

No. 99
STATE OF MICHIGAN
Journal of the Senate
97th Legislature
REGULAR SESSION OF 2013

Senate Chamber, Lansing, Thursday, December 5, 2013.

10:00 a.m.

The Senate was called to order by the Associate President pro tempore, Senator Vincent Gregory.

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

Ananich—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—excused
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

Reverend Brenda Deily of First Presbyterian Church of Three Rivers offered the following invocation:

Almighty God, Creator of all things and Giver of every good and perfect gift, please hear us this day as we seek Your blessing upon the work of these men and women. We give You thanks for this moment, O God, when there is so much that threatens to divide us that we have this time when our hearts may be united in prayer. Remind us, gracious God, to be kind in our differences and to be humble in our agreements.

I pray that these men and women who stand before You as Your servants and servants of the people will sincerely seek what is right for all of Your people, O God. Knowing that criticism may come when they stand for godly principles, may they learn from what is helpful, and may they forgive what is unjust and unkind. In the midst of the pressures they face from every direction, quiet their spirits, O God, so they may hear Your still, small voice and bravely follow Your will and Your guidance.

In their earnest work for the people of this great state, I pray that compassion will always speak more loudly than position or money. I pray that they will give special care for the people who have no lobbyist and the poor who are in need of justice. So I pray, O God, that the glory of the government of this state is revealed in that not only the strong are heard, but also the weak; not only the powerful, but also the helpless; and not only those with influence, but also those who every day lead honest lives of hard work and service in their communities.

Now, Almighty God, bless these men and women that they may do their work in a spirit of wisdom, kindness, and justice. Help them use their authority to serve faithfully, to promote the general welfare, and most of all, to bring glory to Your name.

In Your loving purpose, O God, answer our prayers and fulfill our hopes. In all things for which we pray, give us the will to seek to bring them about. Amen.

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

Motions and Communications

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

Senators Green, Hoggood and Jansen entered the Senate Chamber.

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

The motion prevailed.

Senator Hunter moved that Senator Hood be excused from today's session.

The motion prevailed.

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

Senate Bill No. 104, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," (MCL 211.1 to 211.155) by adding section 7ll.

The motion prevailed.

Senator Meekhof moved that the following bill, now on the order of General Orders, be referred to the Committee on Reforms, Restructuring and Reinventing:

Senate Bill No. 323, entitled

A bill to amend 2011 PA 152, entitled "Publicly funded health insurance contribution act," by amending section 3 (MCL 15.563).

The motion prevailed.

Senator Young entered the Senate Chamber.

The Secretary announced that the following House bills were received in the Senate and filed on Wednesday, December 4:

House Bill Nos. 4021 4867 4895 4896 5012 5026 5138 5156

The Secretary announced that the following bills were printed and filed on Wednesday, December 4, and are available at the Michigan Legislature website:

Senate Bill Nos. 698 699 700 701 702 703 704

Messages from the House

Senator Meekhof moved that consideration of the following bill be postponed for today:

House Bill No. 4277

The motion prevailed.

Senate Bill No. 174, entitled

A bill to require certain consumer reporting agencies to place security freezes for consumers under certain circumstances; to provide for the removal of those security freezes; to authorize and limit fees; to prescribe the powers and duties of certain state agencies and officials; and to provide remedies.

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

The House of Representatives requested the return of

Senate Bill No. 174, entitled

A bill to require certain consumer reporting agencies to place security freezes for consumers under certain circumstances; to provide for the removal of those security freezes; to authorize and limit fees; to prescribe the powers and duties of certain state agencies and officials; and to provide remedies.

Senator Meekhof moved that the request of the House of Representatives be granted.

The motion prevailed.

Senate Bill No. 373, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 17723.

The House of Representatives has substituted (H-1) the bill.

The House of Representatives has passed the bill as substituted (H-1), 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. 35, entitled

A bill to amend 1909 PA 279, entitled "The home rule city act," by amending section 4q (MCL 117.4q), as amended by 2008 PA 51.

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. 555

Yeas—35

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

Nays—1

Young

Excused—2

Hood Johnson

Not Voting—0

In The Chair: Hansen

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 members 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. 36, entitled

A bill to amend 2006 PA 110, entitled "Michigan zoning enabling act," by amending section 406 (MCL 125.3406).
 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. 556**Yeas—35**

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

Nays—1

Young

Excused—2

Hood Johnson

Not Voting—0

In The Chair: Hansen

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 members 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. 37, entitled

A bill to amend 1972 PA 230, entitled “Stille-DeRossett-Hale single state construction code act,” (MCL 125.1501 to 125.1531) by adding section 9c.

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. 557**Yeas—35**

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

Nays—1

Young

Excused—2

Hood

Johnson

Not Voting—0

In The Chair: Hansen

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 members 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. 38, entitled

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” (MCL 600.101 to 600.9947) by adding section 4027.

(This bill was returned from the House without amendment on December 3 and the recommendation for immediate effect postponed. See Senate Journal No. 97, p. 1854.)

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 members 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. 39, entitled

A bill to amend 1909 PA 279, entitled “The home rule city act,” by amending section 4r (MCL 117.4r), as amended by 2008 PA 51.

(For text of amendment, see Senate Journal No. 97, p. 1854.)

The question being on concurring in the amendment made to the bill by the House,

The amendment was concurred in, a majority of the members serving voting therefor, as follows:

Roll Call No. 558**Yeas—35**

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

Nays—1

Young

Excused—2

Hood

Johnson

Not Voting—0

In The Chair: Hansen

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 members 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 Assistant President pro tempore, Senator Hansen, designated Senator Colbeck as Chairperson.

After some time spent therein, the Committee arose; and the President, Lieutenant Governor Calley, having assumed the Chair, the Committee reported back to the Senate, favorably and with amendment, the following bill:

Senate Bill No. 679, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 356 (MCL 750.356), as amended by 2008 PA 431.

The following is the amendment recommended by the Committee of the Whole:

1. Amend page 4, line 25, after "**PRESUMPTION**" by striking out the balance of the page through "**STRUCTURE**" on line 1 of page 5 and inserting "**IN A PROSECUTION UNDER THIS SECTION THAT A PERSON WHO REMOVES OR ATTEMPTS TO REMOVE METAL FROM A BUILDING OR STRUCTURE AND IS UNABLE TO PRODUCE A VALID COPY OF AN APPLICABLE BUILDING OR DEMOLITION PERMIT**".

The Senate agreed to the amendment recommended by the Committee of the Whole, and the bill as amended 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 bill, now on the order of Third Reading of Bills, be placed on its immediate passage:

Senate Bill No. 679

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:

House Bill No. 4064

House Bill No. 4532

Senate Bill No. 101

House Bill No. 4858

House Bill No. 4859

House Bill No. 5014

House Bill No. 5015

Senate Bill No. 679

The motion prevailed.

The following bill was read a third time:

House Bill No. 4064, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 2137 and 8344 (MCL 600.2137 and 600.8344), section 2137 as amended by 2009 PA 239 and section 8344 as amended by 2005 PA 326, and by adding section 1428; 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. 559

Yeas—36

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

Nays—0

Excused—2

Hood

Johnson

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 revise and consolidate the statutes relating to the organization and jurisdiction of the courts of this state; the powers and duties of the courts, and of the judges and other officers of the courts; the forms and attributes of civil claims and actions; the time within which civil actions and proceedings may be brought in the courts; pleading, evidence, practice, and procedure in civil and criminal actions and proceedings in the courts; to provide for the powers and duties of certain state governmental officers and entities; to provide remedies and penalties for the violation of certain provisions of this act; to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act; 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. 4532, entitled

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending sections 832, 859, and 1427 (MCL 600.832, 600.859, and 600.1427), section 859 as amended by 2005 PA 326.

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. 560

Yeas—36

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

Nays—0

Excused—2

Hood	Johnson
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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 revise and consolidate the statutes relating to the organization and jurisdiction of the courts of this state; the powers and duties of the courts, and of the judges and other officers of the courts; the forms and attributes of civil claims and actions; the time within which civil actions and proceedings may be brought in the courts; pleading, evidence, practice, and procedure in civil and criminal actions and proceedings in the courts; to provide for the powers and duties of certain state governmental officers and entities; to provide remedies and penalties for the violation of certain provisions of this act; to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act; and to repeal acts and parts of acts.”.

The Senate agreed to the full title.

Senator Johnson entered the Senate Chamber.

The following bill was read a third time:

Senate Bill No. 101, entitled

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

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. 561

Yeas—37

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

Nays—0

Excused—1

Hood

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. 4858, entitled

A bill to amend 1999 PA 276, entitled “Banking code of 1999,” (MCL 487.11101 to 487.15105) by adding section 4110.

The question being on the passage of the bill,

The bill was passed, 2/3 of the members serving voting therefor, as follows:

Roll Call No. 562

Yeas—35

Ananich	Green	Jones	Proos
Anderson	Gregory	Kahn	Richardville
Bieda	Hansen	Kowall	Robertson
Booher	Hildenbrand	Marleau	Rocca
Brandenburg	Hopgood	Meekhof	Schuitmaker
Casperson	Hune	Moolenaar	Walker

Caswell
Colbeck
Emmons

Hunter
Jansen
Johnson

Nofs
Pappageorge
Pavlov

Warren
Whitmer

Nays—2

Smith

Young

Excused—1

Hood

Not Voting—0

In The Chair: President

Senator Meekhof moved that the bill be given immediate effect.

The motion prevailed, 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 revise and codify the laws relating to banks, out-of-state banks, and foreign banks; to provide for their regulation and supervision; to prescribe the powers and duties of banks; to prescribe the powers and duties of certain state agencies and officials; 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. 4859, entitled

A bill to amend 1996 PA 354, entitled “Savings bank act,” (MCL 487.3101 to 487.3804) by adding section 436.

The question being on the passage of the bill,

The bill was passed, 2/3 of the members serving voting therefor, as follows:

Roll Call No. 563

Yeas—35

Ananich
Anderson
Bieda
Booher
Brandenburg
Casperson
Caswell
Colbeck
Emmons

Green
Gregory
Hansen
Hildenbrand
Hopgood
Hune
Hunter
Jansen
Johnson

Jones
Kahn
Kowall
Marleau
Meekhof
Moolenaar
Nofs
Pappageorge
Pavlov

Proos
Richardville
Robertson
Rocca
Schuitmaker
Walker
Warren
Whitmer

Nays—2

Smith

Young

Excused—1

Hood

Not Voting—0

In The Chair: President

Senator Meekhof moved that the bill be given immediate effect.

The motion prevailed, 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 codify the laws relating to savings banks; to provide for incorporation, regulation, supervision, and internal administration of savings banks; to prescribe the rights, powers, and immunities of savings banks; to prescribe the powers and duties of certain state agencies and officials; to provide for remedies; and to prescribe penalties.”.

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 5014, entitled

A bill to amend 1998 PA 58, entitled “Michigan liquor control code of 1998,” (MCL 436.1101 to 436.2303) by adding section 1024.

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. 564**Yeas—33**

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

Nays—2

Smith	Young
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Excused—1

Hood

Not Voting—2

Hopgood	Warren
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In The Chair: President

Senator Meekhof moved that the bill be given immediate effect.
The motion prevailed, 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 create a commission for the control of the alcoholic beverage traffic within this state, and to prescribe its powers, duties, and limitations; to provide for powers and duties for certain state departments and agencies; to impose certain taxes for certain purposes; to provide for the control of the alcoholic liquor traffic within this state and to provide for the power to establish state liquor stores; to prohibit the use of certain devices for the dispensing of alcoholic vapor; to provide for the care and treatment of alcoholics; to provide for the incorporation of farmer cooperative wineries and the granting of certain rights and privileges to those cooperatives; to provide for the licensing and taxation of activities regulated under this act and the disposition of the money received under this act; to prescribe liability for retail licensees under certain circumstances and to require security for that liability; to provide procedures, defenses, and remedies regarding violations of this act; to provide for the enforcement and to prescribe penalties for violations of this act; to provide for allocation of certain funds for certain purposes; to provide for the confiscation and disposition of property seized under this act; to provide referenda under certain circumstances; 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. 5015, entitled

A bill to amend 1995 PA 279, entitled “Horse racing law of 1995,” (MCL 431.301 to 431.336) by adding section 9b.
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. 565

Yeas—37

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

Nays—0

Excused—1

Hood

Not Voting—0

In The Chair: President

Senator Meekhof moved that the bill be given immediate effect.
The motion prevailed, 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 license and regulate the conducting of horse race meetings in this state with pari-mutuel wagering on the results of horse races and persons involved in horse racing and pari-mutuel gaming activities at such race meetings; to

create the office of racing commissioner; to prescribe the powers and duties of the racing commissioner; to prescribe certain powers and duties of the department of agriculture and the director of the department of agriculture; to provide for the promulgation of rules; to provide for the imposition of taxes and fees and the disposition of revenues; to impose certain taxes; to create funds; to legalize and permit the pari-mutuel method of wagering on the results of live and simulcast races at licensed race meetings in this state; to appropriate the funds derived from pari-mutuel wagering on the results of horse races at licensed race meetings in this state; to prescribe remedies and penalties; and to repeal acts and parts of acts.”.

The Senate agreed to the full title.

The following bill was read a third time:

Senate Bill No. 679, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending section 356 (MCL 750.356), as amended by 2008 PA 431.

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. 566

Yeas—36

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

Nays—1

Caswell

Excused—1

Hood

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

Protest

Senator Caswell, under his constitutional right of protest (Art. 4, Sec. 18), protested against the passage of Senate Bill No. 679.

Senator Caswell’s statement is as follows:

I read an article in the *Free Press* this past weekend, and it referenced the fact that at an old recycling center in Delray in southern Detroit, all the metal has been removed. Over the years, the metal has sunk into the ground, and the owner

had given verbal permission for folks to come in. They were coming in legitimately and honestly mining this area—many of them with their hands. They were able to make some money. A guy said, “I could make as much as \$150 a day.”

My concern with this previous bill is that these legitimate folks, who are honestly working hard and doing what they should—who have been given verbal permission—and all of a sudden, the owner could, if he wanted to, simply turn around and say, “I haven’t given you written permission, and now you’re in serious trouble.” I think that’s a real problem if people are willing to work hard and are doing what they’re supposed to be doing and do it honestly. They shouldn’t be impacted by this.

Recess

Senator Meekhof moved that the Senate recess subject to the call of the Chair.
The motion prevailed, the time being 10:56 a.m.

11:48 a.m.

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

By unanimous consent the Senate returned to the order of

Motions and Communications

Senator Meekhof moved that rule 2.106 be suspended to allow committees to meet during Senate session.
The motion prevailed, a majority of the members serving voting therefor.

Recess

Senator Meekhof moved that the Senate recess until 2:00 p.m.
The motion prevailed, the time being 11:49 a.m.

The Senate reconvened at the expiration of the recess and was called to order by the Assistant President pro tempore, Senator Hansen.

Recess

Senator Meekhof moved that the Senate recess subject to the call of the Chair.
The motion prevailed, the time being 2:01 p.m.

2:11 p.m.

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

By unanimous consent the Senate returned 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 Colbeck as Chairperson.

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

House Bill No. 5017, entitled

A bill to amend 1893 PA 206, entitled “The general property tax act,” by amending section 7ss (MCL 211.7ss), as added by 2012 PA 494.

The bill 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 bill, now on the order of Third Reading of Bills, be placed on its immediate passage at the head of the Third Reading of Bills calendar:

House Bill No. 5017

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

Senator Meekhof moved that Senator Green be excused from the balance of today's session.
The motion prevailed.

The following bill was read a third time:

House Bill No. 5017, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 7ss (MCL 211.7ss), as added by 2012 PA 494.

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. 567

Yeas—27

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

Nays—9

Anderson	Hopgood	Smith	Whitmer
Bieda	Kahn	Warren	Young
Gregory			

Excused—2

Green	Hood
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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 assessment of rights and interests, including leasehold interests, in property and the levy and collection of taxes on property, and for the collection of taxes levied; making those taxes a lien on the property taxed, establishing and continuing the lien, providing for the sale or forfeiture and conveyance of property delinquent for taxes,

and for the inspection and disposition of lands bid off to the state and not redeemed or purchased; to provide for the establishment of a delinquent tax revolving fund and the borrowing of money by counties and the issuance of notes; to define and limit the jurisdiction of the courts in proceedings in connection with property delinquent for taxes; to limit the time within which actions may be brought; to prescribe certain limitations with respect to rates of taxation; to prescribe certain powers and duties of certain officers, departments, agencies, and political subdivisions of this state; to provide for certain reimbursements of certain expenses incurred by units of local government; to provide penalties for the violation of this act; and to repeal acts and parts of acts.”.

The Senate agreed to the full title.

By unanimous consent the Senate proceeded to the order of

Introduction and Referral of Bills

Senator Schuitmaker introduced

Senate Bill No. 714, entitled

A bill to adopt the uniform collaborative law act; to allow parties to agree to a collaborative alternative dispute resolution process as an alternative to litigation; and to provide remedies.

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

Senators Casperson, Hune, Robertson and Smith introduced

Senate Bill No. 715, entitled

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” (MCL 500.100 to 500.8302) by adding chapter 22A.

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

House Bill No. 4021, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending section 349 (MCL 750.349), as amended by 2006 PA 159.

The House of Representatives has passed the bill.

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

House Bill No. 4867, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 40 of chapter XVII (MCL 777.40), as added by 1998 PA 317.

The House of Representatives has passed the bill.

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

House Bill No. 4895, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending section 535 (MCL 750.535), as amended by 2006 PA 374.

The House of Representatives has passed the bill.

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

House Bill No. 4896, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 16z of chapter XVII (MCL 777.16z), as amended by 2007 PA 20.

The House of Representatives has passed the bill.

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

House Bill No. 5012, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending section 451 (MCL 750.451), as amended by 2002 PA 44.

The House of Representatives has passed the bill.

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

House Bill No. 5026, entitled

A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending section 2 of chapter XIA (MCL 712A.2), as amended by 2001 PA 211.

The House of Representatives has passed the bill.

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

House Bill No. 5138, entitled

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

The House of Representatives has passed the bill.

The bill was read a first and second time by title.

Senator Meekhof moved that rule 3.203 be suspended and that the bill be referred to the Committee of the Whole and placed on the order of General Orders.

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

House Bill No. 5156, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 6421 (MCL 600.6421), as amended by 2013 PA 164.

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.

Senator Meekhof moved that rule 3.203 be suspended and that the bill be referred to the Committee of the Whole and placed on the order of General Orders.

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

Recess

Senator Meekhof moved that the Senate recess subject to the call of the Chair.

The motion prevailed, the time being 2:22 p.m.

2:34 p.m.

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

By unanimous consent the Senate returned to the order of

Third Reading of Bills

Senator Meekhof moved to reconsider the vote by which the following bill was passed:

House Bill No. 5017, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 7ss (MCL 211.7ss), as added by 2012 PA 494.

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

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

Roll Call No. 568**Yeas—26**

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

Nays—10

Anderson
Bieda
Gregory

Hopgood
Johnson
Kahn

Smith
Warren

Whitmer
Young

Excused—2

Green

Hood

Not Voting—0

In The Chair: President

Recess

Senator Meekhof moved that the Senate recess subject to the call of the Chair.
The motion prevailed, the time being 2:38 p.m.

3:52 p.m.

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

By unanimous consent the Senate returned to the order of

General Orders

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

The motion prevailed, and the President pro tempore, Senator Schuitmaker, designated Senator Colbeck 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. 636, entitled

A bill to amend 1991 PA 179, entitled "Michigan telecommunications act," by amending sections 304, 310, 313, 315, 317, 320, and 502 (MCL 484.2304, 484.2310, 484.2313, 484.2315, 484.2317, 484.2320, and 484.2502), sections 304, 313, 315, and 502 as amended by 2011 PA 58, section 310 as amended by 2009 PA 182, section 317 as amended by 2005 PA 235, and section 320 as added by 1995 PA 216.

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.

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 bill, now on the order of Third Reading of Bills, be placed on its immediate passage at the head of the Third Reading of Bills calendar:

Senate Bill No. 636

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

The following bill was read a third time:

Senate Bill No. 636, entitled

A bill to amend 1991 PA 179, entitled "Michigan telecommunications act," by amending sections 103, 304, 310, 313, 317, 320, and 502 (MCL 484.2103, 484.2304, 484.2310, 484.2313, 484.2317, 484.2320, and 484.2502), sections 103,

304, 313, and 502 as amended by 2011 PA 58, section 310 as amended by 2009 PA 182, section 317 as amended by 2005 PA 235, and section 320 as added by 1995 PA 216.

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. 569**Yeas—32**

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

Nays—3

Anderson	Brandenburg	Hansen
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Excused—2

Green	Hood
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Not Voting—1

Casperson

In The Chair: President

The Senate agreed to the title of the bill.

Senator Pavlov moved to reconsider the vote by which the bill was passed.

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

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

Roll Call No. 570**Yeas—31**

Ananich	Hopgood	Marleau	Rocca
Bieda	Hune	Moolenaar	Schuitmaker
Booher	Hunter	Nofs	Smith
Caswell	Jansen	Pappageorge	Walker
Colbeck	Johnson	Pavlov	Warren
Emmons	Jones	Proos	Whitmer
Gregory	Kahn	Richardville	Young
Hildenbrand	Kowall	Robertson	

Nays—4

Anderson

Brandenburg

Casperson

Hansen

Excused—2

Green

Hood

Not Voting—1

Meekhof

In The Chair: President

Senator Pavlov moved that Senator Meekhof be excused from the balance of today's session.
The motion prevailed.

Committee Reports

The Committee on Judiciary reported

House Bill No. 4134, 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 5l and 5o (MCL 28.425l and 28.425o), section 5l as amended by 2012 PA 32 and section 5o as amended by 2012 PA 123.

With the recommendation that the substitute (S-2) 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 and Bieda

Nays: None

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

The Committee on Families, Seniors and Human Services reported

Senate Bill No. 584, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 24 of chapter VII (MCL 767.24), as amended by 2012 PA 363.

With the recommendation that the bill pass.

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

Judith K. Emmons
Chairperson

To Report Out:

Yeas: Senators Emmons, Rocca, Nofs and Gregory

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Families, Seniors and Human Services reported

Senate Bill No. 588, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," (MCL 760.1 to 777.69) by adding section 21d to chapter VIII.

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.

Judith K. Emmons
Chairperson

To Report Out:

Yeas: Senators Emmons, Rocca, Nofs and Gregory

Nays: None

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

The Committee on Families, Seniors and Human Services reported

Senate Bill No. 591, entitled

A bill to amend 1965 PA 213, entitled "An act to provide for setting aside the conviction in certain criminal cases; to provide for the effect of such action; to provide for the retention of certain nonpublic records and their use; to prescribe the powers and duties of certain public agencies and officers; and to prescribe penalties," by amending sections 1, 2, and 4 (MCL 780.621, 780.622, and 780.624), section 1 as amended by 2011 PA 64, section 2 as amended by 1994 PA 294, and section 4 as added by 1982 PA 495.

With the recommendation that the bill pass.

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

Judith K. Emmons
Chairperson

To Report Out:

Yeas: Senators Emmons, Rocca, Nofs and Gregory

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Families, Seniors and Human Services reported

House Bill No. 4893, entitled

A bill to amend 1975 PA 238, entitled "Child protection law," by amending sections 2, 7, and 8d (MCL 722.622, 722.627, and 722.628d), section 2 as amended by 2004 PA 563, section 7 as amended by 2011 PA 70, and section 8d as amended by 2006 PA 618.

With the recommendation that the bill pass.

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

Judith K. Emmons
Chairperson

To Report Out:

Yeas: Senators Emmons, Nofs and Gregory

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Families, Seniors and Human Services submitted the following:

Meeting held on Tuesday, December 3, 2013, at 3:00 p.m., Rooms 402 and 403, Capitol Building

Present: Senators Emmons (C), Rocca, Nofs and Gregory

The Committee on Economic Development reported

House Bill No. 4593, entitled

A bill to amend 2008 PA 429, entitled "Nonferrous metal regulatory act," by amending the title and sections 1, 3, 5, 7, 11, 13, and 17 (MCL 445.421, 445.423, 445.425, 445.427, 445.431, 445.433, and 445.437) and by adding section 10; and to repeal acts and parts of acts.

With the recommendation that the substitute (S-3) be adopted and that the bill then pass.

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

Michael W. Kowall
Chairperson

To Report Out:

Yeas: Senators Kowall, Hildenbrand, Nofs, Emmons, Hansen, Smith and Ananich

Nays: None

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

The Committee on Economic Development reported

House Bill No. 4595, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 356 (MCL 750.356), as amended by 2008 PA 431.

With the recommendation that the bill pass.

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

Michael W. Kowall
Chairperson

To Report Out:

Yeas: Senators Kowall, Hildenbrand, Nofs, Emmons, Hansen, Smith and Ananich

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Economic Development reported

House Bill No. 4782, entitled

A bill to amend 2010 PA 275, entitled "Next Michigan development act," by amending section 4 (MCL 125.2954).

With the recommendation that the bill pass.

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

Michael W. Kowall
Chairperson

To Report Out:

Yeas: Senators Kowall, Hildenbrand, Nofs, Emmons, Hansen, Smith and Ananich

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Economic Development submitted the following:

Meeting held on Wednesday, December 4, 2013, at 8:30 a.m., Room 405, Capitol Building

Present: Senators Kowall (C), Hildenbrand, Nofs, Emmons, Hansen, Smith and Ananich

COMMITTEE ATTENDANCE REPORT

The Committee on Appropriations submitted the following:

Meeting held on Wednesday, December 4, 2013, at 9:05 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building

Present: Senators Kahn (C), Moolenaar, Jansen, Pappageorge, Booher, Caswell, Colbeck, Green, Proos, Schuitmaker, Walker, Anderson, Gregory and Hopgood

Excused: Senators Hood and Johnson

COMMITTEE ATTENDANCE REPORT

The Committee on Compliance and Accountability submitted the following:

Meeting held on Wednesday, December 4, 2013, at 4:00 p.m., Rooms 402 and 403, Capitol Building

Present: Senators Meekhof (C), Brandenburg, Schuitmaker and Hopgood

COMMITTEE ATTENDANCE REPORT

The Subcommittee on State Police and Military Affairs submitted the following:

Meeting held on Thursday, December 5, 2013, at 8:30 a.m., Rooms 402 and 403, Capitol Building

Present: Senators Colbeck (C) and Pappageorge

Excused: Senator Gregory

Scheduled Meetings

Appropriations -

Subcommittees -

Human Services Department - Tuesday, December 10, 2:00 p.m., Room 405, Capitol Building (373-2768)

K-12, School Aid, Education and House School Aid Appropriations Subcommittee - Thursday, December 12, 9:00 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

Michigan Law Revision Commission - Wednesday, December 11, 12:00 noon, Room 424, Capitol Building (373-0212)

Senator Pavlov moved that the Senate adjourn.
The motion prevailed, the time being 4:06 p.m.

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

CAROL MOREY VIVENTI
Secretary of the Senate

