

No. 26
STATE OF MICHIGAN
Journal of the Senate
97th Legislature
REGULAR SESSION OF 2013

Senate Chamber, Lansing, Tuesday, March 19, 2013.

10:00 a.m.

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

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

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

Hopgood—present
Hune—present
Hunter—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 Mel Meyer of Trinity Lutheran Church and School of Berrien Springs offered the following invocation:

Thank You, Heavenly Father, for the privilege of being here. Lord, we are public servants together, and it's easy for people in my profession, as well as these professionals here, to be arrogant and puffed up with pride and serve our own selfish ends. For that, we confess our sins.

We confess our sins, too, of fears that we have; the fears of doing the right thing, the fears of alienating the populace, and the fears of our future careers. O God, we look to You for wisdom and that Your perfect love may drive out all our fears. Thanks be to You, Lord. Thanks be to You.

As we look ahead to Good Friday and Easter Sunday, we reflect on Your love for us and Your compassion. As we turn to You, You are there with open arms to bless and direct our daily lives and personal lives, also offering forgiveness where we have messed up in various ways.

We give You the honor, the praise, and glory. Thank You Father, Son, and Holy Spirit. Amen.

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

Motions and Communications

Senators Richardville and Schuitmaker entered the Senate Chamber.

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

Senator Hopgood moved that Senator Young be temporarily excused from the balance of today's session.
The motion prevailed.

Senator Meekhof moved that consideration of the motion to discharge the Committee on Reforms, Restructuring and Reinventing from further consideration of the following bills be postponed until Saturday, December 28:

Senate Bill No. 95

Senate Bill No. 96

The motion prevailed.

Senator Anderson requested the yeas and nays.

The yeas and nays were ordered, 1/5 of the members present voting therefor.

The motion prevailed, a majority of the members voting therefor, as follows:

Roll Call No. 53

Yeas—26

Booher	Hansen	Marleau	Proos
Brandenburg	Hildenbrand	Meekhof	Richardville
Casperson	Hune	Moolenaar	Robertson
Caswell	Jansen	Nofs	Rocca
Colbeck	Jones	Pappageorge	Schuitmaker
Emmons	Kahn	Pavlov	Walker
Green	Kowall		

Nays—9

Anderson	Hood	Johnson	Warren
Bieda	Hopgood	Smith	Whitmer
Gregory			

Excused—2

Hunter	Young
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Not Voting—0

In The Chair: President

The following communications were received:
Department of State

Administrative Rules
Notices of Filing

February 28, 2013

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2012-129-LR (Secretary of State Filing #13-02-01) on this date at 4:45 p.m. for the Department of Licensing and Regulatory Affairs, entitled "*Political Advertising.*"

These rules become effective immediately upon filing with the Secretary of State unless adopted under section 33, 44 or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

February 28, 2013

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2013-007-AC (Secretary of State Filing #13-02-02) on this date at 4:47 p.m. for the Department of Agriculture and Rural Development, entitled "*Regulation No. 138. Records.*"

These rules become effective immediately upon filing with the Secretary of State unless adopted under section 33, 44 or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

March 4, 2013

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2012-054-LG (Secretary of State Filing #13-03-01) on this date at 4:30 p.m. for the Department of Licensing and Regulatory Affairs, entitled "*Michigan Fireworks Safety General Rules.*"

These rules become effective immediately upon filing with the Secretary of State unless adopted under section 33, 44 or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

March 4, 2013

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2012-023-LR (Secretary of State Filing #13-03-02) on this date at 4:32 p.m. for the Department of Licensing and Regulatory Affairs, entitled "*Workers' Compensation Agency - General Rules.*"

These rules become effective immediately upon filing with the Secretary of State unless adopted under section 33, 44 or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

March 4, 2013

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2012-021-LG (Secretary of State Filing #13-03-03) on this date at 4:34 p.m. for the Department of Licensing and Regulatory Affairs, entitled "*Board of Real Estate Appraisers.*"

These rules become effective immediately upon filing with the Secretary of State unless adopted under section 33, 44 or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

March 4, 2013

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2012-011-TY (Secretary of State Filing #13-03-04) on this date at 4:36 p.m. for the Department of Treasury, entitled "*State Tax Commission General Rules.*"

These rules become effective immediately upon filing with the Secretary of State unless adopted under section 33, 44 or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

March 11, 2013

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2011-029-EQ (Secretary of State Filing #13-03-05) on this date at 4:41 p.m. for the Department of Environmental Quality, entitled "*Part 4. Emissions Limitations and Prohibitions - Sulfur-Bearing Compounds.*"

These rules become effective immediately upon filing with the Secretary of State unless adopted under section 33, 44 or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

March 11, 2013

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2012-017-EQ (Secretary of State Filing #13-03-06) on this date at 4:43 p.m. for the Department of Environmental Quality, entitled "*Part 9. Emissions Limitations (Miscellaneous).*"

These rules become effective immediately upon filing with the Secretary of State.

March 11, 2013

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2012-025-TY (Secretary of State Filing #13-03-07) on this date at 4:45 p.m. for the Department of Treasury, entitled "*Health Insurance Claims Assessment Act Rules.*"

These rules become effective immediately upon filing with the Secretary of State unless adopted under section 33, 44 or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

March 12, 2013

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2013-015-LR (Secretary of State Filing #13-03-08) on this date at 4:29 p.m. for the Department of Licensing and Regulatory Affairs, entitled "*Board of Medicine - General Rules.*"

These rules become effective 7 days after filing with the Secretary of State.

March 12, 2013

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2013-016-LR (Secretary of State Filing #13-03-09) on this date at 4:31 p.m. for the Department of Licensing and Regulatory Affairs, entitled "*Board of Osteopathic Medicine & Surgery - General Rules.*"

These rules become effective 7 days after filing with the Secretary of State.

Sincerely,
Ruth Johnson
Secretary of State
Robin L. Houston, Departmental Supervisor
Office of the Great Seal

The communications were referred to the Secretary for record.

The Secretary announced that the following House bills were received in the Senate and filed on Thursday, March 14:
House Bill Nos. 4042 4169 4170 4171 4254 4307 4337 4398 4399 4400

The Secretary announced the enrollment printing and presentation to the Governor on Friday, March 15, for his approval the following bills:

Enrolled Senate Bill No. 61 at 10:47 a.m.

Enrolled Senate Bill No. 62 at 10:49 a.m.

Enrolled Senate Bill No. 48 at 10:51 a.m.

The Secretary announced that the following bills were printed and filed on Thursday, March 14, and are available at the Michigan Legislature website:

Senate Bill Nos. 261 262 263 264 265

House Bill Nos. 4441 4442 4443 4444 4445 4446 4447 4448 4449 4450 4451 4452

The Secretary announced that the following bills were printed and filed on Friday, March 15, and are available at the Michigan Legislature website:

House Bill Nos. 4453 4454 4455 4456 4457 4458 4459 4460 4461 4462 4463 4464 4465 4466

Messages from the Governor

The following messages from the Governor were received:

Date: March 18, 2013

Time: 11:22 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 61 (Public Act No. 4), being

An act to amend 1980 PA 350, entitled “An act to provide for the incorporation of nonprofit health care corporations; to provide their rights, powers, and immunities; to prescribe the powers and duties of certain state officers relative to the exercise of those rights, powers, and immunities; to prescribe certain conditions for the transaction of business by those corporations in this state; to define the relationship of health care providers to nonprofit health care corporations and to specify their rights, powers, and immunities with respect thereto; to provide for a Michigan caring program; to provide for the regulation and supervision of nonprofit health care corporations by the commissioner of insurance; to prescribe powers and duties of certain other state officers with respect to the regulation and supervision of nonprofit health care corporations; to provide for the imposition of a regulatory fee; to regulate the merger or consolidation of certain corporations; to prescribe an expeditious and effective procedure for the maintenance and conduct of certain administrative appeals relative to provider class plans; to provide for certain administrative hearings relative to rates for health care benefits; to provide for certain causes of action; to prescribe penalties and to provide civil fines for violations of this act; and to repeal certain acts and parts of acts,” by amending the title and sections 218, 401e, and 414b (MCL 550.1218, 550.1401e, and 550.1414b), the title as amended by 1994 PA 169, section 218 as added by 2002 PA 559, section 401e as added by 1996 PA 516, and section 414b as added by 2006 PA 413, and by adding sections 201a, 220, 400, 401m, 410b, 501c, and 620 and part 6A.

(Filed with the Secretary of State on March 18, 2013, at 1:34 p.m.)

Date: March 18, 2013

Time: 11:24 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 62 (Public Act No. 5), being

An act to amend 1956 PA 218, entitled “An act to revise, consolidate, and classify the laws relating to the insurance and surety business; to regulate the incorporation or formation of domestic insurance and surety companies and associations and the admission of foreign and alien companies and associations; to provide their rights, powers, and immunities and to prescribe the conditions on which companies and associations organized, existing, or authorized under this act may exercise their powers; to provide the rights, powers, and immunities and to prescribe the conditions on which other persons, firms, corporations, associations, risk retention groups, and purchasing groups engaged in an insurance or surety business may exercise their powers; to provide for the imposition of a privilege fee on domestic insurance companies and associations and the state accident fund; to provide for the imposition of a tax on the business of foreign and alien companies and associations; to provide for the imposition of a tax on risk retention groups and purchasing

groups; to provide for the imposition of a tax on the business of surplus line agents; to provide for the imposition of regulatory fees on certain insurers; to provide for assessment fees on certain health maintenance organizations; to modify tort liability arising out of certain accidents; to provide for limited actions with respect to that modified tort liability and to prescribe certain procedures for maintaining those actions; to require security for losses arising out of certain accidents; to provide for the continued availability and affordability of automobile insurance and homeowners insurance in this state and to facilitate the purchase of that insurance by all residents of this state at fair and reasonable rates; to provide for certain reporting with respect to insurance and with respect to certain claims against uninsured or self-insured persons; to prescribe duties for certain state departments and officers with respect to that reporting; to provide for certain assessments; to establish and continue certain state insurance funds; to modify and clarify the status, rights, powers, duties, and operations of the nonprofit malpractice insurance fund; to provide for the departmental supervision and regulation of the insurance and surety business within this state; to provide for regulation over worker's compensation self-insurers; to provide for the conservation, rehabilitation, or liquidation of unsound or insolvent insurers; to provide for the protection of policyholders, claimants, and creditors of unsound or insolvent insurers; to provide for associations of insurers to protect policyholders and claimants in the event of insurer insolvencies; to prescribe educational requirements for insurance agents and solicitors; to provide for the regulation of multiple employer welfare arrangements; to create an automobile theft prevention authority to reduce the number of automobile thefts in this state; to prescribe the powers and duties of the automobile theft prevention authority; to provide certain powers and duties upon certain officials, departments, and authorities of this state; to provide for an appropriation; to repeal acts and parts of acts; and to provide penalties for the violation of this act," by amending sections 2213b, 2242, 3426, 3705, 3712, 5008, 5104, 5209, 5800, and 5824 (MCL 500.2213b, 500.2242, 500.3426, 500.3705, 500.3712, 500.5008, 500.5104, 500.5209, 500.5800, and 500.5824), section 2213b as amended by 1998 PA 457, section 2242 as amended by 1990 PA 305, section 3426 as added by 2006 PA 412, sections 3705 and 3712 as added by 2003 PA 88, section 5008 as amended by 1994 PA 226, section 5104 as amended by 1999 PA 211, and section 5800 as amended by 2000 PA 8, and by adding sections 3405a, 3428, 3472, 3474a, 3612a, 5801, 5805, 5825, and 5826.

(Filed with the Secretary of State on March 18, 2013, at 1:36 p.m.)

Respectfully,
Rick Snyder
Governor

The following messages from the Governor were received and read:

March 12, 2013

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

Chair - Michigan Film Office Advisory Council

William J. Ludwig of 520 Willits Street, Birmingham, Michigan 48009, county of Oakland, is appointed for a term expiring at the pleasure of the Governor.

Michigan Film Office Advisory Council

Joseph L. Voss of 118 E. 16th Street, Holland, Michigan 49423, county of Ottawa, representing broad areas of film and motion picture making, production of television programs and commercials, and related industries in Michigan, succeeding Bob Brown, is appointed for a term expiring September 30, 2016.

Brian M. Winn of 1485 Belvedere Avenue, Okemos, Michigan 48864, county of Ingham, representing residents of the state, succeeding Emery King, is appointed for a term expiring September 30, 2013.

William J. Ludwig of 520 Willits Street, Birmingham, Michigan 48009, county of Oakland, representing residents of the state, succeeding Ronald Holzgen, is appointed for a term expiring September 30, 2014.

March 13, 2013

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

Michigan Board of Auctioneers

Glen L. Rairigh of 12633 Sandborn Road, Sunfield, Michigan 48890, county of Eaton, representing auctioneers, succeeding Robert Rottier, is appointed for a term expiring October 1, 2016.

William L. Sheridan of 3175 Sitts Road, Mason, Michigan 48854, county of Ingham, representing auctioneers, succeeding himself, is reappointed for a term expiring October 1, 2016.

Sincerely,
Rick Snyder
Governor

The appointments were referred to the Committee on Government Operations.

Senators Young and Hunter entered the Senate Chamber.

By unanimous consent the Senate proceeded to the order of

Introduction and Referral of Bills

Senators Green, Kowall, Casperson, Kahn and Marleau introduced

Senate Bill No. 266, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 3112 (MCL 324.3112), as amended by 2005 PA 33.

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

Senators Hunter, Jones, Green and Booher introduced

Senate Bill No. 267, entitled

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

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

Senators Hunter, Hansen, Colbeck, Jones, Marleau, Jansen and Green introduced

Senate Bill No. 268, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 224 (MCL 257.224), as amended by 2012 PA 491.

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

Senator Kowall introduced

Senate Bill No. 269, entitled

A bill to amend 2000 PA 489, entitled "Michigan trust fund act," by amending sections 7 and 8 (MCL 12.257 and 12.258), section 7 as amended by 2009 PA 183 and section 8 as amended by 2011 PA 254.

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

Senators Emmons and Kowall introduced

Senate Bill No. 270, entitled

A bill to amend 1984 PA 270, entitled "Michigan strategic fund act," by amending sections 88a, 88b, and 89c (MCL 125.2088a, 125.2088b, and 125.2089c), section 88a as amended by 2011 PA 22, section 88b as amended by 2012 PA 145, and section 89c as added by 2008 PA 98.

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

Senators Smith and Kowall introduced

Senate Bill No. 271, entitled

A bill to amend 1984 PA 270, entitled "Michigan strategic fund act," by amending sections 88r, 90a, 90b, 90c, and 90d (MCL 125.2088r, 125.2090a, 125.2090b, 125.2090c, and 125.2090d), section 88r as added by 2011 PA 250 and sections 90a, 90b, 90c, and 90d as amended by 2012 PA 395.

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

Senator Kowall introduced

Senate Bill No. 272, entitled

A bill to amend 1984 PA 270, entitled "Michigan strategic fund act," by amending sections 4 and 23 (MCL 125.2004 and 125.2023), section 4 as amended by 2012 PA 145 and section 23 as amended by 2009 PA 85, and by adding section 7b.

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

Senators Emmons, Brandenburg, Pappageorge, Booher, Schuitmaker and Jones introduced

Senate Bill No. 273, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 18201, 18211, 18223, 18233, and 18237 (MCL 333.18201, 333.18211, 333.18223, 333.18233, and 333.18237), section 18211 as amended by 2006 PA 395,

section 18223 as amended by 2010 PA 121, section 18233 as amended by 1994 PA 234, and section 18237 as amended by 1998 PA 496.

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

Senator Hune introduced

Senate Bill No. 274, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," (MCL 257.1 to 257.923) by adding section 811v.

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

Senator Hune introduced

Senate Bill No. 275, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," (MCL 400.1 to 400.119b) by adding section 57y.

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

Senator Hune introduced

Senate Bill No. 276, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending section 57f (MCL 400.57f), as amended by 2011 PA 132.

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

Senator Hune introduced

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.

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

Senator Kowall introduced

Senate Bill No. 278, entitled

A bill to amend 1984 PA 270, entitled "Michigan strategic fund act," by amending section 88h (MCL 125.2088h), as amended by 2012 PA 145.

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

House Bill No. 4042, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," (MCL 400.1 to 400.119b) by adding section 10f; and to repeal acts and parts of acts.

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 Families, Seniors and Human Services.

House Bill No. 4169, entitled

A bill to amend 1895 PA 3, entitled "The general law village act," by amending section 18a of chapter XIV (MCL 74.18a), as amended by 2003 PA 305.

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 Local Government and Elections.

House Bill No. 4170, entitled

A bill to amend 1966 PA 331, entitled "Community college act of 1966," by amending sections 21, 37, and 57 (MCL 389.21, 389.37, and 389.57), as amended by 2003 PA 306.

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 Local Government and Elections.

House Bill No. 4171, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 24a, 30g, 307, 308, 323, 347, 355, 426c, 426f, 426l, 792, 806, 809, 822, 823, 826, 866, 867, and 868 (MCL 168.24a, 168.30g, 168.307, 168.308, 168.323, 168.347, 168.355, 168.426c, 168.426f, 168.426l, 168.792, 168.806, 168.809, 168.822, 168.823, 168.826, 168.866, 168.867, and 168.868), section 24a as amended by 2012 PA 586, section 307 as amended by 2010 PA 55, section 308 as added by 2003 PA 302, section 426f as amended by 1990 PA 32, sections 809 and 868 as amended by 1995 PA 261, section 826 as amended by 2003 PA 119, section 866 as amended by 2010 PA 53, and section 867 as amended by 1980 PA 200; and to repeal acts and parts of acts.

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 Local Government and Elections.

House Bill No. 4254, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 33 (MCL 257.33), as amended by 2002 PA 494, and by adding section 13d.

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. 4307, entitled

A bill to amend 1966 PA 261, entitled "An act to provide for the apportionment of county boards of commissioners; to prescribe the size of the board; to provide for appeals; to prescribe the manner of election of the members of the county board of commissioners; to provide for compensation of members; to prescribe penalties and provide remedies; and to repeal acts and parts of acts," by amending section 12 (MCL 46.412), as amended by 1982 PA 504, and by adding section 13.

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 Local Government and Elections.

House Bill No. 4337, entitled

An act to amend 1949 PA 300, entitled "An act to provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or generally accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways; to create certain funds; to provide penalties and sanctions for a violation of this act; to provide for civil liability of owners and operators of vehicles and service of process on residents and nonresidents; to regulate the introduction and use of certain evidence; to provide for the levy of certain assessments; to provide for the enforcement of this act; to provide for the creation of and to prescribe the powers and duties of certain state and local agencies; to impose liability upon the state or local agencies; to provide appropriations for certain purposes; to repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date," (MCL 257.1 to 257.923) by adding section 811w.

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.

Senator Meekhof moved that rule 3.203 be suspended and that the bill be referred to the Committee of the Whole and placed on the order of General Orders.

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

House Bill No. 4398, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 32513 (MCL 324.32513), as amended by 2012 PA 247.

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.

House Bill No. 4399, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 32514 (MCL 324.32514), as added by 1995 PA 59.

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.

House Bill No. 4400, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 30104 (MCL 324.30104), as amended by 2011 PA 218.

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.

By unanimous consent the Senate returned to the order of

Motions and Communications

Senator Meekhof moved that the rules be suspended and that the following bill, now on the order of General Orders, be placed on the General Orders calendar for consideration today:

House Bill No. 4337

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

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, Lieutenant Governor Calley, designated Senator Jansen as Chairperson.

After some time spent therein, the Committee arose; and the President, Lieutenant Governor Calley, having resumed the Chair, the Committee reported back to the Senate, favorably and without amendment, the following bills:

Senate Bill No. 219, entitled

A bill to amend 1972 PA 222, entitled "An act to provide for an official personal identification card; to provide for its form, issuance and use; to regulate the use and disclosure of information obtained from the card; to prescribe the powers and duties of the secretary of state; to prescribe fees; to prescribe certain penalties for violations; and to provide an appropriation for certain purposes," by amending section 2 (MCL 28.292), as amended by 2011 PA 158.

House Bill No. 4037, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 310 (MCL 257.310), as amended by 2012 PA 498.

Senate Bill No. 31, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 2210a.

Senate Bill No. 32, entitled

A bill to amend 1998 PA 386, entitled "Estates and protected individuals code," (MCL 700.1101 to 700.8206) by adding section 7114.

House Bill No. 4337, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," (MCL 257.1 to 257.923) by adding section 811w. The bills were placed on the order of Third Reading of Bills.

By unanimous consent the Senate returned to the order of

Third Reading of Bills

Senator Meekhof moved that the rules be suspended and that the following bill, now on the order of Third Reading of Bills, be placed on its immediate passage at the head of the Third Reading of Bills calendar:

House Bill No. 4337

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

The following bill was read a third time:

House Bill No. 4337, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," (MCL 257.1 to 257.923) by adding section 811w.

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. 54

Yeas—37

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

Nays—0

Excused—0

Not Voting—0

In The Chair: President

Senator Meekhof moved that the bill be given immediate effect.

The motion prevailed, 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 to provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or generally accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways; to create certain funds; to provide penalties and sanctions for a violation of this act; to provide for civil liability of owners and operators of vehicles and service of process on residents and nonresidents; to regulate the introduction and use of certain evidence; to provide for the levy of certain assessments; to provide for the enforcement of this act; to provide for the creation of and to prescribe the powers and duties of certain state and local agencies; to impose liability upon the state or local agencies; to provide appropriations for certain purposes; to repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date."

The Senate agreed to the full title.

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. 24

The motion prevailed.

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

Senate Resolution No. 27

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

Senator Caswell offered the following resolution:

Senate Resolution No. 27.

A resolution acknowledging March 18, 2013, as Gideon Day in the state of Michigan.

Whereas, March 18, 2013, marks the 50th anniversary of the United States Supreme Court's decision in Gideon v. Wainwright, which guaranteed the right to an attorney for individuals accused of a crime; and

Whereas, In that decision, the Supreme Court said, "In our adversary system of criminal justice, any person hauled into court, who is too poor to hire a lawyer, cannot be assured a fair trial unless counsel is provided for him"; and

Whereas, Section 20 of Article I of the Michigan Constitution of 1963 guarantees that the accused shall have the right to the assistance of counsel for his or her defense; and

Whereas, The Sixth and Fourteenth Amendments to the United States Constitution guarantee indigent criminal defendants the right to counsel in all critical stages of a prosecution where the prosecution may result in the actual deprivation of the defendant's liberty, unless such right is voluntarily and intelligently waived. These amendments also guarantee defendants in criminal prosecutions the right to effective assistance of counsel; and

Whereas, A strong indigent defense system ensures that those who are guilty are convicted, the innocent are protected, and our communities are kept safe; and

Whereas, Residents throughout the state agree that Michigan's current system needs to be strengthened; and

Whereas, The Indigent Defense Advisory Commission was created in 2011 and concluded its work in 2012. This commission developed recommendations to help improve Michigan's public defense system and forwarded its recommendations to the Legislature for its consideration; and

Whereas, The 50th anniversary resonates today as the Legislature works to create new standards for indigent defense to ensure that the rights of the accused are protected in Michigan; now, therefore, be it

Resolved, That this legislative body hereby acknowledges March 18, 2013, as Gideon Day in the state of Michigan; and be it further

Resolved, That we continue to work on reforming Michigan's indigent defense system.

The question being on the adoption of the resolution,

The resolution was adopted.

Senators Anderson, Bieda, Booher, Casperson, Colbeck, Emmons, Green, Gregory, Hansen, Hildenbrand, Hopgood, Hunter, Johnson, Kahn, Marleau, Meekhof, Moolenaar, Nofs, Pappageorge, Proos, Richardville, Robertson, Schuitmaker, Walker, Warren, Whitmer and Brandenburg were named co-sponsors of the resolution.

Statements

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

The motion prevailed.

Senator Bieda's statement is as follows:

Today, I'd like to congratulate a fine citizen of the Irish Catholic community, Ms. Nora Cassidy. Nora Cassidy was awarded the very distinguished honor of being the 55th grand marshal of the 2013 St. Patrick's Day Parade in Detroit on March 10. This is the highest honor awarded in the United Irish Societies, and it's awarded based on a person's past contributions to the Irish community. The president of the United Irish Societies, Michael Kelly, describes her as being a "great ambassador" for the Irish.

Nora has been an intricate participant in the Southeastern Michigan Irish community and has been since she attended her first St. Patrick's Day Parade. Nora's husband, the late Seamus Cassidy, was one of the 12 original founders of the St. Patrick's Day Parade. Seamus and Nora grew alongside as the parade became a yearly tradition and the most celebrated holiday for Irish Americans in Michigan.

Nora is a resident of St. Clair Shores, Michigan, and is a mother of two, James and Shiela, and a grandmother of two, Quinn and Oliver. I would like to extend congratulations in honor of this fine Michigander.

Committee Reports

The Committee on Health Policy reported

Senate Bill No. 165, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding part 204.

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.

James A. Marleau
Chairperson

To Report Out:

Yeas: Senators Marleau, Robertson, Emmons, Jones, Schuitmaker, Warren and Johnson

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 Health Policy submitted the following:

Meeting held on Thursday, March 14, 2013, at 9:00 a.m., Senate Hearing Room, Ground Floor, Boji Tower

Present: Senators Marleau (C), Robertson, Emmons, Hune, Jones, Schuitmaker, Warren and Johnson

The Committee on Outdoor Recreation and Tourism reported

Senate Bill No. 229, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 1903 (MCL 324.1903), as amended by 2011 PA 117.

With the recommendation that the bill pass.

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

Goeffrey M. Hansen
Chairperson

To Report Out:

Yeas: Senators Hansen, Hildenbrand, Meekhof, Casperson and Moolenaar

Nays: Senators Young and Hopgood

The bill was referred to the Committee of the Whole.

The Committee on Outdoor Recreation and Tourism reported

Senate Bill No. 264, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 1301, 30102, 30104, 32512, 32513, and 32514 (MCL 324.1301, 324.30102, 324.30104, 324.32512, 324.32513, and 324.32514), section 1301 as amended by 2012 PA 249, sections 30102 and 30104 as amended by 2011 PA 218, sections 32512 and 32513 as amended by 2012 PA 247, and section 32514 as added by 1995 PA 59, and by adding sections 30102a and 32512b.

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.

Goeffrey M. Hansen
Chairperson

To Report Out:

Yeas: Senators Hansen, Hildenbrand, Meekhof, Casperson and Moolenaar

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 Outdoor Recreation and Tourism submitted the following:

Meeting held on Thursday, March 14, 2013, at 12:30 p.m., Room 110, Farnum Building

Present: Senators Hansen (C), Hildenbrand, Meekhof, Casperson, Moolenaar, Young and Hopgood

The Committee on Regulatory Reform reported

Senate Bill No. 92, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 16333, 17705, 17707, 17711, 17721, and 17731 (MCL 333.16333, 333.17705, 333.17707, 333.17711, 333.17721, and 333.17731), section 16333 as added by

1993 PA 80, section 17705 as amended by 1986 PA 304, section 17707 as amended by 1990 PA 333, sections 17711 and 17721 as amended by 2006 PA 390, and section 17731 as amended by 1994 PA 234, and by adding sections 17735, 17736, and 17744a.

With the recommendation that the substitute (S-4) be adopted and that the bill then pass.

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

Tory Rocca
Chairperson

To Report Out:

Yeas: Senators Rocca, Jones, Hune, Meekhof, Pavlov, Johnson and Warren

Nays: None

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

The Committee on Regulatory Reform reported

Senate Bill No. 235, entitled

A bill to amend 1986 PA 54, entitled "Building officials and inspectors registration act," by amending section 11 (MCL 338.2311).

With the recommendation that the bill pass.

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

Tory Rocca
Chairperson

To Report Out:

Yeas: Senators Rocca, Jones, Hune, Pavlov, Johnson and Warren

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Regulatory Reform reported

House Bill No. 4045, entitled

A bill to amend 1956 PA 217, entitled "Electrical administrative act," by amending section 3h (MCL 338.883h), as added by 1992 PA 130.

With the recommendation that the bill pass.

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

Tory Rocca
Chairperson

To Report Out:

Yeas: Senators Rocca, Jones, Hune, Johnson and Warren

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Regulatory Reform submitted the following:

Meeting held on Thursday, March 14, 2013, at 12:30 p.m., Room 210, Farnum Building

Present: Senators Rocca (C), Jones, Hune, Meekhof, Pavlov, Johnson and Warren

COMMITTEE ATTENDANCE REPORT

The Committee on Reforms, Restructuring and Reinventing submitted the following:

Meeting held on Thursday, March 13, 2013, at 9:00 a.m., Rooms 402 and 403, Capitol Building

Present: Senators Jansen (C), Colbeck, Kowall, Robertson, Young and Warren

Excused: Senator Casperson

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Department of Licensing and Regulatory Affairs submitted the following:

Meeting held on Thursday, March 14, 2013, at 9:00 a.m., Room 405, Capitol Building

Present: Senators Jansen (C) and Proos

Excused: Senator Johnson

COMMITTEE ATTENDANCE REPORT

The Joint Committee on Administrative Rules submitted the following:
Meeting held on Thursday, March 14, 2013, at 2:30 p.m., Room 327, South Tower, House Office Building
Present: Senators Pappageorge (C), Meekhof and Marleau and Johnson
Excused: Senator Hunter

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

Capital Outlay - Wednesday, March 20, 4:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

General Government - Tuesday, April 9, 2:30 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

Judiciary - Thursday, March 21, 9:00 a.m., Room 100, Farnum Building (373-2768)

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

State Police and Military Affairs - Thursday, April 11, 3:00 p.m., Rooms 402 and 403, Capitol Building (373-2768)

Economic Development - Wednesday, March 20, 1:30 p.m., Room 110, Farnum Building (373-5323)

Families, Seniors and Human Services - Wednesday, March 20, 3:00 p.m., Room 210, Farnum Building (373-5312)

Finance - Wednesday, March 20, 12:30 p.m., Room 210, Farnum Building (373-5307)

Natural Resources, Environment and Great Lakes - Thursday, March 21, 8:30 a.m., Room 210, Farnum Building (373-5323)

Outdoor Recreation and Tourism - Wednesday, March 20, 8:30 a.m., Room 110, Farnum Building (373-5323)

Reforms, Restructuring and Reinventing - Wednesday, March 20, 9:00 a.m., Rooms 402 and 403, Capitol Building (373-5307)

State Drug Treatment Court Advisory Committee - Tuesday, March 26, 9:30 a.m., Legislative Council Conference Room, 3rd Floor, Boji Tower (373-0212)

Senator Meekhof moved that the Senate adjourn.
The motion prevailed, the time being 10:43 a.m.

The President, Lieutenant Governor Calley, declared the Senate adjourned until Wednesday, March 20, 2013, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate

