

**No. 25**  
**STATE OF MICHIGAN**  
**Journal of the Senate**  
**97th Legislature**  
**REGULAR SESSION OF 2014**

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Senate Chamber, Lansing, Tuesday, March 11, 2014.

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.

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—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

Rabbi Jennifer Kaluzny of Temple Israel of West Bloomfield offered the following invocation:

We give thanks to You, O Lord, who has given us life and who has sustained us and who has enabled us to reach this day. When we choose text, we say: Tzedek, Tzedek, Tirdof! Justice, justice shall you pursue. Words from the book of Deuteronomy are often spoken at occasions when you, the people who have been entrusted to better our society, come together to debate and decide the laws that will directly affect us; the people to whom we have given our trust, this bond that exists between lawmaker and citizen, shepherds and flock. So imploring you to pursue justice is only natural and appropriate, even obvious.

Today, I wish to take inspiration from another verse of our Bible. When Moses passes on leadership to Joshua, he says to him, “Chazak v’ematz”—Be strong and courageous. There is a reason why we revere Moses as a wise teacher and a great leader. It is because of this advice, this blessing, this warning that he gave to the future leader of a great nation.

Moses knew enough from his own experience that to lead a nation of people with their own minds, differing needs, and high expectations, he needed to be strong; not only sound in body, but sound in mind and heart. He needed to realize when to ask for help and guidance from the elders who surrounded him and when to go with his own gut instinct. Moses knew that to be a good leader meant that the people’s best interest, not his own self-interest, must always be in the forefront of his decision making. Moses was not perfect. None of us are perfect, but we can grow in strength if we embrace our humanity and lead our humanity. We can grow in strength if we recognize our weaknesses, build on them, and never be satisfied with our strength.

All of this takes courage. Courage is more than leaping before you look. Courage is leaping after you have looked, learned, debated, and then still chose to leap forward. Anyone can leap blindly. It is those who choose to still move ahead when they know it will be scary and imperfect, but necessary for growth and change. Once again, Moses understood what it meant to have faith in the process and the journey, even though the end was so far from sight. We, too, must trust in the journey that it will help us arrive at our own promised land of equality, liberty, and peace.

So I say to you today chazak v’ematz—Be strong and courageous as you begin a new session. Lead with your intelligence and your compassion, your knowledge and your humanity. Think of the people whom your decisions directly affect, and keep them in front of your eyes always. Know that it takes them just as much strength and courage to steer the course of their own lives, and they are counting on you to ensure the safety of the communities that they live in.

May God bless the work of your hands and grant you grace. May God bestow upon you kindness, so you lead with kindness and compassion. May God watch over you, the state of Michigan, and the United States of America and all the world. May God grant us the gift of peace. Amen.

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

### Motions and Communications

Senator Brandenburg entered the Senate Chamber.

Senator Meekhof moved that Senator Green be temporarily excused from today’s session.  
The motion prevailed.

The following communications were received and read:  
Office of the Auditor General

March 7, 2014

Enclosed is a copy of the following audit report:  
Internal control, compliance, and other matters of the State of Michigan 401K Plan.

March 7, 2014

Enclosed is a copy of the following audit report:  
Performance audit of the State Treasury Accounts Receivable System, Department of Treasury and Department of Technology, Management, and Budget.

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

The audit reports were referred to the Committee on Government Operations.

The Secretary announced that the following House bill was received in the Senate and filed on Friday, March 7:  
**House Bill No. 5277**

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

**Senate Bill Nos. 852 853 854**  
**House Bill Nos. 5390 5391 5392 5393 5394 5395 5396 5397 5398**

Senator Meekhof moved that the rules be suspended and that the following bills, now on Committee Reports, be placed on the General Orders calendar for consideration today:

**Senate Bill No. 780**  
**House Bill No. 4709**  
**House Bill No. 4710**  
**House Bill No. 4711**

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

### Messages from the Governor

The following messages from the Governor were received:

Date: March 6, 2014  
 Time: 3:18 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 557 (Public Act No. 29), being**

An act to amend 1974 PA 258, entitled “An act to codify, revise, consolidate, and classify the laws relating to mental health; to prescribe the powers and duties of certain state and local agencies and officials and certain private agencies and individuals; to regulate certain agencies and facilities providing mental health services; to provide for certain charges and fees; to establish civil admission procedures for individuals with mental illness or developmental disability; to establish guardianship procedures for individuals with developmental disability; to establish procedures regarding individuals with mental illness or developmental disability who are in the criminal justice system; to provide for penalties and remedies; and to repeal acts and parts of acts,” (MCL 330.1001 to 330.2106) by adding section 207b.

(Filed with the Secretary of State on March 6, 2014, at 3:51 p.m.)

Date: March 6, 2014  
 Time: 3:21 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 558 (Public Act No. 28), being**

An act to amend 1974 PA 258, entitled “An act to codify, revise, consolidate, and classify the laws relating to mental health; to prescribe the powers and duties of certain state and local agencies and officials and certain private agencies and individuals; to regulate certain agencies and facilities providing mental health services; to provide for certain charges and fees; to establish civil admission procedures for individuals with mental illness or developmental disability; to establish guardianship procedures for individuals with developmental disability; to establish procedures regarding individuals with mental illness or developmental disability who are in the criminal justice system; to provide for penalties and remedies; and to repeal acts and parts of acts,” (MCL 330.1001 to 330.2106) by adding section 207a.

(Filed with the Secretary of State on March 6, 2014, at 3:49 p.m.)

Respectfully,  
 Brian Calley  
 Acting and Lieutenant Governor

The following message from the Governor was received on March 10, 2014, and read:

EXECUTIVE ORDER  
 No. 2014-6

**Department of Licensing and Regulatory Affairs**  
**Department of Community Health**  
**Michigan Compensation Appellate Commission**  
**Michigan Citizen Community Emergency Response Coordinating Council**

**Department of Agriculture and Rural Development  
Grape and Wine Industry Council  
P-20 Longitudinal Data System Advisory Council**

**Amendment of Executive Order No. 2011-6  
Amendment of Executive Order No. 2007-18  
Amendment of Executive Order No. 2010-15**

**Executive Reorganization**

WHEREAS, Section 1 of Article V of the Michigan Constitution of 1963 vests the executive power in the Governor; and  
WHEREAS, Section 2 of Article V of the Michigan Constitution of 1963 empowers the Governor to make changes in the organization of the Executive Branch or in the assignment of functions among its units that the Governor considers necessary for efficient administration; and

WHEREAS, Section 8 of Article V of the Michigan Constitution of 1963 provides that each principal department shall be under the supervision of the Governor, unless otherwise provided by the Constitution; and

WHEREAS, there is a continued need to reorganize the functions among state departments for efficient administration, and  
WHEREAS, programs, agencies, and services should be placed among the principal departments on a consistent, logical basis in order to ensure the most efficient use of public dollars and more streamlined services.

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. TRANSFER OF RESPONSIBILITIES UNDER PART 209 OF THE MICHIGAN PUBLIC HEALTH CODE TO THE DEPARTMENT OF COMMUNITY HEALTH**

A. Any authority, powers, responsibilities duties, functions, records, contracts, personnel, property, unexpended balances of appropriations, allocations or other funds, including the functions of budgeting and procurement, of the Department of Licensing and Regulatory Affairs relative to the registration, licensing, or regulation of professional occupations arising from Part 209 of the Michigan Public Health Code, 1978 PA 368, MCL 333.20901 to 333.20979, including any board, commission, council, or similar entity providing regulation of health professionals licensed, registered, or certified under Part 209 of Article 17 of the Public Health Code, are transferred from the Department of Licensing and Regulatory Affairs to the Department of Community Health.

B. Any authority, powers, duties, functions, and responsibilities of management support within the Department of Licensing and Regulatory Affairs for programs or functions relative to the registration, licensing, or enforcement of professional occupations under Part 209 of the Public Health Code are transferred from the Department of Licensing and Regulatory Affairs to the Department of Community Health.

C. Any authority, powers, duties, functions, and responsibilities of the Department of Licensing and Regulatory Affairs related to the promulgation of rules related to the registration, licensing, or regulation of professional occupations under Part 209 of the Public Health Code are transferred from the Department of Licensing and Regulatory Affairs to the Department of Community Health.

**II. MICHIGAN COMPENSATION APPELLATE COMMISSION**

Sections I. D. and E. of Executive Order 2011-6 are amended to read as follows:

“D. The Commission shall consist of up to nine members appointed by the Governor with the advice and consent of the Senate. Of the members initially appointed, up to three members shall be appointed for a term expiring on July 31, 2013, up to three members shall be appointed for a term expiring July 31, 2014, and up to three members shall be appointed for a term expiring on July 31, 2015.”

“E. Except as provided in Section I. D., Appellate Commissioners shall be appointed for terms of four years. If, in the case of a vacancy, the Governor determines that the vacancy should be filled, he may appoint a Commissioner and shall fill the position in the same manner as the original appointment. An Appellate Commissioner appointed to fill a vacancy created other than by expiration of a term shall be appointed for the balance of the unexpired term.”

**III. MICHIGAN CITIZEN COMMUNITY EMERGENCY RESPONSE COORDINATING COUNCIL**

Section II. B. 7. of Executive Order 2007-18 is amended to read as follows:

“7. The State Fire Marshal, or his or her designated representative from within the Department of Licensing and Regulatory Affairs.”

**IV. GRAPE AND WINE INDUSTRY COUNCIL**

A. A new Grape and Wine Industry Council is created within the Department of Agriculture and Rural Development.

B. The Council shall consist of the following twelve members:

1. Three wine makers, who shall be appointed by the Governor.
2. A wine grape grower, who shall be appointed by the Governor.
3. The Chief Executive Officer of the Michigan Economic Development Corporation, or his or her designee.

4. The Director of the Department of Agriculture and Rural Development, or his or her designee, who shall serve as chairperson of the council.

5. A staff member of Michigan State University appointed by, and serving at the pleasure of, the Dean of the College of Agriculture and Natural Resources of Michigan State University.

6. The Chairperson of the Liquor Control Commission, or his or her designee, as an ex officio member.

7. A person who operates a retail food establishment that holds a specially designated merchant license and sells Michigan wines, or a person who operates a restaurant that holds a Class C license and serves Michigan wines, who shall be appointed by the Governor.

8. A beer and wine wholesaler who markets Michigan wine, who shall be appointed by the Governor.

9. Two members of the public, who shall be appointed by the Governor.

C. The Council members appointed under subsections B. 2., B. 7., one of the council members appointed under subsection B. 1., and one council member appointed under subsection B. 9. shall serve from the effective date of this order until February 1, 2016.

D. Two of the Council members appointed under subsection B. 1., the Council member appointed under subsection B. 8., and one Council member appointed under B. 9. shall serve from the effective date of this order until February 1, 2017.

E. All appointments for terms beginning after January 1, 2016, shall be for three years.

F. A member shall not serve more than 2 consecutive terms. A member shall continue to serve until a qualified successor has been appointed. A vacancy on the board shall be filled in the same manner as the original appointment.

G. The Grape and Wine Council shall be governed by the provisions of Section 303(4)-(9) of the Michigan Liquor Control Code of 1998, PA 58.

H. All of the statutory authority, powers, duties, functions, and responsibilities of the Grape and Wine Industry Council created in Section 303 of the Michigan Liquor Control Code, 1998 PA 58, are transferred to the new Grape and Wine Industry Council. The former Grape and Wine Industry Council is abolished.

#### **V. P-20 LONGITUDINAL DATA SYSTEM ADVISORY COUNCIL**

Sections II. and III. of Executive Order No. 2010-15 are amended to read as follows:

##### **“II. CREATION OF THE P-20 LONGITUDINAL DATA SYSTEM ADVISORY COUNCIL**

A. The P-20 Longitudinal Data System Advisory Council is created as an advisory body within the State Budget Office.

B. The Council shall consist of the following members:

1. Three representatives nominated by the Superintendent of Public Instruction from within the Department of Education and appointed by the State Budget Director representing K12 academic affairs, K12 assessment and accountability, and early childhood.

2. One representative nominated by the Chief Information Officer within the Department of Technology, Management, and Budget and appointed by the State Budget Director.

3. One representative nominated by the Director of the Workforce Development Agency within the Michigan Strategic Fund and appointed by the State Budget Director.

4. One representative nominated by the State Treasurer from within the Department of Treasury and appointed by the State Budget Director representing student financial aid programs.

5. One representative from within the State Budget Office appointed by the State Budget Director to serve as his or her designee.

6. Twelve individuals appointed by the State Budget Director, including all of the following:

a. Six individuals representing public schools in this state.

b. Three individuals representing institutions of higher education in this state but not including community colleges.

c. Two individuals representing community colleges in this state.

d. One other resident of this state.

C. All Members of the Council shall serve at the pleasure of the State Budget Director.

D. The representative of the State Budget Director shall serve as the Chairperson of the Council.

##### **III. CHARGE TO THE COUNCIL**

The Council shall act in an advisory capacity to the State Budget Director and the Director of the Center for Educational Performance and Information and shall do all of the following:

1. Review, develop, and recommend policies, procedures, and timelines to be adopted by the Center for Educational Performance and Information for the development and implementation and maintenance of a comprehensive longitudinal data reporting system in compliance with state and federal laws.

2. Develop and recommend state and educational entity model policies related to data collection, maintenance, and reporting for the P-20 longitudinal data reporting system, including, but not limited to, all of the following:

a. Storing unique student identifiers and matching student-level data in elementary, secondary and postsecondary data systems;

b. Reporting student-level remedial coursework for institutions of higher education;

c. Connecting individual teacher data to teacher preparation colleges;

d. Ensuring the privacy of individual student data, including that a student's social security number is not released to the public for any purpose.

3. Ensure the data in the P-20 longitudinal data reporting system is made available to state and local policymakers and residents of this state in the most useful format possible.

4. Report to the State Budget Director on recommended changes in Michigan law.

5. Other duties as requested by the State Budget Director.”

#### VI. MISCELLANEOUS

A. The directors of the departments and agencies impacted by this Order shall administer the functions transferred in such ways as to promote efficient administration and shall make internal organizational changes as may be administratively necessary to complete the realignment of responsibilities under this Order.

B. All rules, orders, contracts, plans, and agreements relating to the functions transferred by this Order lawfully adopted prior to the effective date of this Order by the responsible state agency shall continue to be effective until revised, amended, or rescinded.

C. The State Budget Director shall determine and authorize the most efficient manner possible for handling financial transactions and records in the state’s financial management system as necessary for the implementation of this Order.

D. Any suit, action, or other proceeding lawfully commenced by, against, or before any entity transferred by 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.

E. 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.

In fulfillment of the requirements of Section 2 of Article V of the Michigan Constitution of 1963, this Order shall be effective 60 days after the filing of this Order.

[SEAL]

Given under my hand and the Great Seal of the state of Michigan this 10th day of March, in the Year of our Lord Two Thousand Fourteen.

Richard D. Snyder  
Governor

By the Governor:  
Ruth A. Johnson  
Secretary of State

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

The following messages from the Governor were received and read:

March 6, 2014

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

#### **Michigan Long-Term Care Supports and Services Advisory Commission**

Joseph E. Sucher of 730 S. Oxford Street, Grosse Pointe Woods, Michigan 48236, county of Wayne, representing the general public, succeeding Mary Ablan, is appointed for a term expiring December 31, 2017.

Barbara A. Hall of 79 Stoner Road, River Rouge, Michigan 48218, county of Wayne, representing primary or secondary consumers of long-term care supports and services, succeeding Cynthia Viars, is appointed for a term expiring December 31, 2017.

Toni C. Talbot of 2627 Noble Road, Williamston, Michigan 48895, county of Ingham, representing the general public, succeeding Sharon Mack, is appointed for a term expiring December 31, 2017.

Betty J. Vreeman of 1511 Bridge Street, N.W., Apt. 357, Grand Rapids, Michigan 49504, county of Kent, representing primary or secondary consumers of long-term care supports and services, succeeding Christine Chesney, is appointed for a term expiring December 31, 2016.

Thomas G. Rau of 6153 Winans Drive, Brighton, Michigan 48116, county of Livingston, representing providers of Medicare funded long-term supports and services, succeeding himself, is reappointed for a term expiring December 31, 2017.

Jonathan Mead of 1107 South 30th Street, Escanaba, Michigan 49829, county of Delta, representing primary or secondary users of long-term care supports and services, succeeding himself, is reappointed for a term expiring December 31, 2017.

March 7, 2014

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

#### **Michigan Citizen-Community Emergency Response Coordinating Council**

Roger S. Caris, Sr., of 301 West State Road, Hastings, Michigan 49058, county of Barry, succeeding Richard Royston, is appointed for a term expiring December 31, 2015.

Kerry J. Minshall of 808 Cindy Street, Mason, Michigan 48854, county of Ingham, succeeding Cliff Messing, is appointed for a term expiring December 31, 2017.

Alisha D. Clack of 9700 Guinea Road, Grand Ledge, Michigan 48837, county of Eaton, succeeding Larry Estlack, is appointed for a term expiring December 31, 2015.

March 7, 2014

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

**Michigan Civil Rights Commission**

Bradley S. Voss of 12001 S. 23rd Street, Vicksburg, Michigan 49097, county of Kalamazoo, an Independent, succeeding J. Michael Zelle, is appointed for a term expiring December 31, 2017.

March 7, 2014

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

**Michigan Law Enforcement Officer Memorial Monument Fund Commission**

Frederick W. Lab, IV, of 14110 Maier Drive, Lake Odessa, Michigan 48849, county of Ionia, representing police chaplains with five or more years' experience, succeeding Andrew Jackson, is appointed for a term expiring June 30, 2016.

March 10, 2014

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

**City of Benton Harbor Receivership Transition Advisory Board**

Cary J. Vaughn of 106 West Herbison Drive, DeWitt, Michigan 48820, county of Clinton, representing the State Treasurer, is appointed for a term commencing March 10, 2014, and expiring at the pleasure of the Governor.

Bret Witkowski of 711 Court Street, St. Joseph, Michigan 49085, county of Berrien, representing the Director of the Department of Technology, Management, and Budget, is appointed for a term commencing March 10, 2014, and expiring at the pleasure of the Governor.

Sharon Hunt of 1132 Hannah Court, Benton Harbor, Michigan 49022, county of Berrien, representing a member with relevant professional experience, is appointed for a term commencing March 10, 2014, and expiring at the pleasure of the Governor.

Marvin L. Raglon of 2590 Cherrywood Court, St. Joseph, Michigan 49085, county of Berrien, representing a member with relevant professional experience, is appointed for a term commencing March 10, 2014, and expiring at the pleasure of the Governor.

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

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

1. Fulfill the Board responsibilities outlined in Emergency Manager Order No. 14-31.
2. Recommend amendments, modifications, repeal, or termination of Emergency Manager Order No. 14-31, or any other Benton Harbor Emergency Manager orders, to the Treasurer of the State of Michigan. Recommended amendments, modifications, repeal, or termination of Emergency Manager Orders must be approved by the Treasurer before any such modification becomes effective.
3. Conduct a formal annual evaluation of the City's operational and financial progress by identifying strengths, weaknesses, benchmarks achieved, and benchmarks not yet achieved, including a list of specific recommendations, potential resources available to assist City officials, and any other constructive feedback that informs City officials, residents, and other stakeholders concerning how the City can promote and ensure its long-term sustainability.

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

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

Sincerely,  
Rick Snyder  
Governor

The appointments were referred to the Committee on Government Operations.

**Recess**

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

10:32 a.m.

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

During the recess, Senator Green entered the Senate Chamber.

By unanimous consent the Senate returned to the order of  
**Motions and Communications**

Senator Meekhof moved that rule 3.902 be suspended to allow the guests of Senator Kowall 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 10:33 a.m.

11:24 a.m.

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

During the recess, Senators Kowall introduced Meryl Davis and Charlie White, Olympic gold medalist ice dancers, and presented them with Special Tributes.

### **Messages from the House**

#### **Senate Bill No. 711, entitled**

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 4d (MCL 205.54d), as amended by 2008 PA 556.

The House of Representatives has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

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

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

The Senate agreed to the full title.

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

#### **Senate Bill No. 735, entitled**

A bill to amend 1937 PA 94, entitled "Use tax act," by amending section 4z (MCL 205.94z), as added by 2008 PA 555.

The House of Representatives has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

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

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

The Senate agreed to the full title.

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

### **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. 4810**

**Senate Bill No. 648**

**Senate Bill No. 649**

The motion prevailed.



The following bill was read a third time:

**House Bill No. 4810, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 7cc (MCL 211.7cc), as amended by 2013 PA 140.

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. 82**

**Yeas—38**

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	Johnson	Proos	Young
Green	Jones		

**Nays—0**

**Excused—0**

**Not Voting—0**

In The Chair: Schuitmaker

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

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

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

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

The Senate agreed to the full title.

The following bill was read a third time:

**Senate Bill No. 648, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 2701, 2705, and 2711 (MCL 333.2701, 333.2705, and 333.2711), as added by 1990 PA 16.

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. 83****Yeas—38**

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	Johnson	Proos	Young
Green	Jones		

**Nays—0****Excused—0****Not Voting—0**

In The Chair: Schuitmaker

The Senate agreed to the title of the bill.

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

The motion prevailed.

Senator Moolenaar's statement is as follows:

Access to primary care physicians is frequently an issue in Michigan. Women often have to drive a considerable distance to see an OB/GYN, and convincing our newest and brightest doctors to live and work in rural and underserved areas can be quite a challenge. They leave medical school nearly \$200,000 in medical school debt, and underserved areas frequently get outbid on new talent.

This legislation amends an existing loan repayment program and brings it more in line with modern costs. This legislation would increase the maximum yearly benefit for a doctor from \$25,000 to \$40,000. It also creates a lifetime cap to the benefits of \$200,000.

This legislation will encourage physicians to practice in underserved areas. These physicians are an essential component in ensuring access to health care services in Michigan. We need the best minds to come learn here, train here, and stay here. I would encourage the support of my colleagues.

The following bill was read a third time:

**Senate Bill No. 649, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 2707 and 2723 (MCL 333.2707 and 333.2723), as added by 1990 PA 16.

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. 84****Yeas—38**

Ananich	Gregory	Kahn	Richardville
Anderson	Hansen	Kowall	Robertson
Bieda	Hildenbrand	Marleau	Rocca
Booher	Hood	Meekhof	Schuitmaker

Brandenburg  
Casperson  
Caswell  
Colbeck  
Emmons  
Green

Hopgood  
Hune  
Hunter  
Jansen  
Johnson  
Jones

Moolenaar  
Nofs  
Pappageorge  
Pavlov  
Proos

Smith  
Walker  
Warren  
Whitmer  
Young

**Nays—0**

**Excused—0**

**Not Voting—0**

In The Chair: Schuitmaker

The Senate agreed to the title of the bill.

Senator Meekhof moved that Senator Caswell be excused from the balance of today's session.  
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 President pro tempore, Senator Schuitmaker, designated Senator Hansen 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 without amendment, the following bills:

**House Bill No. 4941, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 16181 (MCL 333.16181), as amended by 2006 PA 643.

**Senate Bill No. 820, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 22211 (MCL 333.22211), as amended by 2002 PA 619.

The bills were placed on the order of Third Reading of Bills.

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

**Senate Bill No. 780, entitled**

A bill to make, supplement, and adjust appropriations for certain capital outlay projects for the fiscal year ending September 30, 2014; to provide for the expenditure of the appropriations; and to prescribe certain conditions for 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:

**House Bill No. 4709, entitled**

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 109 (MCL 436.1109), as amended by 2010 PA 213.

Substitute (S-1).

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

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

**House Bill No. 4710, entitled**

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 603 (MCL 436.1603), as amended by 2011 PA 298.

Substitute (S-1).

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

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

**House Bill No. 4711, entitled**

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 411 (MCL 436.1411), as amended by 2011 PA 298.

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.

By unanimous consent the Senate proceeded to the order of

**Introduction and Referral of Bills**

Senators Schuitmaker and Emmons introduced

**Senate Bill No. 855, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," (MCL 600.101 to 600.9947) by adding section 2978.

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

Senators Schuitmaker and Emmons introduced

**Senate Bill No. 856, entitled**

A bill to amend 1965 PA 203, entitled "Commission on law enforcement standards act," by amending sections 2 and 9 (MCL 28.602 and 28.609), section 2 as amended by 2013 PA 170 and section 9 as amended by 2005 PA 239.

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

Senators Schuitmaker, Nofs, Meekhof, Jones, Hune, Hildenbrand, Jansen, Robertson, Hansen, Richardville and Kahn introduced

**Senate Bill No. 857, entitled**

A bill to amend 1963 PA 17, entitled "An act to relieve certain persons from civil liability when rendering emergency care, when rendering care to persons involved in competitive sports under certain circumstances, or when participating in a mass immunization program approved by the department of public health," (MCL 691.1501 to 691.1507) by adding section 3.

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

Senators Schuitmaker, Nofs, Meekhof, Jones, Hune, Hildenbrand, Jansen, Robertson, Hansen, Richardville and Kahn introduced

**Senate Bill No. 858, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding sections 7422 and 17744c.

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

Senators Schuitmaker, Nofs, Meekhof, Jones, Hune, Hildenbrand, Jansen, Robertson, Richardville and Kahn introduced

**Senate Bill No. 859, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 20919 and 20965 (MCL 333.20919 and 333.20965), section 20919 as amended by 2006 PA 582 and section 20965 as amended by 2000 PA 375.

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

Senators Schuitmaker, Nofs, Meekhof, Jones, Hune, Hildenbrand, Jansen, Robertson, Hansen, Richardville and Kahn introduced

**Senate Bill No. 860, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 1106, 17745, 17751, 17754, and 17757 (MCL 333.1106, 333.17745, 333.17751, 333.17754, and 333.17757), section 1106 as amended by 2000 PA 58, sections 17745, 17751, and 17757 as amended by 2013 PA 186, and section 17754 as amended by 2013 PA 268, and by adding sections 7421 and 17744b.

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

Senator Richardville introduced

**Senate Bill No. 861, entitled**

A bill to amend 1982 PA 249, entitled "An act to establish the state children's trust fund in the department of treasury; and to provide certain powers and duties of the department of treasury with respect to the trust fund," by amending section 1 (MCL 21.171), as amended by 2008 PA 238.

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

Senators Schuitmaker, Warren and Richardville introduced

**Senate Bill No. 862, entitled**

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 531 (MCL 436.1531), as amended by 2013 PA 237.

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

Senators Pavlov, Jansen, Robertson, Booher, Proos, Brandenburg and Casperson introduced

**Senate Bill No. 863, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 1 of chapter III, section 6b of chapter V, and section 22 of chapter VIII (MCL 763.1, 765.6b, and 768.22), section 6b of chapter V as amended by 2013 PA 54.

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

Senators Pavlov, Jansen, Robertson, Booher, Proos, Brandenburg and Casperson introduced

**Senate Bill No. 864, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," (MCL 257.1 to 257.923) by adding section 625j.

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

Senators Pavlov, Jansen, Robertson, Booher, Proos, Brandenburg and Casperson introduced

**Senate Bill No. 865, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 625a, 625c, 625d, and 625g (MCL 257.625a, 257.625c, 257.625d, and 257.625g), sections 625a and 625g as amended by 2013 PA 23, section 625c as amended by 2008 PA 463, and section 625d as amended by 1994 PA 211, and by adding sections 20e and 43a.

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

**House Bill No. 5277, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 3204, 3240, and 3278 (MCL 600.3204, 600.3240, and 600.3278), section 3204 as amended by 2013 PA 103, section 3240 as amended by 2013 PA 104, and section 3278 as added by 2011 PA 301, and by adding sections 3237 and 3238; and to repeal acts and parts of acts.

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

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

### Statements

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

The motion prevailed.

Senator Whitmer's statement is as follows:

Colleagues, I rise to reiterate some of my concerns about the PPT repeal bills passed last week, and, more importantly, question their flippant dismissal by the Finance Committee chair. I was worried about the impact on local governments, that we could be jeopardizing the funding they receive for public safety, and that the package will cause a budget hole for the state's General Fund—legitimate questions. I was condescendingly told by one of my colleagues on the Senate floor during a vote on this most important legislation that it was neither the time nor place to ask questions.

Now that it has come out that the bills are wrong and local governments will not be reimbursed 1:1 under the language that you all passed last week, apparently, it was the time to ask questions. Maybe if my Republican colleagues were doing that and adhering to the due diligence expected of legislators, they would be asking those questions too.

I question whether the Republican push for these bills and assurance that the main Democratic concern—still protecting and upholding funding for the local governments and schools—was adequately addressed. I wonder if that was done out of ignorance or deviance.

You championed the bipartisan support, business support, local support, and on and on for those bills. That support was at least arguably secured under false pretenses. The Senate Fiscal Agency analyst told us that there would be a report out yesterday detailing the impact on our communities. Now we are told that they won't have all the data until May. You're going to push through a massive change citing that it is supposedly a 1:1 reimbursement without having all of the facts until May? This is why I was asking those questions last week and will continue to do so. I was doing my job as a legislator, as a servant of the public, but apparently, this chamber was more concerned with pushing these bills through than truly understanding the impact of them on every one of our communities. Hopefully, we can still salvage these bills, and they can do what everyone thought they were going to do.

"Just trust me" doesn't work around here anymore, especially when we are still waiting on your HICA fix for the budget hole that you created in your zeal to wipe out taxes for business a few years ago. When you don't take the time to debate, investigate, and do it right, the shortfall that you create ends up being shifted to a bill that our kids, senior citizens, and working people of this state routinely pay—your bills.

So I hope that the next time I raise questions to my colleagues on the other side of the aisle about legislation that we are in the midst of passing, I get some straight answers instead of a paternalistic pat on the head.

### Committee Reports

The Committee on Appropriations reported

**Senate Bill No. 780, entitled**

A bill to make, supplement, and adjust appropriations for certain capital outlay projects for the fiscal year ending September 30, 2014; to provide for the expenditure of the appropriations; and to prescribe certain conditions for the appropriations.

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.

Roger Kahn, M.D.  
Chairperson

To Report Out:

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

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 Appropriations submitted the following:

Meeting held on Wednesday, March 5, 2014, at 2:03 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 Regulatory Reform reported

**House Bill No. 4709, entitled**

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 109 (MCL 436.1109), as amended by 2010 PA 213.

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, Johnson 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. 4710, entitled**

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 603 (MCL 436.1603), as amended by 2011 PA 298.

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, Johnson 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. 4711, entitled**

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 411 (MCL 436.1411), as amended by 2011 PA 298.

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, Johnson 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, March 6, 2014, at 1:00 p.m., Room 210, Farnum Building

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

The Committee on Banking and Financial Institutions reported

**House Concurrent Resolution No. 19.**

A concurrent resolution to urge the Congress of the United States to repeal section 1502 of the Dodd-Frank Wall Street Reform and Consumer Protection Act.

(For text of resolution, see Senate Journal No. 13, p. 122.)

With the recommendation that the concurrent resolution be adopted.

Darwin L. Booher  
Chairperson

To Report Out:

Yeas: Senators Booher, Nofs, Marleau, Rocca and Ananich

Nays: None

The concurrent resolution was placed on the order of Resolutions.

#### COMMITTEE ATTENDANCE REPORT

The Committee on Banking and Financial Institutions submitted the following:  
 Meeting held on Thursday, March 6, 2014, at 1:30 p.m., Room 100, Farnum Building  
 Present: Senators Booher (C), Nofs, Marleau, Rocca and Ananich  
 Excused: Senators Green and Smith

#### COMMITTEE ATTENDANCE REPORT

The Subcommittee on Department of Licensing and Regulatory Affairs submitted the following:  
 Meeting held on Thursday, March 6, 2014, at 9:00 a.m., Rooms 402 and 403, Capitol Building  
 Present: Senators Jansen (C), Proos and Johnson

#### COMMITTEE ATTENDANCE REPORT

The Committee on Health Policy submitted the following:  
 Meeting held on Thursday, March 6, 2014, at 2:30 p.m., Senate Hearing Room, Ground Floor, Boji Tower  
 Present: Senators Marleau (C), Robertson, Emmons, Hune, Jones, Warren, Johnson and Ananich  
 Excused: Senator Schuitmaker

#### COMMITTEE ATTENDANCE REPORT

The Subcommittee on State Police and Military Affairs submitted the following:  
 Meeting held on Thursday, March 6, 2014, at 3:00 p.m., Rooms 402 and 403, Capitol Building  
 Present: Senators Colbeck (C), Pappageorge and Gregory

#### COMMITTEE ATTENDANCE REPORT

The Subcommittee on Community Colleges submitted the following:  
 Joint meeting held on Friday, March 7, 2014, at 1:00 p.m., Monroe County Community College, La-Z-Boy Center, Quad Room, 1555 South Raisinville Road, Monroe  
 Present: Senators Booher (C) and Anderson  
 Excused: Senator Schuitmaker

#### Scheduled Meetings

**Administrative Rules** - Wednesday, March 12, 3:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower (373-5773)

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

##### Subcommittees -

**Agriculture and Rural Development** - Tuesdays, March 18, 3:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower; and March 25, 9:00 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

**Community Colleges** - Monday, March 17, 1:00 p.m., West Shore Community College, Administrative and Conference Building, 3000 N. Stiles Road, Scottville; and Wednesday, March 26, 9:00 a.m., Room 210, Farnum Building (373-2768)

**Corrections Department** - Thursdays, March 13, March 20 and March 27, 9:00 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

**Environmental Quality Department** - Tuesday, March 18, 9:00 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

**General Government** - Tuesdays, March 18 and March 25, 3:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)



**Higher Education** - Thursday, March 27, 11:30 a.m. or later immediately following session, Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

**Judiciary** - Thursday, March 13, 12:00 noon, Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

**K-12, School Aid, Education** - Wednesday, March 12, 9:00 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

**Licensing and Regulatory Affairs Department** - Thursday, March 13, 8:30 a.m., Rooms 402 and 403, Capitol Building (373-2768)

**State Police and Military Affairs** - Thursdays, March 13 (CANCELED), March 27 and April 17, 3:00 p.m., Rooms 402 and 403, Capitol Building (373-2768)

**Banking and Financial Institutions** - Thursday, March 13, 1:30 p.m., Room 100, Farnum Building (373-5314)

**Conference Committee -**

**Appropriations Supplemental (SB 608)** - Wednesday, March 12, 8:30 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

**Economic Development** - Wednesday, March 12, 1:30 p.m., Room 110, Farnum Building (373-5323)

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

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

**Michigan Law Revision Commission** - Wednesday, March 19, 12:00 noon, Room 426, Capitol Building (373-0212)

**Natural Resources, Environment and Great Lakes** - Thursday, March 13, 9:00 a.m., Room 210, Farnum Building (373-5314)

**Outdoor Recreation and Tourism** - Thursday, March 13, 12:30 p.m., Room 110, Farnum Building (373-5323)

**Reforms, Restructuring and Reinventing** - Wednesday, March 12, 9:00 a.m., Rooms 402 and 403, Capitol Building (373-5307)

**Regulatory Reform** - Thursday, March 13, 1:00 p.m., Room 210, Farnum Building (373-5307)

Senator Meekhof moved that the Senate adjourn.  
The motion prevailed, the time being 11:48 a.m.

The President pro tempore, Senator Schuitmaker, declared the Senate adjourned until Wednesday, March 12, 2014, at 10:00 a.m.

CAROL MOREY VIVENTI  
Secretary of the Senate

