

No. 17
STATE OF MICHIGAN
Journal of the Senate
97th Legislature
REGULAR SESSION OF 2014

Senate Chamber, Lansing, Wednesday, February 19, 2014.

10:00 a.m.

The Senate was called to order by the Assistant President pro tempore, Senator Geoffrey M. Hansen.

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

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

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

Father Scott Nolan of Basilica of St. Adalbert of Grand Rapids offered the following invocation:

Almighty God, Maker of heaven and earth, we come before You today mindful that we are always in Your presence, that You are always with us. You have given us the breath that we draw this day. By Your grace, may we use that breath to honor You and to speak words of love to our neighbors.

You have given us the strength to arise this morning. May we use that strength to bring Your love to all those we encounter this day. Be present, God of wisdom, and guide the work of this Legislature. Enable them to enact laws that promote justice for all, secure the rights of the poor and marginalized, and promote compassion for all people.

Bless these Senators. May all their actions bring honor to Your name and Your blessing to the people of this state. We ask this in Your holy name, Almighty God. Amen.

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

Motions and Communications

Senators Green and Richardville entered the Senate Chamber.

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

Senator Meekhof moved that Senators Kahn, Nofs, Pappageorge and Schuitmaker be temporarily excused from today's session.

The motion prevailed.

Senator Meekhof moved that Senator Moolenaar be excused from today's session.

The motion prevailed.

The following communication was received and read:

Office of the Auditor General

February 14, 2014

Enclosed is a copy of the following management letter:

Management letter for the financial audit of the Michigan Finance Authority, a discretely presented component unit of the State of Michigan, for the fiscal year ended September 30, 2013.

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

The management letter was referred to the Committee on Government Operations.

The Secretary announced that the following House bills were received in the Senate and filed on Tuesday, February 18:
House Bill Nos. 4487 4781 4962 5191

Messages from the Governor

The following message from the Governor was received:

Date: February 18, 2014
Time: 11:10 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 475 (Public Act No. 11), being

An act to enact the trampoline court safety act; to prescribe the duties and liabilities of trampoline court operators and persons who use trampoline courts; and to provide for the acceptance of certain risks by persons who use trampoline courts.
(Filed with the Secretary of State on February 18, 2014, at 3:54 p.m.)

Respectfully,
Rick Snyder
Governor

Senators Pappageorge, Nofs and Schuitmaker entered the Senate Chamber.

Messages from the House

Senate Bill No. 263, entitled

A bill to amend 1976 PA 295, entitled "State transportation preservation act of 1976," by amending section 10 (MCL 474.60), as amended by 2012 PA 42; and to repeal acts and parts of acts.

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

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

Senator Meekhof moved that further consideration of the bill be postponed for today.

The motion prevailed.

Senate Bill No. 463, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 225 (MCL 257.225), as amended by 1995 PA 129.

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

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

Senator Meekhof moved that further consideration of the bill be postponed for today.

The motion prevailed.

Senate Bill No. 553, entitled

A bill to amend 1996 PA 376, entitled "Michigan renaissance zone act," by amending section 4 (MCL 125.2684), as amended by 2008 PA 116.

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

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

Senator Meekhof moved that further consideration of the bill be postponed for today.

The motion prevailed.

By unanimous consent the Senate proceeded to the order of

General Orders

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

The motion prevailed, and the Assistant President pro tempore, Senator Hansen, designated Senator Kowall as Chairperson.

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

Senate Bill No. 756, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 7340a and 17766f (MCL 333.7340a and 333.17766f), section 7340a as added by 2011 PA 84 and section 17766f as amended by 2011 PA 86.

The bill was placed on the order of Third Reading of Bills.

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:

Senate Bill No. 535, entitled

A bill to create the methamphetamine abuse registration act; to create a registry of individuals convicted of methamphetamine-related offenses; to require persons who sell, distribute, deliver, or furnish products containing ephedrine or pseudoephedrine to examine the methamphetamine abuser registry before selling, distributing, delivering, or furnishing those products; to prohibit the sale of products containing ephedrine or pseudoephedrine to certain individuals without a prescription; to prohibit the disclosure of certain confidential information; to provide civil immunity under certain circumstances; and to provide remedies and penalties.

Substitute (S-2).

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

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:
Senate Bill No. 563, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 13n of chapter XVII (MCL 777.13n), as amended by 2012 PA 513.

Substitute (S-1).

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

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:
Senate Bill No. 564, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 17766c (MCL 333.17766c), as amended by 2011 PA 86.

Substitute (S-1).

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

During the Committee of the Whole, Senator Kahn entered the Senate Chamber.

By unanimous consent the Senate proceeded to the order of

Introduction and Referral of Bills

Senators Kowall, Pavlov, Walker, Meekhof and Bieda introduced

Senate Bill No. 795, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 41305, 41309, and 47361 (MCL 324.41305, 324.41309, and 324.47361), sections 41305 and 41309 as amended by 2009 PA 52 and section 47361 as added by 1995 PA 57.

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

Senators Meekhof, Kowall, Walker and Bieda introduced

Senate Bill No. 796, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 13e of chapter XVII (MCL 777.13e), as amended by 2005 PA 81.

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

Senators Pavlov, Kowall, Walker and Bieda introduced

Senate Bill No. 797, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 4701 (MCL 600.4701), as amended by 2010 PA 363.

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

Senators Green, Kowall, Walker and Bieda introduced

Senate Bill No. 798, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 320e (MCL 257.320e), as amended by 2003 PA 152, and by adding section 321d.

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

Senators Casperson, Kowall, Walker and Bieda introduced

Senate Bill No. 799, entitled

A bill to amend 1969 PA 306, entitled "Administrative procedures act of 1969," by amending section 92 (MCL 24.292), as amended by 1996 PA 237.

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

Senators Walker, Kowall, Jansen, Casperson, Emmons, Green, Moolenaar, Hansen, Meekhof, Schuitmaker, Richardville and Bieda introduced

Senate Bill No. 800, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 41305, 41309, 43559, and 47361 (MCL 324.41305, 324.41309, 324.43559, and 324.47361), sections 41305 and 41309 as amended by 2009 PA 52, section 43559 as amended by 2013 PA 37, and section 47361 as added by 1995 PA 57.

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

Senators Moolenaar, Walker, Kowall, Hansen, Meekhof, Schuitmaker, Casperson, Emmons and Bieda introduced

Senate Bill No. 801, entitled

A bill to amend 1969 PA 306, entitled "Administrative procedures act of 1969," by amending section 92 (MCL 24.292), as amended by 1996 PA 237.

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

Senators Hansen, Walker, Kowall, Moolenaar, Meekhof, Schuitmaker, Casperson, Emmons, Richardville and Bieda introduced

Senate Bill No. 802, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 4701 (MCL 600.4701), as amended by 2010 PA 363.

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

House Bill No. 4487, entitled

A bill to amend 1975 PA 197, entitled "An act to provide for the establishment of a downtown development authority; to prescribe its powers and duties; to correct and prevent deterioration in business districts; to encourage historic preservation; to authorize the acquisition and disposal of interests in real and personal property; to authorize the creation and implementation of development plans in the districts; to promote the economic growth of the districts; to create a board; to prescribe its powers and duties; to authorize the levy and collection of taxes; to authorize the issuance of bonds and other evidences of indebtedness; to authorize the use of tax increment financing; to reimburse downtown development authorities for certain losses of tax increment revenues; and to prescribe the powers and duties of certain state officials," by amending section 7 (MCL 125.1657), as amended by 2008 PA 226.

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 Economic Development.

House Bill No. 4781, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 306 (MCL 257.306), as amended by 2011 PA 159.

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 Transportation.

House Bill No. 4962, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding part 58A.

The House of Representatives has passed the bill.

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

House Bill No. 5191, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 81133 and 81147 (MCL 324.81133 and 324.81147), section 81133 as amended by 2013 PA 249 and section 81147 as amended by 2013 PA 119.

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 Outdoor Recreation and Tourism.

Committee Reports

COMMITTEE ATTENDANCE REPORT

The Committee on Appropriations submitted the following:

Meeting held on Tuesday, February 18, 2014, at 9:08 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building

Present: Senators Kahn (C), Moolenaar, Jansen, Pappageorge, Booher, Caswell, Colbeck, Green, Proos, Schuitmaker, Walker, Anderson, Gregory, Hopgood and Johnson

Excused: Senator Hood

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Transportation submitted the following:

Meeting held on Tuesday, February 18, 2014, at 1:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building

Present: Senators Pappageorge (C), Colbeck and Anderson

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Department of Human Services submitted the following:

Meeting held on Tuesday, February 18, 2014, at 2:00 p.m., Room 405, Capitol Building

Present: Senators Caswell (C), Jansen, Proos and Gregory

COMMITTEE ATTENDANCE REPORT

The Subcommittee on General Government submitted the following:

Meeting held on Tuesday, February 18, 2014, at 2:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building

Present: Senators Pappageorge (C), Colbeck and Johnson

Excused: Senator Jansen

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Department of Corrections submitted the following:

Joint meeting held on Tuesday, February 18, 2014, at 3:00 p.m., Room 110, Farnum Building

Present: Senators Proos (C), Walker and Anderson

Scheduled Meetings

Appropriations - Thursday, February 20, 9:00 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-1760)

Subcommittees -

Agriculture and Rural Development - Tuesdays, February 25, March 11, March 18 and March 25 (CANCELED), 3:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower (373-2768)

Community Health Department - Thursdays, February 20 and February 27, 1:30 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

Corrections Department - Thursdays, February 20, 8:00 a.m., Senate Appropriations Room, 3rd Floor; February 27, 8:00 a.m., Room 405 (CANCELED); March 6, March 13 and March 20, 9:00 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

General Government - Tuesdays, February 25, March 4, March 11, March 18 and March 25, 3:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

Higher Education - Thursday, February 20, 9:00 a.m., Rooms 402 and 403, Capitol Building; and Thursday, February 27, 1:30 p.m., Grand Valley State University, DeVos Center, Loosemore Auditorium, 401 Fulton Street West, Grand Rapids (373-2768)

Judiciary - Thursdays, February 27, March 6 and March 13, 12:00 noon, Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

K-12, School Aid, Education - Wednesday, February 26, 9:00 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

Licensing and Regulatory Affairs Department - Thursday, February 20, 8:30 a.m., Room 405, Capitol Building (373-2768)

State Police and Military Affairs - Thursdays, February 20, 3:00 p.m., Rooms 402 and 403; February 27, 3:00 p.m., Room 405; and March 6, March 13, March 27 and April 17, 3:00 p.m., Rooms 402 and 403, Capitol Building (373-2768)

Banking and Financial Institutions - Thursday, February 20, 1:30 p.m., Room 100, Farnum Building (373-5314)

Veterans, Military Affairs and Homeland Security - Tuesday, February 25, 1:00 p.m., Room 210, Farnum Building (373-5323)

Senator Meekhof moved that the Senate adjourn.
The motion prevailed, the time being 10:22 a.m.

The Assistant President pro tempore, Senator Hansen, declared the Senate adjourned until Thursday, February 20, 2014, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate

