

No. 55
STATE OF MICHIGAN
Journal of the Senate
97th Legislature
REGULAR SESSION OF 2013

Senate Chamber, Lansing, Tuesday, June 11, 2013.

10:00 a.m.

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

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

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

Hood—present
Hopgood—present
Hune—present
Hunter—present
Jansen—present
Johnson—excused
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

Pastor Scott Distler of Gaylord Evangelical Free Church of Gaylord offered the following invocation:

Father in heaven, I am so thankful for this opportunity; what a privilege—what an honor. You tell in Your Word that we're to pray for all who are in authority over us. So, God, I can think of no greater honor this morning than to stand before this chamber and lift these men and these women up in prayer to You.

So, Father, I ask for three things. I ask, No. 1, for wisdom. I can't even begin to imagine the scope of the issues that they have to deal with and decisions that affect so many. I'm so thankful that in Your Word, the Bible, You tell us if we lack wisdom that we can ask of You, and You'll give it to us if we ask believing. So, God, I pray for wisdom.

God, I also pray for their role in their families. As crucial as their role is as State Senators, God, it pales in comparison to their role as a husband, as a wife, as a parent, as a grandparent. So I pray that You would strengthen their marriages, strengthen their relationships with their children, and strengthen their impact on their grandchildren.

God, I pray finally that they would understand how great a love You have for them. God, no one loves them more than You do. You demonstrated that in the greatest verse in all the Bible: "For God so loved the world, that he gave his only begotten Son, that whosoever believeth in him shall not perish, but have everlasting life." So, Father, I pray that they would understand Your love, and reach out for Your love; a God who loves them and wants to spend all of eternity with them.

So, Father, I thank You for this opportunity. I thank You for this day. I pray now for Your richest blessings. I pray this all in the name of Your Son, my personal savior, Jesus Christ. Amen.

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

Motions and Communications

Senators Richardville, Schuitmaker and Young entered the Senate Chamber.

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

The motion prevailed.

Senator Hopgood's statement is as follows:

I have a guest in the Gallery today. Amanda Bower is joined by her parents Ruth and Michael Bower. They are in the north Gallery. Amanda is the winner of the University of Michigan-Dearborn Chancellor's Medallion award, which is their most prestigious academic award bestowed on students.

Six students won the Chancellor's Medallion this year. They are selected by the faculty based on academic record, quality of character, vitality, intellect, and integrity. Ms. Bower graduated with a bachelor's degree and a major in mathematics and minors in applied science, applied statistics, and computer and information sciences. She graduated with high distinction and has won honors in each of her years at UM-Dearborn.

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

The motion prevailed.

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

The motion prevailed.

Senator Meekhof moved that rule 3.902 be suspended to allow the guests of Senator 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 10:07 a.m.

10:19 a.m.

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

During the recess, Senator Colbeck introduced Doug Williams, honoring his service to the Michigan American Legion and National Guard, accompanied by Senators Gregory, Moolenaar and Pappageorge and Representative Jenkins; and presented him with a Special Tribute.

Mr. Williams responded briefly.

Senator Meekhof moved that rule 3.902 be suspended to allow the guests of Senator Whitmer 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 video 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 10:20 a.m.

10:28 a.m.

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

During the recess, Senator Whitmer introduced Michigan 2020 Scholarship recipients: Spencer Genrich of Wyandotte (\$10,000 - 1st Place), Sara-Jane Dakroub of Rochester (\$2,500 - 2nd Place), and Nathan Douglas of Bloomingdale (\$1,000 - 3rd Place).

Senator Hopgood responded briefly.

Recess

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

The motion prevailed, the time being 10:29 a.m.

11:10 a.m.

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

During the recess, Senator Hunter entered the Senate Chamber.

The following communications were received:

Department of State

Administrative Rules Notices of Filing

May 13, 2013

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2012-102-LR (Secretary of State Filing #13-05-01) on this date at 4:06 p.m. for the Department of Licensing and Regulatory Affairs, entitled "Workers' Compensation Agency Self Insurance Rules."

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

May 13, 2013

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2012-003-AC (Secretary of State Filing #13-05-02) on this date at 4:08 p.m. for the Department of Agriculture and Rural Development, entitled "Farmland and Open Space Preservation."

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

May 20, 2013

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2013-023-AC (Secretary of State Filing #13-05-03) on this date at 4:42 p.m. for the Department of Agriculture and Rural Development, entitled "Regulation No. 502. Grading, Labeling, and Marketing of Tomatoes."

These rules become effective 7 days after filing with the Secretary of State

May 20, 2013

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2012-124-LR (Secretary of State Filing #13-05-04) on this date at 4:44 p.m. for the Department of Licensing and Regulatory Affairs, entitled "GI Part 62. Plastic Molding."

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

May 29, 2013

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2012-125-LR (Secretary of State Filing #13-05-05) on this date at 4:38 p.m. for the Department of Licensing and Regulatory Affairs, entitled "GI Part 72. Automotive Service Operations."

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

May 29, 2013

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2012-127-LR (Secretary of State Filing #13-05-06) on this date at 4:40 p.m. for the Department of Licensing and Regulatory Affairs, entitled "GI Part 45. Die Casting."

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

May 29, 2013

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2012-128-LR (Secretary of State Filing #13-05-07) on this date at 4:42 p.m. for the Department of Licensing and Regulatory Affairs, entitled "OH Part 309. Cadmium."

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

May 29, 2013

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2012-131-LR (Secretary of State Filing #13-05-08) on this date at 4:44 p.m. for the Department of Licensing and Regulatory Affairs, entitled "GI Part 11. Polishing, Buffing, and Abrading."

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

May 29, 2013

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2012-132-LR (Secretary of State Filing #13-05-09) on this date at 4:46 p.m. for the Department of Licensing and Regulatory Affairs, entitled "GI Part 18. Overhead Gantry Cranes."

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

May 29, 2013

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2012-133-LR (Secretary of State Filing #13-05-10) on this date at 4:48 p.m. for the Department of Licensing and Regulatory Affairs, entitled "GI Part 21. Powered Industrial Trucks."

These rules take effect 15 days after filing with the Secretary of State.

May 30, 2013

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2012-040-LR (Secretary of State Filing #13-05-11) on this date at 4:48 p.m. for the Department of Licensing and Regulatory Affairs, entitled "Construction Code Part 8. Electrical Code."

These rules take effect 30 days after filing with the Secretary of State.

May 30, 2013

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2012-010-LR (Secretary of State Filing #13-05-12) on this date at 4:50 p.m. for the Department of Licensing and Regulatory Affairs, entitled "Construction Code - Part 9A."

These rules take effect 120 days after filing with the Secretary of State.

May 30, 2013

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2012-081-TY (Secretary of State Filing #13-05-13) on this date at 4:52 p.m. for the Department of Treasury, entitled "Bureau of State Lottery."

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

May 30, 2013

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2011-041-LR (Secretary of State Filing #13-05-14) on this date at 4:54 p.m. for the Department of Licensing and Regulatory Affairs, entitled "State Boundary Commission - General Rules."

These rules take effect 30 days after filing with the Secretary of State.

Sincerely,
Ruth Johnson
Secretary of State
Robin L. Houston, Departmental Supervisor
Office of the Great Seal

The communications were referred to the Secretary for record.

The Secretary announced that the following House bills were received in the Senate and filed on Thursday, June 6:
House Bill Nos. 4112 4234 4465 4466 4629 4678

The Secretary announced that the following bills were printed and filed on Thursday, June 6, and are available at the Michigan Legislature website:

Senate Bill Nos. 413 414 415 416 417
House Bill Nos. 4801 4802 4803 4804 4805 4806 4807 4808 4809 4810 4811 4812 4813 4814 4815

Messages from the Governor

The following messages from the Governor were received:

Date: June 5, 2013
Time: 1:00 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 54 (Public Act No. 43), being

An act to amend 2006 PA 379, entitled “An act to impose a state recapture tax on the change in use of certain qualified forest property; to provide for the administration of the recapture tax; to prescribe the powers and duties of certain state and local officers; to provide for the collection and distribution of the recapture tax; and to prescribe penalties and provide remedies,” by amending section 5 (MCL 211.1035).

(Filed with the Secretary of State on June 6, 2013, at 12:48 p.m.)

Date: June 5, 2013
Time: 1:02 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 55 (Public Act No. 44), being

An act to amend 1893 PA 206, entitled “An act to provide for the assessment of rights and interests, including leasehold interests, in property and the levy and collection of taxes on property, and for the collection of taxes levied; making those taxes a lien on the property taxed, establishing and continuing the lien, providing for the sale or forfeiture and conveyance of property delinquent for taxes, and for the inspection and disposition of lands bid off to the state and not redeemed or purchased; to provide for the establishment of a delinquent tax revolving fund and the borrowing of money by counties and the issuance of notes; to define and limit the jurisdiction of the courts in proceedings in connection with property delinquent for taxes; to limit the time within which actions may be brought; to prescribe certain limitations with respect to rates of taxation; to prescribe certain powers and duties of certain officers, departments, agencies, and political subdivisions of this state; to provide for certain reimbursements of certain expenses incurred by units of local government; to provide penalties for the violation of this act; and to repeal acts and parts of acts,” by amending section 7dd (MCL 211.7dd), as amended by 2012 PA 324.

(Filed with the Secretary of State on June 6, 2013, at 12:50 p.m.)

Date: June 5, 2013
Time: 1:04 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 56 (Public Act No. 45), being

An act to amend 1994 PA 451, entitled “An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to protect the people’s right to hunt and fish; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, assessments, and donations; to provide certain appropriations; to prescribe penalties and provide remedies; and to repeal acts and parts of acts,” by amending sections 9301, 9302, 9304, 9307, 9308, and 9310 (MCL 324.9301, 324.9302, 324.9304, 324.9307, 324.9308, and 324.9310), sections 9301, 9302, 9304, 9308, and 9310 as amended by 1998 PA 463 and section 9307 as amended by 2004 PA 439, and by adding sections 51301, 51302, 51305, and 51306; and to repeal acts and parts of acts.

(Filed with the Secretary of State on June 6, 2013, at 12:52 p.m.)

Date: June 5, 2013
Time: 1:06 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 57 (Public Act No. 46), being

An act to amend 1994 PA 451, entitled “An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge

of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to protect the people's right to hunt and fish; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, assessments, and donations; to provide certain appropriations; to prescribe penalties and provide remedies; and to repeal acts and parts of acts," by amending sections 8703, 8707, 8708, and 8709 (MCL 324.8703, 324.8707, 324.8708, and 324.8709), as amended by 2011 PA 2.

(Filed with the Secretary of State on June 6, 2013, at 12:54 p.m.)

Date: June 5, 2013

Time: 1:08 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 58 (Public Act No. 47), being

An act to amend 1994 PA 451, entitled "An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to protect the people's right to hunt and fish; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, assessments, and donations; to provide certain appropriations; to prescribe penalties and provide remedies; and to repeal acts and parts of acts," by amending sections 50301 and 50302 (MCL 324.50301 and 324.50302), as added by 1995 PA 57.

(Filed with the Secretary of State on June 6, 2013, at 12:56 p.m.)

Date: June 6, 2013

Time: 12:23 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 51 (Public Act No. 42), being

An act to amend 1893 PA 206, entitled "An act to provide for the assessment of rights and interests, including leasehold interests, in property and the levy and collection of taxes on property, and for the collection of taxes levied; making those taxes a lien on the property taxed, establishing and continuing the lien, providing for the sale or forfeiture and conveyance of property delinquent for taxes, and for the inspection and disposition of lands bid off to the state and not redeemed or purchased; to provide for the establishment of a delinquent tax revolving fund and the borrowing of money by counties and the issuance of notes; to define and limit the jurisdiction of the courts in proceedings in connection with property delinquent for taxes; to limit the time within which actions may be brought; to prescribe certain limitations with respect to rates of taxation; to prescribe certain powers and duties of certain officers, departments, agencies, and political subdivisions of this state; to provide for certain reimbursements of certain expenses incurred by units of local government; to provide penalties for the violation of this act; and to repeal acts and parts of acts," by amending section 7jj (MCL 211.7jj[1]), as added by 2006 PA 378.

(Filed with the Secretary of State on June 6, 2013, at 12:46 p.m.)

Respectfully,
Rick Snyder
Governor

The following message from the Governor was received on June 6, 2013, and read:

EXECUTIVE ORDER

No. 2013-9

**Department of Civil Rights
Michigan Council on Arab and Chaldean American Affairs**

**Rescission of
Executive Order 2004-33**

WHEREAS, Section 1 of Article V of the Michigan Constitution of 1963 vests the executive power in the Governor; and
WHEREAS, Michigan wishes to attract and retain top talent, and a key strategy for doing so is ensuring welcoming communities for the highly educated, business investors, and entrepreneurs from all over the world;

WHEREAS, Michigan's Arab American and Chaldean American communities contribute significantly to Michigan's economy and culture; and

WHEREAS, Michigan must engage leaders from all backgrounds and walks of life to participate actively and effectively in the reinvention of Michigan; and

WHEREAS, on September 15, 2004, Executive Order 2004-33 was issued, establishing the Advisory Council on Arab and Chaldean American Affairs; and

WHEREAS, a new structure will allow the council to more effectively serve the interests of Michigan and its Arab-American and Chaldean-American communities;

NOW, THEREFORE, I, Richard D. Snyder, Governor of the state of Michigan, by virtue of the powers and authority vested in the Governor by the Michigan Constitution of 1963 and Michigan law, order the following:

I. CREATION OF THE MICHIGAN COUNCIL ON ARAB AND CHALDEAN AMERICAN AFFAIRS

A. The Michigan Council on Arab and Chaldean American Affairs ("the Council") is created as an advisory body to the Governor and the Director of the Department of Civil Rights.

B. All of the authority, powers, duties, functions, responsibilities, records, personnel, property, and unexpended balances of appropriations of the Advisory Council on Arab and Chaldean American Affairs are transferred to the Michigan Council on Arab and Chaldean American Affairs created by this Order.

C. The Council shall be composed of ten (10) members appointed by and serving at the pleasure of the Governor. Of the members initially appointed after the effective date of this order, four (4) members shall be appointed for term of two (2) years, three (3) members shall be appointed for a term of three (3) years, and three (3) members shall be appointed for a term of four (4) years. After the initial appointments, members of the Council shall be appointed to a term of four (4) years.

D. A vacancy on the Council occurring other than by expiration of a term shall be filled in the same manner as the original appointment for the balance of the unexpired term.

E. The Director of the Department of Civil Rights and the President and Chief Executive Officer of the Michigan Economic Development Corporation, or their designees, shall serve as ex officio, non-voting members of the Council.

F. The Governor shall designate no more than two members of the Council to chair or co-chair the Council.

II. RESCISSION OF EXECUTIVE ORDER 2004-33

Executive Order 2004-33 is rescinded and the Advisory Council on Arab and Chaldean American Affairs is abolished.

III. CHARGE TO THE COUNCIL

The Council shall advise the Governor and the Director of the Department of Civil Rights regarding the full range of issues facing the communities, and opportunities related to the Arab and Chaldean American communities in Michigan. The Council shall promote public awareness of the cultures and recognize the history and contributions of the Arab and Chaldean American communities of Michigan. The Council shall also provide information and advice as requested by the Governor or the Director of the Department of Civil Rights in regard to Arab and Chaldean American affairs.

IV. OPERATIONS OF THE COUNCIL

A. All budgeting, procurement, and related management functions of the Council shall be performed under the direction and supervision of the Director of the Department of Civil Rights.

B. Members of the Council shall serve without compensation but may receive reimbursement for necessary travel and expenses according to relevant statutes and rules and procedures of the Department of Civil Rights, subject to available appropriations.

C. Members of the Council shall refer all legal, legislative, and media contacts to the Department of Civil Rights.

V. MISCELLANEOUS

A. Any suit, action, or other proceeding lawfully commenced by or against the Advisory Council prior to the effective date of this Order shall not abate by reason of the taking effect of this Order. Any lawfully commenced suit, action, or other proceeding may be maintained by, against, or before the appropriate successor of any entity affected by this Order.

B. The invalidity of any portion of this Order shall not affect the validity of the remainder of the Order, which may be given effect without any invalid portion. Any portion of this Order found invalid by a court or other entity with proper jurisdiction shall be severable from the remaining portions of this Order.

This Order shall be effective 60 days after filing of this Order.

[SEAL]

Given under my hand and the Great Seal of the state of Michigan this 6th day of June, in the Year of our Lord Two Thousand Thirteen.

Richard D. Snyder
Governor

By the Governor:
Ruth A. Johnson
Secretary of State

The executive order was referred to the Committee on Government Operations.

By unanimous consent the Senate proceeded to the order of
Introduction and Referral of Bills

Senator Young introduced
Senate Joint Resolution X, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 9 of article II, to require a two-thirds vote on any legislation that is the same or similar to a law that has been rejected by the people by a referendum. The joint resolution was read a first and second time by title and referred to the Committee on Government Operations.

Senators Hune, Smith, Robertson, Marleau and Bieda introduced

Senate Bill No. 418, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 1202 (MCL 500.1202), as amended by 2012 PA 552.

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

Senators Warren, Gregory, Hopgood, Ananich, Bieda, Young and Whitmer introduced

Senate Bill No. 419, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 509o (MCL 168.509o), as added by 1994 PA 441.

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

Senators Warren, Gregory, Hopgood, Ananich, Bieda and Whitmer introduced

Senate Bill No. 420, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 307 and 315 (MCL 257.307 and 257.315), section 307 as amended by 2012 PA 55 and section 315 as amended by 2008 PA 7.

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

Senators Warren, Gregory, Hopgood, Ananich, Bieda, Young and Whitmer introduced

Senate Bill No. 421, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 509t (MCL 168.509t), as amended by 2004 PA 92.

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

Senator Caswell introduced

Senate Bill No. 422, entitled

A bill to create a low-income health plan; to create a low-income health plan trust fund; to provide for the powers and duties of certain state and local governmental officers and entities; to allow for the promulgation of rules; and to promote the availability and affordability of health coverage in this state.

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

Senators Colbeck, Green, Moolenaar, Emmons, Pappageorge, Marleau, Robertson, Kowall, Proos, Meekhof, Jansen and Schuitmaker introduced

Senate Bill No. 423, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 1278 and 1279g (MCL 380.1278 and 380.1279g), section 1278 as amended by 2004 PA 596 and section 1279g as amended by 2008 PA 349, and by adding sections 1167 and 1259.

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

House Bill No. 4112, entitled

A bill to make, supplement, and adjust appropriations for various state departments and agencies, the judicial branch, and capital outlay for the fiscal year ending September 30, 2013; and to provide for the expenditure of the appropriations. The House of Representatives has passed the bill.

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

House Bill No. 4234, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 1 (MCL 205.51), as amended by 2008 PA 438.

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 Finance.

House Bill No. 4465, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1278a (MCL 380.1278a), as amended by 2009 PA 205.

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 Education.

House Bill No. 4466, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1278b (MCL 380.1278b), as amended by 2010 PA 80.

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 Education.

House Bill No. 4629, entitled

A bill to amend 1972 PA 106, entitled "Highway advertising act of 1972," by amending sections 2, 4, 6, 7, 7a, 11, 11a, 15, 17, and 18 (MCL 252.302, 252.304, 252.306, 252.307, 252.307a, 252.311, 252.311a, 252.315, 252.317, and 252.318), sections 2, 7, 11a, and 18 as amended by 2009 PA 86, section 4 as amended by 2008 PA 93, sections 6, 11, and 15 as amended by 2006 PA 448, and sections 7a and 17 as amended by 2011 PA 13, and by adding sections 17a and 17b.

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 Transportation.

House Bill No. 4678, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 31701, 31702, 31703, 31704, 31705, 31706, 31708, 31711, and 31712 (MCL 324.31701, 324.31702, 324.31703, 324.31704, 324.31705, 324.31706, 324.31708, 324.31711, and 324.31712), as added by 2012 PA 602.

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 Government Operations.

By unanimous consent the Senate returned to the order of

Resolutions

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

Senate Resolution No. 34

The motion prevailed.

Senators Proos, Colbeck, Booher, Green, Nofs and Robertson offered the following resolution:

Senate Resolution No. 70.

A resolution to encourage the Department of Technology, Management, and Budget and other state agencies to utilize the Pure Michigan Business Connect as a resource to fill the state's procurement needs and stimulate Michigan's economy.

Whereas, Pure Michigan Business Connect was developed by the Michigan Economic Development Corporation as a public-private partnership aimed at facilitating and growing the procurement opportunities available to Michigan businesses. This program provides the resources for businesses to expand their supply chain, find new customers, connect with similar businesses through the program's business-to-business network, and receive low- or no-cost business aide, such as legal and accounting services. Moreover, the Michigan Economic Development Corporation and Pure Michigan Business Connect work to bring out-of-state opportunities to local Michigan businesses; and

Whereas, To invest in and provide services for the citizens of this state, the state of Michigan is a substantial buyer and consumer of goods and services, relying on the state's Department of Technology, Management, and Budget as their primary purchasing agent. These purchases provide billions of dollars annually to Michigan's economy, providing significant and predictable economic benefits and supply chain opportunities to Michigan businesses; and

Whereas, The Department of Technology, Management, and Budget uses a system of posting requests for proposals and requires businesses to bid on these open solicitations. To receive the greatest value per tax dollar, the department must seek the most competitive solicitation bids as possible; now, therefore, be it

Resolved by the Senate, That we encourage the Department of Technology, Management, and Budget and other state agencies to coordinate with the Pure Michigan Business Connect system in order to best fill the state's procurement needs and stimulate Michigan's economy; and be it further

Resolved, That copies of this resolution be transmitted to the Governor, the director of the Department of Technology, Management, and Budget, and the president of the Michigan Economic Development Corporation.

Pending the order that, under rule 3.204, the resolution be referred to the Committee on Government Operations,

Senator Meekhof moved that the rule be suspended.

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

The question being on the adoption of the resolution,

Senator Meekhof moved that the resolution be referred to the Committee on Economic Development.

The motion prevailed.

Senators Brandenburg, Hansen, Jansen, Jones and Pavlov were named co-sponsors of the resolution.

By unanimous consent the Senate returned to the order of

Messages from the House

Senator Meekhof moved that rule 3.202 be suspended to permit immediate consideration of the following bill:

Senate Bill No. 175

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

Senate Bill No. 175, entitled

A bill to amend 1967 PA 150, entitled "Michigan military act," by amending sections 105, 151, 155, 159, 171, 179, 300, 302, 306, 316, 328, 354, 368, 372, 374, 376, 378, 380, 382, 382a, 384, 388, and 410 (MCL 32.505, 32.551, 32.555, 32.559, 32.571, 32.579, 32.700, 32.702, 32.706, 32.716, 32.728, 32.754, 32.768, 32.772, 32.774, 32.776, 32.778, 32.780, 32.782, 32.782a, 32.784, 32.788, and 32.810), sections 105 and 179 as amended by 2002 PA 133, section 159 as amended by 1998 PA 212, section 302 as amended by 2002 PA 654, section 306 as amended by 2010 PA 255, section 328 as amended by 1988 PA 493, sections 368 and 382 as amended and section 382a as added by 1992 PA 307, and section 410 as amended by 1980 PA 145; and to repeal acts and parts of acts.

The House of Representatives has substituted (H-4) the bill.

The House of Representatives has passed the bill as substituted (H-4), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

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

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

Roll Call No. 235

Yeas—37

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

Nays—0

Excused—1

Not Voting—0

In The Chair: President

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

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

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

The motion prevailed, and the President, Lieutenant Governor Calley, designated Senator Caswell as Chairperson.

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

Senate Bill No. 381, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 3205e (MCL 600.3205e), as amended by 2012 PA 521; and to repeal acts and parts of acts.

The bill 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. 380, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 3204 (MCL 600.3204), as amended by 2012 PA 521.

Substitute (S-4).

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. 382, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," (MCL 600.101 to 600.9947) by adding section 3206.

Substitute (S-2).

The Senate agreed to the substitute recommended by the Committee of the Whole, and the bill as substituted was placed on the order of Third Reading of Bills.

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

Senate Bill No. 383, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 3240 (MCL 600.3240), as amended by 2011 PA 303.

Substitute (S-2).

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

1. Amend page 4, line 12, after "**(13)**," by inserting "**FOR**".

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 following bills be placed at the head of the Third Reading of Bills calendar:

House Bill No. 4458

House Bill No. 4460

House Bill No. 4461

House Bill No. 4462

House Bill No. 4463

House Bill No. 4464

The motion prevailed.

The following bill was read a third time:

House Bill No. 4458, entitled

A bill to amend 1980 PA 450, entitled "The tax increment finance authority act," by amending section 1 (MCL 125.1801), as amended by 2010 PA 245.

The 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. 236

Yeas—37

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

Nays—0

Excused—1

Johnson

Not Voting—0

In The Chair: President

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

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

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

"An act to prevent urban deterioration and encourage economic development and activity and to encourage neighborhood revitalization and historic preservation; to provide for the establishment of tax increment finance authorities and to prescribe their powers and duties; to authorize the acquisition and disposal of interests in real and personal property; to provide for the creation and implementation of development plans; to provide for the creation of a board to govern an authority and to prescribe its powers and duties; to permit the issuance of bonds and other evidences of indebtedness by an authority; to permit the use of tax increment financing; to reimburse authorities for certain losses of tax increment revenues; and to prescribe the powers and duties of certain state agencies and officers,".

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 4460, entitled

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

The question being on the passage of the bill,
Senator Kowall offered the following amendments:

1. Amend page 14, line 20, after “**FOLLOWING**” by inserting “**OR**”.
2. Amend page 14, line 20, after “**THOSE**” by striking out “**AS**” and inserting “**AD**”.

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. 237

Yeas—37

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

Nays—0

Excused—1

Johnson

Not Voting—0

In The Chair: President

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

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

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

“An act to authorize municipalities to create a brownfield redevelopment authority to facilitate the implementation of brownfield plans; to create brownfield redevelopment zones; to promote the revitalization, redevelopment, and reuse of certain property, including, but not limited to, tax reverted, blighted, or functionally obsolete property; to prescribe the powers and duties of brownfield redevelopment authorities; to permit the issuance of bonds and other evidences of indebtedness by an authority; to authorize the acquisition and disposal of certain property; to authorize certain funds; to prescribe certain powers and duties of certain state officers and agencies; and to authorize and permit the use of certain tax increment financing.”

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 4461, entitled

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

The 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. 238**Yeas—37**

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

Nays—0**Excused—1**

Johnson

Not Voting—0

In The Chair: President

The question being on concurring in the committee recommendation to give the bill immediate effect,
The recommendation was concurred in, 2/3 of the members serving voting therefor.

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

“An act to encourage local development to prevent conditions of unemployment and promote economic growth; to provide for the establishment of local development finance authorities and to prescribe their powers and duties; to provide for the creation of a board to govern an authority and to prescribe its powers and duties; to provide for the creation and implementation of development plans; to authorize the acquisition and disposal of interests in real and personal property; to permit the issuance of bonds and other evidences of indebtedness by an authority; to prescribe powers and duties of certain public entities and state officers and agencies; to reimburse authorities for certain losses of tax increment revenues; and to authorize and permit the use of tax increment financing.”

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 4462, entitled

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

The question being on the passage of the bill,

Senator Kowall offered the following amendment:

1. Amend page 4, line 25, after “**FOLLOWING**” by striking out “**SPECIFIC**” and inserting “**OR SPECIFIC LOCAL**”.

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. 239**Yeas—37**

Ananich	Gregory	Kahn	Richardville
Anderson	Hansen	Kowall	Robertson

Bieda	Hildenbrand	Marleau	Rocca
Booher	Hood	Meekhof	Schuitmaker
Brandenburg	Hopgood	Moolenaar	Smith
Casperson	Hune	Nofs	Walker
Caswell	Hunter	Pappageorge	Warren
Colbeck	Jansen	Pavlov	Whitmer
Emmons	Jones	Proos	Young
Green			

Nays—0

Excused—1

Johnson

Not Voting—0

In The Chair: President

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

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

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

“An act to provide for the establishment of a corridor improvement authority; to prescribe the powers and duties of the authority; to correct and prevent deterioration in business districts; to encourage historic preservation; to authorize the acquisition and disposal of interests in real and personal property; to authorize the creation and implementation of development plans and development areas in the districts; to promote the economic growth of the districts; to create a board; to prescribe the powers and duties of the board; to authorize the levy and collection of taxes; to authorize the issuance of bonds and other evidences of indebtedness; to authorize the use of tax increment financing; to prescribe powers and duties of certain state officials; to provide for rule promulgation; and to provide for enforcement of the act.”.

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 4463, entitled

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

The 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. 240

Yeas—37

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

Nays—0

Excused—1

Johnson

Not Voting—0

In The Chair: President

The question being on concurring in the committee recommendation to give the bill immediate effect,
The recommendation was concurred in, 2/3 of the members serving voting therefor.

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

“An act to provide for the formation of nonprofit street railway companies, defining their powers and duties and authorizing the construction, use, maintenance and ownership of street railways for the transportation of passengers, and for accumulating, storing, manufacturing, conducting, using, selling, furnishing and supplying electricity and electric power, by such companies; to prescribe powers and duties of certain state and local agencies and officials; to provide remedies and penalties; to provide for the establishment of a transit development finance zone; and to authorize the use of tax increment financing.”

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 4464, entitled

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

The 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. 241

Yeas—37

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

Nays—0

Excused—1

Johnson

Not Voting—0

In The Chair: President

The question being on concurring in the committee recommendation to give the bill immediate effect, The recommendation was concurred in, 2/3 of the members serving voting therefor.

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

“An act to provide for the establishment of a private source of funding for public infrastructure; to prescribe the powers and duties of certain public entities; to finance public infrastructure through public and private sources; to authorize the acquisition and disposal of interests in real and personal property; to authorize certain public and private entity partnerships; to authorize the creation and implementation of certain plans and negotiated benefit areas; to promote economic development; to authorize the use of tax increment financing; to prescribe powers and duties of certain state and local officials; to provide for rule promulgation; and to provide for enforcement of the act,”.

The Senate agreed to the full title.

Recess

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

The motion prevailed, the time being 11:52 p.m.

12:50 p.m.

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

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. 380

Senate Bill No. 381

Senate Bill No. 382

Senate Bill No. 383

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

The following bill was read a third time:

Senate Bill No. 380, entitled

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending section 3204 (MCL 600.3204), as amended by 2012 PA 521.

The question being on the passage of the bill,

Senator Booher offered the following amendment:

1. Amend page 4, line 20, by striking out all of enacting section 1.

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. 242

Yeas—37

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

Nays—0

Excused—1

Johnson

Not Voting—0

In The Chair: Schuitmaker

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 381, entitled

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending section 3205e (MCL 600.3205e), as amended by 2012 PA 521; and to repeal acts and parts of acts.

The question being on the passage of the bill,

Senator Booher offered the following amendment:

1. Amend page 1, line 5, by striking out all of enacting section 1.

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. 243**Yeas—37**

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

Nays—0**Excused—1**

Johnson

Not Voting—0

In The Chair: Schuitmaker

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 382, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," (MCL 600.101 to 600.9947) by adding section 3206.

The question being on the passage of the bill,
Senator Booher offered the following amendment:

- 1. Amend page 3, line 7, by striking out all of enacting section 1.

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. 244

Yeas—37

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

Nays—0

Excused—1

Johnson

Not Voting—0

In The Chair: Schuitmaker

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 383, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 3240 (MCL 600.3240), as amended by 2011 PA 303.

The question being on the passage of the bill,
Senator Booher offered the following amendment:

- 1. Amend page 7, line 21, by striking out all of enacting section 1.

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. 245

Yeas—36

Ananich	Green	Jones	Proos
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	Hunter	Pappageorge	Warren
Emmons	Jansen	Pavlov	Whitmer

Nays—1

Young

Excused—1

Johnson

Not Voting—0

In The Chair: Schuitmaker

The Senate agreed to the title of the bill.

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 Caswell as Chairperson.

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

Senate Bill No. 250, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 81d (MCL 750.81d), as amended by 2006 PA 517.

Substitute (S-2).

The Senate agreed to the substitute recommended by the Committee of the Whole, and the bill as substituted was placed on the order of Third Reading of Bills.

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

Senate Bill No. 360, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16d of chapter XVII (MCL 777.16d), as amended by 2012 PA 365.

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. 401, entitled

A bill to amend 2010 PA 296, entitled "Art institute authorities act," (MCL 123.1201 to 123.1229) by amending the title and by adding section 31.

Substitute (S-2).

The Senate agreed to the substitute recommended by the Committee of the Whole, and the bill as substituted was placed on the order of Third Reading of Bills.

By unanimous consent the Senate returned to the order of
Third Reading of Bills

Senator Meekhof moved that the rules be suspended and that the following bill, now on the order of Third Reading of Bills, be placed on its immediate passage at the head of the Third Reading of Bills calendar:

Senate Bill No. 401

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

The following bill was read a third time:

Senate Bill No. 401, entitled

A bill to amend 2010 PA 296, entitled "Art institute authorities act," (MCL 123.1201 to 123.1229) by amending the title and by adding section 31.

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. 246

Yeas—24

Ananich	Hildenbrand	Kahn	Schuitmaker
Anderson	Hood	Kowall	Smith
Bieda	Hopgood	Marleau	Walker
Casperson	Hune	Pappageorge	Warren
Gregory	Hunter	Richardville	Whitmer
Hansen	Jansen	Rocca	Young

Nays—13

Booher	Emmons	Meekhof	Pavlov
Brandenburg	Green	Moolenaar	Proos
Caswell	Jones	Nofs	Robertson
Colbeck			

Excused—1

Johnson

Not Voting—0

In The Chair: Schuitmaker

The Senate agreed to the title of the bill.

Statements

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

The motion prevailed.

Senator Colbeck's statement is as follows:

Colleagues, we're in a battle for the heart and soul of our nation. It's taking place in state legislatures around the nation. It is really a battle of freedom versus oppression, and the states are our last line of defense in our defense of freedom. Our federal government is now engaged in an all-out assault on our freedom. In direct contradiction to the principles captured within our U.S. Constitution, they are systematically infringing upon our freedom of religion, our freedom of speech, and freedom of the press.

During the last election, we now have tangible proof that the Internal Revenue Service was engaged in intimidation of political groups as well as members of the press. In a country that affirmed at our founding that we are all created equal, we now have a federal government that is picking favorites based on political ideology.

In May 2011, a conservative watchdog group called Media Trackers attempted to receive tax-exempt status. After a year and a half of no progress in correspondence with the IRS, they decided to take a different approach. They submitted an application to receive permanent tax-exempt status for a liberal-sounding organization called Greenhouse Solutions. The IRS approved the tax-exempt status for Greenhouse Solutions within three weeks. The President's brother, Malik Obama, received approval for his organization's tax-exempt status within a month, plus they backdated his exemption for two years.

The net impact of the preferential treatment for liberal organizations over conservative organizations was to suppress the vote of conservative organizations during the last presidential election. It now appears that the IRS was used as a tool to suppress the voice of organizations such as Media Trackers, Catholic United Education Fund, Christian Voices for Life, multitudes of Tea Party groups, any organizations with the word "patriot" in it, the Heritage Foundation, families that pursue adoptions, Samaritan's Purse, and even the Billy Graham Evangelistic Association. Perhaps not so coincidentally, light conservative voter turnout has been cited as one of the reasons why Mitt Romney lost the last presidential election. Do you think that their time and financial resources may have been tied up with other matters?

Now the same woman who was responsible for the IRS oversight of tax-exempt organizations, Lois Lerner, has been appointed to run the enforcement division for the Affordable Care Act also known as Obamacare. Coincidentally, she was also the one who signed the papers for Malik Obama's tax-exempt status. What makes matters even worse is that Ms. Lerner testified in front of Congress that she did nothing wrong, despite growing evidence of her organization's systematic targeting of conservative groups. What policies will she and others of her ilk enforce when she has access to a treasure-trove of politically-useful information, courtesy of Obamacare? It is thugocracy at its worst, and it has no place in America.

Do you recall Congressman Dingell's interview with Paul W. Smith on WJR on March 24, 2010? I do. He stated that it would take time to put in the administrative policies and procedures necessary to control the people. Well, what he talked about is exactly what our federal government is in the process of doing—controlling the people. Meanwhile, most of us sit back like a frog in a pot full of water as our federal government slowly turns up the heat.

My fellow citizens, it is time to wake up. It is time to wake up before all of our freedoms are taken away by people who believe that our rights are bestowed upon us by the political party in power rather than endowed to us by our Creator. So what can we do? More specifically, what can we do at the state level right now?

At this time, nothing is more important than doing everything in our power to convey Obamacare to the ash heap of history. It is already on a path towards complete collapse. We should not be engaged in anything that slows its eventual demise. That means that we need to stop anything that enables Obamacare. We need to stop Obamacare so that we can be free to pursue health care solutions that truly do lower costs, expand coverage, and protect consumer choice.

That means we need to say no to Medicaid expansion. If it weren't for the Supreme Court decision prohibiting the federal government from mandating that states expand Medicaid, we would not even have that option on the table. Medicaid expansion is central to the ultimate goal of a single-payer system pursued by many of the leading proponents of Obamacare.

The battle for freedom is now the responsibility of individual states, much as it was back in 1776. The world, our nation, and our fellow Michiganders are watching. Will you stand on the side of freedom or on the side of oppression? The choice is yours.

Senator Young's statement is as follows:

Madam President, I'd like to start with a quote: "A nation may establish a free government, but without municipal institutions, it cannot have the spirit of liberty." Madam President, in this unconstitutional, illegal EM law that has been set up, the words of Alexis de Tocqueville do not ring more clearly than they do in this time and day.

We cannot continue to experience exceptionalism in America and in this state when the voting rights of the people have been usurped. Madam President, the government governs; it does not grant rights. It defends; it does not decide who receives rights. You know as well as I do, a privilege is something that is given to you, but a right is something that no man on God's green earth can take away from you. The right to democracy, the right to exercise your franchise is a right that was given to us in this country. It's not a gift; it's not a privilege.

Now, a week ago, the Senator from the 7th District posed this question about how we are a republic, and how we're not a democracy. At first, I thought, that's absolutely outrageous, and what kind of crazy nonsense is that? Well, then, I actually looked at what he said, and he's right. Article IV, Section 4 does say that we're a republic. However, if we continue reading the rest of the Constitution, the 14th Amendment says that the right to vote is guaranteed to all men in this country. If we read the 15th Amendment, it says that the right to vote cannot be abridged based on race. If you read the 19th Amendment,

it guarantees the right to vote for women. If you read the 24th Amendment, it says that the right to vote cannot be abridged by a poll tax. Madam President, if my good friend and colleague—God bless his heart—from the 7th District actually read the rest of the Constitution, he would know that. If he read the rest of the EM law, he would know that it's in violation of the Constitution.

So the question is, now, what do we do? I think in great crisis, there is great opportunity. We have a constitutional crisis in this state involving our most fundamental and sacred right, the right to exercise your franchise. Let us not bear responsibility without the power of action. Let us explode into the next generation with all rights intact. Let us have a dawn of a new era. Let us walk down restoration road. Let us experience a renaissance right here by repealing this unconstitutional, illegal law. Despotism is like fear. It's only purpose is defeat. Madam President, let's defeat this unconstitutional EM law. Let's repeal it. Let's let liberty reign in America again.

Committee Reports

The Committee on Appropriations reported

Senate Bill No. 330, entitled

A bill to amend 1976 PA 390, entitled "Emergency management act," by amending sections 18 and 19 (MCL 30.418 and 30.419), as amended by 1990 PA 50.

With the recommendation that the substitute (S-2) be adopted and that the bill then pass.

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

Roger Kahn, M.D.
Chairperson

To Report Out:

Yeas: Senators Kahn, Moolenaar, Jansen, Pappageorge, Booher, Caswell, Colbeck, Green, Proos, Schuitmaker and Walker

Nays: Senators Anderson, Gregory, Hood and Johnson

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

COMMITTEE ATTENDANCE REPORT

The Committee on Appropriations submitted the following:

Meeting held on Wednesday, June 5, 2013, at 1:20 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building

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

The Committee on Outdoor Recreation and Tourism reported

House Bill No. 4094, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 40109a.

With the recommendation that the bill pass.

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

Goeffrey M. Hansen
Chairperson

To Report Out:

Yeas: Senators Hansen, Hildenbrand, Meekhof, Casperson and Moolenaar

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Outdoor Recreation and Tourism submitted the following:

Meeting held on Thursday, June 6, 2013, at 12:30 p.m., Room 110, Farnum Building

Present: Senators Hansen (C), Hildenbrand, Meekhof, Casperson, Moolenaar, Young and Hopgood

The Committee on Regulatory Reform reported

House Bill No. 4303, entitled

A bill to amend 1980 PA 299, entitled "Occupational code," (MCL 339.101 to 339.2919) by adding section 1806a.

With the recommendation that the substitute (S-1) be adopted and that the bill then pass.
The committee further recommends that the bill be given immediate effect.

Tory Rocca
Chairperson

To Report Out:

Yeas: Senators Rocca, Jones, Hune, Meekhof, Pavlov and Warren

Nays: None

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

The Committee on Regulatory Reform reported

House Bill No. 4329, entitled

A bill to amend 1979 PA 152, entitled "State license fee act," by amending section 43 (MCL 338.2243), as amended by 2012 PA 308.

With the recommendation that the bill pass.

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

Tory Rocca
Chairperson

To Report Out:

Yeas: Senators Rocca, Jones, Hune, Meekhof, Pavlov and Warren

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Regulatory Reform reported

House Bill No. 4330, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 2843 (MCL 333.2843), as amended by 2002 PA 691.

With the recommendation that the bill pass.

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

Tory Rocca
Chairperson

To Report Out:

Yeas: Senators Rocca, Jones, Hune, Meekhof, Pavlov and Warren

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Regulatory Reform reported

House Bill No. 4574, entitled

A bill to amend 1980 PA 299, entitled "Occupational code," by amending section 1806 (MCL 339.1806), as amended by 1988 PA 463.

With the recommendation that the substitute (S-1) be adopted and that the bill then pass.

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

Tory Rocca
Chairperson

To Report Out:

Yeas: Senators Rocca, Jones, Hune, Meekhof, Pavlov and Warren

Nays: None

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

The Committee on Regulatory Reform reported

House Bill No. 4743, entitled

A bill to amend 2011 PA 256, entitled "Michigan fireworks safety act," by amending sections 4, 5, 7, 10, 11, 12, and 18a (MCL 28.454, 28.455, 28.457, 28.460, 28.461, 28.462, and 28.468a), sections 4 and 12 as amended and section 18a as added by 2012 PA 257.

With the recommendation that the substitute (S-4) be adopted and that the bill then pass.

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

Tory Rocca
Chairperson

To Report Out:

Yeas: Senators Rocca, Jones, Hune, Meekhof, Pavlov and Warren

Nays: None

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

COMMITTEE ATTENDANCE REPORT

The Committee on Regulatory Reform submitted the following:

Meeting held on Thursday, June 6, 2013, at 1:00 p.m., Room 210, Farnum Building

Present: Senators Rocca (C), Jones, Hune, Meekhof, Pavlov and Warren

Excused: Senator Johnson

COMMITTEE ATTENDANCE REPORT

The Committee on Economic Development submitted the following:

Meeting held on Friday, June 7, 2013, at 10:00 a.m., Garden View Room, Frederik Meijer Gardens, 1000 East Beltline Avenue, N.E., Grand Rapids

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

Scheduled Meetings

Appropriations - Wednesday, June 12, 2:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-1760)

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

Families, Seniors and Human Services - Wednesday, June 12, 3:00 p.m., Room 210, Farnum Building (373-5312)

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

Michigan Law Revision Commission - Thursday, June 20, 11:30 a.m., Room 810, Farnum Building (373-0212)

Reforms, Restructuring and Reinventing - Wednesday, June 12, 9:00 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-5307)

Senator Meekhof moved that the Senate adjourn.

The motion prevailed, the time being 1:18 p.m.

The President pro tempore, Senator Schuitmaker, declared the Senate adjourned until Wednesday, June 12, 2013, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate