing professionals, succeeding himself, is reappointed for a term expiring June 30, 2017.

Rackeline J. Hoff of 941 Arden Lane, Birmingham, Michigan 48009, county of Oakland, representing the general public, succeeding Matthew D. Cornish, is appointed for a term expiring June 30, 2017.

Thomas A. Matonican of 5401 Tyler Street, Midland, Michigan 48642, county of Midland, representing professionals, succeeding James P. Hoppin, is appointed for a term expiring June 30, 2017.

June 25, 2013

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

Michigan Economic Development Corporation Executive Committee

Gerald D. Poisson of 2710 Mercury Court, Lake Orion, Michigan 48360, county of Oakland, representing a public agency, succeeding Kirk J. Lewis, is appointed for a term expiring April 5, 2018.

June 25, 2013

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

Michigan Employment Relations Commission

Natalie L. Yaw of 18055 Hamilton Road, Detroit, Michigan 48203, county of Wayne, a Democrat, succeeding Nino Green, is appointed for a term commencing July 1, 2013 and expiring June 30, 2016.

June 25, 2013

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

State Plumbing Board

Anthony M. D'Ascenzo of 16145 Oakwood Court, Northville, Michigan 48168, county of Wayne, representing licensed master plumbers securing permits, succeeding himself, is reappointed for a term expiring June 30, 2016.

June 25, 2013

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

State Board of Professional Engineers

Lori A. Fobes of 4841 Clinton Road, Jackson, Michigan 49201, county of Jackson, representing professional engineers, succeeding Jay Larson, is appointed for a term expiring March 31, 2017.

June 25, 2013

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

Commissioner, Michigan Public Service Commission

Sally A. Talberg of 1282 Cambridge Circle, Williamston, Michigan 48895, county of Ingham, an Independent, succeeding Orjiakor N. Isiogu, is appointed for a term commencing July 3, 2013 and expiring July 2, 2019.

June 25, 2013

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

Michigan Tax Tribunal

Preeti P. Gadola of 5959 Buttonwood Drive, Haslett, Michigan 48840, county of Ingham, representing attorneys, succeeding herself, is reappointed for a term expiring June 30, 2017.

June 27, 2013

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

State Board of Architects

Jay M. Larson of 337 N. Kalamazoo Avenue, Marshall, Michigan 49068, county of Calhoun, representing the general public, succeeding Lynn Arnott-Bryks, is appointed for a term expiring March 31, 2017.

July 1, 2013

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

Michigan Aeronautics Commission

Russell Kavalhuna of 1400 Dewberry Court, N.E., Grand Rapids, Michigan 49505, county of Kent, succeeding himself, is reappointed for a term expiring May 27, 2017.

July 1, 2013

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

Ski Area Safety Board

James R. Bartlett of 7520 Ridge Road, Harbor Springs, Michigan 49740, county of Emmet, representing Lower Peninsula ski area managers, succeeding Joel Woods, is appointed for a term expiring June 8, 2017.

Timothy P. Meyer of 8287 Valley Forge Drive, Cadillac, Michigan 49601, county of Wexford, representing Lower Peninsula ski area managers, succeeding Michael Call, is appointed for a term expiring June 8, 2017.

Charles H. Gano of 806 Chippewa Beach Road, Indian River, Michigan 49749, county of Cheboygan, representing ski associations, succeeding James Kiefer, is appointed for a term expiring June 8, 2016.

July 2, 2013

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

Michigan Board of Nursing Home Administrators

Patricia Lyden of 4370 Cooley Lake Road, Commerce Township, Michigan 48382, county of Oakland, representing nursing home administrators, succeeding Hermina Breuker, is appointed for a term expiring June 30, 2017.

Ricky L. Ackerman of 1303 Old Oak Hill Drive, Ada, Michigan 49301, county of Kent, representing nursing home administrators, succeeding Thomas Ensign, is appointed for a term expiring June 30, 2017.

July 3, 2013

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

Board of Examiners in Mortuary Science

Russell Kohler of 1050 Porter Street, Detroit, Michigan 48226, county of Wayne, representing the general public, succeeding himself, is reappointed for a term expiring June 30, 2017.

Mark S. Canale of 902 W. Bluff Street, Marquette, Michigan 49855, county of Marquette, representing professionals, succeeding John Desmond, is appointed for a term expiring June 30, 2017.

Kathleen Barone of 155 E. Garfield Road, Coldwater, Michigan 49036, county of Branch, representing professionals, succeeding Stephen Kemp, is appointed for a term expiring June 30, 2017.

July 3, 2013

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

Pontiac School District Financial Review Team

John Barton of 4885 Zimmer Road, Williamston, Michigan 48895, county of Ingham, representing members required by PA 436, is appointed for a term expiring at the pleasure of the Governor.

Doug A. Ringler of 2624 S. Edgar Road, Mason, Michigan 48854, county of Ingham, Department of Technology, Management, and Budget Director's designee, is appointed for a term expiring at the pleasure of the Governor.

Carol L. Wolenberg of 2459 Barnsbury Road, East Lansing, Michigan 48823, county of Ingham, State Superintendent's designee, is appointed for a term expiring at the pleasure of the Governor.

Max R. Chiddister of 29908 Westbrook Parkway, Southfield, Michigan 48076, county of Oakland, Speaker of the House of Representatives' designee, is appointed for a term expiring at the pleasure of the Governor.

John Axe of 481 Kercheval Avenue, Grosse Pointe Farms, Michigan 48326, county of Wayne, Senate Majority Leader's designee, is appointed for a term expiring at the pleasure of the Governor.

Frederick B. Headen of 5571 White Ash Lane, Haslett, Michigan 48840, county of Ingham, representing state officials with relevant professional experience, is appointed for a term expiring at the pleasure of the Governor.

Marlene E. Davis of 29261 Briarbank Court, Southfield, Michigan 48034, county of Oakland, representing other persons with relevant professional experience, is appointed for a term expiring at the pleasure of the Governor.

July 3, 2013

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

Oakland University Board of Control

Richard L. DeVore of 1525 N. Cranbrook Road, Bloomfield Hills, Michigan 48301, county of Oakland, succeeding Dennis Pawley, is appointed for a term expiring August 11, 2020.

July 3, 2013

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

Saginaw Valley State University Board of Control

John M. Kunitzer of 4328 Lakecress Drive, E., Saginaw, Michigan 48603, county of Saginaw, succeeding David Abbs, is appointed for a term commencing July 22, 2013 and expiring July 21, 2021.

Dennis R. Durco of 5370 Edge Lake Drive, Pinckney, Michigan 48169, county of Livingston, succeeding Leola Wilson, is appointed for a term commencing July 22, 2013 and expiring July 21, 2021.

July 8, 2013

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

Michigan Early Stage Venture Investment Corporation Board of Directors

Thomas C. Kinnear of 2651 Hawthorne Road, Ann Arbor, Michigan 48109, county of Washtenaw, representing a statewide organization exempt from taxation under Section 501(c)(3) or 501(c)(4) of the Internal Revenue Code, succeeding himself, is reappointed for a term expiring June 13, 2016.

July 10, 2013

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

Board of Law Examiners

Joseph J. Farah of 900 S. Saginaw Street, Flint, Michigan 48502, county of Genesee, succeeding himself, is reappointed for a term expiring June 30, 2018.

July 11, 2013

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

Emergency Financial Manager - Detroit Public Schools District

Jackie Martin of 1466 W. Square Lake Road, Bloomfield Hills, Michigan 48302, county of Oakland, is appointed to serve effective July 16, 2013.

July 16, 2013

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

Farm Produce Insurance Authority

Steven Klumper of 1120 Cherry Valle Lane, Williamston, Michigan 48895, county of Ingham, representing the largest Michigan organization representing the interests of agricultural lenders of Michigan, succeeding Mark Stoeckle, is appointed for a term expiring June 20, 2016.

Greg Ackerman of 5486 Dixon Road, Vassar, Michigan 48768, county of Tuscola, representing the largest Michigan organization representing dry bean producers in Michigan, succeeding Gene Van Driessche, is appointed for a term expiring June 20, 2016.

Benjamin Chaffin of 3611 W. St. Charles Road, Ithaca, Michigan 48847, county of Gratiot, representing the largest Michigan organization exclusively representing the interests of soybean producers in Michigan, succeeding Lyle LeCronier, is appointed for a term expiring June 20, 2016.

Matthew Frostic of 2615 Applegate Road, Applegate, Michigan 48401, county of Sanilac, representing the largest Michigan organization representing general farm interests in Michigan, succeeding Carmen Cousino, is appointed for a term expiring June 20, 2016.

James Howe of 905 E. Tuscola Road, Frankenmuth, Michigan 48734, county of Saginaw, representing the largest Michigan organization representing the interests of licensees in Michigan, succeeding Arthur Loeffler, is appointed for a term expiring June 20, 2016.

Scott Miller of 6757 Warren Road, Elsie, Michigan 48831, county of Shiawassee, representing the largest Michigan organization exclusively representing the interests of corn producers in Michigan, succeeding himself, is reappointed for a term expiring June 20, 2016.

July 16, 2013

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

Michigan Board of Marriage and Family Therapy

Laura D. Mammen of 2558 Brooklyn Avenue, S.E., Grand Rapids, Michigan 49507, county of Kent, representing professionals, succeeding herself, is reappointed for a term expiring June 30, 2017.

Ronna Romney McDaniel of 50243 Livingston Drive, Northville, Michigan 48168, county of Wayne, representing the general public, succeeding Sama Harp, is appointed for a term expiring June 30, 2017.

July 16, 2013

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

Michigan Board of Nursing

Kelly R. Beranek of 443 East Prospect Street, Marquette, Michigan 49855, county of Marquette, representing professional registered nurses with a baccalaureate degree engaged in nursing practice or nursing administration, succeeding Elaine Leigh, is appointed for a term expiring June 30, 2017.

Tiffany L. McDonald of 1069 Elodie Drive, Flint, Michigan 48532, county of Genesee, representing professional registered nurses with a baccalaureate degree engaged in nursing practice or nursing administration, succeeding Nina Bugbee, is appointed for a term expiring June 30, 2017.

Elaine A. Leigh of 15306 Forest Park Drive, Grand Haven, Michigan 49417, county of Ottawa, representing nurse practitioners, succeeding Karen Bowman, is appointed for a term expiring June 30, 2017.

Sondra R. Velez of 3845 Vassar Drive, Dearborn, Michigan 48124, county of Wayne, representing nurse midwives, succeeding Kathleen Lavery, is appointed for a term expiring June 30, 2017.

July 16, 2013

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

Michigan Board of Podiatric Medicine and Surgery

Vicki Anton-Athens of 29113 East River Road, Grosse Ile, Michigan 48138, county of Wayne, representing professionals, succeeding herself, is reappointed for a term expiring June 30, 2017.

Franklin J. Peterson of 31 Sycamore Avenue, Battle Creek, Michigan 49017, county of Calhoun, representing public members, succeeding himself, is reappointed for a term expiring June 30, 2017.

Crystal Holmes of 674 Brookmill Court, Canton, Michigan 48188, county of Wayne, representing professionals, succeeding Harry Kezelian, is appointed for a term expiring June 30, 2017.

July 17, 2013

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

Michigan Beef Industry Commission

Jill Sears of 6701 Reynolds Road, Horton, Michigan 49246, county of Jackson, representing cattle feeders, succeeding herself, is reappointed for a term expiring May 31, 2016.

John J. VanderBoon of 7671 Trevor Court, Kalamazoo, Michigan 49009, county of Kalamazoo, representing meat packing executives, succeeding himself, is reappointed for a term expiring May 31, 2016.

Harold J. Neiman of 9911 US 23 South, Ossineke, Michigan 49766, county of Alpena, representing beef retailers, succeeding Donald Hartman, is appointed for a term expiring May 31, 2016.

July 17, 2013

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

Chair - State Board of Ethics

Peter Webster of 32906 Balmoral Drive, Beverly Hills, Michigan 48025, county of Oakland, is appointed to serve at the pleasure of the Governor.

State Board of Ethics

Thomas C. Phillips of 205 Samuel Oaks Drive, Okemos, Michigan 48864, county of Ingham, an Independent, succeeding himself, is reappointed for a term expiring February 7, 2017.

Richard A. Bandstra of 30 College Avenue, S.E., #58, Grand Rapids, Michigan 49503, county of Kent, a Republican, succeeding John Pirich, is appointed for a term expiring February 7, 2017.

July 17, 2013

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

Chair - Firefighters Training Council

Timothy A. James of 458 S. Main Street, Vermontville, Michigan 49096, county of Eaton, is appointed for a term expiring at the pleasure of the Governor.

Sincerely,
Rick Snyder
Governor

The appointments were referred to the Committee on Government Operations.

By unanimous consent the Senate proceeded to the order of
Resolutions

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

Senate Resolution No. 34

The motion prevailed.

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

Senate Resolution No. 78

The resolution consent calendar was adopted.

Senators Kowall, Jones, Meekhof, Hune, Hildenbrand, Marleau, Pappageorge, Young, Hansen, Richardville, Schuitmaker, Kahn offered the following resolution:

Senate Resolution No. 78.

A resolution to commemorate August 2013 as Automotive Heritage Month in the state of Michigan.

Whereas, Michigan inventors put the world on wheels and established the state as the world headquarters for the auto industry. Their actions and inventions have enriched and touched all our lives; and

Whereas, Michigan is synonymous with Motor City and talk of the automobile. It was Michigan's automotive heritage and prowess that led to President Franklin D. Roosevelt labeling the state as the "Arsenal of Democracy"; and

Whereas, Despite facing the most brutal and unrelenting economic times in our industrial history, Michigan is still home to 89 automotive facilities and has the highest automotive industry employment in the country, with 22 percent of the state's total workforce either directly or indirectly tied to the industry; and

Whereas, The Woodward Dream Cruise is the world's largest one-day celebration of classic car culture, attracting more than 1 million visitors and more than 40,000 muscle cars, street rods, custom, collector, and special interest vehicles to Michigan every year; and

Whereas, As united citizens and automobile enthusiasts, we celebrate Michigan's automotive heritage with pride and great esteem; now, therefore, be it

Resolved by the Senate, That we hereby commemorate August 2013 as Automotive Heritage Month in the state of Michigan; and be it further

Resolved, That a copy of this resolution be transmitted to members of the Woodward Dream Cruise Board, whose efforts to honor our state's great automotive heritage through the nation's largest automotive heritage cruise event serve as an important showcase to honor our past, and encourage people to invest in our future.

Senators Anderson, Bieda, Hopgood and Rocca were named co-sponsors of the resolution.

Introduction and Referral of Bills

Senators Ananich and Whitmer introduced

Senate Joint Resolution Y, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by adding section 28 to article I, to create a right to collective bargaining.

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

Senators Warren and Ananich introduced

Senate Joint Resolution Z, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 7 of article IX, to provide for a graduated state income tax.

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

Senator Ananich introduced

Senate Bill No. 449, entitled

A bill to require employers to provide unpaid leave for employees to attend academic activities of their children; to provide the conditions for granting the leave; and to prohibit discrimination against employees who request or use the leave.

The bill was read a first and second time by title and referred to the Committee on Reforms, Restructuring and Reinventing.

Senator Ananich introduced
Senate Bill No. 450, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.713) by adding section 253. The bill was read a first and second time by title and referred to the Committee on Finance.

Senator Ananich introduced
Senate Bill No. 451, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.713) by adding section 272a. The bill was read a first and second time by title and referred to the Committee on Finance.

Senators Ananich and Hood introduced
Senate Bill No. 452, entitled

A bill to amend 1968 PA 2, entitled "Uniform budgeting and accounting act," (MCL 141.421 to 141.440a) by adding section 3a.

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

Senators Hood and Ananich introduced
Senate Bill No. 453, entitled

A bill to amend 1984 PA 431, entitled "The management and budget act," by amending section 261 (MCL 18.1261), as amended by 2012 PA 555.

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

Senator Schuitmaker introduced
Senate Bill No. 454, entitled

A bill to amend 1994 PA 295, entitled "Sex offenders registration act," (MCL 28.721 to 28.736) by adding section 9a. The bill was read a first and second time by title and referred to the Committee on Judiciary.

Senators Warren, Ananich, Anderson and Hopgood introduced
Senate Bill No. 455, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 3406t. The bill was read a first and second time by title and referred to the Committee on Insurance.

Senators Warren, Ananich, Anderson and Hopgood introduced
Senate Bill No. 456, entitled

A bill to amend 1980 PA 350, entitled "The nonprofit health care corporation reform act," (MCL 550.1101 to 550.1704) by adding section 416f.

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

Senators Warren, Ananich, Anderson and Hopgood introduced
Senate Bill No. 457, entitled

A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending sections 24 and 51 of chapter X (MCL 710.24 and 710.51), section 24 as amended by 2012 PA 614 and section 51 as amended by 1996 PA 409.

The bill was read a first and second time by title and referred to the Committee on Families, Seniors and Human Services.

Senators Jones, Schuitmaker, Kowall, Hildenbrand and Marleau introduced
Senate Bill No. 458, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," (MCL 211.1 to 211.155) by adding section 7tt. The bill was read a first and second time by title and referred to the Committee on Finance.

Senators Colbeck and Schuitmaker introduced
Senate Bill No. 459, entitled

A bill to ensure access to quality health care and the availability of qualified health plans in this state without expanding government assistance programs; to promote the availability and affordability of health care coverage in this state; to

create a mechanism for residents of this state to secure essential health benefits; to establish a regulatory program for a private marketplace and data interface; to create a fund; to provide for the powers and duties of certain state and local governmental officers and entities; and to allow for the promulgation of rules.

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

Senator Colbeck introduced

Senate Bill No. 460, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," (MCL 400.1 to 400.119b) by adding section 105c.

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

Senator Hopgood introduced

Senate Bill No. 461, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 503, 528, and 553 (MCL 380.503, 380.528, and 380.553), as amended by 2011 PA 277.

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

House Bill No. 4707, entitled

A bill to amend 1984 PA 431, entitled "The management and budget act," by amending section 261 (MCL 18.1261), as amended by 2012 PA 555.

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

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

Committee Reports

COMMITTEE ATTENDANCE REPORT

The Committee on Government Operations submitted the following:

Meeting held on Tuesday, July 30, 2013, at 12:00 noon, Senate Hearing Room, Ground Floor, Boji Tower

Present: Senators Richardville (C), Hildenbrand, Meekhof, Whitmer and Hunter

Scheduled Meetings

Economic Development and House Commerce Committee - Monday, August 5, 10:00 a.m., Fountain Lounge, Student Center, University of Detroit Mercy, 4001 West McNichols Road, Detroit (373-5323)

Judiciary and House Criminal Justice Committee - Wednesday, August 14, 9:00 a.m. (CANCELED); and Tuesday, August 27, 9:00 a.m., Room 519, South Tower, House Office Building (373-5323)

Senator Meekhof moved that the Senate adjourn.

The motion prevailed, the time being 10:18 a.m.

In pursuance of the order previously made, the President pro tempore, Senator Schuitmaker, declared the Senate adjourned until Wednesday, August 14, 2013, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate