

No. 6
STATE OF MICHIGAN
Journal of the Senate
97th Legislature
REGULAR SESSION OF 2013

Senate Chamber, Lansing, Wednesday, January 30, 2013.

10:00 a.m.

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

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

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

Hopgood—present
Hune—present
Hunter—present
Jansen—present
Johnson—present
Jones—present
Kahn—present
Kowall—present
Marleau—present
Meekhof—present
Moolenaar—present
Nofs—present

Pappageorge—present
Pavlov—present
Proos—present
Richardville—present
Robertson—present
Rocca—present
Schuitmaker—present
Smith—present
Walker—present
Warren—present
Whitmer—present
Young—present

Senior Pastor Brad Cannon of Solid Rock Church of Plymouth offered the following invocation:

Heavenly Father, we thank You and praise You for the men and women who serve this great state of ours. We are honored to gather together today, and we ask, God, that You would give wisdom in decision-making; that You would give each of the leaders what they need for discernment as they make decisions. We ask for protection, for support and strength in their character as they lead.

We lift up to You, God, our need for You and our dependence upon You. We pray today because You've called us to, You've asked us to, and You've asked us to depend on You and so we do.

We ask that this body of government would continue to manage the resources of our great state; manage the finances and lead our people. We bring our Governor Snyder to You, President Obama to You, and we ask that You bless them and give them what they need today to lead.

We ask that You would give wisdom. You tell us to ask for wisdom, and so we're asking for wisdom. We're asking that You would allow us to believe You and not doubt; that we would operate not in fear, but a spirit that You give us—a spirit of power, a spirit of love, and a spirit of a sound mind.

We thank You for our great country. We thank You for all the men and women who serve it in the military, both here and abroad. We ask for protection for them. We ask that You would continue to have Your will and Your way in us.

We pray all these things in Jesus' powerful name. Amen.

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

Motions and Communications

Senators Kahn and Young entered the Senate Chamber.

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

The following communications were received:

Department of State

Administrative Rules Notices of Filing

December 21, 2012

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 #2012-001-LR (Secretary of State Filing #12-12-12) on this date at 2:49 p.m. for the Department of Licensing and Regulatory Affairs, entitled "Michigan Compensation Appellate Commission."

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

January 9, 2013

In accordance with the provisions of MCL 24.248 this is to advise you that the Department of Licensing and Regulatory Affairs, State Office of Regulatory Reinvention filed at 4:44 p.m. on this date, administrative rule (13-01-01E) for the Department of Licensing and Regulatory Affairs, entitled "Board of Pharmacy - Controlled Substances."

These rules take effect upon filing with the Secretary of State and shall remain in effect for 6 months.

January 9, 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 #2012-050-LR (Secretary of State Filing #13-01-02) on this date at 4:46 p.m. for the Department of Licensing and Regulatory Affairs, entitled "CS Part 16 Power Transmission & Distribution."

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

January 9, 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 #2012-058-LR (Secretary of State Filing #13-01-03) on this date at 4:48 p.m. for the Department of Licensing and Regulatory Affairs, entitled "CS Part 17 Electrical Installation."

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

January 9, 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 #2012-060-LR (Secretary of State Filing #13-01-04) on this date at 4:50 p.m. for the Department of Licensing and Regulatory Affairs, entitled "CS Part 21 Guarding for Walking and Working Areas."

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

January 9, 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 #2012-061-LR (Secretary of State Filing #13-01-05) on this date at 4:52 p.m. for the Department of Licensing and Regulatory Affairs, entitled "CS Part 24 Tar Kettles."

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

January 9, 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 #2012-062-LR (Secretary of State Filing #13-01-06) on this date at 4:54 p.m. for the Department of Licensing and Regulatory Affairs, entitled "CS Part 25 Concrete Construction."

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

January 9, 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 #2012-063-LR (Secretary of State Filing #13-01-07) on this date at 4:56 p.m. for the Department of Licensing and Regulatory Affairs, entitled "CS Part 26 Steel Erection."

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

January 9, 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 #2012-069-LR (Secretary of State Filing #13-01-08) on this date at 4:58 p.m. for the Department of Licensing and Regulatory Affairs, entitled "CS Part 4 Portable Ladders."

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

January 10, 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 #2012-072-LR (Secretary of State Filing #13-01-09) on this date at 4:35 p.m. for the Department of Licensing and Regulatory Affairs, entitled "GI Part 8 Portable Fire."

These rules become effective 14 days after filing with the Secretary of State.

January 10, 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 #2012-073-LR (Secretary of State Filing #13-01-10) on this date at 4:37 p.m. for the Department of Licensing and Regulatory Affairs, entitled "GI Part 9 Fixed Fire Equipment."

These rules become effective 15 days after filing with the Secretary of State.

January 10, 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 #2012-071-LR (Secretary of State Filing #13-01-11) on this date at 4:39 p.m. for the Department of Licensing and Regulatory Affairs, entitled "GI Part 7 Guards for Power Transmission."

These rules become effective 15 days after filing with the Secretary of State.

January 10, 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 #2012-070-LR (Secretary of State Filing #13-01-12) on this date at 4:41 p.m. for the Department of Licensing and Regulatory Affairs, entitled "GI Part 5 Scaffolding."

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

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 Senator Nofs 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. 61

Senate Bill No. 62

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 10:06 a.m.

10:47 a.m.

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

During the recess, Senators Nofs and Johnson entered the Senate Chamber.

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 Young as Chairperson.

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

Senate Bill No. 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.

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

Resolutions

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

Senate Resolution No. 10

Senate Resolution No. 11

The resolution consent calendar was adopted.

Senators Pavlov, Colbeck, Green, Jansen, Booher and Marleau offered the following resolution:

Senate Resolution No. 10.

A resolution recognizing January 27 - February 2, 2013, as Michigan School Choice Week.

Whereas, All children in Michigan should have the right to the highest-quality schools possible; and

Whereas, Citizens across Michigan agree that improving the quality of education and expanding access to highly-effective schools should be issues of importance to our state's leaders; and

Whereas, Michigan recognizes the critical role that an effective and accountable system of education plays in preparing all children to be successful in a global economy; and

Whereas, There are a multitude of high-quality public schools, public charter schools, and nonpublic schools in the state of Michigan; and

Whereas, Michigan has many outstanding teaching professionals in public, private, and charter schools across the state who are committed to educating children; and

Whereas, The vital cause of education reform is one that transcends ideology and political party affiliation; and

Whereas, Research in Michigan and across the nation demonstrates conclusively that providing parents with multiple schooling options improves academic performance; now, therefore, be it

Resolved by the Senate, That we hereby commemorate January 27 - February 2, 2013, as Michigan School Choice Week in the state of Michigan, and we call this observance to the attention of all our citizens; and be it further

Resolved, That a copy of this resolution be transmitted to the National School Choice Week organization with our highest esteem.

Senator Proos was named co-sponsor of the resolution.

Senators Johnson, Jansen, Schuitmaker, Hopgood, Booher, Young, Hood, Bieda, Casperson, Hansen, Gregory, Marleau, Anderson, Pappageorge and Kowall offered the following resolution:

Senate Resolution No. 11.

A resolution recognizing February 4, 2013, as Cancer Prevention Day.

Whereas, Cancer is the leading cause of death around the world and has touched the lives of nearly everyone, either directly or indirectly; and

Whereas, This disease is the cause of nearly 1 out of every 4 deaths in the United States, and in Michigan, statistics show nearly 469 out of 100,000 citizens are diagnosed with cancer yearly; and

Whereas, More than 1,500 cancer-related deaths are expected nationwide per day, and in 2010, there were approximately 55,660 new cancer cases in the state of Michigan; and

Whereas, It is understood that early detection and prevention of cancer leads to healthier individuals, less heartache, and more cost-effective health care; and

Whereas, The Michigan Legislature recognizes the efforts of the Less Cancer Campaign which works to raise awareness for the reduction of cancer risks; now, therefore, be it

Resolved by the Senate, That the members of this legislative body recognize the devastating effect cancer has on families and seek to expand knowledge, encourage early detection, and work with our friends in the medical and scientific fields to put an end to this deadly disease; and be it further

Resolved, That copies of this resolution be transmitted to the members of the Michigan congressional delegation, the United States Secretary of Health and Human Services, and the President and First Lady of the United States of America.

Senators Colbeck, Proos and Warren were named co-sponsors of the resolution.

Recess

Senator Meekhof moved that the Senate recess subject to the call of the Chair.
The motion prevailed, the time being 10:52 a.m.

10:58 a.m.

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

Introduction and Referral of Bills

Senators Richardville, Kahn and Caswell introduced

Senate Joint Resolution J, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by amending sections 8 and 40 of article IX, to increase the sales tax rate and to dedicate that revenue to transportation purposes and certain other uses.

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

Senator Hune introduced

Senate Joint Resolution K, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by adding section 28 to article I, to prohibit illegal aliens from receiving public assistance in this state.

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

Senators Casperson and Kahn introduced

Senate Bill No. 84, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 2020 and 71101 (MCL 324.2020 and 324.71101), section 2020 as added and section 71101 as amended by 2004 PA 587; 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 Appropriations.

Senators Pappageorge and Kahn introduced

Senate Bill No. 85, entitled

A bill to repeal 2000 PA 403, entitled "Motor fuel tax act," (MCL 207.1001 to 207.1170).

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

Senators Pappageorge and Kahn introduced

Senate Bill No. 86, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 801, 801e, 803, 803a, 803b, 803p, and 809 (MCL 257.801, 257.801e, 257.803, 257.803a, 257.803b, 257.803p, and 257.809), section 801 as amended by 2012 PA 388, section 801e as amended by 1983 PA 91, section 803 as amended by 2002 PA 490, section 803a as amended and section 803p as added by 1996 PA 404, and sections 803b and 809 as amended by 2011 PA 159.

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

Senator Kahn introduced

Senate Bill No. 87, entitled

A bill to amend 2000 PA 403, entitled "Motor fuel tax act," by amending sections 2, 3, 4, 5, 6, 8, 10, 14, 30, 32, 34, 39, 48, 63, 94, 122, 130, 143, 151, 152, 161, and 163 (MCL 207.1002, 207.1003, 207.1004, 207.1005, 207.1006, 207.1008, 207.1010, 207.1014, 207.1030, 207.1032, 207.1034, 207.1039, 207.1048, 207.1063, 207.1094, 207.1122, 207.1130, 207.1143, 207.1151, 207.1152, 207.1161, and 207.1163), sections 2, 5, and 122 as amended by 2002 PA 668, sections 3, 4, and 39 as amended by 2006 PA 277, section 8 as amended by 2006 PA 268, and sections 30 and 94 as amended by 2008 PA 26; 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 Appropriations.

Senator Kahn introduced

Senate Bill No. 88, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 801, 801e, 803, 803a, 803b, 803p, and 809 (MCL 257.801, 257.801e, 257.803, 257.803a, 257.803b, 257.803p, and 257.809), section 801 as amended by 2012 PA 388, section 801e as amended by 1983 PA 91, section 803 as amended by 2002 PA 490, section 803a as amended and section 803p as added by 1996 PA 404, and sections 803b and 809 as amended by 2011 PA 159.

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

Senator Hansen introduced

Senate Bill No. 109, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 525 (MCL 436.1525), as amended by 2010 PA 279.

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

Senators Kahn, Colbeck, Green, Schuitmaker, Marleau, Jones, Walker, Booher, Brandenburg and Hopgood introduced

Senate Bill No. 110, entitled

A bill to amend 1911 PA 209, entitled "An act to adopt and prescribe the design of a state coat-of-arms and state flag, and their use; to prohibit the use of the same for advertising purposes; to prescribe standards for the manufacture, sale, and display of certain flags of the United States and the state flag; and to prescribe the powers and duties of certain state agencies and officials," by amending the title and section 2a (MCL 2.22a), the title as amended and section 2a as added by 2012 PA 167.

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

Senator Hansen introduced

Senate Bill No. 111, entitled

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

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

Senators Green, Casperson, Colbeck, Nofs, Jansen and Pappageorge introduced

Senate Bill No. 112, entitled

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

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

Senators Green, Nofs, Jansen, Walker and Pappageorge introduced

Senate Bill No. 113, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 27a (MCL 211.27a), as amended by 2012 PA 47.

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

Senators Gregory, Johnson and Hood introduced

Senate Bill No. 114, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 34d (MCL 211.34d), as amended by 2012 PA 185.

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

Senators Gregory, Hopgood and Johnson introduced

Senate Bill No. 115, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1263 (MCL 380.1263), as amended by 2006 PA 276.

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

Senators Gregory, Hopgood and Johnson introduced

Senate Bill No. 116, entitled

A bill to amend 1981 PA 80, entitled "Fiscal stabilization act," by amending sections 3, 4, 5, and 9 (MCL 141.1003, 141.1004, 141.1005, and 141.1009), sections 3, 4, and 9 as amended by 2010 PA 4 and section 5 as amended by 1987 PA 279, and by adding section 4a.

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

Senators Bieda, Jones, Schuitmaker, Anderson, Proos, Kowall, Pappageorge and Marleau introduced

Senate Bill No. 117, entitled

A bill to regulate large-scale commercial breeding kennels; to provide for the promulgation of rules; to provide for exceptions; and to provide for penalties.

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

Senators Jones, Bieda, Rocca, Schuitmaker, Anderson, Proos, Kowall, Pappageorge and Marleau introduced

Senate Bill No. 118, entitled

A bill to amend 1919 PA 339, entitled "Dog law of 1919," (MCL 287.261 to 287.290) by adding section 10a.

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

Senators Jones, Hansen, Booher and Casperson introduced

Senate Bill No. 119, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," (MCL 388.1601 to 388.1896) by adding section 72.

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

Senators Colbeck, Green, Nofs, Robertson, Pappageorge, Brandenburg and Casperson introduced

Senate Bill No. 120, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1168.

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

Senators Colbeck, Green, Nofs, Schuitmaker, Jansen, Robertson, Booher, Brandenburg, Pappageorge and Casperson introduced

Senate Bill No. 121, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1167.

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

Senator Hildenbrand introduced

Senate Bill No. 122, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending section 101 (MCL 388.1701), as amended by 2012 PA 516.

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

Senator Hildenbrand introduced

Senate Bill No. 123, entitled

A bill to amend 1999 PA 203, entitled "The convention facility authority act," by amending sections 3, 5, and 8 (MCL 141.1403, 141.1405, and 141.1408).

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

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

Senate Bill No. 124, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 758, 759, and 759b (MCL 168.758, 168.759, and 168.759b), section 758 as amended by 1996 PA 207 and section 759 as amended by 2012 PA 523.

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

By unanimous consent the Senate returned to the order of

Motions and Communications

The following communication was received and read:

Office of the Senate Majority Leader

January 30, 2013

Pursuant to Senate Rule 3.203, I am hereby re-referring Senate Bill 92 from the Senate Committee on Health Policy to the Senate Committee on Regulatory Reform.

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.

Statements

Senators Hood and Caswell asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator Hood's statement is as follows:

I wanted to come before the body today to indicate that a good friend of this Capitol passed away at about 10:00 p.m. last night. Mr. Bill Heishetter, who was a member of this area dealing with Capitol issues, was a strong advocate for children's education out of the Grand Rapids area.

For those of you who knew Mr. Heishetter, he was a very exceptional man. His nickname was "Coach." He was a big man, and for those of you who knew him, when he gave you a hug, he would pretty much squeeze the air out of you. He had a heart that was as big as any heart I have ever seen. He took me in when I came here as a freshman State Representative, and in his own way, he taught me some of the ways of the things that go on in this building.

I just wanted to stand before you today to let you know about him and to publicly say thank you to him for the things he has done not only for me, but you as well, and for the educational community. He worked to make this state a better state, and he will be sorely missed. Those he knew would tease him because he played football in his younger years, and we would tease him that he played football when they only wore leather helmets.

For those who knew Mr. Heishetter, hopefully, we will have some words and arrangements to notify you of later.

A moment of silence was observed in memory of Bill Heishetter, Grand Rapids lobbyist and children's education advocate.

Senator Caswell's statement is as follows:

I'm here to report to my fellow Senators on a project that you may find of interest in your districts, and I want to make you aware of it. In the DHS budget last year, all of you voted to fund one person from the Prosecuting Attorneys Association of Michigan, and this person's job was to establish an Elder Justice Program.

I want to report to you what they've done and make you aware that you may want to get ahold of this person to do things in your community. I think it goes to the heart of how we don't always have to pass laws, but what we can do is educate. This is what they've accomplished in the first quarter:

"Victim-witness coordinators throughout the state of Michigan are beginning to develop plans to accommodate vulnerable senior citizens during court proceedings. None of the prosecutor-based victim advocates we spoke with had any plan or method of providing transportation, or making any kind of accommodations for a vulnerable elder individual.

Secondly, our efforts are allowing victims to be heard. We are slowly educating law enforcement, protective service, victim advocates, financial institutions and prosecutors that it may take different skills to communicate with a vulnerable senior citizen. As these groups learn these skills, more victims will be able to communicate with these professionals, so their problems can be understood.

Thirdly—and this is quite interesting—“our efforts to form elder death review teams are literally having an effect on the number of murders being ruled natural deaths in Michigan. A horrendous thought, but it’s going on out there, and we’re starting to provide the tools to get folks to understand that what previously might have been called a natural death may, in fact, be a murder.

Fourth, financial institutions are beginning to require legal durable powers of attorney, which offer safeguards for the vulnerable adult protecting their wealth and retirement savings. Our work with financial institutions could save the state and the individual a great deal of money.

Fifth, our work with the prosecutors is encouraging prosecution in areas where it was difficult to prosecute in the past.

Sixth, we are having an effect in prevention. Our efforts are affecting everything from the protection of assets to the avoidance of caregiver stress that leads to abuse. Our community education is bringing an awareness of the problems and existing community resources to the local areas. Education, in other words.

Finally, our training with local law enforcement and community mental health has prepared them to detect and report exploitation and abuse of vulnerable senior citizens.”

The work that all of you did in passing this budget and including this line item is having some profound effects across this state and will continue. I simply wanted to make each of you in this chamber aware of what you’ve done. If you need to contact this individual, you can do so through the Prosecuting Attorneys Association of Michigan, and I would urge you to do that.

Committee Reports

The Committee on Insurance reported

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.

With the recommendation that the bill pass.

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

Joe Hune
Chairperson

To Report Out:

Yeas: Senators Hune, Marleau, Brandenburg, Hansen, Robertson, Smith and Bieda

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Insurance reported

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.

With the recommendation that the bill pass.

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

Joe Hune
Chairperson

To Report Out:

Yeas: Senators Hune, Marleau, Brandenburg, Hansen, Robertson, Smith and Bieda

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Insurance submitted the following:

Meeting held on Tuesday, January 29, 2013, at 2:30 p.m., Senate Hearing Room, Ground Floor, Boji Tower

Present: Senators Hune (C), Marleau, Brandenburg, Hansen, Robertson, Smith and Bieda

COMMITTEE ATTENDANCE REPORT

The Committee on Veterans, Military Affairs and Homeland Security submitted the following:

Meeting held on Tuesday, January 29, 2013, at 1:00 p.m., Room 210, Farnum Building

Present: Senators Moolenaar (C), Pappageorge, Emmons, Gregory and Smith

Scheduled Meetings

Agriculture - Thursday, January 31, 9:00 a.m., Room 110, Farnum Building (373-5312)

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)

Licensing and Regulatory Affairs Department - Thursday, January 31, 1:30 p.m., Rooms 402 and 403, 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)

Banking and Financial Institutions - Thursday, January 31, 1:30 p.m., Room 100, Farnum Building (373-5312)

Natural Resources, Environment and Great Lakes - Thursday, January 31, 9:00 a.m., Room 210, Farnum Building (373-5323)

Senator Meekhof moved that the Senate adjourn.

The motion prevailed, the time being 11:12 a.m.

The President, Lieutenant Governor Calley, declared the Senate adjourned until Thursday, January 31, 2013, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate

