

No. 39
STATE OF MICHIGAN
Journal of the Senate
97th Legislature
REGULAR SESSION OF 2013

Senate Chamber, Lansing, Wednesday, May 1, 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

Senator Bruce E. Caswell of the 16th District offered the following invocation:

Heavenly Father, our thoughts go out today to the families of the six Michigan soldiers killed in Afghanistan yesterday. May You touch the families' hearts and be with them to help them through this difficult time.

For us, Father, we ask that You keep us humble in all our dealings. Help us to understand that we are to be reflections of Your word and Your direction in our daily actions. Help us, Father, to understand that the tongue is the key that unlocks the secrets of our heart. Help us to let our tongue not become poisonous in our dealings with others. Teach us, in all our affairs, to be quick to listen, slow to speak, and slow to anger. And remind us, Father, in the most difficult times we deal with, that we are to love one another as You have loved us, even when we don't deserve it.

All of this we ask in Jesus' name. Amen.

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

Motions and Communications

Senators Young and Richardville entered the Senate Chamber.

Senator Hopgood moved that Senators Hunter, Johnson and Smith be temporarily excused from today's session. The motion prevailed.

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

The Secretary announced that the following House bills were received in the Senate and filed on Tuesday, April 30:
House Bill Nos. 4458 4459 4460 4461 4462 4463 4464

Messages from the Governor

The following messages from the Governor were received and read:

April 22, 2013

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

Certificate of Need Commission

James B. Falahee, Jr., of 301 John Street, Kalamazoo, Michigan 49007, county of Kalamazoo, representing hospitals and Republicans, succeeding himself, is reappointed for a term expiring April 9, 2016.

Denise Brooks-Williams of 19225 Parkside Street, Detroit, Michigan 48221, county of Wayne, representing hospitals and Democrats, succeeding Edward B. Goldman, is appointed for a term expiring April 9, 2016.

April 25, 2013

I respectfully submit to the Senate the following appointment 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 Steven Acker, is appointed for a term expiring December 31, 2013.

April 26, 2013

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

Michigan Board of Respiratory Care

Debra L. Dix of 220 S. Pansy Street, Ishpeming, Michigan 49849, county of Marquette, representing respiratory therapists, succeeding James Berry, is appointed for a term expiring December 31, 2013.

April 30, 2013

Please be advised of the following appointments to office:

City of Ecorse Receivership Transition Advisory Board

Edward B. Koryzno, Jr., of 1110 Pearl Street, Ypsilanti, Michigan 48179, county of Washtenaw, representing the State Treasurer, is appointed for a term commencing May 1, 2013, and expiring at the pleasure of the Governor.

Robert A. Bovitz of 47992 Inveraray Road, Canton, Michigan 48188, county of Wayne, representing the Director of the Department of Technology, Management, and Budget, is appointed for a term commencing May 1, 2013, and expiring at the pleasure of the Governor.

Joyce A. Parker of 5085 Polo Fields Drive, Ann Arbor, Michigan 48103, county of Washtenaw, representing a member with relevant professional experience, is appointed for a term commencing May 1, 2013, and expiring at the pleasure of the Governor.

These appointees shall take and file with the Office of the Great Seal an oath of office before commencing their duties as members of the Receivership Transition Advisory Board.

In addition to the duties assigned to a Receivership Transition Advisory Board by Section 23(5) of Public Act 436 of 2012, the Local Financial Stability and Choice Act, the Ecorse Receivership Transition Advisory Board shall perform the following duties:

1. Fulfill the Board responsibilities outlined in Emergency Manager Order No. 094.
2. Recommend amendments, modifications, repeal, or termination of Emergency Manager Order No. 094, or any other Ecorse Emergency Manager orders, to the Treasurer of the State of Michigan. Recommended amendments, modifications, repeal, or termination of Emergency Manager orders must be approved by the Treasurer before any such modification becomes effective.
3. Conduct a formal annual evaluation of the City's operational and financial progress by identifying strengths, weaknesses, benchmarks achieved, and benchmarks not yet achieved, including a list of specific recommendations, potential resources available to assist City officials, and any other constructive feedback that informs City officials, residents, and other stakeholders concerning how the City can promote and ensure its long-term sustainability.

Finally, pursuant to Section 22(4) of the Act, I impose upon the City the following conditions which must be satisfied before it is removed from receivership, unless subsequently waived by me:

1. The implementation of financial best practices as adopted by the financial officials' association.
2. After study by the Mayor and the City Council and in consultation with the Receivership Transition Advisory Board, the City shall enact changes in the current charter through charter amendments or charter revision that are consistent with applicable model charters and model charter amendments and in the City's best financial interests.
3. The completion by City officials of financial and managerial training to ensure that official responsibilities are properly discharged.

Sincerely,
Rick Snyder
Governor

The appointments were referred to the Committee on Government Operations.

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.

11:01 a.m.

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

During the recess, Senators Johnson, Smith, Brandenburg and Hunter entered the Senate Chamber.

Messages from the House

Senate Bill No. 97, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 907 (MCL 257.907), as amended by 2011 PA 159.

The House of Representatives has substituted (H-2) the bill.

The House of Representatives has passed the bill as substituted (H-2), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

Pursuant to rule 3.202, the bill was laid over one day.

Senate Bill No. 219, entitled

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

The House of Representatives has passed the bill.
 The question being on concurring in the committee recommendation to give the bill immediate effect,
 The recommendation was concurred in, 2/3 of the members serving voting therefor.
 The bill was referred to the Secretary for enrollment printing and presentation to the Governor.

Senate Bill No. 43, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 530 and 8132 (MCL 600.530 and 600.8132), section 8132 as amended by 2011 PA 300.

Substitute (H-1).

The question being on concurring in the substitute made to the bill by the House,
 The substitute was concurred in, a majority of the members serving voting therefor, as follows:

Roll Call No. 149

Yeas—37

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

Nays—0

Excused—0

Not Voting—0

In The Chair: President

The question being on concurring in the committee recommendation to give the bill immediate effect,
 The recommendation was concurred in, 2/3 of the members serving voting therefor.
 The Senate agreed to the title as amended.
 The bill was referred to the Secretary for enrollment printing and presentation to the Governor.

Senate Bill No. 178, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 2212c. (This bill was returned from the House without amendment on April 30 and the recommendation for immediate effect postponed. See Senate Journal No. 38, p. 519.)

The question being on concurring in the committee recommendation to give the bill immediate effect,
 The recommendation was not concurred in, 2/3 of the Senators serving not voting therefor.
 The Senate agreed to the full title.
 The bill was referred to the Secretary for enrollment printing and presentation to the Governor.

Senate Bill No. 179, entitled

A bill to amend 1980 PA 350, entitled "The nonprofit health care corporation reform act," (MCL 550.1101 to 550.1704) by adding section 402d.

(This bill was returned from the House without amendment on April 30 and the recommendation for immediate effect postponed. See Senate Journal No. 38, p. 519.)

The question being on concurring in the committee recommendation to give the bill immediate effect,
The recommendation was not concurred in, 2/3 of the Senators serving not voting therefor.
The Senate agreed to the full title.
The bill was referred to the Secretary for enrollment printing and presentation to the Governor.

By unanimous consent the Senate proceeded to the order of
General Orders

Senator Meekhof moved that the Senate resolve itself into the Committee of the Whole for consideration of the General Orders calendar.

The motion prevailed, and the President, Lieutenant Governor Calley, designated Senator Robertson 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 with a substitute therefor, the following bill:

Senate Bill No. 221, entitled

A bill to amend 1994 PA 295, entitled "Sex offenders registration act," by amending section 5a (MCL 28.725a), as amended by 2011 PA 17.

Substitute (S-2).

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.

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:

Senate Bill No. 25, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 7cc (MCL 211.7cc), as amended by 2012 PA 324.

Substitute (S-3).

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.

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:

House Bill No. 4228, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 6, 11, 11a, 11g, 11j, 11k, 11m, 12, 15, 18, 18b, 19, 20, 20d, 22a, 22b, 22d, 22f, 22i, 22j, 24, 24a, 24c, 26a, 26b, 26c, 31a, 31d, 31f, 32d, 32p, 39, 39a, 51a, 51b, 51c, 51d, 53a, 54, 56, 61a, 62, 74, 81, 94a, 95, 98, 99, 101, 102, 104, 107, 147, 147a, 147b, 147c, 152a, 201, 201a, 206, 209, 210, 224, 225, 229a, 230, 236, 236a, 236b, 241, 242, 244, 245, 246, 252, 256, 258, 263, 263a, 264, 265, 265a, 267, 268, 269, 270, 273, 274, 274a, 276, 277, 278, 279, 280, 281, 282, 289, and 290 (MCL 388.1606, 388.1611, 388.1611a, 388.1611g, 388.1611j, 388.1611k, 388.1611m, 388.1612, 388.1615, 388.1618, 388.1618b, 388.1619, 388.1620, 388.1620d, 388.1622a, 388.1622b, 388.1622d, 388.1622f, 388.1622i, 388.1622j, 388.1624, 388.1624a, 388.1624c, 388.1626a, 388.1626b, 388.1626c, 388.1631a, 388.1631d, 388.1631f, 388.1632d, 388.1632p, 388.1639, 388.1639a, 388.1651a, 388.1651b, 388.1651c, 388.1651d, 388.1653a, 388.1654, 388.1656, 388.1661a, 388.1662, 388.1674, 388.1681, 388.1694a, 388.1695, 388.1698, 388.1699, 388.1701, 388.1702, 388.1704, 388.1707, 388.1747, 388.1747a, 388.1747b, 388.1747c, 388.1752a, 388.1801, 388.1801a, 388.1806, 388.1809, 388.1810, 388.1824, 388.1825, 388.1829a, 388.1830, 388.1836, 388.1836a, 388.1836b, 388.1841, 388.1842, 388.1844, 388.1845, 388.1846, 388.1852, 388.1856, 388.1858, 388.1863, 388.1863a, 388.1864, 388.1865, 388.1865a, 388.1867, 388.1868, 388.1869, 388.1870, 388.1873, 388.1874, 388.1874a, 388.1876, 388.1877, 388.1878, 388.1879, 388.1880, 388.1881, 388.1882, 388.1889, and 388.1890), sections 6, 11, 26b, and 201 as amended by 2012 PA 465, sections 11a, 11g, 11j, 11k, 11m, 12, 18, 19, 20, 20d, 22a, 22b, 22d, 22f, 24, 24a, 24c, 26a, 31a, 31d, 31f, 32d, 39, 39a, 51a, 51c, 51d, 53a, 54, 56, 61a, 62, 74, 81, 94a, 98, 99, 102, 104, 107, 147, 147a, 147b, 152a, 201a, 206, 209, 210, 224, 225, 230, 236, 236a, 241, 242, 244, 245, 252, 256, 258, 263, 263a, 264, 265, 267, 268, 269, 270, 273, 274, 274a, 276, 277, 278, 279, 280, 281, 282, 289, and 290 as amended and sections 22i, 22j, 26c, 32p, 95, 147c, 229a, 236b, 246, and 265a as added by 2012 PA 201, section 15 as amended by 2012 PA 286, section 18b as amended by 2008 PA 268, section 51b as added by 1996 PA 300, and section 101 as amended by 2012 PA 516, and by adding sections 21f, 22c, 22k, 25e, 41, 99b, 236c, 259, and 272a; 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.

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:
House Bill No. 4328, entitled

A bill to make, supplement, adjust, and consolidate appropriations for various state departments and agencies, the judicial branch, and the legislative branch for the fiscal year ending September 30, 2014 and other fiscal years; to provide for certain conditions on appropriations; and to provide for the expenditure of the appropriations.

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

Senator Meekhof moved that the rules be suspended and that the following bills, now on the order of Third Reading of Bills, be placed on their immediate passage:

House Bill No. 4228

House Bill No. 4328

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

The following bill was read a third time:

Senate Bill No. 29, entitled

A bill to prohibit the sale of certain engine coolant in this state that does not contain denatonium benzoate as a bittering agent; to require certain record keeping; and to provide for penalties.

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. 150

Yeas—36

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

Nays—1

Colbeck

Excused—0

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

House Bill No. 4037, entitled

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

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. 151

Yeas—37

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

Nays—0

Excused—0

Not Voting—0

In The Chair: President

The question being on concurring in the committee recommendation to give the bill immediate effect,

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

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

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

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 4228, entitled

A bill to amend 1979 PA 94, entitled “The state school aid act of 1979,” by amending sections 11, 17b, 201, and 236 (MCL 388.1611, 388.1617b, 388.1801, and 388.1836), sections 11 and 201 as amended by 2012 PA 465, section 17b as amended by 2007 PA 137, and section 236 as amended by 2012 PA 201.

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. 152**Yeas—25**

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

Nays—12

Anderson	Hansen	Hunter	Warren
Bieda	Hood	Johnson	Whitmer
Gregory	Hopgood	Smith	Young

Excused—0**Not Voting—0**

In The Chair: President

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to make appropriations to aid in the support of the public schools, the intermediate school districts, community colleges, and public universities of the state; to make appropriations for certain other purposes relating to education; to provide for the disbursement of the appropriations; to authorize the issuance of certain bonds and provide for the security of those bonds; to prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to create certain funds and provide for their expenditure; to prescribe penalties; and to repeal acts and parts of acts.”

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 4328, entitled

A bill to make, supplement, adjust, and consolidate appropriations for various state departments and agencies, the judicial branch, and the legislative branch for the fiscal year ending September 30, 2014 and other fiscal years; to provide for certain conditions on appropriations; to provide for the expenditure of the appropriations; and to repeal acts and parts of acts.

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. 153**Yeas—26**

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

Nays—11

Anderson
Bieda
Gregory

Hood
Hopgood
Hunter

Johnson
Smith
Warren

Whitmer
Young

Excused—0**Not Voting—0**

In The Chair: President

The Senate agreed to the title of the bill.

Resolutions

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

Senate Resolution No. 44**Senate Resolution No. 45**

The resolution consent calendar was adopted.

Senator Green offered the following resolution:

Senate Resolution No. 44.

A resolution recognizing April 2013 as Community Banking Month.

Whereas, Community banks have and continue to play a pivotal role in our economy and this state's economic comeback; and

Whereas, Throughout the country, there are more than 7,000 community banks, with over 100 in the state of Michigan, employing hundreds of thousands of Americans nationwide; and

Whereas, Community banks are a driving force in the banking community, constituting 96.6 percent of all banks, and key in providing financial services to millions of Americans and businesses; and

Whereas, Through their partnership with local charities and organizations, community banks help grow and strengthen our communities; and

Whereas, Local businesses rely on loans and funding from community banks, with 60 percent of all small businesses under \$1 million being funded by community banks nationwide; and

Whereas, Community banking keeps money in communities through reinvestments into local businesses and people, providing greater opportunities and flexibility in lending decisions that help families and businesses, especially during tough economic times; and

Whereas, Community banks not only help the communities in which they are located, but they, too, are part of the small business community that forms the backbone of our state's and nation's economies; now, therefore, be it

Resolved by the Senate, That we hereby recognize April 2013 as Community Banking Month in the state of Michigan, in recognition of the important role they play strengthening and building our communities and our state. We urge all citizens to show their support for their community banks and to acknowledge the contributions and provision of personalized service by community banks.

Senators Anderson, Bieda, Booher, Brandenburg, Caswell, Emmons, Hansen, Hildenbrand, Hopgood, Jansen, Marleau and Proos were named co-sponsors of the resolution.

Senator Booher offered the following resolution:

Senate Resolution No. 45.

A resolution to declare May 2, 2013, as Community College Day in the state of Michigan.

Whereas, The first Michigan two-year college, Grand Rapids Junior College, opened in 1914 and provided high school graduates with two years of general education classes preparing them for future education or workforce experience; and

Whereas, Twenty-seven additional community colleges have been established throughout the state of Michigan since 1914. The community colleges of Michigan include Alpena Community College, Bay College, Delta College, Glen Oaks Community College, Gogebic Community College, Grand Rapids Community College, Henry Ford Community College, Jackson Community College, Kalamazoo Valley Community College, Kellogg Community College, Kirtland Community College, Lake Michigan Community College, Lansing Community College, Macomb Community College, Mid Michigan Community College, Monroe County Community College, Montcalm Community College, Mott Community College, Muskegon Community College, North Central Community College, Northwestern Michigan College, Oakland Community College, St. Clair County Community College, Schoolcraft College, Southwestern Michigan College, Washtenaw Community College, Wayne County Community College District, and West Shore Community College. These institutions educate nearly a half-million students each year; and

Whereas, Michigan community colleges have developed and evolved their educational offerings to include state-of-the-art technical and vocational programs while maintaining high academic standards; and

Whereas, Our state's community colleges are now recognized as leaders in workforce preparation, training, and retraining, as well as offering community services and cultural opportunities to Michigan communities; and

Whereas, Students investing in a Michigan community college education enjoy an attractive return on investment because of future earning capacity; and

Whereas, The role community colleges play in Michigan's economic development continues to be more vital as our state's workforce looks to compete both nationally and globally for the jobs of tomorrow; now, therefore, be it

Resolved by the Senate, That we hereby declare May 2, 2013, as Community College Day in the state of Michigan. We urge appropriate observance of this occasion; and be it further

Resolved, That copies of this resolution be transmitted to the Michigan Community College Association members as a token of our appreciation.

Senators Anderson, Bieda, Brandenburg, Caswell, Emmons, Green, Hansen, Hildenbrand, Hood, Hopgood, Jones, Marleau and Proos were named co-sponsors of the resolution.

Senators Robertson, Kowall and Marleau offered the following resolution:

Senate Resolution No. 46.

A resolution to encourage the inclusion of syringe and scalpel safety scores in health care facility accreditation audits.

Whereas, Health care workers face many occupational risks as they care for sick and injured persons. Sharps-related injuries from needles or scalpels are the most significant of these risks. The Centers for Disease Control and Prevention estimate that about 385,000 sharps-related injuries occur annually among health care workers in hospitals in the United States. A health care worker who is accidentally pricked by a needle or scalpel may be exposed to dangerous blood-borne pathogens, such as HIV, hepatitis B, or hepatitis C; and

Whereas, Innovative safety technologies have been developed to protect health care workers and others from sharps-related injuries. Safety syringes contain a shield over the needle or retract the needle into the syringe barrel after use. Safety scalpels have protective sheaths to guard against accidental cuts. Health care workers are particularly susceptible to a sharps injury when used scalpel blades are removed and replaced with new ones. Single-handed scalpel blade removers allow users to safely remove blades from the handle, instead of using fingers or forceps; and

Whereas, A health care facility's use of sharps-related safety technology can be evaluated using "safety scores." The syringe safety score could be determined by calculating the portion of a health care facility's annual syringe purchases which are comprised of safety syringes. A scalpel safety score can be determined by comparing annual purchases of safety scalpels and single-handed scalpel blade removers with the health care facility's total annual scalpel blade purchases; and

Whereas, Assessing health care facilities' utilization of sharps-related safety technologies can contribute to staff and patient safety. Syringes cause 3.2 injuries per 100,000 purchased, and scalpels cause 662 injuries per 100,000 purchased. Helping health care facilities reduce these numbers will help promote a culture of safety for health care workers and patients; now, therefore, be it

Resolved by the Senate, That we encourage the inclusion of syringe and scalpel safety scores in health care facility accreditation audits; and be it further

Resolved, That copies of this resolution be transmitted to the Michigan Department of Community Health, the Bureau of Health Facilities Licensing in the Department of Licensing and Regulatory Affairs, and all bodies conducting health care facility accreditation in Michigan.

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 the resolution be referred to the Committee on Health Policy.

The motion prevailed.

Senators Brandenburg, Emmons, Green, Hansen and Proos were named co-sponsors of the resolution.

By unanimous consent the Senate proceeded to the order of

Introduction and Referral of Bills

Senators Whitmer, Warren, Young, Bieda, Hopgood, Anderson, Johnson, Hood, Smith, Gregory and Hunter introduced **Senate Joint Resolution U, entitled**

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 11 of article IX, to revise the permissible uses of the state school aid fund.

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

Senators Brandenburg, Robertson, Colbeck, Jones, Marleau, Proos, Nofs, Hansen, Pappageorge, Green and Jansen introduced

Senate Bill No. 337, entitled

A bill to amend 1941 PA 122, entitled "An act to establish the revenue collection duties of the department of treasury; to prescribe its powers and duties as the revenue collection agency of this state; to prescribe certain powers and duties of the state treasurer; to establish the collection duties of certain other state departments for money or accounts owed to this state; to regulate the importation, stamping, and disposition of certain tobacco products; to provide for the transfer of powers and duties now vested in certain other state boards, commissions, departments, and offices; to prescribe certain duties of and require certain reports from the department of treasury; to provide procedures for the payment, administration, audit, assessment, levy of interests or penalties on, and appeals of taxes and tax liability; to prescribe its powers and duties if an agreement to act as agent for a city to administer, collect, and enforce the city income tax act on behalf of a city is entered into with any city; to provide an appropriation; to abolish the state board of tax administration; to prescribe penalties and provide remedies; and to declare the effect of this act," by amending sections 27a and 30 (MCL 205.27a and 205.30), section 27a as amended by 2012 PA 211 and section 30 as amended by 1993 PA 14.

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

Senators Emmons, Marleau, Moolenaar, Booher, Jones, Hildenbrand, Colbeck, Green, Meekhof, Hune, Robertson and Proos introduced

Senate Bill No. 338, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending section 10d (MCL 400.10d), as added by 2012 PA 79.

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

Senators Moolenaar, Marleau, Emmons, Booher, Jones, Colbeck, Green, Brandenburg, Meekhof, Hune, Robertson, Kowall and Rocca introduced

Senate Bill No. 339, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," (MCL 400.1 to 400.119b) by adding section 10h.

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

Senators Brandenburg, Smith and Green introduced

Senate Bill No. 340, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding chapter 21B.

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

Senator Hildenbrand introduced

Senate Bill No. 341, entitled

A bill to amend 2002 PA 712, entitled "Michigan Amber alert act," (MCL 28.751 to 28.754) by amending the title, as amended by 2005 PA 205; and by adding section 5.

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

Senator Hildenbrand introduced

Senate Bill No. 342, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 435 (MCL 206.435), as amended by 2012 PA 154.

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

Senators Jones, Brandenburg, Nofs, Marleau, Booher, Colbeck, Robertson and Proos introduced
Senate Bill No. 343, 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 sections 1 and 5o (MCL 28.421 and 28.425o), section 1 as amended by 2012 PA 243 and section 5o 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 Kowall, Brandenburg, Marleau, Robertson, Bieda, Smith, Pappageorge, Emmons, Casperson, Moolenaar and Meekhof introduced

Senate Bill No. 344, entitled

A bill to amend 1987 PA 231, entitled "An act to create a transportation economic development fund in the state treasury; to prescribe the uses of and distributions from this fund; to create the office of economic development and to prescribe its powers and duties; to prescribe the powers and duties of the state transportation department, state transportation commission, and certain other bodies; and to permit the issuance of certain bonds," by amending section 9 (MCL 247.909), as amended by 1993 PA 149.

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

Senators Kowall, Jansen and Smith introduced

Senate Bill No. 345, entitled

A bill to amend 1966 PA 346, entitled "State housing development authority act of 1966," by amending section 32 (MCL 125.1432), as amended by 2012 PA 328.

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

Senators Smith, Kowall and Jansen introduced

Senate Bill No. 346, entitled

A bill to amend 1966 PA 346, entitled "State housing development authority act of 1966," by amending section 22 (MCL 125.1422), as amended by 2012 PA 327.

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

Senators Jansen, Kowall and Smith introduced

Senate Bill No. 347, entitled

A bill to amend 1966 PA 346, entitled "State housing development authority act of 1966," (MCL 125.1401 to 125.1499c) by adding section 22d.

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

House Bill No. 4458, 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 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 Economic Development.

House Bill No. 4459, entitled

A bill to amend 1975 PA 197, entitled "An act to provide for the establishment of a downtown development authority; to prescribe its powers and duties; to correct and prevent deterioration in business districts; to encourage historic preservation; to authorize the acquisition and disposal of interests in real and personal property; to authorize the creation and implementation of development plans in the districts; to promote the economic growth of the districts; to create a board; to prescribe its powers and duties; to authorize the levy and collection of taxes; to authorize the issuance of bonds

and other evidences of indebtedness; to authorize the use of tax increment financing; to reimburse downtown development authorities for certain losses of tax increment revenues; and to prescribe the powers and duties of certain state officials,” by amending section 1 (MCL 125.1651), as amended by 2012 PA 396.

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 Economic Development.

House Bill No. 4460, entitled

A bill to amend 1996 PA 381, entitled “Brownfield redevelopment financing act,” by amending section 2 (MCL 125.2652), as amended by 2012 PA 502.

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 Economic Development.

House Bill No. 4461, entitled

A bill to amend 1986 PA 281, entitled “The local development financing act,” by amending section 2 (MCL 125.2152), as amended by 2012 PA 290.

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 Economic Development.

House Bill No. 4462, entitled

A bill to amend 2005 PA 280, entitled “Corridor improvement authority act,” by amending section 3 (MCL 125.2873), as amended by 2010 PA 242.

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 Economic Development.

House Bill No. 4463, entitled

A bill to amend 1867 PA 35, entitled “Nonprofit street railway act,” by amending section 23 (MCL 472.23), as amended by 2008 PA 486.

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 Economic Development.

House Bill No. 4464, entitled

A bill to amend 2010 PA 250, entitled “Private investment infrastructure act,” by amending section 3 (MCL 125.1873).

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 Economic Development.

Statements

Senators Young, Johnson 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 Young’s statement is as follows:

Mr. President, I come here before you today to basically talk about how bad the EM law is. Mr. President, right now I truly believe that the greatest threat that we have to democracy is the concentration of power. The greatest threats that we have towards Michigan truly becoming a beacon of economic prosperity and that lighthouse of liberty are when we ignore and completely eradicate the checks and balances—the three branches of government—and invest all of our power into one person. Power, as I said before, is always about expansion. It’s never about limitation. As an instrument, power, as a great person once said, should only be important as an instrument to serve the powerless. We have to make sure that when we are doing things—whether it be for the fiscal sake; whether it be for the economic sake; whether it be for the educational well-being of our citizens—that we limit authority because it will only grow.

While it might have been well-intended, what you did for the purposes of fiscal stability, we’re not always going to be here. We all know that our days are numbered, limited. We have a finite amount of time here in the term limits generation that we are in. So you have to be very careful not just by what you implement, but what you leave behind. Today, it might

be finances; tomorrow, it could be a very wide array of things. We have to make sure that this authority is limited, but also that it is given back to the people. Harry Truman said the highest office in the land is that of citizen. He didn't say that of citizen, if you reach a financial emergency or financial challenge.

The reason that the EM law is so bad is not just because of its unconstitutionality. We talk about Article IV, Section 4 of the United States Constitution, which promises that this government be a republic, something that represents the people; or Article I, Section 10 that said that contracts cannot be destroyed or terminated; or whether you talk about the First Amendment, which says that citizens who face grievances would have the right to have redress from their government. The fact of the matter is that we need government that is accountable to the people and that is also transparent to the people.

Thomas Jefferson said that information is currency in a democracy, and I believe that the absence of information that is supposed to be given to the people creates a platform, creates an environment for chaos. Nothing can thrive in chaos—nothing can, Mr. President. I have folks in my community who are wondering day to day what's going to happen. What's going to happen to the assets and the resources that they believe in, that they love, that they live in the city for, that they fought for? What's going to happen to their precious freedoms that they marched on Selma for, they had dogs sicced on them for, that they braved hoses for. My mother marched at Selma—they were beaten for, many even died for, what is going to happen to those? Mr. President, they deserve an answer, and they deserve to live in a democracy.

I'm not saying we don't have our challenges. Everybody is well aware that we have our challenges, but this is not the proper policy to go about doing that. You don't eliminate democracy. You work with the community; you talk to the community; you build relationships with the community; you find out what they need; and then you make those decisions. Real leadership is about building coalitions, not about conquest.

So, Mr. President, for democracy's sake, for the city of Detroit's sake, for the future of Michigan's sake, let us come together and build that dynamic, indestructible coalition so that the city of Detroit can rise from the ashes, not be under the fist of a dictator.

Senator Johnson's statement is as follows:

Mr. President, I rise today in recognition of May Day, also known as International Workers Day. This day commemorates a general strike in Chicago in 1886 where workers were on strike for an 8-hour workday. As an explosion occurred, the police opened fire on the crowd and four people were killed. This sparked an international movement and recognition of May Day as a symbol of the fight for an 8-hour workday and the rights of workers in general. We should take this day to reflect on the struggle of workers in Michigan, both past and present.

Today in our state, workers are under attack like never before. After being misled by the Governor and legislative Republicans, workers saw their rights to organize stripped away in the dark of night during the lame duck session. We saw the police come out in force and surround the Capitol. Workers were locked outside while we sat in this chamber, and Republicans voted to strip the protestors of their livelihood.

Governor Snyder enacted a virtual police state because he feared the men and women he was elected to represent. He knew that right to work was wrong, and he was afraid that the people would fight to save the workplace protections that have taken centuries to put into place.

Workers' pay and benefits have come under fire. Efforts to privatize government functions have driven wages lower and seen health benefits restricted. Republicans on the other side of the rotunda tried to prematurely enforce right to work by punishing local governments and schools who entered into new labor contracts before the law took effect.

We live in a time where the disparity between the everyday worker and those at the top is growing. The income gulf has never been wider—lower wages, unsafe working conditions, long hours, and no more weekends. That's not the Michigan I grew up in and love, but that is the Michigan we are fast becoming.

So I ask my colleagues again. Stop and think about the long hard fight of the common man to earn a decent wage and realistic work hours.

Senator Kahn's statement is as follows:

I rise to address you and through you, our chamber and the citizens of the state of Michigan. Yesterday I spoke a bit about the notions of how we could improve the quality of medicine that we fund through the Department of Community Health; how we could be cost-effective; how we might reform Medicaid, particularly germane within the context of hundreds of thousands of people who have no safety net and who find bankruptcy the price of seeking care in an emergency room. This issue last week was polled by EPIC-MRA and in that poll it was found that 74 percent of the people of Michigan support Medicaid reform coupled with expansion, 23 percent opposed—even among the Tea Party; 55 percent supported and a lesser amount opposed.

I spoke yesterday about the notion of health care coaches; someone who could contact citizens with dual diagnoses—such as a mental health diagnosis and a physical health diagnosis—in an effort to improve the care and improve the saving of resources for our people. That, however, is not the most expensive area that we have in health care. Rather, it is end-of-life care. In the last one year of our lives, we will spend close to 90 percent of the total dollars that we spend in our lives on health care. Among the issues that occur in that last year is a decision that we each are entitled to make and do make about extended life procedures; CPR, resuscitation, or whether we desire that for ourselves or not.

Thus, we have living wills, and we have the consequences of living wills. Those consequences are linked to their accessibility, whether your living will frequently sits in your safe at home or some secure place that's not with you. Yet when you're in a shopping mall, you might collapse, and that information and its lack of availability is then not followed, and people are given CPR who don't want to it. They are intubated, have broken ribs, are sent to hospitals, and two weeks later or three weeks later, are still suffering and didn't want to be. Ninety percent of the cost of medicine during your life will be spent that way.

What can we do about it? What we need to have is real-time accessibility to living will information. That could be done through the Department of Community Health, or it could be done through the Secretary of State's office, but what we need is not a living will. We need our own will to put appropriations into the departments to make this availability so that when I collapse in a shopping center and 9-1-1 is called, they press a button and have that information accessible to them. Our failure to do this has resulted in a lot of suffering and a lot of cost. If we would act on it, we would lead the way in this nation toward a more effective and compassionate medical system.

Tomorrow, I'd like to continue this discussion and discuss other elements of cost-effectiveness and caring.

Committee Reports

The Committee on Judiciary reported

House Bill No. 4127, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 6b (MCL 765.6b), as amended by 2008 PA 192.

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, April 30, 2013, at 12:00 noon, Room 110, Farnum Building

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

The Committee on Energy and Technology reported

Senate Bill No. 284, entitled

A bill to amend 1939 PA 3, entitled "An act to provide for the regulation and control of public and certain private utilities and other services affected with a public interest within this state; to provide for alternative energy suppliers; to provide for licensing; to include municipally owned utilities and other providers of energy under certain provisions of this act; to create a public service commission and to prescribe and define its powers and duties; to abolish the Michigan public utilities commission and to confer the powers and duties vested by law on the public service commission; to provide for the continuance, transfer, and completion of certain matters and proceedings; to abolish automatic adjustment clauses; to prohibit certain rate increases without notice and hearing; to qualify residential energy conservation programs permitted under state law for certain federal exemption; to create a fund; to provide for a restructuring of the manner in which energy is provided in this state; to encourage the utilization of resource recovery facilities; to prohibit certain acts and practices of providers of energy; to allow for the securitization of stranded costs; to reduce rates; to provide for appeals; to provide appropriations; to declare the effect and purpose of this act; to prescribe remedies and penalties; and to repeal acts and parts of acts," (MCL 460.1 to 460.11) by adding section 9t.

With the recommendation that the bill pass.

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

Mike Nofs
Chairperson

To Report Out:

Yeas: Senators Nofs, Proos, Jones, Marleau, Walker, Hopgood, Bieda and Young

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Energy and Technology submitted the following:

Meeting held on Tuesday, April 30, 2013, at 1:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower

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

Excused: Senator Schuitmaker

Scheduled Meetings**Appropriations -****Subcommittee -**

State Police and Military Affairs - Thursday, May 2, 3:00 p.m., Rooms 402 and 403, Capitol Building (373-2768)

Finance - Wednesday, May 8, 12:30 p.m., Room 210, Farnum Building (373-5307)

Natural Resources, Environment and Great Lakes - Monday, May 6, 1:00 p.m., Port of Detroit Public Dock and Terminal Building, 2nd Floor Public Space, 130 East Atwater Street, Detroit (373-5323)

Senator Meekhof moved that the Senate adjourn.

The motion prevailed, the time being 11:50 a.m.

The President, Lieutenant Governor Calley, declared the Senate adjourned until Thursday, May 2, 2013, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate