

**No. 1**  
**STATE OF MICHIGAN**  
**Journal of the Senate**  
**97th Legislature**  
**REGULAR SESSION OF 2014**

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Senate Chamber, Lansing, Wednesday, January 8, 2014.

12:00 noon.

In conformity with the requirements of the Constitution of the state of Michigan, the Senators of the 97th Legislature of the state of Michigan assembled in the Senate Chamber in the Capitol at Lansing this day (being the second Wednesday of January 2014), at twelve o'clock noon, and were 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.

<b>District</b>	<b>Name</b>	<b>District</b>	<b>Name</b>
1st	Coleman A. Young II—excused	20th	Tonya Schuitmaker
2nd	Bertram C. Johnson	21st	John M. Proos—excused
3rd	Morris W. Hood III—excused	22nd	Joseph R. Hune
4th	Virgil K. Smith	23rd	Gretchen Whitmer
5th	Tupac A. Hunter—excused	24th	Rick Jones
6th	Glenn S. Anderson—excused	25th	Phillip J. Pavlov
7th	Patrick J. Colbeck	26th	David B. Robertson
8th	Hoon-Yung Hopgood	27th	James Ananich—excused
9th	Steven M. Bieda	28th	Mark C. Jansen
10th	Tory Rocca	29th	David S. Hildenbrand
11th	Jack M. Brandenburg—excused	30th	Arlan B. Meekhof
12th	James A. Marleau	31st	Michael Green
13th	John G. Pappageorge	32nd	Roger Kahn, M.D.
14th	Vincent Gregory—excused	33rd	Judith K. Emmons
15th	Michael W. Kowall	34th	Goeffrey M. Hansen
16th	Bruce E. Caswell	35th	Darwin L. Booher
17th	Randy Richardville	36th	John R. Moolenaar
18th	Rebekah L. Warren	37th	Howard C. Walker
19th	Michael L. Nofs—excused	38th	Thomas A. Casperson—excused

Reverend Jonathan Lam of Mattawan Community Church of Mattawan offered the following invocation:

Our gracious God, what a privilege it is to call upon You this day. We praise You and we give You glory and we raise Your name above every other name in heaven and on earth.

Father, as we have crossed the threshold into a new year, I ask Your blessing upon this assembly of legislators. For legislation that has been enacted in the past that does not reflect Your righteousness, we ask forgiveness and ask that You will enlighten our minds that such laws can be changed. For legislation that has yet to be introduced, we ask for wisdom and discernment; that decisions that are made here are according to Your holy will. For discussion and debate that will take place in the coming year, may common ground be found, while we not compromise on Your law and Your principles.

Finally, we call upon You, our Lord, to bless and protect each Senator here, plus their spouse, their children, and their grandchildren. Guard their coming in and their going out. Guard these relationships with loved ones, as the hours of separation in the work of the state can be many.

Finally, Lord, we ask that the work that is done here for the great state of Michigan will be according to Your will and that Your blessing will be poured out upon this entire Legislature, upon our State Supreme Court, and upon our Governor.

We thank You for the privilege of speaking to You and calling upon You as we open this session. In Jesus' name, 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 communications were received and read:

Office of the Auditor General

December 18, 2013

Enclosed is a copy of the following audit report:

Performance audit of Medicaid Practitioner Fee-for-Service Reimbursement, Department of Community Health.

December 20, 2013

Enclosed is a copy of the following audit report:

Financial audit of the Michigan Education Trust Plans B and C, a discretely presented component unit of the State of Michigan, for the fiscal years ended September 30, 2013 and September 30, 2012.

December 20, 2013

Enclosed is a copy of the following audit report:

Financial audit of the Michigan Education Trust Plan D, a discretely presented component unit of the State of Michigan, for the fiscal years ended September 30, 2013 and September 30, 2012.

December 20, 2013

Enclosed is a copy of the following audit report:

Performance audit of the Pugsley Correctional Facility, Department of Corrections.

December 20, 2013

Enclosed is a copy of the following audit report:

Performance audit of the Michigan Veterans Affairs Agency, Department of Military and Veterans Affairs.

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

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

The following communication was received:

Department of State

December 13, 2013

In accordance with Public Act 300 of 1949, Section 257.810b (7), you will find attached the TACF report for the Department of State for the period October 1, 2012 through September 30, 2013.

Deposits and charges in the TACF during this time period were \$102,114,870. Data used in the preparation of this report was obtained from the MAIN-MIDB database.

Feel free to contact me with any questions or concerns.

Sincerely,  
Rose Jarois, Director  
Department Services Administration

The communication was referred to the Secretary for record.

The following communications were received:  
Department of State

Administrative Rules  
Notices of Filing

December 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 #2012-095-LR (Secretary of State Filing #13-12-01) on this date at 4:26 p.m. for the Department of Licensing and Regulatory Affairs, entitled "Board of Pharmacy - General Rules."

These rules become effectively 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.

December 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 #2012-096-LR (Secretary of State Filing #13-12-02) on this date at 4:28 p.m. for the Department of Licensing and Regulatory Affairs, entitled "Board of Pharmacy - Controlled Substances."

These rules become effectively 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.

December 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 #2012-097-LR (Secretary of State Filing #13-12-03) on this date at 4:30 p.m. for the Department of Licensing and Regulatory Affairs, entitled "Board of Pharmacy - Animal Euthanasia and Sedation Rules."

These rules become effectively 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.

December 19, 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 #2013-089-LR (Secretary of State Filing #13-12-04) on this date at 10:10 a.m. for the Department of Licensing and Regulatory Affairs, entitled "Professional Surveyors."

These rules become effectively 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.

December 19, 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 #2013-086-LR (Secretary of State Filing #13-12-05) on this date at 10:12 a.m. for the Department of Licensing and Regulatory Affairs, entitled "Transportation of Flammable and Combustible Liquids."

These rules become effectively 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.

December 30, 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 #2013-056-EQ (Secretary of State Filing #13-12-06) on this date at 1:19 p.m. for the Department of Environmental Quality, entitled "Environmental Contamination Response Activity."

These rules become effectively 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.

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.

Senator Meekhof moved that Senators Proos, Casperson, Nofs and Brandenburg be excused from today's session. The motion prevailed.

Senator Meekhof moved that rule 3.902 be suspended to allow the guests of Senator Pappageorge admittance to the Senate floor.

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

Senator Meekhof moved that the following bill, now on the order of General Orders, be referred to the Committee on Economic Development:

**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 motion prevailed.

Senator Meekhof moved that the following bill, now on the order of General Orders, be referred to the Committee on Appropriations:

**Senate Bill No. 408, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.713) by adding section 275.

The motion prevailed.

Senator Meekhof moved that when the Senate adjourns today, it stand adjourned until Tuesday, January 14, at 10:00 a.m. The motion prevailed.

Senator Hopgood moved that Senators Hunter, Ananich, Anderson, Gregory, Hood and Young be excused from today's session.

The motion prevailed.

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

January 7, 2014

Pursuant to Senate Rule 3.203, I am hereby re-referring House Bill 4865 from the Senate Committee on Judiciary to the Senate Committee on Health Policy.

Should you have any questions regarding this matter, please do not hesitate to contact me.

Sincerely,  
Randy Richardville  
Senate Majority Leader

The communication was referred to the Secretary for record.

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

The motion prevailed.

Senator Pappageorge's statement is as follows:

I am about to lose my chief of staff again. In the course of my seven years here, I have lost nine staffers and, as Randy's saying, there may be a reason for this. The fact is every one of them has gone on to a better, higher-paying job, and I take

some credit for that happening. So I'm about to say goodbye to my fourth chief of staff, Amanda Comment, and I have a tribute with me.

She is joined by her family—her husband and her two sons. She's surprised because we didn't tell her they were coming. I was surprised when I finally found out what Amanda's middle name is. It's Amanda Florence Comment.

I'm not going to read all of this, just a little bit of it:

“LET IT BE KNOWN, That it is with deep appreciation for the hard work and commitment Amanda Florence Comment has displayed in her service to the people of the 13th District that we bid her a fond farewell. Her personal and professional contributions to the office of Senator Pappageorge have been immeasurable. We extend our deepest gratitude and heartfelt thanks for all that she has done not only for the people of the 13th District, but as well for the entire Michigan State Senate.”

I just brought in an example of her work. Recently, we had extra road money and the idea is: How are we going to prioritize this between the Governor, the House, and the Senate? As you know, it was Amanda who got all of that information and standardized the approach so that when then-leaders sat down to figure our priorities, they were all working off the same sheet of facts. It's the kind of work that Amanda has been known for.

So on the one hand, I'm sad to see you go, but delighted that you got such a good opportunity in Grand Rapids close to your family.

Senator Caswell moved that the statement he made on December 12, 2013, regarding Steve Fitton be printed in today's Journal.

The motion prevailed.

Senator Caswell's statement is as follows:

There's an individual in the Department of Community Health, Steve Fitton, who has been very instrumental in this state for a lot of years in terms of Medicaid. I want each of you to know that while vacationing in Mexico, he had a very serious heart attack. He's back in Texas, he's off the ventilator, and he's speaking, but apparently, it was quite serious.

So if you could keep Steve in your prayers over Christmas, he means a lot to this state and this department, and he's done a lot for the state.

### **Messages from the Governor**

The following message from the Governor was received on December 23, 2013, and read:

#### **EXECUTIVE ORDER No. 2013-11**

#### **State of Energy Emergency Waiver of Regulations Relating to Motor Carriers and Drivers Transporting Propane**

WHEREAS, Section 1 of Article V of the Michigan Constitution of 1963 vests the executive power of the state of Michigan in the Governor; and

WHEREAS, Section 3 of 1982 PA 191, MCL 10.83, authorizes the Governor to declare a State of Energy Emergency upon notification of an impending energy emergency by the Energy Advisory Committee, or upon the Governor's own initiative, if the Governor finds that an energy emergency exists or is imminent; and

WHEREAS, the depletion of propane inventories due to higher than average usage for crop drying in the Midwest and Great Plains area, winter weather setting in sooner and more severely than anticipated, and repairs to the Cochin propane pipeline leading to supply shortages in the area served by the pipeline (the Upper Midwest), have resulted in longer driving distances, wait times, and working hours for propane transporters, causing drivers to reach maximum weekly driving and on-duty limits more quickly than normal; and

WHEREAS, this situation has affected the availability of propane supplies in Michigan, creating shortages and shipment delays that may potentially impact the health, safety, and economic well-being of the citizens of Michigan who depend on this product, and the ability of transporters to supply the product in accordance with federal motor carrier regulations and requirements; and

WHEREAS, the longer driving distances, wait times, and working hours are making it difficult for propane transporters in Michigan to meet demand and comply with federal and state hours-of-service regulations and requirements contained within 49 CFR Part 395, and adopted in Public Act 181 of 1963, MCL 480.11a; and

WHEREAS, it is in the best interests of the state of Michigan to provide for the safe transportation of propane within this state, and that appropriate measures be taken in response to an imminent energy emergency to assure that propane supplies will remain sufficient to protect the health, safety, and welfare of Michigan residents and visitors; and

WHEREAS, under Section 4 of 1982 PA 191, MCL 10.84, during a declared State of Energy Emergency, the Governor may, by executive order, suspend a statute, order, rule of a state agency, or specific provision of a statute, rule, or order if strict compliance with the statute, order, rule, or a specific provision of the statute, rule, or order will prevent, hinder, or delay necessary action in coping with the energy emergency; and

WHEREAS, Federal Motor Carrier Safety Administration regulations found at 49 CFR 390.23, and Michigan Public Act 181 of 1963, MCL 480.11a, provide the Governor with the authority to exempt motor carriers and drivers transporting propane within Michigan from the hours-of-service regulations and requirements specified in 49 CFR Part 395 and MCL 480.11a, to address transportation needs arising from the impact of this energy emergency;

NOW, THEREFORE, I, Richard D. Snyder, Governor of the state of Michigan, by virtue of the power and authority vested in the Governor by the Michigan Constitution of 1963 and 1982 PA 191, MCL 10.81 to 10.87, order the following:

1. A State of Energy Emergency is declared in the state of Michigan.
2. Motor carriers and drivers transporting propane to address propane supply needs arising from the supply shortages in Michigan, are exempt from compliance with MCL 480.11a and any other applicable state statute, order, or rule substantially similar to MCL 480.11a, and 49 CFR Part 395. Any such provision of a state statute, order, or rule is suspended. This exemption and suspension applies to all highways in Michigan, including the national system of interstate and defense highways.
3. This order applies only to propane. No other petroleum products are covered by the exemption and suspension under this Order.
4. Nothing in this Order shall be construed as an exemption from applicable controlled substances and alcohol use and testing requirements (49 CFR Part 382 and similar state statute, order, or rule), the commercial driver's license requirements (49 CFR Part 383 and any similar state statute, order, or rule), the financial responsibility requirements (49 CFR Part 387 and any similar state statute, order, or rule), applicable size and weight requirements, or any portion of federal and state regulations not specifically identified.
5. Motor carriers or drivers currently subject to an out-of-service order are not eligible for the exemption and suspension until the out-of-service order expires or the conditions for rescission have been satisfied.
6. The Michigan Department of State Police requires that drivers for motor carriers operating under the Declaration of Energy Emergency must have a copy of the Declaration of Energy Emergency in their possession.
7. The Commercial Vehicle Enforcement Division of the Michigan Department of State Police shall coordinate state compliance with this Order. This Order is effective upon filing and remains in effect until it is rescinded or 11:59:59 p.m. EDT, Friday, January 10, 2014, whichever first occurs.

[SEAL]

Given under my hand and the Great Seal of the State of Michigan this 20th day of December in the Year of Our Lord, Two Thousand and Thirteen.

Richard D. Snyder  
Governor

By the Governor:  
Ruth A. Johnson  
Secretary of State

The executive order was referred to the Committee on Government Operations.

The following messages from the Governor were received and read:

December 10, 2013

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

**Autism Council**

Diane M. Heinzelman of 1972 Hunter's Ridge, Charlevoix, Michigan 49770, county of Emmet, representing ISDs, local school districts, or transition coordinators, succeeding Michael Caine, is appointed for a term expiring September 30, 2015.

December 12, 2013

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

**Child Abuse and Neglect Prevention Board**

Deb L. Shaughnessy of 956 Chads Way, Charlotte, Michigan 48813, county of Eaton, representing the general public, succeeding herself, is reappointed for a term expiring December 19, 2016.

Shelley A. Kester of 6540 East Hillside Drive, Cedar, Michigan 49621, county of Leelanau, representing volunteers, succeeding herself, is reappointed for a term expiring December 19, 2016.

Lori M. Wortz of 4144 Meridian Road, Okemos, Michigan 48864, county of Ingham, representing the religious community, succeeding herself, is reappointed for a term expiring December 19, 2016.

John H. Brown of 7879 Old Elm Court, Ada, Michigan 49301, county of Kent, representing the business sector, succeeding himself, is reappointed for a term expiring December 19, 2016.



Mark S. McDaniel of 1057 Cambria Street, East Lansing, Michigan 48823, county of Ingham, representing parents, succeeding himself, is reappointed for a term expiring December 19, 2016.

Vivek Sankaran of 6149 Wilson Road, Ann Arbor, Michigan 48108, county of Washtenaw, representing the public, succeeding himself, is reappointed for a term expiring December 19, 2016.

December 13, 2013

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

**State Historical Records Advisory Board**

Tawny R. Nelb of 5610 Woodberry Court, Midland, Michigan 48640, county of Midland, succeeding herself, is reappointed for a term expiring December 31, 2017.

December 13, 2013

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

**Michigan Task Force on Physician's Assistants**

Dennis W. Dobritt of 4572 Walden Drive, Bloomfield Hills, Michigan, 48301, county of Oakland, representing the Board of Osteopathic Medicine, succeeding himself, is reappointed for a term expiring December 31, 2017.

Pamela L. Gnodtke of 856 First Street, Charlevoix, Michigan, 49720, county of Charlevoix, representing the general public, succeeding herself, is reappointed for a term expiring December 31, 2017.

Vicki M. Anton-Athens of 29113 East River Road, Grosse Ile, Michigan, 48138, county of Wayne, representing the Board of Podiatric Medicine, succeeding Louis Geller, is appointed for a term expiring December 31, 2017.

Susan G. Laham of 235 Langlois Drive, Grand Rapids, Michigan, 49546, county of Kent, representing physician's assistants, succeeding Christopher Noth, is appointed for a term expiring December 31, 2017.

December 16, 2013

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

**Michigan Board of Athletic Trainers**

Gerald E. Myers of 4668 Cottonwood Drive, Ann Arbor, Michigan 48108, county of Washtenaw, representing the general public, filling a vacancy, is appointed for a term expiring June 30, 2014.

Steven Vance of 9 Cobblestone Place, Saginaw, Michigan 48603, county of Saginaw, representing physicians, succeeding Lawrence Nassar, is appointed for a term commencing January 1, 2014, and expiring June 30, 2017.

James K. Winkler, Jr., of 5505 Jordan Street, Allendale, Michigan 49401, county of Ottawa, representing athletic trainers, succeeding Ann Berry, is appointed for a term commencing January 1, 2014, and expiring June 30, 2017.

Daniel K. Tinkey of 713 Lincoln Pines Place, St. Joseph, Michigan 49085, county of Berrien, representing athletic trainers, succeeding Dennis Corbin, is appointed for a term commencing January 1, 2014, and expiring June 30, 2017.

December 17, 2013

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

**Michigan Statewide Independent Living Council**

Dominic C. Dennis of 665 Brookton Road, Marquette, Michigan 49855, county of Marquette, representing individuals with disabilities, succeeding himself, is reappointed for a term expiring December 31, 2016.

Michael J. Hamm of 3467 N. Walnut Avenue, White Cloud, Michigan 49349, county of Newaygo, representing individuals with disabilities, succeeding himself, is reappointed for a term expiring December 31, 2016.

Steven Locke of 5691 Garfield Road, Auburn, Michigan 48611, county of Bay, representing individuals with disabilities, succeeding himself, is reappointed for a term expiring December 31, 2016.

Mia L. Smith of N15805 B-1 Road, Wilson, Michigan 49896, county of Menominee, representing American Indian vocational rehabilitation programs, succeeding Carol Bergquist, is appointed for a term expiring December 31, 2016.

Gabriella N. Burman of 13151 Winchester Avenue, Huntington Woods, Michigan 48070, county of Oakland, representing disability advocates, succeeding Debra Morrison, is appointed for a term expiring December 31, 2016.

December 17, 2013

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

**State Police Retirement Board**

Kevin P. McGaffigan of 2801 Country Club Way, Albion, Michigan 49224, county of Calhoun, representing members of the retirement system with the rank of lieutenant or above, succeeding himself, is reappointed for a term expiring December 31, 2016.

December 18, 2013

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

**Michigan Bean Commission**

Ross E. Voelker of 934 S. Caseville Road, Pigeon, Michigan 48755, county of Huron, representing District 6, succeeding himself, is reappointed for a term expiring December 31, 2016.

John E. Densmore of 5460 East Buchanan Road, Ithaca, Michigan 48847, county of Gratiot, representing District 2, succeeding himself, is reappointed for a term expiring December 31, 2016.

Terry L. Schindler of 2786 7 Mile Road, Kawkawlin, Michigan 48631, county of Bay, representing District 1, succeeding John Frank, is appointed for a term expiring December 31, 2016.

Brian Stratton of 5577 Pine Grove Road, Edmore, Michigan 48829, county of Montcalm, representing District 7, succeeding Frances Arbogast-Carlson, is appointed for a term expiring December 31, 2016.

December 22, 2013

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

**Investment Advisory Committee**

James B. Nicholson of 222 Cloverly Road, Grosse Pointe Farms, Michigan 48236, county of Wayne, representing the public, is appointed for a term expiring December 15, 2016.

December 23, 2013

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

**Michigan Board of Acupuncture**

Susan C. Fabrick of 24 Circle Drive, Fruitport, Michigan 49415, county of Muskegon, representing physicians licensed under part 170 or 175, succeeding Leonard Wright, is appointed for a term expiring June 30, 2017.

Brenda S. Donaldson of 14115 Edgewater Road, Gregory, Michigan 48137, county of Washtenaw, representing physicians licensed under part 170 or 175, succeeding H. Jay Abel-Horowitz, is appointed for a term expiring June 30, 2017.

Beth Converse of 6533 Dandison Boulevard, West Bloomfield, Michigan 48324, county of Oakland, representing acupuncturists, succeeding Echo Kim Pinto, is appointed for a term expiring June 30, 2014.

December 23, 2013

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

**Michigan Civil Rights Commission**

Duncan Beagle of 13361 Pomona Drive, Fenton, Michigan 48430, county of Genesee, an Independent, succeeding J. Michael Zelle, is appointed for a term expiring December 31, 2017.

Linda Lee Tarver of 3414 South Deerfield Avenue, Lansing, Michigan 48911, county of Ingham, a Republican, succeeding Lisa Peebles-Hurst, is appointed for a term expiring December 31, 2017.

December 23, 2013

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

**Michigan Natural Resources Commission**

John D. Matonich of 9502 Shyre Circle, Davison, Michigan 48423, county of Genesee, a Democrat, succeeding himself, is reappointed for a term expiring December 31, 2017.

Vicki J. Pontz of 879 Lyons Road, Portland, Michigan 48879, county of Ionia, an Independent, succeeding Annoesjka Steinman, is appointed for a term expiring December 31, 2015.

December 26, 2013

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

**Belle Isle State Park Advisory Committee**

Michael Curis of 80 Stillmeadow Lane, Grosse Pointe Shores, Michigan 48236, county of Wayne, appointee of the Governor, for a term expiring at the pleasure of the Governor.

Michele Hodges of 1169 Bedford Road, Grosse Pointe Park, Michigan 48230, county of Wayne, appointee of the Governor and Mayor, who will chair the committee, for a term expiring at the pleasure of the Governor.

Bryan C. Barnhill, II, of 2900 East Jefferson Avenue, Detroit, Michigan 48207, county of Wayne, appointee of the Governor, for a term expiring at the pleasure of the Governor.

Vassie Lonnie Peek, Jr., of 19360 Stratford Drive, Detroit, Michigan 48221, county of Wayne, appointee of the Governor, for a term expiring at the pleasure of the Governor.

December 26, 2013

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

**Michigan Board of Occupational Therapists**

Deborah A. Windell of 4059 W. Colonial Drive, Hart, Michigan 48420, county of Isabella, representing professionals, succeeding Diane Andert, is appointed for a term expiring December 31, 2017.

Lynn M. Kaiser of 28551 Pondsides Court, Flat Rock, Michigan 48134, county of Wayne, representing professionals, succeeding Susan Robosan-Burt, is appointed for a term expiring December 31, 2017.

Janet M. Santos of 7058 Grass Road, Saline, Michigan 48176, county of Washtenaw, representing professionals, succeeding Gerry Conti, is appointed for a term expiring December 31, 2017.



Nicholas Carlson of 1122 Richmond Road, N.W., Grand Rapids, Michigan 49504, county of Kent, representing the general public, succeeding Grace Smith, is appointed for a term expiring December 31, 2017.

Valerie J. Palmer of 1322 Center Street, Kalamazoo, Michigan 49048, county of Kalamazoo, representing the general public, succeeding Christie Clipper, is appointed for a term expiring December 31, 2017.

Jennifer P. Sesti of 4220 Powelton Court, Clarkston, Michigan 48348, county of Oakland, representing the general public, succeeding LoRon Polk, is appointed for a term expiring December 31, 2017.

December 26, 2013

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

**Michigan Board of Osteopathic Medicine and Surgery**

Steve Ebben of 2964 Riverside Drive, Lake Orion, Michigan 48359, county of Oakland, representing the general public, succeeding Barry Kane, is appointed for a term expiring December 31, 2017.

Diane L. Parrett of 737 Bridgeview Bay Lane, Norton Shores, Michigan 49441, county of Muskegon, representing the physicians, succeeding Steven Acker, is appointed for a term expiring December 31, 2017.

December 26, 2013

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

**Michigan Board of Physical Therapy**

Linda H. Minter of 2161 Arundel Place, Okemos, Michigan 48864, county of Ingham, representing the general public, succeeding herself, is reappointed for a term expiring December 31, 2017.

Renee Przystas of 12556 Lakeshore Drive, Grand Haven, Michigan 49417, county of Ottawa, representing the professionals, succeeding Jill Marlan, is appointed for a term expiring December 31, 2017.

Sarah J. McAllister of 200 W. McKay Street, Saline, Michigan 48176, county of Washtenaw, representing the professionals, succeeding Andrew May, is appointed for a term expiring December 31, 2017.

Adam T. Swain of 73 S. Lake Doster Drive, Plainwell, Michigan 49080, county of Allegan, representing the professionals, succeeding David Goldenbogen, is appointed for a term expiring December 31, 2017.

Johnathon Poronto of 1753 Mountain Ash, West Bloomfield, Michigan 48324, county of Oakland, representing the general public, succeeding Mecha Crockett, is appointed for a term expiring December 31, 2017.

December 26, 2013

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

**Michigan Board of Psychology**

Lisa L. Gray of 1300 E Freeland Road, Merrill, Michigan 48637, county of Midland, representing the general public, succeeding Monica Navarro, is appointed for a term expiring December 31, 2017.

Melinda K. Fernandes of 45400 Pontiac Trail, Walled Lake, Michigan 48390, county of Oakland, representing the general public, succeeding Lori Swartz, is appointed for a term expiring December 31, 2014.

December 26, 2013

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

**Michigan Board of Speech Language Pathology**

Jeffrey S. Weingarten of 21482 Wedgewood Drive, Grosse Pointe Woods, Michigan 48236, county of Wayne, representing physicians - otolaryngologist, succeeding himself, is reappointed for a term expiring December 31, 2017.

Mary M. Purtee of 800 Plymouth Drive, North Muskegon, Michigan 49445, county of Muskegon, representing professionals, succeeding Timothy Weise, is appointed for a term expiring December 31, 2017.

Janelle Edmunds of 7280 Rabbit Ears Pass, Clarkston, Michigan 48346, county of Oakland, representing the general public, succeeding Nicola Hawatmeh, is appointed for a term expiring December 31, 2017.

December 26, 2013

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

**Michigan Board of Veterinary Medicine**

Michael M. Bell of 16964 Beechwood Avenue, Beverley Hills, Michigan 48025, county of Oakland, representing the general public, succeeding Kimlee Beattie, is appointed for a term expiring December 31, 2017.

Peter Levine of 6305 Covered Wagons Trail, Flint, Michigan 48532, county of Genesee, representing the general public, succeeding Carlene Mae Allen, is appointed for a term expiring December 31, 2017.

Dwight L. McNally of 3215 E. Genesee Avenue, Saginaw, Michigan 48601, county of Saginaw, representing veterinarians, succeeding Lawrence Letsche, is appointed for a term expiring December 31, 2017.

Sincerely,  
Rick Snyder  
Governor

The appointments were referred to the Committee on Government Operations.

### Messages from the House

The following message was received and read:

January 8, 2014

I hereby notify you that a quorum of the House of Representatives has convened pursuant to the requirements of the Constitution and is ready to proceed with the business of the session.

Very respectfully,  
Gary L. Randall, Clerk  
House of Representatives

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.

Senator Richardville offered the following resolution:

#### **Senate Resolution No. 109.**

A resolution to commemorate the 25th Anniversary of the North American International Auto Show and to designate January 2014 as North American International Auto Show Month in the state of Michigan.

Whereas, Detroit is a city that rose to greatness on the back of automobile manufacturing, becoming one of the world's great industrial centers and a shining example of American ingenuity and innovation; and

Whereas, The Motor City powered an economic and social revolution in the United States, its industrial advances and mighty Detroit muscle pushing America into modernity and changing the very culture of the nation; and

Whereas, The history and fortunes of Detroit are forever intertwined with the history and fortunes of the automotive industry, and no symbol captures the spirit and soul of the city more than an American-made automobile; and

Whereas, In order to celebrate Detroit's economic and cultural connection to the automobile industry, the Detroit Auto Dealers Association has played host to an auto show nearly every year since 1907; and

Whereas, While the original Detroit Auto Show was a regional affair that focused solely on domestic automobiles, an innovative and visionary group within the Detroit Auto Dealers Association sought to change the nature of the event in the 1980s, seeking to bring European and Asian manufacturers to the show, thereby making it a truly world-class event; and

Whereas, The vision of the Detroit Auto Dealers Association was achieved in 1989, when the newly-named North American International Auto Show became a reality in the Motor City; and

Whereas, Since that time, the dedication and hard work of the Detroit-area auto dealers who have served on the event's organizing committee have allowed the North American International Auto Show to become one of the premier auto shows in the world, having featured more than 200 exhibitors, drawn more than 18 million attendees, and hosted more than 1,300 automobile debuts; and

Whereas, The North American International Auto Show not only captures the imagination and spirit of Detroit, but it also gives back to its hometown, providing more than \$90 million to Detroit-area charities, including \$47 million in the past decade alone; and

Whereas, Thanks to the generosity of those affiliated with the automotive industry, the North American International Auto Show Charity Preview has become the largest single-night fundraiser in the world; and

Whereas, Over the past 25 years, the North American International Auto Show has had an economic impact of nearly \$10 billion in the southeastern Michigan region; and

Whereas, The people of the state of Michigan owe a great deal to the automotive industry, as it has long been the economic engine of our state; now, therefore, be it

Resolved by the Senate, That we encourage all Michiganders to celebrate the 25th Anniversary of the North American International Auto Show; to appreciate the ingenuity, innovation, and generosity of the industry that has shaped our great state; and to recognize January 2014 as North American International Auto Show Month; and be it further

Resolved, That copies of this resolution be transmitted to the North American International Auto Show and the Detroit Auto Dealers Association as a token of our high esteem.

Pending the order that, under rule 3.204, the 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 resolution was adopted.

Senator Meekhof moved that rule 3.204 be suspended to name the entire membership of the Senate and the Lieutenant Governor as co-sponsors of the resolution.

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

Senators Jones, Schuitmaker, Caswell, Colbeck, Hansen, Marleau, Meekhof, Pavlov, Proos, Jansen, Pappageorge and Booher offered the following resolution:

**Senate Resolution No. 108.**

A resolution celebrating the 60th Anniversary of the words “under God” added to the Pledge of Allegiance and urging Congress to forever keep the words “under God” preserved in our Pledge of Allegiance as a testament to the founding ideals that led our country to prosperity.

Whereas, The United States of America will be celebrating the 60th Anniversary of adding the words “under God” into the Pledge of Allegiance; and

Whereas, The joint resolution was introduced by Michigan natives, Congressman Charles Oakman (R-17th) and U.S. Senator Homer Ferguson (R) before being signed by President Dwight D. Eisenhower on June 14, 1954 (Flag Day); and

Whereas, Reverend George M. Docherty, pastor of New York Avenue Presbyterian Church, delivered the historic sermon on February 7, 1954, before President Eisenhower in Washington, D.C., suggesting the words “under God” be added to the pledge. Congressman Oakman introduced his legislation the following day; and

Whereas, These words were first recited within the Pledge of Allegiance by the Knights of Columbus in 1951 at the opening of each of their meetings; and

Whereas, Michigan Congressman Louis Charles Rabaut (D-14th) submitted a resolution on April 20, 1953, to amend the Pledge of Allegiance with the words “under God.” He was the first of many to introduce such similar legislation before it became law in 1954; and

Whereas, President Abraham Lincoln first said the phrase “nation, under God,” in the Gettysburg Address on November 19, 1863, at the dedication of the Soldiers’ National Cemetery:

“It is rather for us to be here dedicated to the great task remaining before us—that from these honored dead we take increased devotion to that cause for which they gave the last full measure of devotion—that we here highly resolve that these dead shall not have died in vain—that this nation, under God, shall have a new birth of freedom—and that government of the people, by the people, for the people, shall not perish from the earth.”

; and

Whereas, When the future of the United States was threatened by communism, we reminded our citizens and the world that our country would prosper because of our nation’s fundamental belief in God. President Eisenhower addressed this foundation during his statement at the signing of the amended Pledge of Allegiance:

“From this day forward, the millions of our school children will daily proclaim in every city and town, every village and rural school house, the dedication of our nation and our people to the Almighty. To anyone who truly loves America, nothing could be more inspiring than to contemplate this rededication of our youth, on each school morning, to our country’s true meaning...In this somber setting, this law and its effects today have profound meaning. In this way we are reaffirming the transcendence of religious faith in America’s heritage and future; in this way we shall constantly strengthen.”

; now, therefore, be it

Resolved by the Senate, That we hereby officially recognize and celebrate the 60th Anniversary of the words “under God” added to the Pledge of Allegiance and urge Congress to forever keep these words preserved in our Pledge of Allegiance. We honor the Michigan members of Congress who put forth the legislation that instilled the importance of these words in our great nation; and be it further

Resolved, That copies of this resolution be transmitted to the members of the Michigan congressional delegation.

Pending the order that, under rule 3.204, the 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 resolution,

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

The motion prevailed.

**House Concurrent Resolution No. 16.**

A concurrent resolution to support and endorse the proposal submitted by the Michigan Advanced Aerial Systems Consortium requesting that Michigan be named one of six federally identified unmanned aircraft system test sites.

Whereas, The unmanned aircraft system (UAS) market is growing rapidly and expected to double worldwide over the next decade. The military relies on UAS to carry out dangerous missions and remove humans from harm’s way. UAS are also becoming an attractive tool for private companies and government agencies. Applications are being studied in the fields of law enforcement, emergency services, and surveillance of borders, waterways, power lines and pipelines; and

Whereas, The Federal Aviation Administration (FAA), in accordance with the FAA Modernization and Reform Act of 2012, initiated a program to identify six UAS test ranges throughout the United States. These congressionally-mandated test sites will conduct critical research into how best to safely integrate UAS into the national airspace over the next several years and what certification and navigation requirements will need to be established; and

Whereas, The Michigan Advanced Aerial Systems Consortium has submitted an application for Michigan to be considered for one of the six UAS test sites. The consortium is led by the Michigan Economic Development Corporation and includes government, academic, corporate, industry, and military partners, including Alpena County, the Michigan Department of Transportation, the Michigan National Guard, the University of Michigan, Michigan Technological University, Kettering University, Western Michigan University, and Alpena Community College; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we support and endorse the proposal submitted by the Michigan Advanced Aerial Systems Consortium requesting that Michigan be named one of six federally identified UAS test sites; and be it further

Resolved, That copies of this resolution be transmitted to the Michigan congressional delegation and the Federal Aviation Administration.

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 Economic Development.

The motion prevailed.

Senators Colbeck, Hansen and Marleau were named co-sponsors of the concurrent resolution.

### **Introduction and Referral of Bills**

Senators Ananich, Whitmer, Warren, Young, Hood, Hopgood, Gregory, Johnson, Smith, Anderson and Bieda introduced **Senate Bill No. 732, entitled**

A bill to prohibit an employer from making certain personal inquiries of employees or applicants for employment; to prohibit discrimination and retaliation for actions to enforce the prohibition on personal inquiries; and to provide remedies.

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

Senators Kowall and Jones introduced

**Senate Bill No. 733, 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 2 (MCL 691.1402), as amended by 2012 PA 50, and by adding section 2b.

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

Senators Caswell, Marleau, Jones, Hunter, Jansen, Booher, Colbeck and Pappageorge introduced

**Senate Bill No. 734, entitled**

A bill to designate December 6 of each year as "Utility Workers Safety Awareness Day".

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

**House Bill No. 4044, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 455. 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 Health Policy.

**House Bill No. 4271, entitled**

A bill to regulate medical marijuana provisioning centers and other related entities; to provide for the powers and duties of certain state and local governmental officers and entities; to provide immunity for persons engaging in medical marijuana-related activities in compliance with this act; to prescribe penalties and sanctions and provide remedies; and to allow the promulgation of rules.

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 Government Operations.

**House Bill No. 4576, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 102 (MCL 500.102), as amended by 2000 PA 252, and by adding chapter 12A.

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 Health Policy.

**House Bill No. 4810, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 7cc (MCL 211.7cc), as amended by 2013 PA 140.

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 Finance.

**House Bill No. 4816, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 2213e.

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 Insurance.

**House Bill No. 5102, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 42a (MCL 211.42a), as amended by 2012 PA 461.

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. 5104, entitled**

A bill to amend 2008 IL 1, entitled "Michigan medical marijuana act," by amending sections 3, 4, 7, and 8 (MCL 333.26423, 333.26424, 333.26427, and 333.26428), sections 3, 4, and 8 as amended by 2012 PA 512, and by adding section 4a.

The House of Representatives has passed the bill with a 3/4 vote 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 Government Operations.

**House Bill No. 5107, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 30101 and 30105 (MCL 324.30101 and 324.30105), section 30101 as amended by 2009 PA 139 and section 30105 as amended by 2013 PA 98.

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 Natural Resources, Environment and Great Lakes.

### Scheduled Meetings

**Appropriations -****Subcommittees -**

**Higher Education and House Higher Education Appropriations Subcommittee** - Thursday, January 9, 6:00 p.m., Davenport University, Wilbur and Sharon Lettinga Auditorium, 6191 Kraft Avenue, S.E., Grand Rapids (373-2768)



**K-12, School Aid, Education, Education Committee, House Education Committee, House Education Appropriations Subcommittee and House School Aid Appropriations Subcommittee** - Wednesday, January 15, 2:30 p.m. or later after committees are given leave to meet by the House, Room 352, Capitol Building (373-5314)

**Economic Development and House Commerce** - Wednesday, January 15, 4:30 p.m., Cobo Center Atrium, 1 Washington Boulevard, Detroit (373-5312)

**Education, K-12, School Aid, Education Appropriations Subcommittee, House Education Committee, House Education Appropriations Subcommittee and House School Aid Appropriations Subcommittee** - Wednesday, January 15, 2:30 p.m. or later after committees are given leave to meet by the House, Room 352, Capitol Building (373-5314)

**Senate Fiscal Agency Board of Governors** - Thursday, January 23, 9:00 a.m., Room S-324, Capitol Building (373-2768)

**Transportation** - Monday, January 13, 2:00 p.m., Oakland County Information Technology Building Auditorium, Building 49 West, 1200 North Telegraph Road, Pontiac (373-5314)

Senator Meekhof moved that the Senate adjourn.  
The motion prevailed, the time being 12:20 p.m.

In pursuance of the order previously made, the President pro tempore, Senator Schuitmaker, declared the Senate adjourned until Tuesday, January 14, 2014, at 10:00 a.m.

CAROL MOREY VIVENTI  
Secretary of the Senate