

No. 38
STATE OF MICHIGAN
Journal of the Senate
97th Legislature
REGULAR SESSION OF 2013

Senate Chamber, Lansing, Tuesday, April 30, 2013.

10:00 a.m.

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

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 Judith K. Emmons of the 33rd District offered the following invocation:

Heavenly Father, You are the Almighty. You are gracious. You are merciful. You are omnipotent. We pray Your hand upon this body. We pray Your hand upon each individual in this room. Keep us each in Your will. Keep us focused on Your word, on Your plan.

We thank You for the blessings You've granted us individually, as a state, and as a country. We thank You that You have been gracious and merciful. We pray that we are willing to heed Your word and follow Your path that You set before us.

We pray these things in Your holy name. Amen.

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

Motions and Communications

Senators Richardville and Young entered the Senate Chamber.

Senator Nofs asked and was granted unanimous consent to make a statement and moved that the statement be printed in the Journal.

The motion prevailed.

Senator Nofs' statement is as follows:

I, along with Representative Kate Segal of the 62nd District, am honored to be able to introduce in the north and east Gallery 116 cadets and 4 cadre staff from the Michigan Youth ChalleNGe Academy, along with academy director Sergeant Major Jim Luce. We also have a number of parents and cadets who are in the west Gallery.

Madam President, although the program is headquartered in my district, I believe each Senate district has at least one cadet represented in the program, making it one of the truly statewide programs we help support. I'd ask my colleagues to help me welcome all of these individuals to the State Senate.

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

The motion prevailed.

A moment of silence was observed in memory of the members of the Grayling High School Golf Team who died in a recent car accident.

Senator Meekhof moved that Senators Hune, Proos, Jansen and Moolenaar 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 Anderson and Colbeck admittance to the Senate floor, including the center aisle.

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

Senator Meekhof moved that rule 3.901 be suspended to allow photographs to be taken from the Senate floor.

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

Recess

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

The motion prevailed, the time being 10:06 a.m.

10:29 a.m.

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

During the recess, Senator Anderson introduced the Livonia Stevenson High School Spartans Hockey Team, MHSAA Division 2 State Champions; Coach David Mitchell and team captain Dominic Lutz; and presented them with a Special Tribute.

Captain Lutz and Coach Mitchell responded briefly.

During the recess, Senator Colbeck introduced Anna Dai of Canton, the 2013 Distinguished Young Woman of Michigan award recipient, and presented her with a Special Tribute.

Ms. Dai responded briefly.

During the recess, Senators Jansen, Proos, Moolenaar and Hune entered the Senate Chamber.

Senator Caswell stated that had he been present on April 24 when the votes were taken on the passage of the following bills, he would have voted "yea":

Senate Bill No. 201
Senate Bill No. 188
Senate Bill No. 195
Senate Bill No. 185
Senate Bill No. 187
House Bill No. 4054
House Bill No. 4093
House Bill No. 4131
Senate Bill No. 196
Senate Bill No. 182

Senator Caswell stated that had he been present on April 24 when the votes were taken on the adoption of the amendments offered by Senators Hopgood, Johnson and Whitmer to the following bills, he would have voted "nay":

Senate Bill No. 188
Senate Bill No. 185
Senate Bill No. 196
Senate Bill No. 182

Senator Caswell stated that had he been present on April 24 when the votes were taken on the adoption of the amendments offered by Senators Hopgood and Gregory to the following bills, he would have voted "yea":

Senate Bill No. 195
Senate Bill No. 187
Senate Bill No. 182

Senator Caswell stated that had he been present on April 24 when the vote was taken to reconsider the vote by which the fifth set of amendments offered by Senator Hopgood to the following bill were not adopted, he would have voted "nay":

Senate Bill No. 182

Senator Caswell stated that had he been present on April 25 when the vote was taken on concurring in the House substitute to the following bill, he would have voted "yea":

Senate Bill No. 218

Senator Caswell stated that had he been present on April 25 when the votes were taken on the passage of the following bills, he would have voted "yea":

Senate Bill No. 199
Senate Bill No. 288
Senate Bill No. 289
Senate Bill No. 193

Senator Caswell stated that had he been present on April 25 when the votes were taken on the adoption of the amendments offered by Senators Anderson, Warren, Hood and Whitmer to the following bills, he would have voted "nay":

Senate Bill No. 199
Senate Bill No. 288
Senate Bill No. 193

Senator Caswell stated that had he been present on April 25 when the votes were taken on the adoption of the amendments offered by Senators Warren and Hood to the following bills, he would have voted "yea":

Senate Bill No. 288

Senate Bill No. 193

Senator Caswell stated that had he been present on April 25 when the vote was taken on the adoption of the following joint resolution, he would have voted "yea":

Senate Joint Resolution S

The following communication was received and read:
Office of the Auditor General

April 24, 2013

Enclosed is a copy of the following management letter:
Management letter for Michigan State Employees' Retirement System as of and for the fiscal years ended September 30, 2012 and September 30, 2011.

Sincerely,
Thomas H. McTavish, C.P.A.
Auditor General

The management letter was referred to the Committee on Government Operations.

The following communication was received:
Department of Treasury

April 22, 2013

Please find attached one copy of the Personal Property Audit Annual Report for the period January 1, 2012 through December 31, 2012. The report is required by Public Act 63 of 2011, the General Government Appropriations Act. Article VIII, Section 927 of the Act provides, in part, as follows:

Sec. 927. The department of treasury shall submit annual progress reports to the senate and house of representatives standing committees on appropriations subcommittees on general government and the senate and house fiscal agencies, regarding personal property tax audits. The report shall include the number of audits, revenue generated, and number of complaints received by the department related to the audits.

If you have any questions regarding this report, you may contact David A. Buick, Administrator, Assessment and Certification Division at (517) 373-3305.

David A. Buick, Administrator
Assessment and Certification Division
Bureau of Local Government Services

The communication was referred to the Secretary for record.

The Secretary announced that the following House bills were received in the Senate and filed on Thursday, April 25:
House Bill Nos. 4360 4361 4393 4395 4396 4397 4532

The Secretary announced that the following bills were printed and filed on Thursday, April 25, and are available at the Michigan Legislature website:

Senate Bill Nos. 328 329 330

House Bill Nos. 4613 4614 4615 4616 4617 4618 4619 4620 4621 4622 4623 4624 4625

The Secretary announced that the following bills were printed and filed on Friday, April 26, and are available at the Michigan Legislature website:

Senate Bill No. 331

House Bill Nos. 4626 4627 4628 4629 4630 4631 4632 4633 4634

By unanimous consent the Senate proceeded to the order of
Messages from the House

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.

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 amended the title to read as follows:

A bill to amend 1961 PA 236, entitled "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," by amending sections 530 and 8132 (MCL 600.530 and 600.8132), section 8132 as amended by 2012 PA 624.

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

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 House of Representatives has passed the bill 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,

Senator Meekhof moved that further consideration of the bill be postponed for today.

The motion prevailed.

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 House of Representatives has passed the bill 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,

Senator Meekhof moved that further consideration of the bill be postponed for today.

The motion prevailed.

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 Proos 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 with a substitute therefor, the following bill:

Senate Bill No. 192, entitled

A bill to make appropriations for the department of human services for the fiscal year ending September 30, 2014; and to provide for the expenditure of the appropriations.

Substitute (S-1).

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

1. Amend page 3, line 13, by striking out "37,171,300" and inserting "37,171,200".
2. Amend page 3, line 14, by striking out "141,774,200" and inserting "141,774,100".
3. Amend page 4, line 1, by striking out "54,868,900" and inserting "54,868,800".
4. Amend page 7, following line 1, by inserting:
"Human trafficking intervention services 100".
5. Amend page 7, line 2, by striking out "92,463,600" and inserting "92,463,700".
6. Amend page 7, line 13, by striking out "4,761,000" and inserting "4,761,100" and adjusting the subtotals, totals, and section 201 accordingly.

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.

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. 192

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

The following bill was read a third time:

Senate Bill No. 192, entitled

A bill to make appropriations for the department of human services for the fiscal year ending September 30, 2014; and to provide for the expenditure of the appropriations.

The question being on the passage of the bill,

Senator Gregory offered the following amendment:

1. Amend page 62, following line 7, by inserting:

“Sec. 687. The department shall report to the senate and house appropriations subcommittees on the department budget, the senate and house fiscal agencies, the senate and house policy offices, and the state budget office the following statistics on a quarterly basis, providing a breakdown by county and including a state total:

(a) Number of applications for family independence program (FIP), food assistance program, and state emergency relief that were received, denied, approved, and pending by reason for disposition.

(b) Number of food assistance program case closures, including the reason for closure.

(c) Family independence program (FIP) statistics on the following:

(i) Number of new applicants that successfully met the requirements of the 21-day assessment period for partnership accountability training hope (PATH).

(ii) Number of new applicants who did not meet the requirements in subparagraph (i) and would have to reapply for assistance.

(iii) Number of FIP cases that were removed from assistance due to the school truancy policy.

(iv) Number of cases that were removed from assistance due to the 48-month and 60-month time limits.

(v) Number of cases receiving sanctions and whether the sanction is due to a first-, second-, or third-time offense.

(vi) Number of children ages 0-5 living in FIP-sanctioned households.”.

The question being on the adoption of the amendment,

Senator Hopgood requested the yeas and nays.

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

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

Roll Call No. 128

Yeas—36

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

Nays—0

Excused—1

Hunter

Not Voting—0

In The Chair: Hansen

Senator Gregory offered the following amendments:

1. Amend page 7, following line 1, by inserting:

“Before- and after-school programs 1,000,000”.

- 2. Amend page 7, line 2, by striking out “92,463,600” and inserting “93,463,600”.
- 3. Amend page 7, line 13, by striking out “4,761,000” and inserting “5,761,000” and adjusting the subtotals, totals, and section 201 accordingly.

4. Amend page 59, following line 10, by inserting:

“Sec. 667. (1) The department shall allocate \$1,000,000.00 for the operation of a statewide before- and after-school program targeted to children in kindergarten through ninth grade. To be eligible to be part of the statewide program, a program must serve geographic areas near school buildings that do not meet federal no child left behind annual yearly progress (AYP) requirements and be included in the AYP plans of the affected school districts as a means to improve outcomes and serve children living in households with income below 200% of the federal poverty guidelines as established by the United States department of health and human services.

(2) The department shall require an applicant for before- and after-school funding under this section to demonstrate how its program would facilitate extensive involvement with the parents of children served by the program and to show how other programming being offered on the site would enhance the before- and after-school funding. Priority for funding shall be given to programs that can demonstrate effectiveness in these areas.

(3) The department shall evaluate each before- and after-school program that is part of the statewide program with special emphasis on the academic accomplishments and attendance records of program participants.”.

The question being on the adoption of the amendments,

Senator Hopgood requested the yeas and nays.

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

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

Roll Call No. 129

Yeas—12

| | | | |
|-------------|---------|--------------|---------|
| Anderson | Gregory | Johnson | Warren |
| Bieda | Hood | Richardville | Whitmer |
| Brandenburg | Hopgood | Smith | Young |

Nays—24

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

Excused—1

Hunter

Not Voting—0

In The Chair: Hansen

Senator Gregory offered the following amendments:

- 1. Amend page 3, line 13, by striking out “37,171,300” and inserting “17,855,300”.
- 2. Amend page 3, line 14, by striking out “141,774,200” and inserting “122,458,200”.
- 3. Amend page 3, line 18, by striking out “127,899,300” and inserting “108,583,300”.
- 4. Amend page 3, line 22, by striking out “8,887,800” and inserting “0”.
- 5. Amend page 3, line 23, by striking out “60,196,800” and inserting “56,207,200”.
- 6. Amend page 4, line 1, by striking out “54,868,900” and inserting “48,430,300”.
- 7. Amend page 7, line 15, by striking out “3,884.4” and inserting “4,107.7”.

8. Amend page 7, line 20, by striking out “1,626.6” and inserting “1,800.0”.
9. Amend page 7, line 21, by striking out “76,721,300” and inserting “84,886,900”.
10. Amend page 7, line 22, by striking out “1,132.7” and inserting “1,121.0”.
11. Amend page 7, line 22, by striking out “55,910,200” and inserting “55,335,500”.
12. Amend page 7, line 23, by striking out “14.0” and inserting “15.0”.
13. Amend page 7, line 23, by striking out “754,300” and inserting “807,700”.
14. Amend page 7, line 24, by striking out “57.0” and inserting “56.0”.
15. Amend page 7, line 25, by striking out “3,426,900” and inserting “3,366,500”.
16. Amend page 7, line 26, by striking out “555.4” and inserting “585.0”.
17. Amend page 7, line 27, by striking out “37,799,000” and inserting “39,776,300”.
18. Amend page 8, line 1, by striking out “226.0” and inserting “243.0”.
19. Amend page 8, line 1, by striking out “9,463,500” and inserting “10,175,400”.
20. Amend page 8, line 2, by striking out “49.0” and inserting “59.0”.
21. Amend page 8, line 3, by striking out “3,799,500” and inserting “4,584,600”.
22. Amend page 8, line 4, by striking out “56.0” and inserting “61.0”.
23. Amend page 8, line 4, by striking out “3,423,900” and inserting “3,728,800”.
24. Amend page 8, line 5, by striking out “8,673,000” and inserting “8,967,500”.
25. Amend page 8, line 18, by striking out “853,770,200” and inserting “865,427,800”.
26. Amend page 8, line 22, by striking out “853,532,600” and inserting “865,190,200”.
27. Amend page 8, line 26, by striking out “184,220,700” and inserting “199,003,700”.
28. Amend page 8, line 27, by striking out “294,810,900” and inserting “287,676,300”.
29. Amend page 9, line 4, by striking out “356,327,000” and inserting “360,336,200”.
30. Amend page 11, line 17, by striking out “8,220,700” and inserting “8,350,000”.
31. Amend page 11, line 20, by striking out “400,728,300” and inserting “407,546,100”.
32. Amend page 11, line 21, by striking out “466,510,200” and inserting “473,457,300”.
33. Amend page 11, line 25, by striking out “460,465,700” and inserting “467,412,800”.
34. Amend page 12, line 2, by striking out “107,018,200” and inserting “101,367,600”.
35. Amend page 12, line 3, by striking out “189,238,000” and inserting “199,631,500”.
36. Amend page 12, line 5, by striking out “164,209,500” and inserting “166,413,700”.
37. Amend page 13, line 13, by striking out “13,191,300” and inserting “13,118,300”.
38. Amend page 13, line 14, by striking out “8,291,600” and inserting “8,218,600”.
39. Amend page 13, line 15, by striking out “10,504,200” and inserting “12,143,600”.
40. Amend page 13, line 16, by striking out “33,377,100” and inserting “33,074,700”.
41. Amend page 13, line 17, by striking out “47,534,000” and inserting “47,106,400”.
42. Amend page 13, line 18, by striking out “6,217,000” and inserting “6,164,900”.
43. Amend page 13, line 20, by striking out “161,232,900” and inserting “161,944,200”.
44. Amend page 13, line 24, by striking out “159,289,300” and inserting “160,000,600”.
45. Amend page 14, line 1, by striking out “15,810,400” and inserting “15,565,800”.
46. Amend page 14, line 2, by striking out “88,385,600” and inserting “89,116,300”.
47. Amend page 14, line 4, by striking out “55,093,300” and inserting “55,318,500” and adjusting the subtotals, totals, and section 201 accordingly.

The question being on the adoption of the amendments,

Senator Hopgood requested the yeas and nays.

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

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

Roll Call No. 130

Yeas—10

Anderson
Bieda
Gregory

Hood
Hopgood
Johnson

Smith
Warren

Whitmer
Young

Nays—26

Booher
Brandenburg

Hansen
Hildenbrand

Marleau
Meekhof

Proos
Richardville

Casperson
Caswell
Colbeck
Emmons
Green

Hune
Jansen
Jones
Kahn
Kowall

Moolenaar
Nofs
Pappageorge
Pavlov

Robertson
Rocca
Schuitmaker
Walker

Excused—1

Hunter

Not Voting—0

In The Chair: Hansen

Senator Gregory offered the following amendment:

1. Amend page 59, line 11, after “allocate” by striking out “up to”.

The question being on the adoption of the amendment,

Senator Hopgood 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. 131**Yeas—10**

Anderson
Bieda
Gregory

Hood
Hopgood
Johnson

Smith
Warren

Whitmer
Young

Nays—26

Booher
Brandenburg
Casperson
Caswell
Colbeck
Emmons
Green

Hansen
Hildenbrand
Hune
Jansen
Jones
Kahn
Kowall

Marleau
Meekhof
Moolenaar
Nofs
Pappageorge
Pavlov

Proos
Richardville
Robertson
Rocca
Schuitmaker
Walker

Excused—1

Hunter

Not Voting—0

In The Chair: Hansen

Senator Hunter entered the Senate Chamber.

Senator Gregory offered the following amendments:

1. Amend page 3, line 13, by striking out “37,171,300” and inserting “19,316,000”.
2. Amend page 3, line 14, by striking out “141,774,200” and inserting “123,918,900”.
3. Amend page 3, line 18, by striking out “127,899,300” and inserting “110,044,000”.
4. Amend page 4, line 1, by striking out “54,868,900” and inserting “37,013,600”.
5. Amend page 12, line 14, by striking out “139,651,600” and inserting “174,951,600”.
6. Amend page 12, line 23, by striking out “35,300,000” and inserting “17,855,300”.
7. Amend page 12, line 24, by striking out “3,468,583,700” and inserting “3,486,439,000”.
8. Amend page 13, line 11, by striking out “187,699,400” and inserting “205,554,700” and adjusting the subtotals, totals, and section 201 accordingly.

The question being on the adoption of the amendments,

Senator Hopgood requested the yeas and nays.

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

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

Roll Call No. 132

Yeas—11

| | | | |
|----------|---------|---------|---------|
| Anderson | Hood | Johnson | Whitmer |
| Bieda | Hopgood | Smith | Young |
| Gregory | Hunter | Warren | |

Nays—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 | | |

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. 133

Yeas—25

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

Nays—12

| | | | |
|----------|---------|---------|---------|
| Anderson | Hood | Hunter | Warren |
| Bieda | Hopgood | Johnson | Whitmer |
| Gregory | Hune | Smith | Young |

Excused—0**Not Voting—0**

In The Chair: Hansen

The Senate agreed to the title of the bill.

Protest

Senator Gregory, under his constitutional right of protest (Art. 4, Sec. 18), protested against the passage of Senate Bill No. 192.

Senator Gregory's statement is as follows:

I rise to give my "no" vote explanation to Senate Bill No. 192. That would be to the Department of Human Services budget that passed along party lines today, that continues to underfund the department and undercut state services, jeopardizing vulnerable children and low-income families in the process.

The Department of Human Services provides vital programs for our most vulnerable citizens; those who have the greatest need, the people of our state who are struggling both physically and financially. While this year's budget isn't as bad as it has been in the previous years—I applaud that part to the chairman of the committee—it could have been made better. I sought to improve it with several amendments that were defeated along partisan lines. I tried to restore funding for statewide before- or after-school programs for low-income children to help keep them off the streets and in a safe and constructive environment while their parents are at work. There are direct correlations between these programs and academic success, and without adequate funding for them, we are placing our young people in jeopardy.

Due to the federal sequester, caused in part by political squabbles in Washington, D.C., DHS is diverting all funding in this year's budget for the clothing allowance that 21,000 children depend on. Today, my colleagues—the Senate Republicans—not only let this misappropriation of funding stand, but they would not even commit to upholding this vital funding for Michigan kids next year.

This DHS budget also takes away federal money to help people in emergency situations who are facing utility shut-offs and instead directs that money to a new pet program. No details on this new Energy Self-Sufficiency Program have been worked out. The implementation logistics and cost projections are unclear, and the effectiveness is undetermined. Yet my colleagues—the Senate Republicans—have deemed it fit to award it \$35 million in federal funds that would otherwise be used to help Michigan seniors and low-income residents keep on their heat during the harsh Michigan winters.

And, finally, perhaps the most egregious piece of this budget is the staffing cuts that are being made to our child welfare workers. I know that many of my Republican colleagues cringe at the very word "welfare," but I never thought that they would take it this far. These cuts include child protective service workers, front-line supervisors, direct care workers, administrative support workers, permanency planning specialists, and more—the dedicated and compassionate men and women who are working hard every single day to protect Michigan kids. Our front-line workers are the backbone of the department's efforts to protect our most precious and defenseless citizens. Instead, the government is putting more people on the unemployment line and turning their backs on our kids.

Regardless of your political affiliation or ideological mindset, there are some things that all people, in good conscience, should be able to agree on. Taking care of our kids, especially those in need, or even worse—in danger—should be an unflagging priority for all of us. In eliminating these workers and ignoring our children's needs, this budget is a betrayal of our kids and insult to our state. Republicans have already raised taxes on Michigan's low-income families, and now they are cutting the essential state services they rely on to survive. Some of us believe that we were sent here to the Capitol to help those who cannot help themselves; to give a voice to the underprivileged and overlooked. I know which one I am, and I proved it with my vote against this budget today. This statement is as much for the people outside of this room as it is for those in it.

Recess

Senator Meekhof moved that the Senate recess subject to the call of the Chair.
The motion prevailed, the time being 11:07 a.m.

11:27 a.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 Jansen 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 with a substitute therefor, the following bill:

Senate Bill No. 197, entitled

A bill to make appropriations for the department of corrections for the fiscal year ending September 30, 2014; and to provide for the expenditure of the appropriations.

Substitute (S-1).

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

1. Amend page 54, line 3, after "release" by striking out the balance of the subsection and inserting "requests for information for competitive bids for prisoner clothing produced by Michigan state industries and for a secure detention facility that would house MDOC inmates serving terms of 2 years or less and provide job training and related programming."

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. 189, entitled

A bill to make appropriations for the department of insurance and financial services for the fiscal year ending September 30, 2014; 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.

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

Senate Bill No. 190, entitled

A bill to make appropriations for the department of licensing and regulatory affairs for the fiscal year ending September 30, 2014; 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 at the head of the Third Reading of Bills calendar:

Senate Bill No. 197

Senate Bill No. 189

Senate Bill No. 190

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

The following bill was read a third time:

Senate Bill No. 197, entitled

A bill to make appropriations for the department of corrections for the fiscal year ending September 30, 2014; and to provide for the expenditure of the appropriations.

The question being on the passage of the bill,

Senator Anderson offered the following amendment:

1. Amend page 53, line 26, by striking out all of section 939.

The question being on the adoption of the amendment,

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. 134

Yeas—11

| | | | |
|----------|---------|---------|---------|
| Anderson | Hood | Johnson | Whitmer |
| Bieda | Hopgood | Smith | Young |
| Gregory | Hunter | Warren | |

Nays—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 | | |

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. 135

Yeas—22

| | | | |
|-------------|-------------|-------------|--------------|
| Booher | Hildenbrand | Meekhof | Richardville |
| Brandenburg | Jansen | Moolenaar | Robertson |
| Casperson | Jones | Pappageorge | Rocca |
| Colbeck | Kahn | Pavlov | Schuitmaker |
| Green | Kowall | Proos | Walker |
| Hansen | Marleau | | |

Nays—15

| | | | |
|----------|---------|---------|---------|
| Anderson | Gregory | Hunter | Warren |
| Bieda | Hood | Johnson | Whitmer |

Caswell
Emmons

Hopgood
Hune

Nofs
Smith

Young

Excused—0

Not Voting—0

In The Chair: Hansen

The Senate agreed to the title of the bill.

Protests

Senators Johnson, Hopgood, Smith, Whitmer, Anderson, Bieda, Gregory and Hood, under their constitutional right of protest (Art. 4, Sec. 18), protested against the passage of Senate Bill No. 197.

Senator Johnson's statement, in which Senators Hopgood, Smith and Whitmer concurred, is as follows:

I rise in opposition to the Department of Corrections budget before us. It's bad enough that the Senate is cutting more than \$20 million from the Corrections budget that the department is dependent on to feed, clothe, transport, and house Michigan's prisoners, but even worse than the fiscal irresponsibility of this budget is the ideological ignorance that I think it perpetuates. It continues the Republicans' stubborn push for privatization, and where it has already failed, it penalizes the department.

Last year's budget required that MDOC bid out food service operations, but the department did not receive any bids that would save Michigan taxpayers the money required by Civil Service rules. Rather than admitting they were wrong and leaving such staffing and organizational decisions up to the department, Senate Republicans have cut the department's budget by an arbitrary \$2.2 million. It's not fiscal responsibility; it's fiscal retaliation, as legislators are punishing the MDOC for not privatizing its food service despite its complete lack of viable options to do so.

Now, facing this threat of budget cuts, the department has magically reworked the numbers and found that they can save money bidding out food services. Instead of leaving well enough alone, the Corrections budget bill also adds new boilerplate language requiring competitive bidding for the electronic monitoring center and prisoner clothing manufacturing.

My colleagues on the other side of the aisle appear to have fallen in love with privatization, despite its continued failure in Michigan and around the country, especially in the area of corrections. Study after study has shown that privatization is neither effective nor economical, and in the Michigan corrections system, we have already seen several high-profile privatization efforts fall flat on their face.

Sadly, this problem is systemic in nearly all the policies being pushed by the Michigan Republicans, from the blind faith in the privatization of state services to the vindictive retribution of what happens when things don't go their way. We've already seen the negative repercussions of haphazard privatization at the Grand Rapids Home for Veterans, where inexperienced and unqualified staff have been responsible for neglect, injury, and even death. There has been a significant push for privatizing services and even moving toward for-profit schools under this Governor. Now privatization has again become a fool's errand focal point in Michigan's prisons and correctional facilities, or at least for the legislators who set their funding.

We need to trust the Department of Corrections to identify cost savings and implement reforms without weakening the care and monitoring of Michigan's incarcerated—that's their job. We need to stop trying to force the square peg of privatization into state departments where it doesn't fit—that is not your job.

Finally, aside from the privatization conversation entirely, Michigan Republicans need to abandon the petty intimidation they've been orchestrating in state policy. This budget is just the latest example of you trying to execute your own brand of vigilante justice and use budgetary back channels to withhold funding and punish state entities. You've done it with the Corrections budget and have threatened to do it to our schools and universities over employee contract negotiations.

This majority in Lansing has been retaliating against Michigan voters when the election outcomes and democratic processes don't go their way; passing bills that fly directly in the face of voter intent; from redistricting Oakland County Commission districts; to passing a new emergency manager law mere weeks after a ballot proposal successfully repealed it; to earmarking funding to make other legislation referendum-proof.

Senator Anderson's statement, in which Senators Bieda, Gregory, Hood and Hopgood concurred, is as follows:

I oppose this Department of Corrections budget because the State Senate Corrections budget is slashing the department by more than \$20 million, including arbitrarily cutting \$18 million that the Governor recommended: Funding cuts for

Operation Support Administration, Transportation, the Woodland Correctional Facility, and the Special Alternative Incarceration boot camp, in that order.

This funding is critical for operations like transportation and general operational support, which are integral to the state’s entire corrections infrastructure, and also for critical facilities such as Woodland and the SAI boot camp. These programs maintain adequate care for our prisoners while keeping our correctional officers and the public safe, but the Senate deemed that unimportant. You’re making cuts where there is nothing left to cut.

In fact, the Department of Corrections director appointed by your Governor recently stated that the department has now implemented all possible cost reductions and are operating with a bare-bones budget. He went on to say that any further reductions will have to come out of changes to the sentencing guidelines—that they can’t cut internal costs any further.

This budget is explicitly designed to punish the department for an attempt to bid out food services at the behest of the majority on the committee that continues to go down the road of privatization, not help to increase the safety of Michigan’s citizens or reduce recidivism and, therefore, reduce the long-term costs of housing prisoners.

The following bill was read a third time:

Senate Bill No. 189, entitled

A bill to make appropriations for the department of insurance and financial services and certain other state purposes for the fiscal year ending September 30, 2014; to provide for the expenditure of those appropriations; to provide for the imposition of certain fees; to provide for the disposition of fees and other income received by the state agencies; to provide for reports to certain persons; and to prescribe powers and duties of certain state departments and certain state and local agencies and officers.

The question being on the passage of the bill,

Senator Hunter moved that Senator Young be temporarily excused from the balance of today’s session.
The motion prevailed.

Senator Johnson offered the following amendment:

- 1. Amend page 11, line 17, by striking out all of section 341.

The amendment was adopted, a majority of the members serving voting therefor.

The question being on the passage of the bill,

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

Roll Call No. 136

Yeas—34

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

Nays—2

| | |
|------|--------|
| Hood | Warren |
|------|--------|

Excused—1

Young

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. 190, entitled

A bill to make appropriations for the department of licensing and regulatory affairs and certain other state purposes for the fiscal year ending September 30, 2014; to provide for the expenditure of those appropriations; to provide for the imposition of certain fees; to provide for the disposition of fees and other income received by the state agencies; to provide for reports to certain persons; and to prescribe powers and duties of certain state departments and certain state and local agencies and officers.

The question being on the passage of the bill,

Senator Johnson offered the following amendment:

1. Amend page 24, line 22, by striking out all of section 341.

The amendment was adopted, a majority of the members serving voting therefor.

The question being on the passage of the bill,

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

Roll Call No. 137**Yeas—33**

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

Nays—3

| | | |
|------|------|--------|
| Hood | Hune | Warren |
|------|------|--------|

Excused—1

Young

Not Voting—0

In The Chair: Hansen

The Senate agreed to the title of the bill.

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 1:30 p.m. The motion prevailed, the time being 11:54 a.m.

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

During the recess, Senator Young entered the Senate Chamber.

By unanimous consent the Senate proceeded to the order of
Resolutions

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

Senate Resolution No. 39

Senate Resolution No. 40

Senate Resolution No. 41

Senate Resolution No. 42

Senate Resolution No. 43

The resolution consent calendar was adopted.

Senator Jones offered the following resolution:

Senate Resolution No. 39.

A resolution to designate June 17-23, 2013, as Amateur Radio Week in the state of Michigan.

Whereas, Amateur radio operators are celebrating over a century of the miracle of the human voice broadcast over the airwaves; and

Whereas, Amateur radio has continued to provide a bridge between people, societies, and countries by creating friendships and the sharing of ideas; and

Whereas, Operators of amateur radio have also provided countless hours of community services both in emergencies and to other local organizations throughout the decades, which are provided wholly uncompensated; and

Whereas, The state of Michigan recognizes the services made available to our many civilian emergency response organizations, including the American Red Cross and The Salvation Army; and

Whereas, These same individuals have further demonstrated their value in public assistance by furnishing free radio communications for local parades, bike-a-thons, walk-a-thons, fairs, and other charitable public events; and

Whereas, The state of Michigan acknowledges and appreciates the diligence of these hams who also serve as weather spotters in the SKYWARN program of the National Weather Service; and

Whereas, Amateur radio once again proved its undisputed relevance in the modern world by rendering emergency communications when other systems failed in the wake of Hurricane Irene and the paralyzing October blizzard that hit the Northeast and Atlantic Seaboard; and

Whereas, The American Radio Relay League (ARRL) is the leading organization for amateur radio in the United States; and

Whereas, The ARRL Amateur Radio Field Day exercise will take place on June 22-23, 2013, and is a 24-hour emergency preparedness exercise and demonstration of the radio amateurs' skills and readiness to provide self-supporting communications without further infrastructure being required; now, therefore, be it

Resolved by the Senate, That we hereby designate June 17-23, 2013, as Amateur Radio Week in the state of Michigan; and be it further

Resolved, That a copy of this resolution be transmitted to the Michigan section of the American Radio Relay League as evidence of our esteem.

Senator Anderson, Bieda, Booher, Brandenburg, Emmons, Green, Gregory, Hood, Hopgood, Kowall, Marleau, Nofs, Pappageorge, Proos and Richardville were named co-sponsors of the resolution.

Senators Bieda and Whitmer offered the following resolution:

Senate Resolution No. 40.

A resolution recognizing May 24, 2013, as Public Service Chaplains Appreciation Day in the state of Michigan.

Whereas, May 24, 2013, is designated as the first Public Service Chaplains Appreciation Day in the state of Michigan. It is with gratitude that we recognize these chaplains on their great work, dedication, and services to our communities; and

Whereas, Public service chaplains provide a number of services and assistance in the community, consisting of public safety awareness and actions, disaster or crisis assistance, along with religious roles to increase faith and spirituality through faith-based organizations, and many governmental, educational, and community organizations. Other positions can range from counseling to business matters, as they reflect upon the strong faith and devotion of the individuals and families they bring together; and

Whereas, The public service chaplains of today's society undergo thorough training and certification in order to provide the best assistance to those seeking or in need of support. These chaplains have acquired immense knowledge through the experiences within their training. They possess leadership skills and continue to grow and be involved in community outreach efforts; and

Whereas, Public Service Chaplains Appreciation Day is promoted for recognition, participation, and observation in all local and statewide businesses, organizations, and government and public safety departments for their wide variety of contributions to the community; now, therefore, be it

Resolved by the Senate, That we offer acknowledgement and appreciation that May 24, 2013, be recognized as the first Public Service Chaplains Appreciation Day in the state of Michigan; and be it further

Resolved, That copies of this resolution be transmitted to James Friedman, Senior Pastor of Greater Christian Ministries International, on behalf of public service chaplains.

Senators Anderson, Booher, Brandenburg, Colbeck, Emmons, Green, Gregory, Hood, Hopgood, Hunter, Kowall, Marleau, Nofs, Pappageorge, Proos and Richardville were named co-sponsors of the resolution.

Senators Nofs and Meekhof offered the following resolution:

Senate Resolution No. 41.

A resolution to commemorate May 11, 2013, as Train Day in the state of Michigan.

Whereas, America is celebrating National Train Day on May 11, 2013, a commemoration of the completion of America's first transcontinental railroad; and

Whereas, Federal and state transportation departments have made expansion of high-speed and intercity passenger rail a top priority in building 21st-century national infrastructure; and

Whereas, Michigan has benefitted from daily train service on Amtrak's routes; and

Whereas, Amtrak continues to work with Michigan and other states on the development of the next generation of high-speed and intercity passenger rail trains which will create quality jobs in the United States by helping to revive the domestic manufacturing base; and

Whereas, Amtrak ridership grew more than 44 percent between 2000 and 2012, and the railroad carried 31.4 million passengers in 2012, making it the best year in the company's history; and

Whereas, In Michigan, 874,341 passengers boarded or disembarked Amtrak trains in 2012; and

Whereas, Access to intercity passenger rail service is a vital benefit for Michigan citizens; now, therefore, be it

Resolved by the Senate, That we hereby recognize May 11, 2013, as Train Day in the state of Michigan and congratulate Amtrak on 42 years as America's railroad; and be it further

Resolved, That copies of this resolution be transmitted to the Michigan Association of Railroad Passengers and Amtrak.

Senators Anderson, Bieda, Booher, Brandenburg, Emmons, Green, Gregory, Hood, Hopgood, Jones, Kowall, Marleau, Pappageorge, Proos and Richardville were named co-sponsors of the resolution.

Senators Hopgood, Gregory, Marleau, Hood, Booher, Bieda, Pappageorge, Anderson, Kowall, Smith and Hunter offered the following resolution:

Senate Resolution No. 42.

A resolution declaring May 2013 as Asian Pacific American Heritage Month in the state of Michigan.

Whereas, The state of Michigan is fortunate to be home to more than 230,000 residents of Asian and Pacific Island descent; and

Whereas, Asian Pacific Americans comprise one of the fastest-growing populations in both the state and the nation; in fact, the largest-growing population in Michigan, according to the 2010 U.S. Census; and

Whereas, The Asian and Pacific Island regions are tremendously diverse; with more than thirty countries, sixteen major ethnic groups, nine languages, and numerous belief systems bringing their culture to Michigan; and

Whereas, Citizens of Asian and Pacific Island descent, in each generation—from the laborers who connected our coasts one and a half centuries ago, to the patriots who fought overseas while their families were interned at home—these patriotic Americans have enhanced our culture, quality of life, and economic vitality through leadership, commitments to knowledge and advancement, and dedication to their communities; and

Whereas, The state of Michigan and the United States of America have been enriched by the contributions of Asian Pacific Americans in all facets of life, including the arts, sciences, business, education, and philanthropy; and

Whereas, The culture and contributions of our Asian and Pacific Island residents will continue to grow in significance as more Asian Pacific Americans choose to make Michigan their home and as our economy becomes increasingly intertwined with the economies throughout Asia; and

Whereas, Asian Pacific Americans, through advocating issues of justice and equality, continue to break down the barriers of discrimination, indifference, and intolerance, thereby opening doors for all Asian Pacific Americans; and

Whereas, Asian Pacific American residents are proudly served in Michigan by many dedicated organizations, including the Asian Pacific American Affairs Commission, Asian Pacific American Chamber of Commerce, Council of Asian Pacific Americans, Asian American Citizens for Justice, Asian Pacific American Women's Association, Mid-Michigan Asian Pacific American Association, Asian Center, Michigan Asian and Pacific Islander American Vote, and Michigan Asian Pacific American Bar Association; and

Whereas, The state of Michigan takes pride in its cultural diversity and welcomes the opportunity to honor our Asian Pacific American residents for their lasting, expanding imprint upon our state; now, therefore, be it

Resolved by the Senate, That the members of this legislative body declare May 2013 as Asian Pacific American Heritage Month in the state of Michigan. We encourage all citizens to celebrate the individual and collective contributions of Asian Pacific Americans to this state and to this country.

Senators Brandenburg, Nofs and Rocca were named co-sponsors of the resolution.

Senators Whitmer, Anderson, Bieda, Hopgood, Johnson, Gregory, Young, Hunter, Smith, Warren and Hood offered the following resolution:

Senate Resolution No. 43.

A resolution designating April 28, 2013, as Workers' Memorial Day in Michigan.

Whereas, Every year on April 28, communities and worksites around the world honor friends, family members, and colleagues who have been killed or injured on the job; and

Whereas, The Federal Bureau of Labor Statistics has reported that in 2011, more than 4,600 workers suffered fatal workplace injuries, and nearly 3 million individuals suffered nonfatal work-related injuries and illnesses. Experts estimate that at least 50,000 deaths occur annually as a result of occupational diseases; and

Whereas, In 2011, 139 workers were lost through fatal workplace accidents in Michigan; and

Whereas, It is appropriate to honor the memory of the courageous and dedicated members of Michigan's labor force who have been injured or disabled or have died as a result of workplace accidents; and

Whereas, We remember those who have died in workplace catastrophes, suffered occupational-related diseases, or have been injured due to dangerous conditions; and

Whereas, Recognition of the integrity of Michigan's work force and its achievements on behalf of the economic growth of our state is necessary; and

Whereas, The Michigan Senate wishes to pay tribute to the workers who have died or been injured or disabled in workplace accidents. We honor the contributions of Michigan's work force and call for increased workplace safety; now, therefore, be it

Resolved by the Senate, That we hereby designate April 28, 2013, as Workers' Memorial Day in Michigan.

By unanimous consent the Senate proceeded to the order of

Introduction and Referral of Bills

Senator Moolenaar introduced

Senate Bill No. 332, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 8501 and 8512b (MCL 324.8501 and 324.8512b), section 8501 as amended and section 8512b as added by 2010 PA 299.

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

Senators Marleau, Kahn, Moolenaar, Jansen, Green, Schuitmaker, Emmons, Pappageorge, Hune and Jones introduced

Senate Bill No. 333, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding part 29.

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

Senator Smith introduced

Senate Bill No. 334, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1264.

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

Senator Kahn introduced

Senate Bill No. 335, entitled

A bill to amend 2011 PA 142, entitled "Health insurance claims assessment act," by amending section 3 (MCL 550.1733); and to repeal acts and parts of acts.

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

Senator Schuitmaker introduced

Senate Bill No. 336, entitled

A bill to amend 1964 PA 170, entitled "An act to make uniform the liability of municipal corporations, political subdivisions, and the state, its agencies and departments, officers, employees, and volunteers thereof, and members of certain boards, councils, and task forces when engaged in the exercise or discharge of a governmental function, for injuries to property and persons; to define and limit this liability; to define and limit the liability of the state when engaged in a proprietary function; to authorize the purchase of liability insurance to protect against loss arising out of this liability; to provide for defending certain claims made against public officers, employees, and volunteers and for paying damages sought or awarded against them; to provide for the legal defense of public officers, employees, and volunteers; to provide for reimbursement of public officers and employees for certain legal expenses; and to repeal acts and parts of acts," by amending section 19 (MCL 691.1419), as added by 2001 PA 222.

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

House Bill No. 4360, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," (MCL 436.1101 to 436.2303) by adding section 903a.

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 Regulatory Reform.

House Bill No. 4361, entitled

A bill to amend 1972 PA 239, entitled "McCauley-Traxler-Law-Bowman-McNeely lottery act," (MCL 432.1 to 432.47) by adding section 24.

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 Regulatory Reform.

House Bill No. 4393, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 312 and 646a (MCL 168.312 and 168.646a), as amended by 2006 PA 647.

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 Local Government and Elections.

House Bill No. 4395, entitled

A bill to amend 1994 PA 425, entitled "An act to provide for the creation of community swimming pool authorities; to provide powers and duties of the authorities; to provide for the levy of a tax by the authorities; and to provide for the collection and distribution of the tax," by amending section 13 (MCL 123.1073).

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 Local Government and Elections.

House Bill No. 4396, entitled

A bill to amend 1948 (1st Ex Sess) PA 31, entitled "An act to provide for the incorporation of authorities to acquire, furnish, equip, own, improve, enlarge, operate, and maintain buildings, automobile parking lots or structures, transit-oriented developments, transit-oriented facilities, recreational facilities, stadiums, and the necessary site or sites therefor, together with appurtenant properties and facilities necessary or convenient for the effective use thereof, for the use of any county, city, village, or township, or for the use of any combination of 2 or more counties, cities, villages, or townships, or for the use of any school district and any city, village, or township wholly or partially within the district's boundaries, or for the use of any school district and any combination of 2 or more cities, villages, or townships wholly or partially within the district's boundaries, or for the use of any intermediate school district and any constituent school district or any city,

village, or township, wholly or partially within the intermediate school district's boundaries; to provide for compensation of authority commissioners; to permit transfers of property to authorities; to authorize the execution of contracts, leases, and subleases pertaining to authority property and the use of authority property; to authorize incorporating units to impose taxes without limitation as to rate or amount and to pledge their full faith and credit for the payment of contract of lease obligations in anticipation of which bonds are issued by an authority; to provide for the issuance of bonds by such authorities; to validate action taken and bonds issued; to provide other powers, rights, and duties of authorities and incorporating units, including those for the disposal of authority property; and to prescribe penalties and provide remedies," by amending section 8b (MCL 123.958b), as amended by 1995 PA 147.

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 Local Government and Elections.

House Bill No. 4397, entitled

A bill to amend 1989 PA 292, entitled "Metropolitan councils act," by amending section 27 (MCL 124.677), as amended by 2003 PA 301.

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 Local Government and Elections.

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, and by adding sections 1426 and 1428.

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 Judiciary.

Recess

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

The motion prevailed, the time being 1:35 p.m.

2:30 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 Proos as Chairperson.

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

Senate Bill No. 194, entitled

A bill to make appropriations for the legislature, the judiciary, the executive, the department of attorney general, the department of state, the department of treasury, the department of technology, management, and budget, the department of civil service, the department of civil rights, and certain state purposes related thereto for the fiscal year ending September 30, 2014; to provide for the expenditure of the appropriations; to provide for the disposition of fees and other income received by the state agencies; and to declare the effect of this act.

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:

Senate Bill No. 191, entitled

A bill to make appropriations for the judiciary for the fiscal year ending September 30, 2014; 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.

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill: **Senate Bill No. 184, entitled**

A bill to make appropriations for the department of transportation for the fiscal year ending September 30, 2014; and to provide for the expenditure of the appropriations.

Substitute (S-1).

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

- 1. Amend page 11, following line 20, by inserting:
 “Rail passenger service/Wolverine line 19,333,000”.
- 2. Amend page 11, line 23, by striking out “42,154,900” and inserting “61,487,900”.
- 3. Amend page 12, line 5, by striking out “29,476,900” and inserting “48,809,900” and adjusting the subtotals, totals, and section 201 accordingly.

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.

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. 194

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

The following bill was read a third time:

Senate Bill No. 194, entitled

A bill to make appropriations for the legislature, the executive, the department of attorney general, the department of state, the department of treasury, the department of technology, management, and budget, the department of civil rights, and certain state purposes related thereto for the fiscal year ending September 30, 2014; to provide for the expenditure of the appropriations; to provide for the disposition of fees and other income received by the state agencies; and to declare the effect of this act.

The question being on the passage of the bill,

Senator Johnson offered the following amendments:

- 1. Amend page 33, by striking out all of line 8 and inserting:
 “Administrative services—32.0 FTE positions 4,798,800
 Job creation services—145.0 FTE positions 19,852,900
 Pure Michigan 29,000,000
 Innovation and entrepreneurship 28,500,000
 Business attraction and community revitalization 92,500,000
 Community ventures—7.0 FTE positions 9,800,000
 Land bank fast track authority—22.0 FTE positions 10,142,500”.
- 2. Amend page 33, line 23, by striking out “674,576,200” and inserting “699,376,200”.
- 3. Amend page 34, line 26, by striking out “116,203,900” and inserting “141,003,900”.
- 4. Amend page 36, by striking out all of line 19 and inserting:
 “MSF, film incentives 25,000,000
 MSF, skilled trades training program 10,000,000
 MSF, business attraction and community revitalization 27,500,000
 MSF, land bank fast track authority 7,000,000”

and adjusting the subtotals, totals, and section 201 accordingly.

5. Amend page 138, line 10, after “for” by striking out the balance of the line through line 11 and inserting “business attraction and community revitalization”.

6. Amend page 138, line 20, after “for” by striking out “ongoing operations and MSF, one-time operations” and inserting “innovation and entrepreneurship and business attraction and community revitalization”.

7. Amend page 139, line 21, after “for” by striking out the balance of the line and inserting “film incentives.”.

8. Amend page 143, line 19, after “for” by striking out the balance of the line through line 20 and inserting “innovation and entrepreneurship”.

9. Amend page 147, line 12, after “for” by striking out the balance of the line through “operations” on line 13 and inserting “community ventures”.

The question being on the adoption of the amendments,

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.

2:50 p.m.

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

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

Roll Call No. 138

Yeas—12

| | | | |
|-------------|---------|---------|---------|
| Anderson | Gregory | Hunter | Warren |
| Bieda | Hood | Johnson | Whitmer |
| Brandenburg | Hopgood | Smith | Young |

Nays—25

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

Excused—0

Not Voting—0

In The Chair: Schuitmaker

Senator Johnson offered the following amendments:

1. Amend page 35, line 2, by striking out “24,652,000” and inserting “36,460,200”.
2. Amend page 35, line 3, by striking out “116,608,000” and inserting “145,840,900”.
3. Amend page 35, line 4, by striking out “228,340,000” and inserting “321,300,000”.
4. Amend page 35, line 6, by striking out “1,117,150,200” and inserting “1,251,151,300”.
5. Amend page 35, line 8, by striking out “1,101,150,200” and inserting “1,113,150,200”.
6. Amend page 36, line 9, by striking out “16,000,000” and inserting “138,001,100”.
7. Amend page 36, by striking out all of lines 17 and 18.
8. Amend page 36, line 24, by striking out “101,263,300” and inserting “89,263,300”.
9. Amend page 37, line 4, by striking out “22,000,000” and inserting “10,000,000”.

10. Amend page 119, line 6, by striking out “\$279,984,000.00” and inserting “\$372,760,200.00” and adjusting the subtotals, totals, and section 201 accordingly.

11. Amend page 119, line 13, after “of” by striking out “2009 PA 128” and inserting “2010 PA 191 or section 107(3) of 2011 PA 83”.

12. Amend page 119, line 14, after “of” by striking out “76.18459%” and inserting “103.024934%”.

13. Amend page 119, line 15, after “of” by striking out “2009 PA 128” and inserting “2010 PA 191 and section 107(3) of 2011 PA 83”.

14. Amend page 119, line 20, after “of” by striking out “2009 PA 128” and inserting “2010 PA 191 and section 107(3) of 2011 PA 83”.

The question being on the adoption of the amendments,

Senator Hunter requested the yeas and nays.

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

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

Roll Call No. 139

Yeas—11

| | | | |
|----------|---------|---------|---------|
| Anderson | Hood | Johnson | Whitmer |
| Bieda | Hopgood | Smith | Young |
| Gregory | Hunter | Warren | |

Nays—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 | | |

Excused—0

Not Voting—0

In The Chair: Schuitmaker

Senator Johnson offered the following amendment:

1. Amend page 133, following line 16, by inserting:

“Sec. 1003. All money and assets of the fund are declared public money and assets and shall be disbursed only as provided by law in an appropriation.”.

The question being on the adoption of the amendment,

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. 140

Yeas—12

| | | | |
|----------|---------|---------|---------|
| Anderson | Gregory | Hunter | Warren |
| Bieda | Hood | Johnson | Whitmer |
| Caswell | Hopgood | Smith | Young |

Nays—25

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

Excused—0

Not Voting—0

In The Chair: Schuitmaker

Senator Johnson offered the following amendments:

1. Amend page 33, following line 12, by inserting:
“Precollege engineering 100”.
2. Amend page 33, line 23, by striking out “674,576,200” and inserting “674,576,300”.
3. Amend page 34, line 26, by striking out “116,203,900” and inserting “116,204,000” and adjusting the subtotals, totals, and section 201 accordingly.
4. Amend page 147, following line 18, by inserting:
“Sec. 1053. The appropriation in part 1 for precollege engineering is for precollege programs in engineering and sciences. The fund shall allocate 1/2 of the appropriated amount to the Detroit precollege engineering program and the Grand Rapids area precollege engineering program which were appropriated funds under 2005 PA 156.”.

The question being on the adoption of the amendments,

Senator Johnson moved that further consideration of the amendments be postponed temporarily.

The motion prevailed.

Senator Anderson offered the following amendment:

1. Amend page 52, following line 16, by inserting:
“Sec. 314. (1) All money, in-kind distributions, or proceeds of any type, in any form, received by the department of attorney general for debts due or penalties forfeited to the people of this state, or deriving from the settlement or judgment of any lawsuit entered into by the attorney general on behalf of a state agency, department, division, bureau, board, commission, council, authority, or other body in the executive branch of state government or an individual acting on behalf of the executive branch of state government against a private individual or business or any other private organization, shall be immediately deposited in conformity with MCL 14.33 and shall not be available for expenditure or disbursement until appropriated.
- (2) This section does not apply to settlement or judgment money or goods disbursed by a court-approved claims administrator directly to consumer members of a class-action lawsuit brought by the attorney general in his or her parens patriae capacity, provided the disbursement is judicially authorized and is made following a notice period and fairness hearing or to supplemental environmental projects secured on behalf of the Michigan department of environmental quality.
- (3) On a quarterly basis, the attorney general shall report to the budget office and the appropriations committees for both the house and senate the case names and corresponding attorney general case file numbers, court docket numbers, and presiding courts for every matter that the attorney general settled during the preceding quarter. The attorney general shall report the total settlement or judgment value for each case reported. The attorney general shall itemize each settlement or judgment to additionally reflect:
 - (a) The aggregate Michigan consumer recovery.
 - (b) The value of restitution paid on behalf of the state or any state or federal department or agency whose interest was resolved in the case.
 - (c) Amounts recovered for civil penalties.
 - (d) Amounts recovered for attorney fees.
 - (e) Amounts recovered as reimbursement for the costs of investigation. If the attorney general settled a case in the prior quarter for nonmonetary proceeds, he or she shall indicate the identity and value of proceeds so received for each case as provided in this section.

(4) Funds appropriated to the department of attorney general under part 1 are appropriated contingent upon compliance with this section.”.

The question being on the adoption of the amendment,
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. 141

Yeas—11

| | | | |
|----------|---------|---------|---------|
| Anderson | Hood | Johnson | Whitmer |
| Bieda | Hopgood | Smith | Young |
| Gregory | Hunter | Warren | |

Nays—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 | | |

Excused—0

Not Voting—0

In The Chair: Schuitmaker

Senator Caswell offered the following amendment:

1. Amend page 43, line 26, by striking out all of section 211a.

The amendment was adopted, a majority of the members serving voting therefor.

Senator Booher offered the following amendments:

1. Amend page 25, by striking out all of lines 11 through 15.
2. Amend page 25, line 21, by striking out “14,900,100” and inserting “14,900,000” and adjusting the subtotals, totals, and section 201 accordingly.

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

Senator Johnson offered the following amendments:

1. Amend page 33, by striking out all of line 8 and inserting:

| | |
|--|--------------|
| “Administrative services—32.0 FTE positions | 4,798,800 |
| Job creation services—142.0 FTE positions | 19,352,900 |
| Pure Michigan | 29,000,000 |
| Innovation and entrepreneurship | 25,000,000 |
| Business attraction and community revitalization | 92,500,000 |
| Community ventures..... | 9,800,000 |
| Precollege engineering | 340,000 |
| Land bank fast track authority—6.0 FTE positions | 10,142,500”. |

2. Amend page 33, line 11, by striking out “6,650,000” and inserting “6,150,000”.

3. Amend page 33, line 23, by striking out “674,576,200” and inserting “695,216,200”.

4. Amend page 34, line 26, by striking out “116,203,900” and inserting “136,843,900”.
5. Amend page 36, by striking out all of line 19 and inserting:

| | |
|--|-------------|
| “MSF, film incentives | 50,000,000 |
| MSF, business attraction and community revitalization..... | 17,500,000 |
| MSF, skilled trades training program | 5,000,000 |
| MSF, land bank fast track authority | 3,500,000”. |
6. Amend page 36, line 24, by striking out “101,263,300” and inserting “107,763,300”.
7. Amend page 37, line 5, by striking out “76,263,300” and inserting “82,763,300” and adjusting the subtotals, totals, and section 201 accordingly.
8. Amend page 138, line 10, after “for” by striking out the balance of the line through “operations” on line 11 and inserting “business attraction and community revitalization”.
9. Amend page 138, line 20, after “for” by striking out “ongoing operations and MSF, one-time operations” and inserting “innovation and entrepreneurship and business attraction and community revitalization”.
10. Amend page 139, line 21, after “for” by striking out the balance of the line and inserting “film incentives.”.
11. Amend page 143, line 19, after “for” by striking out the balance of the line through “operations” on line 20 and inserting “innovation and entrepreneurship”.
12. Amend page 144, line 23, after “for” by striking out the balance of the line and inserting “film incentives, \$50,000,000.00”.
13. Amend page 147, line 12, after “for” by striking out the balance of line through “operations” on line 13 and inserting “community ventures”.
14. Amend page 147, following line 18, by inserting:
“Sec. 1053. The appropriation in part 1 for precollege engineering is for precollege programs in engineering and sciences. The fund shall allocate 1/2 of the appropriated amount to the Detroit precollege engineering program and the Grand Rapids area precollege engineering program which were appropriated funds under 2005 PA 156.”.

The amendments were not adopted, a majority of the members serving not voting therefor.

By unanimous consent the Senate returned to consideration of the fourth set of amendments offered by Senator Johnson. The question being on the adoption of the amendments, Senator Hunter requested the yeas and nays. The yeas and nays were ordered, 1/5 of the members present voting therefor. The amendments were adopted, a majority of the members serving voting therefor, as follows:

Roll Call No. 142

Yeas—24

| | | | |
|-------------|-------------|--------------|-------------|
| Anderson | Hildenbrand | Kahn | Schuitmaker |
| Bieda | Hood | Kowall | Smith |
| Booher | Hopgood | Moolenaar | Walker |
| Brandenburg | Hunter | Pappageorge | Warren |
| Gregory | Jansen | Proos | Whitmer |
| Hansen | Johnson | Richardville | Young |

Nays—13

| | | | |
|-----------|-------|---------|-----------|
| Casperson | Green | Marleau | Pavlov |
| Caswell | Hune | Meekhof | Robertson |
| Colbeck | Jones | Nofs | Rocca |
| Emmons | | | |

Excused—0

Not Voting—0

In The Chair: Schuitmaker

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

Roll Call No. 143**Yeas—23**

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

Nays—14

| | | | |
|-------------|---------|-----------|---------|
| Anderson | Hood | Johnson | Warren |
| Bieda | Hopgood | Robertson | Whitmer |
| Brandenburg | Hune | Smith | Young |
| Gregory | Hunter | | |

Excused—0**Not Voting—0**

In The Chair: Schuitmaker

The Senate agreed to the title of the bill.

Senator Johnson asked and was granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator Johnson's first statement is as follows:

I offer this amendment in the best interest of public safety. This amendment would increase both the county revenue sharing to the old formula level and the EVIP statutory revenue sharing to previous funding levels. For the county program specifically, this would be an increase of \$29.2 million. For the EVIP program, this would be an annual increase of \$93 million.

This is money that the locals have historically been counting on. We continue to underfund our local governments, but we still expect them to provide safe streets and clean neighborhoods. The Governor claims his goal is not to install emergency managers, but rather to help cities avoid fiscal emergencies. When we continue to cut funding to local governments and as local tax revenues continue to diminish, we are setting up locals for failure. We need to honor our commitment to them by funding them at the appropriate level.

We cannot continue this practice of underfunding our cities if we hope to have vibrant communities that attract people to this state. I ask for your support for the local governments we all represent.

Senator Johnson's second statement is as follows:

Madam President, I offer this amendment in the interest of increased government transparency. This amendment would state that all money and assets of the Michigan Strategic Fund should be declared public money and should only be disbursed through the appropriations process.

For fiscal year 2013, there is some \$47 million received by the Strategic Fund through a compact with Native American casinos. This money helps to compose the so-called corporate side of the Michigan Economic Development Corporation. I have offered legislation that would achieve this transparency, but until this legislation is acted on, this boilerplate language that I'm asking to be restored is needed to ensure transparency.

I ask for your support on this amendment for a more open government.

Recess

Senator Meekhof moved that the Senate recess subject to the call of the Chair.
The motion prevailed, the time being 3:28 p.m.

3:51 p.m.

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

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

Senate Bill No. 194, entitled

A bill to make appropriations for the legislature, the executive, the department of attorney general, the department of state, the department of treasury, the department of technology, management, and budget, the department of civil rights, and certain state purposes related thereto for the fiscal year ending September 30, 2014; to provide for the expenditure of the appropriations; to provide for the disposition of fees and other income received by the state agencies; and to declare the effect of this act.

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

The question being on the passage of the bill,

Senator Meekhof moved to reconsider the vote by which the fifth set of amendments offered by Senator Johnson were not adopted.

The motion prevailed.

The question being on the adoption of the amendments,

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

The question being on the passage of the bill,

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

Roll Call No. 144**Yeas—21**

| | | | |
|-------------|---------|-------------|--------------|
| Booher | Jansen | Marleau | Pavlov |
| Casperson | Johnson | Meekhof | Proos |
| Caswell | Jones | Moolenaar | Richardville |
| Emmons | Kahn | Nofs | Rocca |
| Hansen | Kowall | Pappageorge | Walker |
| Hildenbrand | | | |

Nays—16

| | | | |
|-------------|---------|-------------|---------|
| Anderson | Green | Hune | Smith |
| Bieda | Gregory | Hunter | Warren |
| Brandenburg | Hood | Robertson | Whitmer |
| Colbeck | Hopgood | Schuitmaker | Young |

Excused—0**Not Voting—0**

In The Chair: Schuitmaker

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. 191

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

The following bill was read a third time:

Senate Bill No. 191, entitled

A bill to make appropriations for the judiciary for the fiscal year ending September 30, 2014; and to provide for the expenditure of the appropriations.

The question being on the passage of the bill,

Senator Johnson offered the following amendments:

1. Amend page 2, line 27, by striking out "\$7,083,000" and inserting "\$10,083,000".
2. Amend page 3, line 1, by striking out "\$2,100,000" and inserting "\$4,100,000".
3. Amend page 3, line 6, by striking out "\$62,802,500" and inserting "\$67,806,500".
4. Amend page 4, line 7, by striking out "\$40,250,500" and inserting "\$45,250,500" and adjusting the subtotals, totals, and section 201 accordingly.

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

Roll Call No. 145

Yeas—12

| | | | |
|----------|---------|---------|---------|
| Anderson | Hood | Johnson | Warren |
| Bieda | Hopgood | Jones | Whitmer |
| Gregory | Hunter | Smith | Young |

Nays—25

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

Excused—0

Not Voting—0

In The Chair: Schuitmaker

Senator Johnson offered the following amendments:

1. Amend page 5, line 20, by striking out "49.0" and inserting "50.0".
2. Amend page 5, line 21, by striking out "42.0" and inserting "43.0".
3. Amend page 5, line 21, by striking out "\$5,230,300" and inserting "\$5,337,500".
4. Amend page 5, line 24, by striking out "\$6,071,200" and inserting "\$6,178,400".
5. Amend page 6, line 6, by striking out "\$4,984,500" and inserting "\$5,091,700" and adjusting the subtotals, totals, and section 201 accordingly.

The question being on the adoption of the amendments,

Senator Hunter requested the yeas and nays.

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

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

Roll Call No. 146**Yeas—11**Anderson
Bieda
GregoryHood
Hopgood
HunterJohnson
Smith
WarrenWhitmer
Young**Nays—26**Booher
Brandenburg
Casperson
Caswell
Colbeck
Emmons
GreenHansen
Hildenbrand
Hune
Jansen
Jones
Kahn
KowallMarleau
Meekhof
Moolenaar
Nofs
Pappageorge
PavlovProos
Richardville
Robertson
Rocca
Schuitmaker
Walker**Excused—0****Not Voting—0**

In The Chair: Schuitmaker

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

Roll Call No. 147**Yeas—26**Booher
Brandenburg
Casperson
Caswell
Colbeck
Emmons
GreenHansen
Hildenbrand
Hune
Jansen
Jones
Kahn
KowallMarleau
Meekhof
Moolenaar
Nofs
Pappageorge
PavlovProos
Richardville
Robertson
Rocca
Schuitmaker
Walker**Nays—11**Anderson
Bieda
GregoryHood
Hopgood
HunterJohnson
Smith
WarrenWhitmer
Young**Excused—0****Not Voting—0**

In The Chair: Schuitmaker

The Senate agreed to the title of the bill.

Protests

Senators Johnson, Bieda, Hood, Gregory, Young, Anderson, Hunter and Whitmer, under their constitutional right of protest (Art. 4, Sec. 18), protested against the passage of Senate Bill No. 191.

Senator Johnson moved that the statement he made during the discussion of the bill be printed as his reasons for voting “no.”

The motion prevailed.

Senator Johnson’s statement, in which Senators Bieda, Hood, Gregory, Young, Anderson, Hunter and Whitmer concurred, is as follows:

Madam President, the Judiciary budget that is before us represents an affront to the judicial system of our state. It is shocking that the majority party of this chamber would turn their backs on our veterans by not providing the needed funding to run our veterans courts. It’s also saddening that with a national conversation taking place right now about mental health and how it relates to public safety, we would fail to provide the funding needed for drug, sobriety, and mental health courts.

These populations have very specific legal needs that, if addressed appropriately, can save the state significant sums of money. Sometimes you have to spend a little money to save money. It makes no sense to forego these specialty courts when we know that the populations they serve will likely end up in our crowded, expensive corrections system. If we support these courts, we can make sure offenders have a better chance at success when they are released and in lowering recidivism rates.

I am also deeply troubled by the elimination of one FTE for the State Appellate Defender Office that was recommended by the Governor. The SADO has an obligation to handle 25 percent of the appellate defender cases in the state. What they cannot handle falls to the counties. By failing to provide this appropriation, we aren’t saving any money; we’re just transferring responsibility from one government to another. Furthermore, this funding is essential because it results in the long-term savings to our corrections system, avoiding errors in incarceration and sentencing, which SADO catches and adjudicates.

By eliminating these two appropriations that were recommended by the Governor, we are failing to make long-term savings, and therefore, wasting taxpayer dollars. Do my colleagues on the other side of the aisle not trust the calculations of the C.P.A. Governor? I request a “no” vote.

Senator Proos asked and was granted unanimous consent to make a statement and moved that the statement be printed in the Journal.

The motion prevailed.

Senator Proos’ statement is as follows:

I appreciate the chance to rise in support of the budget before us. These are tough times, no question. We have all had very difficult decisions to make with an unlimited number of requests at once, but really a limited number of resources that are available to us.

The fact is that the Governor’s recommendation, which is what the amendments that have previously come up for this particular budget and what the good Senator from the 2nd District had asked for, included about \$12 million of new funding for programs that are already under way; programs that I, too, agree are fantastic programs working well; whether that be our veterans courts that are operational; whether that be our drug courts that are currently operational; whether that be other specialty courts that are, in fact, operational. The additional funding that the Governor is recommending comes from a pot of money that is very, very constrained; one that makes it very difficult for us to increase and expand, as well as expand ten new FTEs in the department at this time.

So I appreciate the good Senator’s suggestion that this is a budget to turn down. I rather suggest that this is a budget that maintains good programs, does not cut into those programs, and instead keeps them as strong as we possibly can at a time when there are unlimited wants and needs but very limited resources. I ask for a “yes” vote.

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. 184

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

The following bill was read a third time:

Senate Bill No. 184, entitled

A bill to make appropriations for the department of transportation for the fiscal year ending September 30, 2014; and to provide for the expenditure of the appropriations.

The question being on the passage of the bill,

Senator Johnson offered the following amendments:

1. Amend page 11, line 3, by striking out “166,624,000” and inserting “173,624,000”.

- 2. Amend page 11, line 6, by striking out “197,211,900” and inserting “204,211,900”.
- 3. Amend page 11, line 12, by striking out “172,024,000” and inserting “179,024,000” and adjusting the subtotals, totals, and section 201 accordingly.
- 4. Amend page 32, following line 27, by inserting:
 “Sec. 741. From the funds appropriated in part 1 for local bus operating, up to \$7,000,000.00 of the funds shall be allocated to the Detroit department of transportation for capital improvements, including the purchase of new buses and preventative maintenance.”.

The amendments were not adopted, a majority of the members serving not voting therefor.

Senator Anderson offered the following amendment:

- 1. Amend page 18, following line 5, by inserting:
 “Sec. 233. Not later than April 1, the department shall prepare and transmit a report that provides detail regarding the department’s expenditures for administration and planning associated with local units of government. The report shall list the portion of all the expenditures from part 1 that are allocated for administration and planning that are associated with the disbursement of all local funds. The report shall be transmitted to the office of the state budget, the senate and house appropriations chairs, the senate and house appropriations subcommittees on transportation, respectively, and the senate and house fiscal agencies.”.

The amendment was adopted, a majority of the members serving voting therefor.

The question being on the passage of the bill,

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

Roll Call No. 148

Yeas—26

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

Nays—11

| | | | |
|---------|---------|---------|---------|
| Bieda | Hopgood | Johnson | Whitmer |
| Gregory | Hune | Smith | Young |
| Hood | Hunter | Warren | |

Excused—0

Not Voting—0

In The Chair: Schuitmaker

The Senate agreed to the title of the bill.

Senator Young asked and was granted unanimous consent to make a statement and moved that the statement be printed in the Journal.

The motion prevailed.

Senator Young’s statement is as follows:

Madam President, I want to speak to this amendment, saying that whatever power lies, it must be applied with equality and justice. The fact of the matter is that you have legislators, you have Detroiters, you have members who tried to bring people together for the common good and say, “Let’s work together. Let’s have relentless positive collaboration. Let’s have actual regional cooperation.”

And what's the first thing they do? The first thing they do is they decide to invest with our match, taking us from 65-35 to the city of Detroit, to 51-48 SMART. That is outrageous. That is a gigantic slap in the face to the citizens of Detroit and the people who reached out in good faith. How are we going to be able to trust anything that happens with the Governor when we do these sort of things, and we're always the first ones on the chopping block. We're always too thin to win. We've always got to work flight to fight. We're always too late to the party. We're always sitting at the kids' table. We've always got less than. We've always got one person when everybody else has two. Everybody else has more. They eat all the food, all the drink, all the dessert and leave us with the crust, and we're just supposed to be thankful that they even thought enough of us to leave that.

It's outrageous. It's despicable. It's draconian. For the sense of just fairness and coming together, we need to pass this amendment.

By unanimous consent the Senate proceeded to the order of

Statements

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

The motion prevailed.

Senator Kahn's statement is as follows:

I rise to address you through the chamber, the Gallery, and the people of Michigan. EPIC-MRA printed on Friday a poll regarding Medicaid expansion in which they pointed out that personal responsibility changed the mix of the feelings of the people of Michigan about this program. Specifically, there was 74 percent support and opposition by 23 percent. Even tea party folks supported it to the tune of 55 percent.

The usual personal responsibility of Medicaid is also part of another issue that is the efficient use of resources. What efficient use of resources, what personal responsibility pieces would help us to manage this program—protect and help our people—is the great question. We have several members of the House and Senate currently working on this issue as part of the deliberations we are undergoing on our budget.

I have some thoughts that I would like to share with you. The beneficiary monitoring program, not well understood, is woefully underutilized. It exists within the Department of Community Health, and when last I checked, there were zero resources dedicated to it. The staff of the department doesn't support it. This program allows us to place people in an environment where they could receive more intensive care directed toward the efficient utilization of resources and protection of their own health.

If we looked at other issues pertaining to how we might go about this, it brings up the notion of a health care coach that is part of what is intended for the beneficiary monitoring program. What is a health care coach? Among the most common diagnoses that people have which are expensive and who have bad outcomes is a dual diagnosis: one a mental health diagnosis and the other a physical health diagnosis. One of the most common examples would be depression and diabetes. So a depressed person gets up in the morning and feels that life is not worth living and does not take their insulin. By the afternoon, they are scared, they go to the emergency room, they are given insulin, and are discharged; then the process repeats itself week after week. Sometimes if the mental health difficulty is severe enough, multiple times in a day.

If we would assign someone, one of the notions in the beneficiary monitoring program, to call them up in the morning and say, "Hey, Roger, are you going to take your insulin today? The last time you didn't take your insulin you ended up in the emergency room." If we would do that and could stop, let's say, just one-third of the unnecessary visits to the emergency room, we would not only improve their health, but we would save untold millions of dollars to use for other priorities; for example, transportation.

But that is not the most expensive area that we have in care. The most expensive is end-of-life care.

Senator Caswell's statement is as follows:

My remarks are going to go to the self-sufficiency plan that this chamber put in place last year with the passage of a bill for heating assistance for our poor citizens in the state. It was mentioned earlier by the first speaker that there's no data. Well, it so happens that there is data. I want you to listen closely to what you were able to do for the poorer citizens of this state.

Previous to the passage of this bill, the normal disconnection rate of our poorer citizens who needed heating help was 55 percent. Fifty-five percent of them had to get help. Fifty percent of them had to see things shut off. With the 20,000 people who we now have in a self-sufficiency plan in this state, the shut-off rate is 0.3 percent; in essence, nothing. No one is being shut off now.

Secondly, when people went for heating assistance, a plan was put together for them indicating to them what they needed to avoid needing heating assistance in the future. Ninety days after this plan was put together, 30 percent of the people were following the plan. Only 8 percent followed the plan for the full heating system year. With what you did last year by passing the self-sufficiency bill, the 20,000 people who are in this program in this state, 85 percent of them are following the plan that's been set up for them. They're being successful.

Thirdly, in the past when people would get heating assistance, we would see 50 percent of them dramatically increase the usage of heating assistance because the assistance coming to them was free. Today, with the 20,000 people we have in this self-sufficiency plan, 100 percent of them are maintaining their usage within the limits that are set for them—100 percent. This plan, in terms of self-sufficiency and personal responsibility, has been an overwhelming success, and it will be expanded in the future.

As we move forward, there are plenty of ways, plenty of ideas out there about how we can expand the self-sufficiency plan. One of them is to use unexpended federal money. That's what you passed in the budget today. That unexpended federal money being moved over to this plan is meeting with this kind of success. I would congratulate this chamber for not only passing this bill today, but passing the legislation last year to set this up. This is just the beginning, and we'll grow every year. The success that we're having is absolutely wonderful.

Scheduled Meetings

Appropriations -

Subcommittee -

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

Education - Wednesday, May 1, 12:00 noon, Senate Hearing Room, Ground Floor, Boji Tower (373-5314)

Health Policy - Wednesday, May 1, 1:00 p.m., Room 110, Farnum Building (373-5314)

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 4:31 p.m.

The President pro tempore, Senator Schuitmaker, declared the Senate adjourned until Wednesday, May 1, 2013, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate

