

No. 68
STATE OF MICHIGAN
Journal of the Senate
97th Legislature
REGULAR SESSION OF 2013

Senate Chamber, Lansing, Wednesday, September 11, 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—excused
Young—present

Pastor Shan Martin of Yorkville Community Church of Richland offered the following invocation:

Our Father and our God, we know that we are not perfect. We know that we are more than the sum of our individual parts. May this body of people called to govern find what it is to belong. May they refuse to ignore the marginalized members of the people they represent, and may they never sanction injustice because it seems easier. May they agree to disagree on the nonessentials, and always remain connected in those things that are essential even when that sometimes gets messy. May they frame initiatives that touch real lives in real places, and in doing this, may they open the way for more people to know that they are accepted, they are understood, and they are valued; for this is what belonging means.

And, Lord, on this date—9/11—it is a date that we all identify with. It has touched our collective identity, and it has changed each of us personally. As we carry the weight of our memories and our fears, Lord, we ask You for healing. Make us mindful that life is still a precious gift, that joy does still surprise us, and that we have much, oh so much, yet to be thankful for.

We ask this in the name of the prophets and in the name of the risen Savior. Amen.

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

Motions and Communications

Senator Richardville entered the Senate Chamber.

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

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

Senator Kahn entered the Senate Chamber.

The following communication was received and read:
Office of the Senate Majority Leader

September 10, 2013

Pursuant to Public Act 549 of 2008, I am making the following appointment to the Baldwin Promise Authority:
Ms. Jane Ann Allison, 880 Tenth Street, Baldwin, Michigan 49304, for a term from today's date to 9/9/2017.

Sincerely,
Randy Richardville
Senate Majority Leader

The communication was referred to the Secretary for record.

By unanimous consent the Senate proceeded to the order of
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. 325

House Bill No. 4732

The motion prevailed.

The following bill was read a third time:

Senate Bill No. 325, entitled

A bill to adopt the uniform child abduction prevention act; to allow courts in this state to impose measures to prevent the abduction of children; to establish standards for determining whether a child is subject to a significant risk of abduction; and to provide remedies.

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. 342**Yeas—37**

Ananich	Gregory	Jones	Proos
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	Young
Green			

Nays—0**Excused—1**

Whitmer

Not Voting—0

In The Chair: Schuitmaker

Senator Meekhof moved to reconsider the vote by which the bill was passed.

The motion prevailed, a majority of the members serving 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. 343**Yeas—37**

Ananich	Gregory	Jones	Proos
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	Young
Green			

Nays—0**Excused—1**

Whitmer

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. 4732, entitled

A bill to amend 1972 PA 230, entitled “Stille-DeRossett-Hale single state construction code act,” by amending sections 2a and 10 (MCL 125.1502a and 125.1510), section 2a as amended by 2012 PA 103 and section 10 as amended by 1999 PA 245.

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. 344

Yeas—37

Ananich	Gregory	Jones	Proos
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	Young
Green			

Nays—0

Excused—1

Whitmer

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 to create a construction code commission and prescribe its functions; to authorize the director to promulgate rules with recommendations from each affected board relating to the construction, alteration, demolition, occupancy, and use of buildings and structures; to prescribe energy conservation standards for the construction of certain buildings; to provide for statewide approval of premanufactured units; to provide for the testing of new devices, materials, and techniques for the construction of buildings and structures; to define the classes of buildings and structures affected by the act; to provide for administration and enforcement of the act; to create a state construction code fund; to prohibit certain conduct; to establish penalties, remedies, and sanctions for violations of the act; to repeal acts and parts of acts; and to provide an appropriation.”.

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 bill:

House Bill No. 4525, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending sections 13m, 16c, 17d, and 17g of chapter XVII (MCL 777.13m, 777.16c, 777.17d, and 777.17g), section 13m as amended by 2010 PA 355, section 16c as amended by 2012 PA 534, section 17d as amended by 2012 PA 456, and section 17g as amended by 2006 PA 541.

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

By unanimous consent the Senate returned to the order of
Messages from the House

Senate Bill No. 330, entitled

A bill to amend 1976 PA 390, entitled "Emergency management act," by amending section 19 (MCL 30.419), as amended by 1990 PA 50.

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,

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

The Senate agreed to the full title.

The bill was referred to the Secretary for enrollment printing and presentation to the Governor.

By unanimous consent the Senate proceeded to the order of
Resolutions

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

Senate Resolution No. 34

The motion prevailed.

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

Senate Resolution No. 83

The resolution consent calendar was adopted.

Senators Anderson, Hopgood, Hood, Bieda, Pappageorge, Booher, Young, Gregory, Smith, Johnson, Ananich, Hunter, Whitmer and Warren offered the following resolution:

Senate Resolution No. 83.

A resolution designating October 2013 as Breast Cancer Awareness Month in the state of Michigan.

Whereas, The National Cancer Institute estimates that a woman in the United States has a 1 in 8 chance of developing invasive breast cancer during her lifetime; and

Whereas, Excluding cancers of the skin, breast cancer is the most common cancer diagnosed among U.S. women, accounting for more than 1 in 4 cancers; and

Whereas, Breast cancer is the most frequently diagnosed cancer among women in Michigan. In 2013, there will be an estimated 8,140 new cases of breast cancer in Michigan; and

Whereas, Breast cancer is the second-leading cause of cancer death for women in the U.S. It is estimated that 232,340 new cases of invasive breast cancer will be diagnosed among women in the U.S. in 2013; and

Whereas, All women are at risk for breast cancer; now, therefore, be it

Resolved by the Senate, That we join together in recognizing October 2013 as Breast Cancer Awareness Month in Michigan; and be it further

Resolved, That the members of this legislative body urge all Michigianians to use this month as an opportunity to educate themselves about breast cancer, and take proactive steps to reduce their risk and get appropriate screening; and be it further

Resolved, That we stand in full support of those currently battling this serious disease; and be it further
Resolved, That we offer sincere condolences to those who have lost loved ones to breast cancer; and be it further
Resolved, That we congratulate those who have won their fight with breast cancer; and be it further
Resolved, That we support all those making efforts to diagnose, research, and treat breast cancer across the state of Michigan.

Senators Hansen, Hildenbrand, Kowall, Meekhof, Pavlov, Proos, Richardville, Rocca and Schuitmaker were named co-sponsors of the resolution.

Introduction and Referral of Bills

Senator Hildenbrand introduced

Senate Bill No. 476, entitled

A bill to amend 1980 PA 299, entitled "Occupational code," by amending section 303a (MCL 339.303a), as amended by 2006 PA 489; and to repeal acts and parts of acts.

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

Senator Hildenbrand introduced

Senate Bill No. 477, entitled

A bill to amend 1979 PA 152, entitled "State license fee act," by repealing section 28 (MCL 338.2228).

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

Senator Hildenbrand introduced

Senate Bill No. 478, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 82101 (MCL 324.82101), as amended by 2010 PA 371.

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

Senator Jansen introduced

Senate Bill No. 479, entitled

A bill to amend 1980 PA 299, entitled "Occupational code," by amending sections 411 and 601 (MCL 339.411 and 339.601), section 411 as amended by 2008 PA 309 and section 601 as amended by 2008 PA 319, and by adding section 205b; and to repeal acts and parts of acts.

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

Senator Jansen introduced

Senate Bill No. 480, entitled

A bill to amend 1943 PA 148, entitled "Proprietary schools act," by amending section 2a (MCL 395.102a), as amended by 2009 PA 212, and by adding section 2d; and to repeal acts and parts of acts.

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

Senator Jansen introduced

Senate Bill No. 481, entitled

A bill to amend 1980 PA 299, entitled "Occupational code," by amending sections 303a and 411 (MCL 339.303a and 339.411), section 303a as amended by 2006 PA 489 and section 411 as amended by 2008 PA 309, and by adding section 205a; and to repeal acts and parts of acts.

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

Senator Jansen introduced

Senate Bill No. 482, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 7jj (MCL 211.7jj[1]), as added by 2006 PA 378.

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

Senator Jansen introduced

Senate Bill No. 483, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 50703, 50706, 51101, and 51103 (MCL 324.50703, 324.50706, 324.51101, and 324.51103), sections 50703 and 50706 as added by 1995 PA 57 and sections 51101 and 51103 as amended by 2006 PA 383.

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

Senator Jansen introduced

Senate Bill No. 484, entitled

A bill to amend 1979 PA 152, entitled "State license fee act," by repealing section 29 (MCL 338.2229), as amended by 2012 PA 308.

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

Senators Caswell and Pappageorge introduced

Senate Bill No. 485, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 2652, 2653, 2655, 2656, 2658, and 2659 (MCL 333.2652, 333.2653, 333.2655, 333.2656, 333.2658, and 333.2659), sections 2652, 2653, 2655, and 2658 as amended by 2006 PA 301, and by adding section 2652a.

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

Senators Hopgood, Anderson, Hood, Young, Gregory and Ananich introduced

Senate Bill No. 486, entitled

A bill to require employers to allow a day of rest for employees each week; to require employers to allow a meal break during certain work periods; to provide for exceptions and exemptions; to provide powers and duties of certain state officers and departments; to authorize rule promulgation; and to provide remedies.

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

Committee Reports

COMMITTEE ATTENDANCE REPORT

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

Meeting held on Wednesday, September 11, 2013, at 8:30 a.m., Rooms 402 and 403, Capitol Building

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

Scheduled Meetings

Appropriations -

Subcommittees -

K-12, School Aid, Education and Education Committee - Thursday, September 12, 9:00 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

State Police and Military Affairs and House State Police Appropriations Subcommittee and House Military and Veterans Affairs Appropriations Subcommittee - Thursday, September 12, 2:00 p.m., Rooms 402 and 403, Capitol Building (373-2768)

Economic Development - Friday, September 13, 10:00 a.m., St. Luke's New Life Center, 3115 Lawndale Avenue, Flint (373-5312)

Education and K-12, School Aid, Education Appropriations Subcommittee - Thursday, September 12, 9:00 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

Michigan Law Revision Commission - Tuesday, September 24, 12:00 noon, Room 405, Capitol Building (373-0212)

Natural Resources, Environment and Great Lakes - Thursday, September 12, 8:30 a.m., Room 210, Farnum Building (373-5312)

Senate Fiscal Agency Board of Governors - Thursday, September 19, 9:00 a.m., Room S-324, Capitol Building (373-2768)

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, September 12, 2013, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate