

No. 77
STATE OF MICHIGAN
Journal of the Senate
97th Legislature
REGULAR SESSION OF 2013

Senate Chamber, Lansing, Wednesday, October 2, 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—present
Brandenburg—present
Casperson—present
Caswell—present
Colbeck—present
Emmons—present
Green—present
Gregory—present
Hansen—present
Hildenbrand—present

Hood—present
Hopgood—present
Hune—present
Hunter—present
Jansen—present
Johnson—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 Bo Lange of Fisherman's Landing Church of Escanaba offered the following invocation:

God, praised be Your name forever and ever; wisdom and power are Yours. You change times and seasons; You depose kings and raise up others. You give wisdom to the wise and knowledge to the discerning.

Your dominion is an eternal dominion. Your kingdom endures from generation to generation. All the people of the earth are regarded as nothing. You do as You please with the powers of heaven and the people of the earth. No one can hold back Your hand or say to You: "What have You done?" God, You are our refuge and strength, an ever-present help in trouble. Therefore, we will not fear, though the earth gives away and the mountains fall into the heart of the sea.

Today, we approach You with humble hearts. Early in the morning, we recognize all of Your power, goodness, and grace. Since our very lives are in Your hands, we ask You this day to guide and lead us in Your ways.

We thank You for our great state of Michigan that You have given us to enjoy. We ask for strength and courage to get to know each other so that we won't be like the people in Washington, D.C. We, Your people, will humble ourselves and pray and seek Your face; and for courage, we pray, to turn from our wicked ways and honor You.

Thank you for Your Son Jesus who forgives us our sins and provides us with eternal life from faith in You. It is in His name that we pray. Amen.

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

Motions and Communications

The following communication was received:

U.S. Department of Health and Human Services - Office of Inspector General

Report Number: A-05-13-23017

September 27, 2013

We have completed our initial review of the transitional audit report on the State for the period October 1, 2010, through September 30, 2011. The report was received by the Federal Audit Clearinghouse on June 28, 2013, (identification number 238799). Based on our initial review, we believe the audit, performed by the MICHIGAN OFFICE OF THE AUDITOR GENERAL met Federal audit requirements.

As cognizant agency, we have distributed the audit results to other Federal departments whose programs are covered by the report.

Please refer to Attachment A, where we have summarized the findings and recommendations and identified the Federal department responsible for resolution. Final determinations with respect to actions to be taken on Department of Health and Human Services (HHS) recommendations will be made by the HHS resolution agency identified on Attachment A. Please respond to the following HHS resolution official at the address below within 30 days from the date of this letter:

HHS RESOLUTION OFFICIAL

Department of Health and Human Services

ASFR/Office of Finance, Division of Systems Policy and Audit Resolution

Email Address: auditresolution@hhs.gov

(please include the report number in the email subject line)

Your written response may consist of: (1) any comments or additional information that you believe may have a bearing on the final determination of actions to be taken with respect to the HHS recommendations, (2) an update of comments submitted with the report or (3) confirmation that your previous comments and corrective action plan, for the recommendations summarized in Attachment A, remain unchanged. The above report number should be referenced in all correspondence relating to this report. All correspondence, including requests for additional time to prepare your response, should be submitted to the HHS resolution official address. Please do not send your comments or requests to the National External Audit Review Center.

In accordance with the principles of the Freedom of Information Act (Public Law No. 90-23), reports issued on the Department's grantees and contractors are made available, if requested, to members of the press and general public to the extent that information contained therein is not subject to exemptions in the Act which the Department chooses to exercise. (See 45 CFR Part 5 Section 5.21 of the Department's Public Information Regulations.)

If you have any questions, please contact our office at (800) 732-0679.

Sincerely,

Patrick J. Cogley

Regional Inspector General for Audit Services

The communication was referred to the Secretary for record.

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

The motion prevailed.

Senator Hopgood moved that Senators Johnson and Young be temporarily excused from today's session.

The motion prevailed.

Messages from the Governor

The following messages from the Governor were received:

Date: October 1, 2013

Time: 12:12 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 237 (Public Act No. 120), being

An act to amend 1978 PA 368, entitled “An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to provide for the levy of taxes against certain health facilities or agencies; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for the implementation of federal law; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to provide for an appropriation and supplements; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates,” by amending section 9208 (MCL 333.9208), as amended by 2000 PA 90.

(Filed with the Secretary of State on October 1, 2013, at 4:07 p.m.)

Date: October 1, 2013

Time: 12:14 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 238 (Public Act No. 121), being

An act to amend 1976 PA 451, entitled “An act to provide a system of public instruction and elementary and secondary schools; to revise, consolidate, and clarify the laws relating to elementary and secondary education; to provide for the organization, regulation, and maintenance of schools, school districts, public school academies, intermediate school districts, and other public school entities; to prescribe rights, powers, duties, and privileges of schools, school districts, public school academies, intermediate school districts, and other public school entities; to provide for the regulation of school teachers and certain other school employees; to provide for school elections and to prescribe powers and duties with respect thereto; to provide for the levy and collection of taxes; to provide for the borrowing of money and issuance of bonds and other evidences of indebtedness; to establish a fund and provide for expenditures from that fund; to provide for and prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to provide for licensure of boarding schools; to prescribe penalties; and to repeal acts and parts of acts,” by amending section 1177 (MCL 380.1177), as amended by 2000 PA 91.

(Filed with the Secretary of State on October 1, 2013, at 4:09 p.m.)

Date: October 1, 2013

Time: 12:16 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 239 (Public Act No. 122), being

An act to amend 1979 PA 94, entitled “An act to make appropriations to aid in the support of the public schools, the intermediate school districts, community colleges, and public universities of the state; to make appropriations for certain other purposes relating to education; to provide for the disbursement of the appropriations; to authorize the issuance of certain bonds and provide for the security of those bonds; to prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to create certain funds and provide for their expenditure; to prescribe penalties; and to repeal acts and parts of acts,” by amending section 167 (MCL 388.1767), as amended by 2006 PA 342.

(Filed with the Secretary of State on October 1, 2013, at 4:11 p.m.)

Date: October 1, 2013
Time: 3:32 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 357 (Public Act No. 123), being

An act to amend 1972 PA 284, entitled “An act to provide for the organization and regulation of corporations; to prescribe their duties, rights, powers, immunities and liabilities; to provide for the authorization of foreign corporations within this state; to prescribe the functions of the administrator of this act; to prescribe penalties for violations of this act; and to repeal certain acts and parts of acts,” by amending section 778 (MCL 450.1778), as amended by 1993 PA 91.

(Filed with the Secretary of State on October 1, 2013, at 4:13 p.m.)

Respectfully,
Rick Snyder
Governor

Senators Kahn and Young entered the Senate Chamber.

Third Reading of Bills

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

Senate Bill No. 404

Senate Bill No. 428

House Bill No. 4355

The motion prevailed.

The following bill was read a third time:

Senate Bill No. 404, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 11504, 11523, 11523a, 11525, and 11525b (MCL 324.11504, 324.11523, 324.11523a, 324.11525, and 324.11525b), sections 11504 and 11523 as amended and section 11523a as added by 1996 PA 359, section 11525 as amended by 2003 PA 153, and section 11525b as added by 1996 PA 358; and to repeal acts and parts of acts.

The question being on the passage of the bill,

Senator Warren offered the following amendment:

1. Amend page 20, following line 6, by inserting:

“Sec. 11525a. (1) The owner or operator of a landfill shall pay a surcharge as follows:

(a) Except as provided in subdivision (b), ~~12 cents~~ **\$2.50** for each cubic yard or portion of a cubic yard of solid waste or municipal solid waste incinerator ash that is disposed of in the landfill before October 1, 2015.

(b) For type III landfills that are captive facilities, the following annual amounts:

(i) For a captive facility that receives 100,000 or more cubic yards of waste, \$3,000.00.

(ii) For a captive facility that receives 75,000 or more but less than 100,000 cubic yards of waste, \$2,500.00.

(iii) For a captive facility that receives 50,000 or more but less than 75,000 cubic yards of waste, \$2,000.00.

(iv) For a captive facility that receives 25,000 or more but less than 50,000 cubic yards of waste, \$1,000.00.

(v) For a captive facility that receives less than 25,000 cubic yards of waste, \$500.00.

(2) The owner or operator of a landfill shall pay the surcharge under subsection (1)(a) within 30 days after the end of each quarter of the state fiscal year. The owner or operator of a type III landfill that is a captive facility shall pay the surcharge under subsection (1)(b) by January 31 of each year.

(3) The owner or operator of a landfill who is required to pay the surcharge under subsection (1) shall pass through and collect the surcharge from any person who generated the solid waste or who arranged for its delivery to the solid waste hauler or transfer facility notwithstanding the provisions of any contract or agreement to the contrary or the absence of any contract or agreement.

(4) Surcharges collected under this section shall be forwarded to the state treasurer for deposit in the solid waste staff account of the solid waste management fund established in section 11550.

(5) As used in this section, “captive facility” means a landfill that accepts for disposal only nonhazardous industrial waste generated only by the owner of the landfill or a nonhazardous industrial waste landfill that is specified in section 11525(3).”.

The amendment was not adopted, a majority of the members serving not voting therefor.

Senator Hunter requested the yeas and nays.

The yeas and nays were not ordered, 1/5 of the members present not voting therefor.

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. 385**Yeas—37**

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

Nays—0**Excused—1**

Johnson

Not Voting—0

In The Chair: Schuitmaker

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 428, entitled

A bill to amend 1915 PA 63, entitled “An act to provide for the furnishing of suitable flag holders and United States flags for the graves of veterans who served in the armed forces of the United States for the marking and designation of the graves for memorial purposes; and to provide a penalty for the removal or destruction of the flag holders and United States flags when placed,” by amending sections 1 and 1a (MCL 35.831 and 35.831a), as amended by 2006 PA 627.

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. 386**Yeas—37**

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

Nays—0

Excused—1

Johnson

Not Voting—0

In The Chair: Schuitmaker

The Senate agreed to the title of the bill.

The following bill was read a third time:

House Bill No. 4355, entitled

A bill to amend 1978 PA 59, entitled “Condominium act,” by amending section 57 (MCL 559.157).

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. 387**Yeas—37**

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

Nays—0**Excused—1**

Johnson

Not Voting—0

In The Chair: Schuitmaker

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

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

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act relative to condominiums and condominium projects; to prescribe powers and duties of the administrator; to provide certain protections for certain tenants, senior citizens, and persons with disabilities relating to conversion condominium projects; to provide for escrow arrangements; to provide an exemption from certain property tax increases; to impose duties on certain state departments; to prescribe remedies and penalties; and to repeal acts and parts of acts.”.

The Senate agreed to the full title.

By unanimous consent the Senate proceeded to the order of
General Orders

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

The motion prevailed, and the President pro tempore, Senator Schuitmaker, designated Senator Proos 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:

House Bill No. 4002, entitled

A bill to amend 1941 PA 122, entitled "An act to establish the revenue collection duties of the department of treasury; to prescribe its powers and duties as the revenue collection agency of this state; to prescribe certain powers and duties of the state treasurer; to establish the collection duties of certain other state departments for money or accounts owed to this state; to regulate the importation, stamping, and disposition of certain tobacco products; to provide for the transfer of powers and duties now vested in certain other state boards, commissions, departments, and offices; to prescribe certain duties of and require certain reports from the department of treasury; to provide procedures for the payment, administration, audit, assessment, levy of interests or penalties on, and appeals of taxes and tax liability; to prescribe its powers and duties if an agreement to act as agent for a city to administer, collect, and enforce the city income tax act on behalf of a city is entered into with any city; to provide an appropriation; to abolish the state board of tax administration; to prescribe penalties and provide remedies; and to declare the effect of this act," by amending section 30 (MCL 205.30), as amended by 1993 PA 14.

Senate Bill No. 372, entitled

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

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

Resolutions

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

Senate Resolution No. 34

The motion prevailed.

House Concurrent Resolution No. 9.

A concurrent resolution relative to secondary road patrol funds for counties providing road patrol services to cities and villages.

The question being on the adoption of the concurrent resolution,

The concurrent resolution was adopted.

Senator Marleau was named co-sponsor of the concurrent resolution.

House Concurrent Resolution No. 11.

A concurrent resolution to authorize the State Board of Education and the Michigan Department of Education to move forward to expend resources to implement the use of the Common Core State Standards so long as the conditions of this concurrent resolution are met.

Whereas, Noting that the Tenth Amendment to the United States Constitution states, "The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people," and recognizing that there is no constitutional provision delegating the power to educate children to the federal government, the House declares that the federal government has no constitutional authority to dictate how children in the state of Michigan are to be educated; and

Whereas, Article IV, Section 231, of the FY 2013-14 Department of Education budget (Public Act 59 of 2013) states, "Funds appropriated in part 1 shall not be used to fund implementation of Common Core State Standards or Smarter Balanced Assessments unless an affirmative action of the legislature authorizing implementation of said standards or assessments is provided."; and

Whereas, Article IX, Section 17, of the Michigan Constitution states, “No money shall be paid out of the state treasury except in pursuance of appropriations made by law.”; and

Whereas, Article VIII, Section 1, of the Michigan Constitution states, “Religion, morality and knowledge being necessary to good government and the happiness of mankind, schools and the means of education shall forever be encouraged.”; and

Whereas, Article VIII, Section 3, of the Michigan Constitution states, “Leadership and general supervision over all public education, including adult education and instructional programs in state institutions, except as to institutions of higher education granting baccalaureate degrees, is vested in a state board of education. It shall serve as the general planning and coordinating body for all public education, including higher education, and shall advise the legislature as to the financial requirements in connection therewith.”; and

Whereas, The Common Core State Standards were adopted by the State Board of Education in June 2010; and

Whereas, Adopting high educational expectations and ensuring that all of our students are receiving a high-quality education to develop independent thought and compete globally through a transparent and accountable system is paramount. With the previously mentioned facts in mind, the House Subcommittee on Common Core State Standards has had dozens of hours of study and held extensive committee hearings with testimony from a diverse set of experts, educators, and the public to examine the Common Core State Standards adopted by the State Board of Education; and

Whereas, The extensive hearings led to this action by the House with a belief that education “standards” define minimum expectations of what students should know at the conclusion of a course of study but not the methods, curriculum, nor the entirety of what students are taught; and

Whereas, This House recognizes that a high-quality education to develop independent thought is an important part of being a successful person; and

Whereas, Michigan students compete nationally and internationally for work opportunities and better careers and, as such, a high-quality education is an important base for their success in this global competition; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we authorize, pursuant to Public Act 59 of 2013, the State Board of Education and the Michigan Department of Education to continue to implement the use of aspects of the Common Core State Standards as they are known today, so long as the conditions of this resolution are met; and be it further

Resolved, That any future education standards, or student assessment tools, approved by the State Board of Education shall be presented in a report or in testimony to the standing education committees of both chambers before final Board approval; and be it further

Resolved, That implementation of the Common Core State Standards by the State Board of Education and the Michigan Department of Education is contingent on the ability of Michigan to add or remove standards that are in the best interest of the students of Michigan, with no ramifications from the federal government; and be it further

Resolved, That the State Board of Education and the Michigan Department of Education may implement Common Core State Standards so long as such standards do not dictate curriculum or prescribe a particular method of instruction; and be it further

Resolved, That the State Board of Education and the Michigan Department of Education may implement Common Core State Standards so long as control over the creation and implementation of curriculum, textbooks, educational materials, and instructional methods shall remain under the control of the local school districts, and not the federal government; and be it further

Resolved, That the State Board of Education and the Michigan Department of Education may implement Common Core State Standards so long as the authority and flexibility, as permitted under Section 1278 of the Revised School Code, PA 451 of 1976, MCL 380.1278, to develop or adopt a different set of standards remains with locally elected school boards should they determine different standards, such as more rigorous expectations for their students, including teaching high school Euclidean Geometry and classic English literature, or different developmental standards for kindergarten through third grade; and be it further

Resolved, That the State Board of Education and the Michigan Department of Education may implement Common Core State Standards so long as, consistent with Section 1278 of the Revised School Code, PA 451 of 1976, MCL 380.1278, the core academic curriculum content standards shall not include attitudes, beliefs or value systems that are not essential in the legal, economic, and social structure of our society, and to the personal and social responsibility of its citizens, as determined by locally elected school boards; and be it further

Resolved, That the State Board of Education and the Michigan Department of Education may implement Common Core State Standards so long as Michigan’s students and parents are assured of the safety and security of their personally identifiable student information by knowing that no non-education related information on students or their families, including, but not limited to, religion, political affiliations or biometric data, will be collected, tracked, housed, reported, sold, or shared with the federal government or outside entities; and be it further

Resolved, That the State Board of Education and the Michigan Department of Education shall issue a full report, which is to be submitted to both chambers of the legislature by December 1, 2013. In preparation for receipt of this report, the

State Board of Education may take steps to remove conflicts of interest and provide the State Board of Education and the Michigan Department of Education the necessary latitude and objectivity to develop their recommendation for Michigan's student assessment tools. This report is to include a review of all available student assessment tools with a special emphasis on an assessment based on Michigan's state standards and adaptation thereof. The report should also include information on how the assessments would be used, and the implementation costs for local school districts and the state of Michigan. This House is not committed to any specific assessment tool but intends to evaluate all assessment options in the FY 2014-15 school aid budget based on this report. Until that time, the Michigan Department of Education can continue to participate in the development of assessment options and recommendations only; and be it further

Resolved, That the state of Michigan, pursuant to Section 1279c of the Revised School Code, PA 451 of 1976, MCL 380.1279c, shall test only for proficiency in basic and advanced academic skills and subject matter, and testing shall not be used to measure pupils' values or attitudes. Local school districts shall have the authority to align their locally developed or commercially available assessment tests to the set of standards that they use in their daily curriculum to better serve the students in their districts; and be it further

Resolved, That the Michigan Department of Education will provide an official way for parents, teachers, administrators, and the public to provide feedback on the implementation of the Common Core State Standards and appropriate assessment aligned with those standards. This can be an obvious placement on the Department website or a person specifically designated and responsible for following up on comments received. These comments will be considered as discussion continues regarding the standards and assessment; and be it further

Resolved, That copies of this resolution be transmitted to the State Board of Education and the Michigan Department of Education.

The House of Representatives has adopted the concurrent resolution.

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

Senator Meekhof moved that the rule be suspended.

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

The question being on the adoption of the concurrent resolution,

Senator Meekhof moved that the concurrent resolution be referred to the Committee on Appropriations.

The motion prevailed.

Senator Johnson entered the Senate Chamber.

Introduction and Referral of Bills

Senators Johnson, Bieda, Booher, Young, Ananich and Anderson introduced

Senate Bill No. 571, entitled

A bill to designate the official sweet of this state.

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

Senators Booher, Casperson, Colbeck, Jones and Green introduced

Senate Bill No. 572, entitled

A bill to amend 1927 PA 372, entitled "An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms, gas ejecting devices, and electro-muscular disruption devices; to prohibit the buying, selling, or carrying of certain firearms, gas ejecting devices, and electro-muscular disruption devices without a license or other authorization; to provide for the forfeiture of firearms and electro-muscular disruption devices under certain circumstances; to provide for penalties and remedies; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; to prohibit certain conduct against individuals who apply for or receive a license to carry a concealed pistol; to make appropriations; to prescribe certain conditions for the appropriations; and to repeal all acts and parts of acts inconsistent with this act," by amending section 5o (MCL 28.425o), as amended by 2012 PA 123.

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

Senators Casperson, Booher, Colbeck, Jones and Green introduced

Senate Bill No. 573, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 11b of chapter XVII (MCL 777.11b), as amended by 2012 PA 124.

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

Senators Jones, Booher and Marleau introduced

Senate Bill No. 574, entitled

A bill to amend 1893 PA 206, entitled “The general property tax act,” by amending section 78 (MCL 211.78), as amended by 2008 PA 512.

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

Senators Schuitmaker and Jones introduced

Senate Bill No. 575, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending sections 16231 and 16232 (MCL 333.16231 and 333.16232), section 16231 as amended by 2010 PA 382 and section 16232 as amended by 1993 PA 79, and by adding section 16216a.

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

Senators Schuitmaker and Jones introduced

Senate Bill No. 576, entitled

A bill to establish supplemental conflict of interest standards for members of regulatory bodies in the department of licensing and regulatory affairs; to require disclosure of certain interests; to provide grounds for removal of members of regulatory bodies; to provide a process for raising and determining possible conflicts of interest; and to provide for voiding certain actions taken in violation of this act.

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

Senators Jones and Schuitmaker introduced

Senate Bill No. 577, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending sections 16221, 16222, 16226, and 16227 (MCL 333.16221, 333.16222, 333.16226, and 333.16227), section 16221 as amended by 2012 PA 501, section 16222 as added and section 16227 as amended by 1993 PA 79, and section 16226 as amended by 2012 PA 499.

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

Senators Jones and Schuitmaker introduced

Senate Bill No. 578, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 16216 (MCL 333.16216), as added by 1993 PA 87.

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

Senators Hildenbrand, Meekhof, Hune and Pavlov introduced

Senate Bill No. 579, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by repealing sections 16346, 18351, 18353, 18355, 18357, 18358, 18359, 18361, and 18363 (MCL 333.16346, 333.18351, 333.18353, 333.18355, 333.18357, 333.18358, 333.18359, 333.18361, and 333.18363).

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

Senator Casperson introduced

Senate Bill No. 580, entitled

A bill to amend 1996 PA 376, entitled “Michigan renaissance zone act,” by amending sections 6, 8a, 8d, 8h, and 15 (MCL 125.2686, 125.2688a, 125.2688d, 125.2688h, and 125.2695), sections 6 and 8a as amended and section 8h as added by 2010 PA 277 and section 8d as amended by 2010 PA 368.

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

Committee Reports

The Committee on Energy and Technology reported

Senate Bill No. 539, entitled

A bill to amend 1964 PA 170, entitled "An act to make uniform the liability of municipal corporations, political subdivisions, and the state, its agencies and departments, officers, employees, and volunteers thereof, and members of certain boards, councils, and task forces when engaged in the exercise or discharge of a governmental function, for injuries to property and persons; to define and limit this liability; to define and limit the liability of the state when engaged in a proprietary function; to authorize the purchase of liability insurance to protect against loss arising out of this liability; to provide for defending certain claims made against public officers, employees, and volunteers and for paying damages sought or awarded against them; to provide for the legal defense of public officers, employees, and volunteers; to provide for reimbursement of public officers and employees for certain legal expenses; and to repeal acts and parts of acts," by amending section 7 (MCL 691.1407), as amended by 2005 PA 318.

With the recommendation that the bill pass.

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

Mike Nofs
Chairperson

To Report Out:

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

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Energy and Technology reported

Senate Bill No. 540, entitled

A bill to enhance public safety, protect the environment, and prevent the disruption of vital public services by reducing the incidences of damage to underground facilities caused by excavation or blasting activity by providing notices to facility owners and facility operators before excavation or blasting; to provide for certain notices to affected parties when underground facilities are damaged; to provide for the powers and duties of certain state governmental officers and entities; to allow the promulgation of rules; to prescribe penalties; to allow the imposition of a fee; to provide for immunity for certain individuals; to allow claims for damages against certain governmental entities in certain circumstances; and to repeal acts and parts of acts.

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.

Mike Nofs
Chairperson

To Report Out:

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

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 Energy and Technology submitted the following:

Meeting held on Tuesday, October 1, 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

The Committee on Judiciary reported

Senate Bill No. 471, entitled

A bill to amend 1925 PA 289, entitled "An act to create and maintain a fingerprint identification and criminal history records division within the department of state police; to require peace officers, persons in charge of certain institutions, and others to make reports respecting juvenile offenses, crimes, and criminals to the state police; to require the fingerprinting of an accused by certain persons; and to provide penalties and remedies for a violation of this act," by amending section 2a (MCL 28.242a), as amended by 2012 PA 374.

With the recommendation that the substitute (S-3) 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, Schuitmaker, Rocca and Bieda

Nays: None

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

The Committee on Judiciary reported

House Bill No. 4636, entitled

A bill to amend 1985 PA 87, entitled "William Van Regenmorter crime victim's rights act," by amending sections 16, 44, and 76 (MCL 780.766, 780.794, and 780.826), as amended by 2009 PA 28.

With the recommendation that the bill pass.

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

Rick Jones
Chairperson

To Report Out:

Yeas: Senators Jones, Schuitmaker, Rocca and Bieda

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Judiciary submitted the following:

Meeting held on Tuesday, October 1, 2013, at 2:30 p.m., Room 110, Farnum Building

Present: Senators Jones (C), Schuitmaker, Rocca and Bieda

The Committee on Transportation reported

Senate Bill No. 277, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 723 (MCL 257.723), as amended by 2005 PA 179.

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.

Thomas A. Casperson
Chairperson

To Report Out:

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

Nays: None

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

The Committee on Transportation reported

Senate Bill No. 391, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 223 and 328 (MCL 257.223 and 257.328), section 223 as amended by 2007 PA 143 and section 328 as amended by 2004 PA 52.

With the recommendation that the substitute (S-3) be adopted and that the bill then pass.

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

Thomas A. Casperson
Chairperson

To Report Out:

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

Nays: None

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

The Committee on Transportation reported

Senate Bill No. 392, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending sections 3101a and 3102 (MCL 500.3101a and 500.3102), section 3101a as amended by 2011 PA 91 and section 3102 as amended by 1990 PA 79.

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 and Hansen

Nays: Senator Hood

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Transportation submitted the following:

Meeting held on Tuesday, October 1, 2013, at 1:00 p.m., Room 100, Farnum Building

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

COMMITTEE ATTENDANCE REPORT

The Committee on Government Operations submitted the following:

Meeting held on Tuesday, October 1, 2013, at 1:00 p.m., Rooms 402 and 403, Capitol Building

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

Scheduled Meetings**Appropriations -****Subcommittees -**

Human Services Department - Tuesdays, October 8, October 22, and November 5, 2:00 p.m., Room 405, Capitol Building (373-2768)

State Police and Military Affairs - Thursday, October 3, 8:00 a.m. and Thursday, October 10, 3:00 p.m., Rooms 402 and 403, Capitol Building (373-2768)

Banking and Financial Institutions - Thursday, October 3, 1:30 p.m., Room 100, Farnum Building (373-5314)

Health Policy - Thursday, October 3, 2:30 p.m., Senate Hearing Room, Ground Floor, Boji Tower (373-5312)

Legislative Council - Thursday, October 3, 9:30 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-0212)

Outdoor Recreation and Tourism - Thursday, October 3, 12:30 p.m., Room 110, Farnum Building (373-5312)

Regulatory Reform - Thursday, October 3, 1:00 p.m., Room 210, Farnum Building (373-5307)

Senator Meekhof moved that the Senate adjourn.

The motion prevailed, the time being 10:24 a.m.

The President pro tempore, Senator Schuitmaker, declared the Senate adjourned until Thursday, October 3, 2013, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate

