

No. 7  
STATE OF MICHIGAN  
**Journal of the Senate**  
97th Legislature  
REGULAR SESSION OF 2013

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Senate Chamber, Lansing, Thursday, January 31, 2013.

10:00 a.m.

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

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

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 Phillip Van Dop of First Congregational United Church of Christ of Sheridan offered the following invocation:

Dear Father in Heaven, author of all that is just and true, we come before You as the elected body of this Michigan Senate seeking Your guidance in the business of this day. We ask that You will strengthen us to be willing to be statesmen in order that true beneficial legislation may be shaped not only today, but in all the days that this session of the Senate gathers. We ask that humility be our guide and that Your word be our benchmark as we seek to lead the people of this state.

Help us to remember, Lord, that though we are in positions of power, only You are the true authority, and Your precepts and Your principles must be our guide. We pray for the people of the state of Michigan, many of whom are struggling in these difficult times.

I now pray a blessing on the day's work and the negotiations that will be conducted. May they be fruitful and honor Your name. I pray that there will be vision and courage as these elected individuals execute the workings of their office. I pray that You will protect them from the one who would seek destruction and nonproductivity, and at the end of the day, they may retire with the knowledge of a day in which they served their constituents and You well.

We ask this in Jesus' name. Amen.

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

### Motions and Communications

Senator Smith entered the Senate Chamber.

The following communication was received and read:

Office of the Senate Majority Leader

January 28, 2013

Pursuant to Public Act 271 of 1913 (MCL 399.1), I am making the following reappointment to the Michigan Historical Commission:

Thomas Truscott of Pentwater to continue his term to 12/31/14.

Sincerely,  
Randy Richardville  
Senate Majority Leader

The communication was referred to the Secretary for record.

The Secretary announced that the following bills and joint resolution were printed and filed on Wednesday, January 30, and are available at the Michigan Legislature website:

<b>Senate Bill Nos.</b>	<b>83</b>	<b>89</b>	<b>90</b>	<b>91</b>	<b>92</b>	<b>93</b>	<b>94</b>	<b>95</b>	<b>96</b>	<b>97</b>	<b>98</b>	<b>99</b>	<b>100</b>	<b>101</b>
	<b>102</b>	<b>103</b>	<b>104</b>	<b>105</b>	<b>106</b>	<b>107</b>	<b>108</b>							
<b>House Bill Nos.</b>	<b>4107</b>	<b>4108</b>	<b>4109</b>	<b>4110</b>	<b>4111</b>	<b>4112</b>	<b>4113</b>	<b>4114</b>	<b>4115</b>	<b>4116</b>	<b>4117</b>	<b>4118</b>	<b>4119</b>	<b>4120</b>
	<b>4121</b>	<b>4122</b>	<b>4123</b>	<b>4124</b>	<b>4125</b>	<b>4126</b>	<b>4127</b>	<b>4128</b>	<b>4129</b>	<b>4130</b>	<b>4131</b>			
<b>House Joint Resolution</b>	<b>C</b>													

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

Senator Meekhof moved that the rules be suspended and that the following bills, now on Committee Reports, be placed on the General Orders calendar for consideration today:

**Senate Bill No. 7**

**Senate Bill No. 8**

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

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

The motion prevailed.

Senators Bieda, Hunter and Anderson entered the Senate Chamber.

### Recess

Senator Meekhof moved that the Senate recess subject to the call of the Chair.  
The motion prevailed, the time being 10:05 a.m.

10:36 a.m.

The Senate was called to order by the President pro tempore, Senator Schuitmaker.

During the recess, Senators Young, Hopgood and Kahn entered the Senate Chamber.

### Messages from the Governor

The following messages from the Governor were received and read:

January 18, 2013

Please be advised of the following appointment to office:

**Residential Builders' and Maintenance and Alteration Contractors' Board**

Thomas J. Thelen of 8820 Grange Road, Westphalia, Michigan 48894, county of Clinton, representing maintenance and alteration contractors, succeeding Jennifer Flack, is appointed for a term expiring March 31, 2016.

January 22, 2013

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

**State Plumbing Board**

Anthony M. D'Ascenzo of 16145 Oakwood Court, Northville, Michigan 48168, county of Wayne, representing licensed master plumbers securing permits, succeeding Duane Branch, is appointed for a term expiring June 30, 2013.

January 22, 2013

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

**Michigan Snowmobile and Trails Advisory Council**

Nancy L. Krupiarz of 880 Moss Glen Circle, Haslett, Michigan 48840, county of Ingham, representing non-motorized trail user members, succeeding John Gonway, is appointed for a term expiring January 17, 2014.

Sincerely,  
Rick Snyder  
Governor

The appointments were referred to the Committee on Government Operations.

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 Booher as Chairperson.

After some time spent therein, the Committee arose; and the President pro tempore, Senator Schuitmaker, having resumed the Chair, the Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:

**Senate Bill No. 7, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 2133 (MCL 324.2133), as added by 1995 PA 60.

Substitute (S-1).

The following are the amendments to the substitute recommended by the Committee of the Whole:

1. Amend page 2, line 12, by striking out "AUTHORIZES" and inserting "SELLS SURPLUS LANDS IN".
2. Amend page 2, line 12, after "sale" by striking out "of surplus lands".

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

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:  
**Senate Bill No. 8, entitled**

A bill to amend 1963 PA 247, entitled “An act to define the term “newspaper” as used in the statutes of this state regarding publication of notices,” by amending section 1 (MCL 691.1051); and to repeal acts and parts of acts.

Substitute (S-1).

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

By unanimous consent the Senate returned to the order of  
**Third Reading of Bills**

The following bill was read a third time:

**Senate Bill No. 61, entitled**

A bill to amend 1980 PA 350, entitled “The nonprofit health care corporation reform act,” 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.

The question being on the passage of the bill,

Senator Smith offered the following amendments:

1. Amend page 12, following line 5, by inserting:

“(I) **ONE MEMBER REPRESENTING ORGANIZED LABOR.**”

2. Amend page 12, line 12, after “**AND**” by striking out “**3**” and inserting “**4**”.

3. Amend page 12, line 16, after the first “**OF**” by striking out “**5**” and inserting “**6**”.

The question being on the adoption of the amendments,

Senator Hunter requested the yeas and nays.

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

The amendments were not adopted, a majority of the members serving not voting therefor, as follows:

**Roll Call No. 4**

**Yeas—10**

Anderson  
Bieda  
Gregory

Hood  
Hopgood  
Hunter

Smith  
Warren

Whitmer  
Young

**Nays—26**

Booher  
Brandenburg  
Casperson  
Caswell  
Colbeck  
Emmons  
Green

Hansen  
Hildenbrand  
Hune  
Jansen  
Jones  
Kahn  
Kowall

Marleau  
Meekhof  
Moolenaar  
Nofs  
Pappageorge  
Pavlov

Proos  
Richardville  
Robertson  
Rocca  
Schuitmaker  
Walker

**Excused—1**

Johnson

**Not Voting—0**

Senator Jansen offered the following amendments:

1. Amend page 11, line 17, after “SENATE.” by inserting “AN INDIVIDUAL WHO IS AN EMPLOYEE, OFFICER, OR BOARD MEMBER OF A HEALTH CARE CORPORATION; A LOBBYIST AFFILIATED WITH A HEALTH CARE CORPORATION; OR AN EMPLOYEE OF A HEALTH INSURER, HEALTH CARE PROVIDER, OR THIRD PARTY ADMINISTRATOR IS NOT ELIGIBLE TO AND SHALL NOT BE APPOINTED TO THE BOARD UNDER THIS SUBSECTION.”.

2. Amend page 13, line 27, after “WELFARE.” by inserting “AS SOON AS PRACTICABLE AFTER ORGANIZATION OF THE NONPROFIT CORPORATION UNDER THIS SUBSECTION, THE BOARD SHALL APPLY FOR AND MAKE ITS BEST EFFORT TO OBTAIN TAX-EXEMPT STATUS FOR THE FUND UNDER SECTION 501(C)(3) OF THE INTERNAL REVENUE CODE, 26 USC 501.”.

The amendments were adopted, a majority of the members serving voting therefor.

Senator Marleau offered the following amendment:

1. Amend page 14, line 1, after “TO” by inserting “SUPPORT PROGRAMS THAT IMPROVE THE QUALITY OF HEALTH CARE WHILE REDUCING COSTS TO RESIDENTS OF THIS STATE AND TO”.

The amendment was adopted, 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. 5**

**Yeas—36**

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

**Nays—0**

**Excused—1**

Johnson

**Not Voting—0**

In The Chair: Schuitmaker

The Senate agreed to the title of the bill.

Senator Johnson entered the Senate Chamber.

The following bill was read a third time:

**Senate Bill No. 62, entitled**

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” 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.

The question being on the passage of the bill,  
 Senator Caswell offered the following amendment:  
 1. Amend page 23, following line 13, by inserting:

**“(5) NOTWITHSTANDING ANY PROVISION OF THIS ACT TO THE CONTRARY, A NONPROFIT MUTUAL DISABILITY INSURER THAT HAS MERGED WITH A NONPROFIT HEALTH CARE CORPORATION AS DESCRIBED IN SUBSECTION (1) SHALL MAINTAIN REIMBURSEMENT RATES TO HOSPITAL SERVICE PROVIDERS WITH FEWER THAN 100 BEDS AT THE LEVEL THOSE REIMBURSEMENTS WERE MADE ON THE DATE OF THE MERGER, INCLUDING ANNUAL ADJUSTMENTS AS DESCRIBED IN THIS SUBSECTION, FOR AT LEAST 3 YEARS AFTER THE DATE OF THE MERGER. BY FEBRUARY 1 EACH YEAR, THE COMMISSIONER SHALL ANNUALLY ADJUST THE AMOUNT DESCRIBED IN THIS SUBSECTION BY AN AMOUNT EQUAL TO THE CHANGE IN THE MEDICAL CARE COMPONENT OF THE UNITED STATES CONSUMER PRICE INDEX FOR THE MOST RECENT 12-MONTH PERIOD FOR WHICH DATA ARE AVAILABLE FROM THE UNITED STATES DEPARTMENT OF LABOR, BUREAU OF LABOR STATISTICS.”.**

The question being on the adoption of the amendment,  
 Senator Caswell requested the yeas and nays.

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

The amendment was not adopted, a majority of the members serving not voting therefor, as follows:

**Roll Call No. 6**

**Yeas—6**

Casperson	Emmons	Proos	Walker
Caswell	Green		

**Nays—31**

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

**Excused—0**

**Not Voting—0**

In The Chair: Schuitmaker

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. 7**

**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: Schuitmaker

The Senate agreed to the title of the bill.

By unanimous consent the Senate proceeded to the order of

**Introduction and Referral of Bills**

Senators Anderson, Bieda, Hopgood, Johnson and Gregory introduced  
**Senate Joint Resolution L, entitled**

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 13 of article IV and section 15 of article V, to limit the time that the legislature may meet, to limit what the legislature may consider at extraordinary sessions of the legislature, and to provide for a two-thirds vote of the legislature during those sessions.

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

Senator Nofs introduced

**Senate Bill No. 125, entitled**

A bill to amend 1980 PA 450, entitled "The tax increment finance authority act," by amending section 1 (MCL 125.1801), as amended by 2010 PA 245.

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

Senator Kahn introduced

**Senate Bill No. 126, entitled**

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2013; and to provide for the expenditure of the appropriations.

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

Senators Whitmer, Anderson, Hopgood, Smith, Bieda, Young, Johnson, Gregory, Hood, Hunter and Warren introduced  
**Senate Bill No. 127, entitled**

A bill to amend 1976 PA 331, entitled "Michigan consumer protection act," by amending section 4 (MCL 445.904), as amended by 2003 PA 216.

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

Senators Johnson, Young, Hood, Bieda, Hopgood, Anderson, Smith, Gregory and Hunter introduced

**Senate Bill No. 128, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 272 (MCL 206.272), as amended by 2011 PA 38.

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

Senators Gregory, Hood, Smith, Bieda, Johnson, Hopgood, Anderson, Young, Hunter and Moolenaar introduced **Senate Bill No. 129, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," (MCL 257.1 to 257.923) by adding section 811u. The bill was read a first and second time by title and referred to the Committee on Transportation.

Senators Gregory, Smith, Bieda, Johnson, Hopgood, Anderson, Young, Hunter and Warren introduced

**Senate Bill No. 130, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.713) by adding section 672a. The bill was read a first and second time by title and referred to the Committee on Finance.

Senators Hopgood, Smith, Bieda, Gregory, Young, Casperson, Hunter, Johnson, Jones and Emmons introduced

**Senate Bill No. 131, entitled**

A bill to amend 1970 PA 91, entitled "Child custody act of 1970," (MCL 722.21 to 722.31) by adding section 5a. The bill was read a first and second time by title and referred to the Committee on Judiciary.

Senators Bieda, Anderson, Gregory, Johnson, Hopgood, Young and Brandenburg introduced

**Senate Bill No. 132, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 2946 (MCL 600.2946), as amended by 1995 PA 249.

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

Senators Caswell, Pappageorge, Nofs, Green, Jansen, Booher, Marleau, Walker and Jones introduced

**Senate Bill No. 133, 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 Education.

Senators Jones, Emmons, Bieda, Anderson and Green introduced

**Senate Bill No. 134, entitled**

A bill to amend 1966 PA 189, entitled "An act to provide procedures for making complaints for, obtaining, executing and returning search warrants; and to repeal certain acts and parts of acts," by amending section 2a (MCL 780.652a), as added by 1996 PA 186.

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

Senators Jones, Emmons, Bieda, Anderson and Green introduced

**Senate Bill No. 135, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending sections 520d and 520e (MCL 750.520d and 750.520e), as amended by 2012 PA 372.

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

Senators Moolenaar, Marleau, Meekhof, Richardville, Jansen, Hildenbrand, Green, Emmons, Pavlov, Booher, Jones, Proos, Brandenburg, Robertson, Nofs, Walker, Casperson, Pappageorge, Colbeck, Hune and Kowall introduced

**Senate Bill No. 136, entitled**

A bill to protect religious liberty and rights of conscience in the areas of health care and medical and scientific research as it pertains to employment, education and training, and participating in health care services and to the purchasing of or providing for the purchase of health insurance; to provide immunity from liability; and to prescribe penalties and provide remedies.

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

By unanimous consent the Senate returned to the order of

#### **Motions and Communications**

Senator Meekhof moved that rule 3.902 be suspended to allow the guests of Senator Richardville admittance to the Senate floor, including the center aisle.

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



Senator Meekhof moved that rule 3.901 be suspended to allow photographs to be taken from the Senate floor. The motion prevailed, a majority of the members serving voting therefor.

### Recess

Senator Meekhof moved that the Senate recess subject to the call of the Chair. The motion prevailed, the time being 11:00 a.m.

11:16 a.m.

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

During the recess Senator Richardville introduced Brad Keselowski, 2012 NASCAR Sprint Cup Series Champion, and presented him with a Special Tribute.

Mr. Keselowski responded briefly.

### Resolutions

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

#### **Senate Resolution No. 12**

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

Senators Richardville and Marleau offered the following resolution:

#### **Senate Resolution No. 12.**

A resolution honoring Brad Keselowski, winner of the 2012 NASCAR Sprint Cup Series title, America's foremost automobile championship.

Whereas, While driving the famed "Blue Deuce," the No. 2 Ford Fusion for legendary racing car owner and Michigan native Roger Penske, Brad Keselowski became only the second driver in NASCAR history to win both the Nationwide Series and NASCAR Sprint Cup Series titles; titles he claimed in 2010 and 2012, respectively; and

Whereas, Brad Keselowski, the first Michigan-born racing driver to win the NASCAR Sprint Cup Championship, won the championship in only 125 starts, the fewest starts since racing legend Jeff Gordon's Championship win in 1995;

Whereas, At age 14, Brad Keselowski began competing in the racing circuit and, together with his brother, became a third-generation Michigan driver, following in the footsteps of his father, uncle, and grandfather. In 2008, Brad Keselowski Racing debuted, continuing the tradition of his proud Michigan family; and

Whereas, Brad Keselowski gained valuable racing skills and knowledge while working for his family's race team in Rochester Hills, Michigan, and continues to apply all that he has learned to his success in driving for Penske Racing; skills that undoubtedly helped Brad Keselowski win the first NASCAR title for Penske Racing when Keselowski was named the 2010 Nationwide Series Champion; and

Whereas, Brad Keselowski finished the 2012 NASCAR Sprint Cup season with 5 wins, 13 top-five finishes, and 23 top-ten finishes, beating five-time NASCAR champion Jimmie Johnson and broke ground in sports and technology by sending live Tweets during the 2012 Daytona 500; and

Whereas, Brad Keselowski has become a role model for a brand-new generation of NASCAR fans. He has also made great efforts to support and honor those who have made great personal sacrifices, including veterans, members of the military, and first responders, as well as their families through his charitable Checkered Flag Foundation; now, therefore, be it

Resolved by the Senate, That we offer this expression of our highest tribute to honor Brad Keselowski for his achievements on and off the racetrack and as a token of our appreciation for representing the state of Michigan proudly; and be it further

Resolved, That a copy of this resolution be transmitted to Brad Keselowski as evidence of our highest esteem.

The question being on the adoption of the resolution,

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.

### Statements

Senators Bieda, Hopgood, Meekhof and Kahn asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator Bieda's statement is as follows:

Life often takes different turns. There are moments of triumph and moments of sadness. Today, I want to rise in memory of a constituent who tragically lost her life last week. I would like to take the time to honor the memory of Christina Lazzana-Webster, a Michigander, entrepreneur, and most of all, she was very devoted to her family. Her death is a tragedy. I am deeply saddened to lose such a model citizen from my district.

Her story is an inspiration. In 2010, she experienced a tough time of unemployment, and instead of giving up, she became proactive and started her life as an entrepreneur. Big Top Popcorn Café was born shortly after and redefined what the people of metropolitan Detroit knew as popcorn. She took a simple product—popcorn—and turned it into gold. The company supplies the Detroit Opera House, and talks were ongoing with the Detroit Parade Company after receiving extraordinary testimonials. Christina was planning on expanding her business by building a manufacturing facility which would have brought a lot of jobs to Eastpointe.

Her peers described her as an extremely bright businesswoman, very energetic, and very positive. Furthermore, everybody loved her. After meeting her, you would have become a better person.

Christina was also an active member in her community. She participated in Eastpointe-Roseville Chamber of Commerce and the Rotary Club. Christina was also in the midst of writing her biography to inspire young women to follow their dreams. She also aspired to start a charity to assist local nonprofits with fundraising. On top of that, she was an active member of the Ronald McDonald House.

Christina Lazzana-Webster will be dearly missed, and may her memory live on. She was with us for too short a period, but sometimes the good that people do lives on.

A moment of silence was observed in memory of Christina Lazzana-Webster, Michigander and entrepreneur.

Senator Hopgood's statement is as follows:

I've said it before and I'll say it again: An investment in education is an investment in Michigan's future. As the Governor prepares his budget presentation for the coming fiscal year, I implore him and my colleagues on the other side of the aisle to consider our children's futures more than they have in the past two years.

The Center for Michigan's recent year-long survey of Michigan residents provides the Legislature with a clear vision of the public's priorities on education. According to the report, citizens overwhelmingly support early childhood education and giving public school teachers stronger training, greater feedback, and more resources so they can improve in the classroom. We should reflect carefully on their message and make sure that our priorities align with theirs.

In addition, just this week, the senior economist for the W.E. Upjohn Institute for Employment Research found that we could largely eliminate the academic achievement gap between middle- and low-income students by spending at least 60 percent more per low-income student. Instead, we have the harsh reality that our education funding system is broken and that the promise of Proposal A has never been fulfilled. Instead of investing more in education, Michigan continues to divert its school aid funds, shifting more than \$1 billion out of our schools to support unproven and unproductive tax breaks.

In total, \$2 billion has been diverted from our children's classrooms since 2011. As a result, our students face much larger class sizes, restricted course opportunities, limited books and classroom supplies, cuts to programs for the gifted and talented, and the elimination of extracurricular activities. The School Aid Fund should be allowed to serve its true purpose—the funding of Michigan's K-12 school and early childhood education—and nothing else.

The Republican Senator from the 24th District has introduced an amendment to the State Constitution to guarantee that money from the state's School Aid Fund is only used for K-12 education and not diverted to pay for other measures. I am pleased to have co-sponsored Senate Joint Resolution H and its predecessor which was first introduced by the Democratic Senator from the 23rd District last session. I urge its passage. I would caution, however, that in protecting school funding in this way, we must also be vigilant that the state's support for education is not simply reduced on the back end with cuts to revenues sources that make up the School Aid Fund.

The Governor has called for more funding for early childhood education as part of his State of the State address, something which I applaud and have long supported. It is shameful that we have nearly 30,000 children eligible for the state's Great Start Readiness Program but are unable to get in because there aren't enough slots funded. Given the significant short-term and long-term costs that result from a lack of quality preschool experiences for our at-risk children and the tremendous benefits that are derived from such initiatives, legislators should embrace and support this recommendation.

I recognize the challenges that these education funding concerns pose, but we owe it to our children—and to our state's future—to pass a budget that will provide them with the education they need to be competitive in the 21st century. Let's make the investment in education that the public is asking for and our children deserve.

Senator Meekhof's statement is as follows:

This month marked an anniversary of a sad day in our country's history. Forty years ago, abortion was made legal by the United States Supreme Court in the case we know as *Roe v. Wade*. Since then, over 55 million innocent lives have been terminated, but the tide is turning. Polls show that more and more Americans consider themselves pro-life each year.

I am proud to be one of these pro-life Americans. I'm proud that the vast majority of my colleagues in the Senate are also pro-life. I'm proud that pro-life legislation routinely receives bipartisan support in the Michigan Legislature, but we can only do so much in the Michigan Legislature.

Until the Supreme Court overturns *Roe v. Wade*, millions of innocent children will be killed each year. This anniversary is a somber one, but it is worth recognizing because it serves as a reminder of how much further we need to go to protect the sanctity and dignity of human life.

Senator Kahn's statement is as follows:

I rise in supplemental remarks to the Senator from the 8th District, and I appreciate his interest in and dedication and support for early childhood education; a support which I am pleased to be able to say the Governor and you, Mr. Lieutenant Governor, have evinced from the moment you were elected and even before you assumed office.

This week on Tuesday, there was an education meeting. I had the honor of sitting on a panel to talk about early childhood education, along with some of the folks from across the state—various walks of life, from the administration. Susan Broman from the Department of Education was there, who is a wonderful resource for all of us. We had former-Speaker Paul Hillegonds there, as well as multiple people including consumers. Among the questions that have arisen in early childhood education include effectiveness: What programs are effective, and what constitutes a measure of effectiveness? I'd like to speak to that for just a moment.

It is apparent that there is some disagreement on this subject. There have been state-run programs. I talked to one of my colleagues and was reading about a program that was unsuccessful or relatively unsuccessful involving Georgia and another state. Why are programs unsuccessful, and why are others very valuable to our children?

Well, the program that is most well-known to Michiganders would be the Perry Preschool Study which has been carried out since the '60s and is now about 30 years old, so it has longitudinal data unmatched by anything else. There are two other studies with similar results: one looking at a daycare and how it was done in a supportive, educational learning way that could be valuable; the third one is a Chicago study. All of these studies show return on investment many times more than the initial money spent.

Why some good, some bad? The high school folks who were instrumental in the construction of the Perry project recently did a follow-up study to give an analysis, and the elephant in the room on any education project is parents. Successful programs incorporate parents. They can do that by having parent-teacher conferences. They can do that by having folks who go out into the home. But that's one of the four most important things that need to be done, and of those four, it is probably the most important. It is a differentiator between successful and unsuccessful projects.

The second is accountability. The programs that are set up need to be accountable. They need to be measured; they need to be benchmarked; they need to be studied; they need to be refined; they need to be approved. That's what accountability is about if we're to provide a future for our kids.

The third is the curriculum. What is it that has been measured and constructed in how the kids are taught or learn to learn?

Lastly, there's the question of the teachers themselves. They have to be appropriately paid. If the number is \$11.50 an hour, which appears to be too often the case, then do you get teachers with an educational credit or don't you? Of course, if you do, are they immediately looking for another job? Successful programs successfully answer all four of these questions, and we have one in Michigan, in Perry.

### Committee Reports

The Committee on Judiciary reported

#### **Senate Joint Resolution F, entitled**

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 19 of article VI, to remove the age limitation from eligibility criteria for judicial office.

With the recommendation that the joint resolution be adopted.

Rick Jones  
Chairperson

To Report Out:

Yeas: Senators Jones, Schuitmaker, Rocca and Bieda

Nays: None

The joint resolution was referred to the Committee of the Whole.

The Committee on Judiciary reported

**Senate Bill No. 7, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 2133 (MCL 324.2133), as added by 1995 PA 60.

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.

Rick Jones  
Chairperson

To Report Out:

Yeas: Senators Jones, Schuitmaker, Rocca and Bieda

Nays: None

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

The Committee on Judiciary reported

**Senate Bill No. 8, entitled**

A bill to amend 1963 PA 247, entitled "An act to define the term "newspaper" as used in the statutes of this state regarding publication of notices," by amending section 1 (MCL 691.1051); and to repeal acts and parts of acts.

With the recommendation that the substitute (S-1) be adopted and that the bill then pass.

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

Rick Jones  
Chairperson

To Report Out:

Yeas: Senators Jones, Schuitmaker, Rocca and Bieda

Nays: None

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

#### COMMITTEE ATTENDANCE REPORT

The Committee on Judiciary submitted the following:

Meeting held on Tuesday, January 29, 2013, at 2:30 p.m., Room 110, Farnum Building

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

#### COMMITTEE ATTENDANCE REPORT

The Committee on Energy and Technology submitted the following:

Meeting held on Tuesday, January 29, 2013, at 1:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower

Present: Senators Nofs (C), Proos, Jones, Marleau, Schuitmaker, Walker, Hopgood, Bieda and Young

#### COMMITTEE ATTENDANCE REPORT

The Subcommittee on Department of Human Services submitted the following:

Meeting held on Tuesday, January 29, 2013, at 2:00 p.m., Room 405, Capitol Building

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

#### Scheduled Meetings

**Appropriations** - Wednesday, February 6, 9:00 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-1760)

**Subcommittees -**

**Agriculture and Rural Development** - Tuesday, February 12, 3:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower (373-2768)

**Human Services Department** - Thursday, February 14, 8:00 a.m., Senate Hearing Room, Ground Floor, Boji Tower (373-2768)

**K-12, School Aid, Education** - Wednesday, February 13, 8:30 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

**State Police and Military Affairs** - Thursdays, February 14, February 21, February 28, and March 7, 3:00 p.m., Room 405, Capitol Building (373-2768)

**Appropriations and House Appropriations** - Thursday, February 7, 11:00 a.m., Senate Hearing Room, Ground Floor, Boji Tower (373-1760)

**Outdoor Recreation and Tourism** - Thursday, February 7, 12:30 p.m., Room 110, Farnum Building (373-5323)

**Transportation** - Tuesday, February 5, 12:30 p.m., Room 100, Farnum Building (373-5314)

Senator Meekhof moved that the Senate adjourn.  
The motion prevailed, the time being 11:36 a.m.

The President, Lieutenant Governor Calley, declared the Senate adjourned until Tuesday, February 5, 2013, at 10:00 a.m.

CAROL MOREY VIVENTI  
Secretary of the Senate

