

No. 27
STATE OF MICHIGAN
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Senate Chamber, Lansing, Wednesday, March 20, 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

Father Marc Gawronski of Saint Mary's Parish of Monroe offered the following invocation:

Blessed are You, Lord God of mercy, who, through Your Son, gave us a marvelous example of charity and the great commandment of love for one another. Send down Your blessing upon these public servants who have generously given of themselves—their talents, gifts, and abilities; who generously devote themselves to helping others and to the common good. When they are called on in time of need, let them faithfully serve You and their neighbor.

We ask this through Christ our Lord. Amen.

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

Motions and Communications

Senators Hunter and Young entered the Senate Chamber.

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

Senator Meekhof moved that rule 3.902 be suspended to allow the guests of Senators Johnson and Walker admittance to the Senate floor.

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.

Senators Moolenaar and Schuitmaker entered the Senate Chamber.

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

The motion prevailed.

Senator Pappageorge's statement is as follows:

I have guests today in the east Gallery in celebration of Student Athlete Cardiac Awareness Month and a yearly resolution. Senate Resolution No. 24 recognizes the month of April as Michigan Student Athlete Cardiac Awareness Month. Since December 1999, the state of Michigan has lost at least 53 students to sudden cardiac arrest and related causes.

In April 2000, 15-year-old Kimberly Gillary suffered a sudden cardiac arrest in a high school water polo game and died two days later after being taken off of life support. Kimberly's parents, Randy and Susan, founded the Kimberly Anne Gillary Foundation in their daughter's memory. That foundation donates automatic external defibrillators—AEDs as they're called—to Michigan high schools and advocates cardiac screening and testing of all Michigan high school student athletes. As of February 2, 2013, the foundation has raised more than \$1.8 million and has donated more than 610 AEDs to Michigan high schools.

That family is here with us today in the east Gallery. Randy and Susan Gillary and their family are here to support the resolution to help raise awareness of this important issue. I ask that you support Senate Resolution No. 24, as well as join me in welcoming Randy and Susan and their daughters Emily Kucinich and Jennifer Gregory to the Michigan Senate. They are in the east Gallery.

Senator Johnson's statement is as follows:

It is with tremendous pride and tremendous sadness, but with equally tremendous joy, that I present to you today members of a particular gentleman's family who was indeed a gentleman and great steward of business in our community, a great American, a visionary, and someone who embodied the humanitarian spirit of proprietorship and partnership in communities that are challenged like the city of Detroit. I would like to present to you Nabby Yono, Balsam N. Dally, Ziad Dally, David Dally, Jason Dally, Noor Dally, Dionne Dally, and Nada Abro.

I introduce these folks to you because about a year ago—close to a year ago—a great treasure was stolen from our community. A gentleman, who for over 30 years had been a fine store owner and partner in the city of Detroit, lost his life opening his store. We all hear about the stories of violence, and we understand that they are unacceptable. We understand that they are outrageous. We understand that they ought not to happen. But I think that, more importantly, they touch us in a place that sometimes is incalculable.

With me today is also State Representative Klint Kesto from the 39th District, and he, too, is a fine family friend of this family. Fred Dally was someone I knew personally, and when I heard about his tragic death, I was outraged. I was

outraged for a number of reasons. If you grew up on Dexter Boulevard, you knew that Fred was a fixture. You knew that if you were a working parent, you could actually go to Fred, and Fred would make a way to make it your next check. You knew that if you had children in private school and it had become tough to make tuition payments, you knew Fred would help to see you through. You knew that if you had a community organization that needed a little bit of help, a little kick, and an extra something, Fred would see it through. You knew that if you experienced tragedy in your family, Fred would be there to mourn with you.

I shared this story with someone as I talked about Fred. Had I known, if on the last night that Fred closed his store, that I just bumped into him, if I had occasion to meet with him as he locked his door for what would have been the last time, I would have told Fred Dally, “Fred, go home. You’ve done enough; you don’t have to come back.” The reason I would have told Fred that is because there was nothing left alive on Dexter Boulevard around Fred’s store. He was the life.

If you happen to have been at his funeral, mourners from all walks of life, from all persuasions, were there to appreciate and celebrate the life of this fabulous, fabulous man. So if you will indulge me, I would like to read a Special Tribute we have prepared in his honor. It says:

“LET IT BE KNOWN, That it is with great sadness and respect that we join with the family and friends of Mr. Faraj ‘Fred’ Dally, an entrepreneur and a cornerstone of our community, to not only mourn his loss, but to celebrate his life and accomplishments.

Mr. Dally was born in Iraq and came to the United States after facing persecution there as a Christian. He owned and operated the Medicine Chest on Dexter in Detroit for more than 35 years and was a trusted and valued member of our community.

On a first-name basis with nearly all of his customers, Mr. Dally was a fixture in the neighborhood. He offered advice and counsel to residents and business owners, attended funerals and weddings of his customers and was generally welcomed as an extended member of the family for many in the area. Mr. Dally served on the board of the Associated Food and Petroleum Dealers for more than 20 years and was also the organization’s president.

Following the tradition of many immigrants to America, when Mr. Dally arrived, he opened up a store. During the 1960s and 1970s, immigration from Iraq to Detroit increased dramatically and, requiring little capital, opening a small grocery store was an easy way to indeed get started. The decline of conditions in the city left Mr. Dally’s store in the midst of one of the rougher neighborhoods in Detroit. His dedication to his profession would not allow him to close his shop, despite the dangers.

IN SPECIAL TRIBUTE, Therefore, This document is signed and dedicated to honor and celebrate the life of Mr. Faraj ‘Fred’ Dally. Though his time with us ended much, much too early, we trust in God that he is at home and at peace with Him today. We thank God for the memories created with Mr. Dally, that we will all continue to cherish.”

I signed it and so did Representative Kesto and our esteemed Governor sign it as well. I have with me his family, people who sincerely intend on carrying on his legacy. I want you all to know, I want this body to know, that with all of the news reports and things that we hear, that we just don’t like about what is going on, not just in the city of Detroit, we’re family. I consider the folks behind me a family—if you didn’t see the resemblance. The simple fact remains that we are going to have to figure out how to be in these communities together. We’re going to have to figure out how to trust one another, and this is a family that deserves some closure.

While his murder remains open, it is people like me and those who serve in the city of Detroit and, obviously, those outside the city of Detroit, who will see this murder closed. We will see this family get closure. I am asking you to pray and receive them on today, my friends—the family of Mr. Fred Dally.

A moment of silence was observed in memory of Detroit entrepreneur Faraj “Fred” Dally.

The Secretary announced that the following House bills were received in the Senate and filed on Tuesday, March 19:
House Bill Nos. 4069 4243 4244 4320 4321 4322 4323 4324 4325

The Secretary announced that the following bills were printed and filed on Tuesday, March 19, and are available at the Michigan Legislature website:

Senate Bill Nos. 266 267 268 269 270 271 272 273 274 275 276 277 278

Recess

Senator Meekhof moved that the Senate recess subject to the call of the Chair.
 The motion prevailed, the time being 10:20 a.m.

11:27 a.m.

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

Messages from the House

Senate Bill No. 234, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," (MCL 257.1 to 257.923) by adding section 811v. The House of Representatives has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

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

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

The Senate agreed to the full title.

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

By unanimous consent the Senate proceeded to the order of

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 Assistant President pro tempore, Senator Hansen, designated Senator Johnson as Chairperson.

After some time spent therein, the Committee arose; and the Assistant President pro tempore, Senator Hansen, having resumed the Chair, the Committee reported back to the Senate, favorably and without amendment, the following bills:

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.

Senate Bill No. 236, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 2534 (MCL 600.2534), as amended by 2006 PA 506.

The bills were 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. 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. Substitute (S-1).

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

1. Amend page 1, line 1, after "JANUARY 1," by striking out "2014" and inserting "2015".
2. Amend page 1, line 1, after "THE" by striking out "COMMISSIONER" and inserting "WORKGROUP".
3. Amend page 1, line 5, after "THE" by striking out "COMMISSIONER" and inserting "WORKGROUP".
4. Amend page 2, line 3, by striking out all of subsection (2) and inserting:

"(2) A PRESCRIPTION DRUG PRIOR AUTHORIZATION WORKGROUP IS CREATED. WITHIN 30 DAYS AFTER THE EFFECTIVE DATE OF THIS SECTION, THE DEPARTMENT OF COMMUNITY HEALTH AND THE DEPARTMENT OF INSURANCE AND FINANCIAL SERVICES SHALL WORK TOGETHER AND APPOINT MEMBERS TO THE WORKGROUP. THE WORKGROUP MUST CONSIST OF A MEMBER WHO REPRESENTS THE DEPARTMENT OF COMMUNITY HEALTH, A MEMBER WHO REPRESENTS THE DEPARTMENT OF INSURANCE AND FINANCIAL SERVICES, AND MEMBERS WHO REPRESENT INSURERS, PRESCRIBERS, PHARMACISTS, HOSPITALS, AND OTHER STAKEHOLDERS AS DETERMINED NECESSARY BY THE DEPARTMENT OF COMMUNITY HEALTH AND THE DEPARTMENT OF INSURANCE AND FINANCIAL SERVICES. THE WORKGROUP SHALL APPOINT A CHAIRPERSON FROM AMONG ITS MEMBERS. THE CHAIRPERSON OF THE WORKGROUP SHALL SCHEDULE WORKGROUP MEETINGS. THE DEPARTMENT OF COMMUNITY HEALTH AND THE DEPARTMENT OF INSURANCE AND FINANCIAL SERVICES SHALL ORGANIZE THE INITIAL MEETING OF THE WORKGROUP AND SHALL PROVIDE ADMINISTRATIVE SUPPORT FOR THE WORKGROUP."

5. Amend page 2, line 10, after "(3)" by striking out the balance of the line through "PARTIES." on line 12.

6. Amend page 2, line 14, by striking out "COMMISSIONER AND".

7. Amend page 3, line 2, after the first "THE" by striking out "COMMISSIONER" and inserting "WORKGROUP".

8. Amend page 3, line 20, after "**JULY 1,**" by striking out "**2015**" and inserting "**2016**".
9. Amend page 4, line 1, after "**JULY 1,**" by striking out "**2015**" and inserting "**2016**".
10. Amend page 4, line 6, after "**JANUARY 1,**" by striking out "**2015**" and inserting "**2016**".
11. Amend page 5, line 1, after "**JANUARY 1,**" by striking out "**2015**" and inserting "**2016**".
12. Amend page 6, following line 12, by inserting:

"(E) "WORKGROUP" MEANS THE PRESCRIPTION DRUG PRIOR AUTHORIZATION WORKGROUP CREATED UNDER SUBSECTION (2)."

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. 256, entitled

A bill to amend 2008 PA 398, entitled "Michigan supply chain management development commission act," by amending the title and sections 1, 2, 3, and 4 (MCL 125.1891, 125.1892, 125.1893, and 125.1894).

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.

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:

Senate Bill No. 178

Senate Bill No. 179

Senate Bill No. 236

Senate Bill No. 256

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

Senator Meekhof moved that the following bills be placed at the head of the Third Reading of Bills calendar:

Senate Bill No. 219

Senate Bill No. 31

Senate Bill No. 32

Senate Bill No. 178

Senate Bill No. 179

Senate Bill No. 236

Senate Bill No. 256

The motion prevailed.

The following bill was read a third time:

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 question being on the passage of the bill,

Senator Bieda offered the following amendment:

1. Amend page 9, following line 10, by inserting:

"(F) AN INDIVIDUAL WHO WISHES TO USE THE OFFICIAL PERSONAL IDENTIFICATION CARD FOR THE PURPOSE OF EXERCISING THEIR RIGHT TO VOTE."

The amendment was not adopted, a majority of the members serving not voting therefor.

Senator Hunter 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. 55**Yeas—14**Anderson
Bieda
Gregory
HoodHopgood
Hunter
Johnson
JonesNofs
Rocca
SmithWarren
Whitmer
Young**Nays—23**Booher
Brandenburg
Casperson
Caswell
Colbeck
EmmonsGreen
Hansen
Hildenbrand
Hune
Jansen
KahnKowall
Marleau
Meekhof
Moolenaar
Pappageorge
PavlovProos
Richardville
Robertson
Schuitmaker
Walker**Excused—0****Not Voting—0**

In The Chair: Hansen

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. 56**Yeas—37**Anderson
Bieda
Booher
Brandenburg
Casperson
Caswell
Colbeck
Emmons
Green
GregoryHansen
Hildenbrand
Hood
Hopgood
Hune
Hunter
Jansen
Johnson
JonesKahn
Kowall
Marleau
Meekhof
Moolenaar
Nofs
Pappageorge
Pavlov
ProosRichardville
Robertson
Rocca
Schuitmaker
Smith
Walker
Warren
Whitmer
Young**Nays—0****Excused—0****Not Voting—0**

In The Chair: Hansen

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 31, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 2210a.

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. 57

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: Hansen

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 32, entitled

A bill to amend 1998 PA 386, entitled "Estates and protected individuals code," (MCL 700.1101 to 700.8206) by adding section 7114.

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. 58

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: Hansen

The Senate agreed to the title of the bill.

The following bill was read a third time:

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.

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. 59

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 | Pros | Young |
| Gregory | | | |

Nays—0

Excused—0

Not Voting—0

In The Chair: Hansen

The Senate agreed to the title of the bill.

The President pro tempore, Senator Schuitmaker, assumed the Chair.

The following bill was read a third time:

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.

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. 60

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.

The following bill was read a third time:

Senate Bill No. 236, entitled

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending section 2534 (MCL 600.2534), as amended by 2006 PA 506.

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. 61

Yeas—35

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

Nays—2

| | |
|-------------|---------|
| Brandenburg | Caswell |
|-------------|---------|

Excused—0

Not Voting—0

In The Chair: Schuitmaker

The Senate agreed to the title of the bill.

The Assistant President pro tempore, Senator Hansen, resumed the Chair.

The following bill was read a third time:

Senate Bill No. 256, entitled

A bill to amend 2008 PA 398, entitled “Michigan supply chain management development commission act,” by amending the title and sections 1, 2, 3, and 4 (MCL 125.1891, 125.1892, 125.1893, and 125.1894).

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. 62**Yeas—36**

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

Nays—1

Caswell

Excused—0**Not Voting—0**

In The Chair: Hansen

The Senate agreed to the title of the bill.

By unanimous consent the Senate proceeded to the order of

Resolutions**Senate Resolution No. 24.**

A resolution designating April 2013 as Michigan Student Athlete Cardiac Awareness Month.

The question being on the adoption of the resolution,

The resolution was adopted.

Senators Anderson, Bieda, Brandenburg, Emmons, Hansen, Hopgood, Jansen, Jones, Kowall, Marleau, Proos and Rocca were named co-sponsors of the resolution.

Introduction and Referral of Bills

Senator Hansen introduced

Senate Bill No. 279, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 537 (MCL 436.1537), as amended by 2011 PA 298.

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

Senators Jones, Rocca, Hune, Hildenbrand and Brandenburg introduced

Senate Bill No. 280, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending sections 30, 520, and 522 (MCL 206.30, 206.520, and 206.522), section 30 as amended by 2012 PA 597, section 520 as amended by 2011 PA 273, and section 522 as amended by 2011 PA 180.

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

Senator Green introduced

Senate Bill No. 281, entitled

A bill to amend 1951 PA 51, entitled "An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to promote safe and efficient travel for motor vehicle drivers, bicyclists, pedestrians, and other legal users of roads, streets, and highways; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, local bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts," by amending section 10 (MCL 247.660), as amended by 2007 PA 210, and by adding section 11g.

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

House Bill No. 4069, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 51102, 51103, 51108, 51113, and 51115 (MCL 324.51102, 324.51103, 324.51108, 324.51113, and 324.51115), sections 51102 and 51115 as added by 1995 PA 57, sections 51103 and 51113 as amended by 2006 PA 383, and section 51108 as amended by 2012 PA 248.

The House of Representatives has passed the bill and ordered that it be given immediate effect.

The bill was read a first and second time by title and referred to the Committee on Natural Resources, Environment and Great Lakes.

House Bill No. 4243, entitled

A bill to amend 2006 PA 379, entitled "Qualified forest property recapture tax act," by amending sections 2 and 4 (MCL 211.1032 and 211.1034).

The House of Representatives has passed the bill and ordered that it be given immediate effect.

The bill was read a first and second time by title and referred to the Committee on Natural Resources, Environment and Great Lakes.

House Bill No. 4244, 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 497.

The House of Representatives has passed the bill and ordered that it be given immediate effect.

The bill was read a first and second time by title and referred to the Committee on Natural Resources, Environment and Great Lakes.

House Bill No. 4320, entitled

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

The House of Representatives has passed the bill and ordered that it be given immediate effect.

The bill was read a first and second time by title and referred to the Committee on Natural Resources, Environment and Great Lakes.

House Bill No. 4321, entitled

A bill to amend 2006 PA 379, entitled "Qualified forest property recapture tax act," by amending section 5 (MCL 211.1035).

The House of Representatives has passed the bill and ordered that it be given immediate effect.

The bill was read a first and second time by title and referred to the Committee on Natural Resources, Environment and Great Lakes.

House Bill No. 4322, entitled

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

The House of Representatives has passed the bill and ordered that it be given immediate effect.

The bill was read a first and second time by title and referred to the Committee on Natural Resources, Environment and Great Lakes.

House Bill No. 4323, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 9301, 9302, 9304, 9307, 9308, and 9310 (MCL 324.9301, 324.9302, 324.9304, 324.9307, 324.9308, and 324.9310), sections 9301, 9302, 9304, 9308, and 9310 as amended by 1998 PA 463 and section 9307 as amended by 2004 PA 439, and by adding sections 51301, 51302, 51305, and 51306; and to repeal acts and parts of acts.

The House of Representatives has passed the bill and ordered that it be given immediate effect.

The bill was read a first and second time by title and referred to the Committee on Natural Resources, Environment and Great Lakes.

House Bill No. 4324, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 8703, 8707, 8708, and 8709 (MCL 324.8703, 324.8707, 324.8708, and 324.8709), as amended by 2011 PA 2.

The House of Representatives has passed the bill and ordered that it be given immediate effect.

The bill was read a first and second time by title and referred to the Committee on Natural Resources, Environment and Great Lakes.

House Bill No. 4325, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 50301 and 50302 (MCL 324.50301 and 324.50302), as added by 1995 PA 57.

The House of Representatives has passed the bill and ordered that it be given immediate effect.

The bill was read a first and second time by title and referred to the Committee on Natural Resources, Environment and Great Lakes.

Statements

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

The motion prevailed.

Senator Casperson’s statement is as follows:

I rise to highlight something that’s been happening since we did the biodiversity stewardship areas. There’s been a lot of conversation about that, and we’ve had a lot of media conversation. I just want to bring to my colleagues’ attention that there’s been an impression left that without these BSAs, the sky will fall, we won’t be able to manage land, and it’s all going to fall apart on us. I don’t know if a lot of our members know that right now, as an example, the Department of Natural Resources has what’s called a Natural Areas Program Strategic Plan. I have it right here. This was published in March of 2000, and a huge amount of people from the department worked on this.

If you go through this strategic plan, you’ll find a lot of things in here that identify a lot of the things that we’ve dealt with in this chamber. One very notable area was ecoregions. If you recall, when the NRC sent over a list of potential purchases of land, they identified ecoregions. We said that they could not do that; they needed to identify specific land for the purpose of purchasing. We were told that they wanted to put these ecoregions in place because the land wasn’t available at the time. One of our concerns was what’s the purpose of the land you’re trying to buy? They assured us it was multiuse. They weren’t looking for set-asides or anything like that.

Well, if you look at the natural area plan, you’ll find that they actually identify natural areas or ecoregions. Ecoregions are identified in this plan, and the purpose of the ecoregions is for the very purpose of setting that land aside from any activity—from human use; from recreational use. It’s purely for set-asides. So I bring this to our attention because it appears to me that we’re being told one thing, and yet, when I look inside what the department is doing and those who are apparently working with the department, it seems to be a very different approach. Let me give you an example of some of the things that are in the Michigan wilderness and natural areas legislation.

One of the concerns I’ve had with this is that if we want to recreate on the land, it’s going to be more difficult. If we want to use it for industrial purpose, like the forest background where I come from, it’s going to be more difficult. If we want to explore for natural resources when it comes to mining, it’s going to be more difficult. I’ve been assured that’s not the case.

Let me read to you from the department. This is what they’ve been working on since 2000. This program is what they’re trying to implement. One of the areas, it says, prohibits the following activities within wilderness, wild, and natural areas.

What might those be? Removing, cutting, picking, or otherwise altering vegetation, except as necessary for appropriate public access, the preservation or restoration of a wildlife species; or the documentation of scientific values and with written consent of the department; or for an easement. What are some of the others that are prohibited? Exploration or extraction of minerals, a commercial enterprise, utility, or permanent role, any use of mechanical transport. If you’re a guy who enjoys recreational activities and you happen to like the motorized side of it—and, by the way, horses are considered motorized when the department looks at horses—it appears to me that these places are off limits. It includes bicycling and motorboats, except when necessary for emergencies. This is a misdemeanor offense to do this, to be caught doing it. Use of motorized equipment, except for department-approved management requirements, dedicated areas for maintenance, and restore it so as to preserve their natural values.

I would submit to you that as we talk about these things, we’re being told that it’s all of the above, multiuse. Yet when I go through this extensive program, when it comes to recreation—sports activities, hunting, fishing, going in the great outdoors—it’s a pin drop in here compared to what they actually want to do with the land. So when you’re told that biodiversity stewardship areas are so needed that we should get out of the way and let this happen, please note, as I mentioned before, 22 different programs, this being one of them. When you look at this, there are natural areas all over the state of Michigan. BSAs are simply an add-on. I would submit, folks, that we need to educate ourselves on where the department is actually going. This document is very telling. Please read it.

Senator Johnson’s statement is as follows:

I rise today to address the hypocrisy that is occurring on the other side of this building. Yesterday, the House Appropriations Subcommittee on Higher Education passed legislation to punish universities and school districts that renegotiate union contracts before the so called right-to-work law goes into effect. These are legitimate contracts that will allow these schools and universities to find savings in their budgets, while improving the academic experience they are able to offer.

Under the proposed appropriation measures, these universities would be hit with a 15 percent cut in state aid, and these K-12 school districts would lose their share of \$46 million in performance grants and \$50 million in technology infrastructure improvement grants. Sadly, in the end, it will be our children and young adults in the classrooms who pay the price for these vindictive actions.

The House Republicans are punishing universities and K-12 schools for following the letter of the law. When right to work was rushed through without a single public hearing in the lame duck session last December, we were told it would not affect collective bargaining. These moves further demonstrate the true political motivation behind right to work and are clearly attempts to not only intimidate public schools and universities, but also to enforce laws that have not yet taken legal effect.

We have slashed university and K-12 budgets year after year under the Snyder Administration, thoroughly disinvesting in education. Students at universities have paid the price when these cuts have forced increases in tuition, and our children have paid the price in overcrowded classrooms. Right to work is not the law of the land yet. If you wanted the law to take immediate effect, then you should have voted to give it immediate effect.

Don't take my word for it. An editorial written by the *Detroit Free Press* ran yesterday, entitled "GOP lawmakers show insulting hypocrisy over Wayne State contract." Once again, I believe that the GOP is making Michigan out to be the laughingstock of the nation. Let's maintain some semblance of integrity and not follow the foolish hubris of the House.

Committee Reports

The Committee on Judiciary reported

House Bill No. 4123, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," (MCL 600.101 to 600.9947) by adding section 2977.

With the recommendation that the bill pass.

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

Rick Jones
Chairperson

To Report Out:

Yeas: Senators Jones, Schuitmaker and Bieda

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Judiciary submitted the following:

Meeting held on Tuesday, March 19, 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, March 19, 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, March 19, 2013, at 2:00 p.m., Rooms 402 and 403, Capitol Building

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

COMMITTEE ATTENDANCE REPORT

The Subcommittee on General Government submitted the following:

Meeting held on Tuesday, March 19, 2013, at 2:30 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building

Present: Senators Pappageorge (C), Jansen and Colbeck

Excused: Senator Johnson

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Department of Corrections submitted the following:
Meeting held on Tuesday, March 19, 2013, at 3:00 p.m., Room 210, Farnum Building
Present: Senators Proos (C), Walker and Anderson

COMMITTEE ATTENDANCE REPORT

The Subcommittee on K-12, School Aid, Education submitted the following:
Meeting held on Wednesday, March 20, 2013, at 9:00 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building
Present: Senators Walker (C), Caswell, Pappageorge and Hopgood

Scheduled Meetings

Agriculture - Thursday, March 21, 9:00 a.m., Room 110, Farnum Building (373-5312)

Appropriations -**Subcommittees -**

General Government - Tuesday, April 9, 2:30 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

Judiciary - Thursday, March 21, 9:00 a.m., Room 100, Farnum Building (373-2768)

State Police and Military Affairs - Thursday, April 11, 3:00 p.m., Rooms 402 and 403, Capitol Building (373-2768)

Health Policy - Thursday, March 21, 8:30 a.m., Senate Hearing Room, Ground Floor, Boji Tower (373-5314)

Natural Resources, Environment and Great Lakes - Thursday, March 21, 8:30 a.m., Room 210, Farnum Building (373-5323)

Senate Fiscal Agency Board of Governors - Thursday, April 11, 9:00 a.m., Room S-324, Capitol Building (373-2768)

State Drug Treatment Court Advisory Committee - Tuesday, March 26, 9:30 a.m., Legislative Council Conference Room, 3rd Floor, Boji Tower (373-0212)

Senator Meekhof moved that the Senate adjourn.
The motion prevailed, the time being 12:11 p.m.

The Assistant President pro tempore, Senator Hansen, declared the Senate adjourned until Thursday, March 21, 2013, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate

