

No. 30
STATE OF MICHIGAN
Journal of the Senate
97th Legislature
REGULAR SESSION OF 2014

Senate Chamber, Lansing, Thursday, March 20, 2014.

10:00 a.m.

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

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

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

Hood—excused
Hopgood—present
Hune—present
Hunter—present
Jansen—present
Johnson—present
Jones—present
Kahn—present
Kowall—present
Marleau—present
Meekhof—present
Moolenaar—present
Nofs—present

Pappageorge—present
Pavlov—present
Proos—present
Richardville—present
Robertson—present
Rocca—present
Schuitmaker—present
Smith—present
Walker—present
Warren—present
Whitmer—present
Young—present

Pastor Dan Lewis of Troy Christian Chapel of Troy offered the following invocation:

Heavenly Father, we pray that You would uphold the members of this assembly. They have been called to serve the people of this state, and equally, they have been called to serve You. May You give them discernment and wisdom and, above all, a heart for the things that matter most to You. You made us in Your image so that we might reflect Your glory. Look with compassion on our human family. Take away our arrogance and hatred that infects our hearts. Break down the walls that separate us from You and from each other. Fill our hearts with a thankfulness for Your blessings, and unite us in the bond of love—the truest expression of which comes from You alone.

Work through our struggle to accomplish Your purpose on this earth. In Your good time, may all nations and all people, as well as the people in this state, serve You in harmony and under Your reign as the true King of heaven and earth. Guide and bless the Senators of this state, that they may enact laws that please You, both to the glory of Your name and the welfare of the people.

You have given us grace at this time to make our common supplications to You, and so fulfill now, Lord, the desires and petitions of Your servants as may be best for us. Our hearts echo the words of Mr. Abraham Lincoln in one of his national prayers, “Without You, we cannot hope to succeed; with You, we cannot fail.”

May Your blessing rest upon those gathered here today, to the honor of Your name and for the well-being of Your people. In the name of Christ Jesus our Savior. Amen.

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

Motions and Communications

Senator Hopgood moved that Senators Whitmer, Hunter and Young be temporarily excused from today’s session. The motion prevailed.

Senator Hopgood moved that Senator Hood be excused from today’s session. The motion prevailed.

Senator Meekhof moved that Senators Kahn and Nofs be temporarily excused from today’s session. The motion prevailed.

Senator Meekhof moved that rule 3.902 be suspended to allow the guests of Senators Smith and Richardville 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.

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

House Bill No. 4295

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

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

Recess

Senator Meekhof moved that the Senate recess subject to the call of the Chair. The motion prevailed, the time being 10:06 a.m.

11:35 a.m.

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

During the recess, Senator Smith introduced Lauryn Williams, Olympic medalist in track and field and 2014 silver medalist in two-woman bobsled, and presented her with a Special Tribute.

Ms. Williams responded briefly.

During the recess, Senators Whitmer and Richardville introduced the Michigan State University Spartans Football Team, 2013 Big Ten and 2014 Rose Bowl Champions, and Coach Mark Dantonio; and presented them with a Special Tribute.

Coach Dantonio responded briefly.

During the recess, Senators Kahn, Young, Whitmer, Hunter and Nofs entered the Senate Chamber.

The Secretary announced that the following House bills were received in the Senate and filed on Wednesday, March 19:
House Bill Nos. 5234 5235 5236 5237 5239

The Secretary announced the enrollment printing and presentation to the Governor on Wednesday, March 19, for his approval the following bills:

Enrolled Senate Bill No. 711 at 2:16 p.m.

Enrolled Senate Bill No. 735 at 2:18 p.m.

Enrolled Senate Bill No. 276 at 2:20 p.m.

Enrolled Senate Bill No. 389 at 2:22 p.m.

Enrolled Senate Bill No. 329 at 2:24 p.m.

Enrolled Senate Bill No. 504 at 2:26 p.m.

Enrolled Senate Bill No. 505 at 2:28 p.m.

Enrolled Senate Bill No. 506 at 2:30 p.m.

Enrolled Senate Bill No. 507 at 2:32 p.m.

Enrolled Senate Bill No. 650 at 2:34 p.m.

Enrolled Senate Bill No. 636 at 2:36 p.m.

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

Senate Bill Nos. 879 880

House Bill Nos. 5412 5413 5414 5415 5416

By unanimous consent the Senate proceeded to the order of

General Orders

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

The motion prevailed, and the Assistant President pro tempore, Senator Hansen, designated Senator Young as Chairperson.

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

House Bill No. 4288, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 18 (MCL 205.68), as amended by 2008 PA 438.

Senate Bill No. 786, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," (MCL 211.1 to 211.155) by adding section 7uu. 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. 787, entitled

A bill to provide for the exemption of certain property from certain taxes; to levy and collect a specific tax upon the owners of certain property; to provide for the disposition of the tax; to prescribe the powers and duties of certain local government officials; and to provide penalties.

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. 4295, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 11, 11m, 20g, 21f, 22a, 22b, 22g, 51a, 51c, 99h, 101, and 147c (MCL 388.1611, 388.1611m, 388.1620g, 388.1621f, 388.1622a, 388.1622b, 388.1622g, 388.1651a, 388.1651c, 388.1699h, 388.1701, and 388.1747c), sections 11 and 22a as amended and section 20g as added by 2013 PA 97, sections 11m, 22b, 22g, 51a, 51c, 101, and 147c as amended and section 99h as added by 2013 PA 60, and section 21f as amended by 2013 PA 130, and by adding sections 31b, 31g, 32r, 64d, and 94.

Substitute (S-1).

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

1. Amend page 75, line 12, after "2009-2010." by striking out the balance of the of the subsection through "INSTRUCTION." on line 18 and inserting "IF A COLLECTIVE BARGAINING AGREEMENT THAT PROVIDES FOR AT LEAST 170 DAYS BUT LESS THAN 175 DAYS, AND AT LEAST 1,098 HOURS, OF PUPIL INSTRUCTION IS IN EFFECT FOR EMPLOYEES OF A DISTRICT AS OF OCTOBER 1, 2013, THEN UNTIL THE SCHOOL YEAR THAT BEGINS AFTER THE EXPIRATION OF THAT COLLECTIVE BARGAINING AGREEMENT THE DISTRICT SHALL PROVIDE AT LEAST THE NUMBER OF DAYS OF PUPIL INSTRUCTION IDENTIFIED IN THE COLLECTIVE BARGAINING AGREEMENT, AND AT LEAST 1,098 HOURS OF PUPIL INSTRUCTION.".

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

Messages from the House

Senate Bill No. 575, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 16231 and 16232 (MCL 333.16231 and 333.16232), section 16231 as amended by 2010 PA 382 and section 16232 as amended by 1993 PA 79, and by adding section 16216a.

Substitute (H-2).

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. 120

Yeas—37

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

Nays—0

Excused—1

Hood

Not Voting—0

In The Chair: Hansen

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

Senate Bill No. 576, entitled

A bill to establish supplemental conflict of interest standards for members of regulatory bodies in the department of licensing and regulatory affairs; to require disclosure of certain interests; to provide grounds for removal of members of regulatory bodies; to provide a process for raising and determining possible conflicts of interest; and to provide for voiding certain actions taken in violation of this act.

Substitute (H-2).

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. 121

Yeas—37

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

Nays—0

Excused—1

Hood

Not Voting—0

In The Chair: Hansen

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

Senate Bill No. 577, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 16221, 16222, 16226, and 16227 (MCL 333.16221, 333.16222, 333.16226, and 333.16227), section 16221 as amended by 2012 PA 501, section 16222 as added and section 16227 as amended by 1993 PA 79, and section 16226 as amended by 2012 PA 499.

Substitute (H-3).

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. 122**Yeas—37**

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

Nays—0**Excused—1**

Hood

Not Voting—0

In The Chair: Hansen

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

Senate Bill No. 578, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 16216 (MCL 333.16216), as added by 1993 PA 87.

Substitute (H-3).

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. 123**Yeas—37**

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

Nays—0

Excused—1

Hood

Not Voting—0

In The Chair: Hansen

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

Recess

Senator Meekhof moved that the Senate recess subject to the call of the Chair. The motion prevailed, the time being 11:57 a.m.

12:05 p.m.

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

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

House Bill No. 4593

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

House Bill No. 4593, entitled

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

The House of Representatives has substituted (H-6) the Senate substitute (S-9).

The House of Representatives has concurred in the Senate substitute (S-9) as substituted (H-6), ordered that the bill be given immediate effect and amended the title to read as follows:

A bill to amend 2008 PA 429, entitled “An act to regulate the purchase and sale of certain nonferrous metals; to provide for disclosures by certain persons regarding certain transactions; to require the creation of records for certain purposes and for the use of certain databases by certain persons; and to provide for penalties and remedies,” by amending the title and sections 1, 3, 5, 7, 11, 13, 15, and 17 (MCL 445.421, 445.423, 445.425, 445.427, 445.431, 445.433, 445.435, and 445.437), and by adding sections 6 and 10.

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

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

Roll Call No. 124

Yeas—30

Ananich
Anderson
Bieda

Emmons
Green
Gregory

Jones
Kahn
Kowall

Richardville
Robertson
Rocca

Booher
Brandenburg
Casperson
Caswell
Colbeck

Hansen
Hopgood
Hune
Hunter
Johnson

Marleau
Nofs
Pappageorge
Pavlov

Walker
Warren
Whitmer
Young

Nays—6

Hildenbrand
Jansen

Meekhof
Moolenaar

Proos

Schuitmaker

Excused—1

Hood

Not Voting—1

Smith

In The Chair: Hansen

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

Senator Meekhof moved to reconsider the vote by which the House substitute to the Senate substitute was concurred in.
The motion prevailed, a majority of the members serving voting therefor.

Senator Smith entered the Senate Chamber.

The question being on concurring in the House substitute made to the Senate substitute,
The substitute was concurred in, a majority of the members serving voting therefor, as follows:

Roll Call No. 125

Yeas—31

Ananich
Anderson
Bieda
Booher
Brandenburg
Casperson
Caswell
Colbeck

Emmons
Green
Gregory
Hansen
Hopgood
Hune
Hunter
Johnson

Jones
Kahn
Kowall
Marleau
Nofs
Pappageorge
Pavlov
Richardville

Robertson
Rocca
Smith
Walker
Warren
Whitmer
Young

Nays—6

Hildenbrand
Jansen

Meekhof
Moolenaar

Proos

Schuitmaker

Excused—1

Hood

Not Voting—0

In The Chair: Hansen

The Senate agreed to the title as amended.

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:

House Bill No. 4295

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

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

House Bill No. 4295**House Bill No. 5345****House Bill No. 5346****House Bill No. 5347****House Bill No. 5348****House Bill No. 5349****House Bill No. 5350****House Bill No. 5351****House Bill No. 5352****House Bill No. 4118**

The motion prevailed.

The following bill was read a third time:

House Bill No. 4295, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 11, 11m, 20, 20g, 21f, 22a, 22b, 22g, 25e, 31a, 51a, 51c, 99h, 101, and 147c (MCL 388.1611, 388.1611m, 388.1620, 388.1620g, 388.1621f, 388.1622a, 388.1622b, 388.1622g, 388.1625e, 388.1631a, 388.1651a, 388.1651c, 388.1699h, 388.1701, and 388.1747c), sections 11 and 22a as amended and section 20g as added by 2013 PA 97, sections 11m, 22b, 22g, 31a, 51a, 51c, 101, and 147c as amended and section 99h as added by 2013 PA 60, and sections 20, 21f, and 25e as amended by 2013 PA 130, and by adding sections 25f, 31b, 32r, 64d, and 94.

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. 126**Yeas—36**

Ananich
Anderson
Bieda
Booher
Brandenburg
Casperson

Gregory
Hansen
Hildenbrand
Hopgood
Hune
Hunter

Kahn
Kowall
Marleau
Meekhof
Moolenaar
Nofs

Richardville
Robertson
Rocca
Schuitmaker
Smith
Walker

Caswell
Emmons
Green

Jansen
Johnson
Jones

Pappageorge
Pavlov
Proos

Warren
Whitmer
Young

Nays—1

Colbeck

Excused—1

Hood

Not Voting—0

In The Chair: Hansen

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

The recommendation was 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 make appropriations to aid in the support of the public schools, the intermediate school districts, community colleges, and public universities of the state; to make appropriations for certain other purposes relating to education; to provide for the disbursement of the appropriations; to authorize the issuance of certain bonds and provide for the security of those bonds; to prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to create certain funds and provide for their expenditure; to prescribe penalties; and to repeal acts and parts of acts.”.

The Senate agreed to the full title.

Protest

Senator Colbeck, under his constitutional right of protest (Art. 4, Sec. 18), protested against the passage of House Bill No. 4295.

Senator Colbeck’s statement is as follows:

I want to point out that one of the major provisions of that bill dealt with expanded funding for the Race to the Top longitudinal data system and the extension of that data system to pre-K. The intent of this legislation is to facilitate the collection of about 400 data points on students. It is collected in an anonymous fashion, or at least conveyed in an anonymous fashion, and the purpose of this data system is to connect the dots between DHS data and our individual school data.

The key question that I have before the people in this assembly here: Where is this data going to be used? How will this data be used? When I asked these questions in the Appropriations Committee, I was told it was to improve the quality of programs such as Race to the Top. Now on the surface, this is a noble pursuit, but I think I need to bring attention to my colleagues that behind all this is a philosophy of education called outcome-based education.

As an engineer, I really like the idea of metrics. I like data. I know that the key to designing an effective control system is to have lots of data inputs—I get it. The only problem is the control system that we are talking about, the control system we are designing here, is a control system designed to control the attitudes, values, and beliefs of our students. That’s the role of parents, my friends. This longitudinal data system is collecting socio-economic data like income level, but it also collects data like religious affiliation. Now why does the government need to collect such a large amount of data on our kids? You may have heard the expression that kids are not cars, and I tend to agree—as a matter of fact, I do agree.

You see in the final analysis that this is a gross overreach of the role of government, the federal government in particular. We need to get back into the mode of thinking that we need more data on how our government is operating that we can share with We the People; that the government has on us. It’s We the People who should be the ones designing these control systems over the government, not the government designing control systems over the people.

The following bill was read a third time:

House Bill No. 5345, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending section 520a (MCL 750.520a), as amended by 2007 PA 163.

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. 127

Yeas—37

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

Nays—0

Excused—1

Hood

Not Voting—0

In The Chair: Hansen

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

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

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

“An act to revise, consolidate, codify, and add to the statutes relating to crimes; to define crimes and prescribe the penalties and remedies; to provide for restitution under certain circumstances; to provide for the competency of evidence at the trial of persons accused of crime; to provide immunity from prosecution for certain witnesses appearing at criminal trials; to provide for liability for damages; and to repeal certain acts and parts of acts inconsistent with or contravening any of the provisions of this act.”.

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 5346, entitled

A bill to amend 1973 PA 116, entitled “An act to provide for the protection of children through the licensing and regulation of child care organizations; to provide for the establishment of standards of care for child care organizations; to prescribe powers and duties of certain departments of this state and adoption facilitators; to provide penalties; and to repeal acts and parts of acts,” by amending section 1 (MCL 722.111), as amended by 2011 PA 228.

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. 128**Yeas—37**

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

Nays—0**Excused—1**

Hood

Not Voting—0

In The Chair: Hansen

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 title of the bill.

The following bill was read a third time:

House Bill No. 5347, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 20173a, 20173b, 21717, 21718, and 21765 (MCL 333.20173a, 333.20173b, 333.21717, 333.21718, and 333.21765), section 20173a as amended by 2010 PA 291 and section 20173b as added by 2006 PA 28.

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. 129**Yeas—37**

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

Nays—0

Excused—1

Hood

Not Voting—0

In The Chair: Hansen

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 protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to provide for the levy of taxes against certain health facilities or agencies; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for the implementation of federal law; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to provide for an appropriation and supplements; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates.”

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 5348, entitled

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” by amending section 2264 (MCL 500.2264), as amended by 1998 PA 26.

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. 130

Yeas—37

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

Nays—0

Excused—1

Hood

Not Voting—0

In The Chair: Hansen

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

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

“An act to revise, consolidate, and classify the laws relating to the insurance and surety business; to regulate the incorporation or formation of domestic insurance and surety companies and associations and the admission of foreign and alien companies and associations; to provide their rights, powers, and immunities and to prescribe the conditions on which companies and associations organized, existing, or authorized under this act may exercise their powers; to provide the rights, powers, and immunities and to prescribe the conditions on which other persons, firms, corporations, associations, risk retention groups, and purchasing groups engaged in an insurance or surety business may exercise their powers; to provide for the imposition of a privilege fee on domestic insurance companies and associations and the state accident fund; to provide for the imposition of a tax on the business of foreign and alien companies and associations; to provide for the imposition of a tax on risk retention groups and purchasing groups; to provide for the imposition of a tax on the business of surplus line agents; to provide for the imposition of regulatory fees on certain insurers; to provide for assessment fees on certain health maintenance organizations; to modify tort liability arising out of certain accidents; to provide for limited actions with respect to that modified tort liability and to prescribe certain procedures for maintaining those actions; to require security for losses arising out of certain accidents; to provide for the continued availability and affordability of automobile insurance and homeowners insurance in this state and to facilitate the purchase of that insurance by all residents of this state at fair and reasonable rates; to provide for certain reporting with respect to insurance and with respect to certain claims against uninsured or self-insured persons; to prescribe duties for certain state departments and officers with respect to that reporting; to provide for certain assessments; to establish and continue certain state insurance funds; to modify and clarify the status, rights, powers, duties, and operations of the nonprofit malpractice insurance fund; to provide for the departmental supervision and regulation of the insurance and surety business within this state; to provide for regulation over worker’s compensation self-insurers; to provide for the conservation, rehabilitation, or liquidation of unsound or insolvent insurers; to provide for the protection of policyholders, claimants, and creditors of unsound or insolvent insurers; to provide for associations of insurers to protect policyholders and claimants in the event of insurer insolvencies; to prescribe educational requirements for insurance agents and solicitors; to provide for the regulation of multiple employer welfare arrangements; to create an automobile theft prevention authority to reduce the number of automobile thefts in this state; to prescribe the powers and duties of the automobile theft prevention authority; to provide certain powers and duties upon certain officials, departments, and authorities of this state; to provide for an appropriation; to repeal acts and parts of acts; and to provide penalties for the violation of this act.”

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 5349, entitled

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending section 876 (MCL 600.876).

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. 131

Yeas—37

Ananich
Anderson

Gregory
Hansen

Kahn
Kowall

Richardville
Robertson

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

Nays—0

Excused—1

Hood

Not Voting—0

In The Chair: Hansen

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

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

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

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

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 5350, entitled

A bill to amend 1988 PA 199, entitled “Surrogate parenting act,” by amending sections 3, 7, and 9 (MCL 722.853, 722.857, and 722.859), section 3 as amended by 1990 PA 190.

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. 132

Yeas—37

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

Nays—0

Excused—1

Hood

Not Voting—0

In The Chair: Hansen

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 establish surrogate parentage contracts as contrary to public policy and void; to prohibit surrogate parentage contracts for compensation; to provide for children conceived, gestated, and born pursuant to a surrogate parentage contract; and to provide for penalties and remedies.”.

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 5351, entitled

A bill to amend 1948 (1st Ex Sess) PA 31, entitled “An act to provide for the incorporation of authorities to acquire, furnish, equip, own, improve, enlarge, operate, and maintain buildings, automobile parking lots or structures, transit-oriented developments, transit-oriented facilities, recreational facilities, stadiums, and the necessary site or sites therefor, together with appurtenant properties and facilities necessary or convenient for the effective use thereof, for the use of any county, city, village, or township, or for the use of any combination of 2 or more counties, cities, villages, or townships, or for the use of any school district and any city, village, or township wholly or partially within the district’s boundaries, or for the use of any school district and any combination of 2 or more cities, villages, or townships wholly or partially within the district’s boundaries, or for the use of any intermediate school district and any constituent school district or any city, village, or township, wholly or partially within the intermediate school district’s boundaries; to provide for compensation of authority commissioners; to permit transfers of property to authorities; to authorize the execution of contracts, leases, and subleases pertaining to authority property and the use of authority property; to authorize incorporating units to impose taxes without limitation as to rate or amount and to pledge their full faith and credit for the payment of contract of lease obligations in anticipation of which bonds are issued by an authority; to provide for the issuance of bonds by such authorities; to validate action taken and bonds issued; to provide other powers, rights, and duties of authorities and incorporating units, including those for the disposal of authority property; and to prescribe penalties and provide remedies,” by amending section 2b (MCL 123.952b), as amended by 1998 PA 25.

The question being on the passage of the bill,

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

Roll Call No. 133

Yeas—37

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

Nays—0

Excused—1

Hood

Not Voting—0

In The Chair: Hansen

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 title of the bill.

The following bill was read a third time:

House Bill No. 5352, entitled

A bill to amend 1980 PA 300, entitled “The public school employees retirement act of 1979,” by amending section 6 (MCL 38.1306), as amended by 2012 PA 300.

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. 134

Yeas—37

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

Nays—0

Excused—1

Hood

Not Voting—0

In The Chair: Hansen

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 a retirement system for the public school employees of this state; to create certain funds for this retirement system; to provide for the creation of a retirement board; to prescribe the powers and duties of the retirement board; to prescribe the powers and duties of certain state departments, agencies, officials, and employees; to authorize and make appropriations for the retirement system; to prescribe penalties and provide remedies; and to repeal acts and parts of acts.”.

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 4484, entitled

A bill to amend 1985 PA 148, entitled “Self-service storage facility act,” by amending sections 3 and 5 (MCL 570.523 and 570.525), as amended by 2009 PA 177.

The question being on the passage of the bill,

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

Roll Call No. 135

Yeas—34

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

Nays—2

Anderson	Young
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Excused—1

Hood

Not Voting—1

Kahn

In The Chair: Hansen

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

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

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

“An act to revise, consolidate, codify, and add to the statutes relating to crimes; to define crimes and prescribe the penalties and remedies; to provide for restitution under certain circumstances; to provide for the competency of evidence at the trial of persons accused of crime; to provide immunity from prosecution for certain witnesses appearing at criminal trials; to provide for liability for damages; and to repeal certain acts and parts of acts inconsistent with or contravening any of the provisions of this act.”.

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 4118, entitled

A bill to amend 1939 PA 280, entitled “The social welfare act,” (MCL 400.1 to 400.119b) by adding section 57y.

The question being on the passage of the bill,

Senator Gregory offered the following amendment:

1. Amend page 2, following line 11, by inserting:

“(5) IF AN APPLICANT OR RECIPIENT WHO IS A PARENT AND HAS A DEPENDENT CHILD IN HIS OR HER FAMILY INDEPENDENCE PROGRAM ASSISTANCE GROUP BECOMES INELIGIBLE TO RECEIVE FAMILY INDEPENDENCE PROGRAM ASSISTANCE UNDER THIS SECTION, ALL OF THE FOLLOWING APPLY:

(A) THE APPLICANT’S OR RECIPIENT’S DEPENDENT CHILD REMAINS ELIGIBLE FOR FAMILY INDEPENDENCE PROGRAM ASSISTANCE.

(B) AN APPROPRIATE PROTECTIVE PAYEE SHALL BE DESIGNATED TO RECEIVE FAMILY INDEPENDENCE PROGRAM BENEFITS ON BEHALF OF THE CHILD.

(C) THE APPLICANT OR RECIPIENT DESCRIBED IN THIS SUBSECTION MAY CHOOSE TO DESIGNATE ANOTHER INDIVIDUAL TO RECEIVE THE FAMILY INDEPENDENCE PROGRAM BENEFITS ON BEHALF OF THE CHILD. THE DESIGNATED INDIVIDUAL MUST BE AN IMMEDIATE FAMILY MEMBER OR, IF AN IMMEDIATE FAMILY MEMBER IS NOT AVAILABLE OR THE FAMILY MEMBER DECLINES, ANOTHER INDIVIDUAL APPROVED BY THE DEPARTMENT.” and renumbering the remaining subsections.

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

Senator Meekhof moved to reconsider the vote by which the amendment was adopted.

The motion did not prevail, a majority of the members serving not voting therefor.

Senator Hunter requested the yeas and nays.

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

The motion prevailed, a majority of the members serving voting therefor, as follows:

Roll Call No. 136

Yeas—25

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

Nays—10

Ananich	Gregory	Smith	Whitmer
Anderson	Hopgood	Warren	Young
Bieda	Hunter		

Excused—2

Hood	Kahn
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Not Voting—1

Johnson

In The Chair: Hansen

The question being on the adoption of the amendment,
The amendment was adopted, a majority of the members serving voting therefor.

Senator Hune offered the following amendment:

1. Amend page 2, following line 21, following subsection (8), by inserting:

“(9) FOR THE PURPOSES OF THIS SECTION AND SECTION 57Z, AN APPLICANT OR A RECIPIENT SHALL BE DETERMINED TO NOT HAVE USED A CONTROLLED SUBSTANCE IN VIOLATION OF STATE LAW IF 1 OF THE FOLLOWING IS TRUE:

(A) THE APPLICANT OR RECIPIENT HAS A VALID, DOCUMENTED PRESCRIPTION AS THAT TERM IS DEFINED IN SECTION 17708 OF THE PUBLIC HEALTH CODE, 1978 PA 368, MCL 333.17708, FOR THAT CONTROLLED SUBSTANCE.

(B) THE APPLICANT OR RECIPIENT TESTS POSITIVE FOR MARIHUANA AND THE APPLICANT OR RECIPIENT IS IN POSSESSION OF A REGISTRY IDENTIFICATION CARD ACCORDING TO THE MICHIGAN MEDICAL MARIHUANA ACT, 2008 IL 1, MCL 333.26421 TO 333.26430.

(C) THE APPLICANT OR RECIPIENT DISPUTES A POSITIVE TEST RESULT AND A GENERALLY ACCEPTED CONFIRMATORY TEST IS ADMINISTERED ON THE SAME SAMPLE PREVIOUSLY TESTED AND THE CONFIRMATORY TEST INDICATES A NEGATIVE RESULT FOR THE PRESENCE OF A CONTROLLED SUBSTANCE.” and renumbering the remaining subsection.

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

The question being on the passage of the bill,

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

Roll Call No. 137**Yeas—25**

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

Nays—11

Ananich	Gregory	Johnson	Whitmer
Anderson	Hopgood	Smith	Young
Bieda	Hunter	Warren	

Excused—2

Hood	Kahn
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Not Voting—0

In The Chair: Hansen

The question being on concurring in the committee recommendation to give the bill immediate effect, The recommendation was not concurred in, 2/3 of the members serving not voting therefor.

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

“An act to protect the welfare of the people of this state; to provide general assistance, hospitalization, infirmity and medical care to poor or unfortunate persons; to provide for compliance by this state with the social security act; to provide protection, welfare and services to aged persons, dependent children, the blind, and the permanently and totally disabled; to administer programs and services for the prevention and treatment of delinquency, dependency and neglect of children; to create a state department of social services; to prescribe the powers and duties of the department; to provide for the interstate and intercounty transfer of dependents; to create county and district departments of social services; to create within certain county departments, bureaus of social aid and certain divisions and offices thereunder; to prescribe the powers and duties of the departments, bureaus and officers; to provide for appeals in certain cases; to prescribe the powers and duties of the state department with respect to county and district departments; to prescribe certain duties of certain other state departments, officers, and agencies; to make an appropriation; to prescribe penalties for the violation of the provisions of this act; and to repeal certain parts of this act on specific dates.”

The Senate agreed to the full title.

Protests

Senators Gregory, Johnson, Whitmer and Hopgood, under their constitutional right of protest (Art. 4, Sec. 18), protested against the passage of House Bill No. 4118.

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

The motion prevailed.

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

To my colleagues, I want to thank you wholeheartedly for the support of the amendment—I appreciate that. I am standing in opposition to this bill as it’s being presented for final passage. I will start out by saying that I am continually frustrated by the priorities of the Legislature, in particular the ongoing attacks on low-income families.

Michigan gives out nearly \$40 billion every year in tax handouts. Yet those companies are not required to be drug tested, let alone required to create the jobs that they promised. We give out tax credits to schools; we give out tax credits to students; we give out tax credits to police and fire, and yet the only ones we are now saying are subject to drug screening are the poor—the poorest of the poor. We want to somehow single them out and say to them, “Before you receive any money subsidies from the state of Michigan, you must prove that you’re worthy.” A majority of these people are working and raising families. They are doing everything they are supposed to do for the state, and they are doing everything they can to get by. Quite frankly, most of them are not using illegal drugs.

There are no substantive benefits to this proposal and no policy-based justification for it. In states that have pursued it already, they have seen no cost savings and, even worse, high costs to implement and operate this. A *New York Times* article from October 2013 states, “State Drug Tests for Public Aid Recipients Have Limited Effect.” The states that have gone down this road have had more headaches and problems than increased efficiency and effectiveness in this so-called reform.

I would like to remind my colleagues, most of you know, but there may be one or two who don’t know, that the state of Michigan was the first state to come out with drug testing, and that was in 2000. Yet, later on, the federal government said it was illegal. It was a violation of the Fourth Amendment; illegal search and seizure. Since that time, several states have gone on with this, most recently Florida. Florida in 2014, I believe in January of this year, also their drug law was ruled illegal, a violation of the Fourth Amendment; illegal search and seizure. You can’t single out people to drug test just because they don’t have the means to fight back; to say, “Why are you drug testing me?”

The Department of Human Services also stated repeatedly that they are unable to give an estimate on how much this program would cost to implement statewide, but they believe it would be between \$700,000 and \$3.4 million. We, at this point, do not even have enough money in this state to fund Healthy Kids Dental for all the kids in the rest of this state, and that includes the counties of Wayne, Oakland, and Macomb. They need somewhere around \$24 million to \$25 million to give them Michigan Healthy Kids Dental. We are not even doing that, and yet we’re talking about drug testing people and taking that money away from them and using it for drug testing on a program that may or may not work.

The estimate they gave for the pilot program in the bills would cost about \$600,000 alone. The pilot program—\$600,000 before treatment costs are included. We shouldn’t be spending money we don’t have on a problem that doesn’t exist, and even if it is a small amount, it has been shown in the states where they have had the drug testing that the drug testing population, this population of FIP recipients, will be something along the lines of 2 percent or 3 percent, when the national average, the norm, is 8 percent of the population. Yet this is 2 percent or 3 percent, and that’s been shown in all the states that have tried drug testing. Yet we would spend our money on trying to drug test these people, money that we desperately need for other areas in the state. Colleagues, I urge you to abandon this effort and oppose this bill.

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

The motion prevailed.

Senator Gregory's statement is as follows:

Colleagues, I rise to offer an amendment to this legislation to require suspicion-based drug testing for Family Independence Program assistance recipients. While I oppose this overall legislation, this is an attempt to improve it and, more importantly, lessen its adverse and unfair effects on Michigan's children.

This amendment will state that if an applicant or recipient of FIP is a parent and has a dependent child in his or her Family Independence Program assistance group becomes ineligible to receive assistance because of this new law, all of the following would apply: The dependent child remains eligible for FIP assistance; an appropriate guardian or protective payee will be designated to receive benefits on behalf of the child; the FIP applicant or recipient can designate another individual to receive benefits, but that person must be an immediate family member, or if they decline, an individual approved by the Department of Human Services.

Regardless of your opinion on this overall legislation, we should all be able to agree that we should do what we can to ensure that state assistance for vulnerable children is not interrupted. If the goal is to break the cycle of poverty and, in many instances, break the cycle of addiction, then we cannot turn our backs on these children and leave them to fend for themselves. This amendment would also limit the financial burden on the guardian or family member charged with caring for these children in light of their parents' struggles, and maintain the state assistance to help them to give these children the care that they need to be healthy and productive.

I offered a similar amendment to the first piece of this proposal, Senate Bill No. 275, in December, and it was adopted. I urge my colleagues to join with me in adopting this amendment.

By unanimous consent the Senate proceeded to the order of

Introduction and Referral of Bills

Senators Hansen and Casperson introduced

Senate Bill No. 881, entitled

A bill to amend 1927 PA 372, entitled "An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms, gas ejecting devices, and electro-muscular disruption devices; to prohibit the buying, selling, or carrying of certain firearms, gas ejecting devices, and electro-muscular disruption devices without a license or other authorization; to provide for the forfeiture of firearms and electro-muscular disruption devices under certain circumstances; to provide for penalties and remedies; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; to prohibit certain conduct against individuals who apply for or receive a license to carry a concealed pistol; to make appropriations; to prescribe certain conditions for the appropriations; and to repeal all acts and parts of acts inconsistent with this act," by amending section 5o (MCL 28.425o), as amended by 2012 PA 123.

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

Senator Casperson introduced

Senate Bill No. 882, entitled

A bill to amend 1951 PA 51, entitled "An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to promote safe and efficient travel for motor vehicle drivers, bicyclists, pedestrians, and other legal users of roads, streets, and highways; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, local bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by

specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts,” by repealing section 18j (MCL 247.668j), as added by 2012 PA 506.

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

Senator Ananich introduced

Senate Bill No. 883, entitled

A bill to amend 1967 PA 281, entitled “Income tax act of 1967,” by amending section 30 (MCL 206.30), as amended by 2012 PA 597.

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

Senator Ananich introduced

Senate Bill No. 884, entitled

A bill to amend 1939 PA 176, entitled “An act to create a commission relative to labor disputes, and to prescribe its powers and duties; to provide for the mediation and arbitration of labor disputes, and the holding of elections thereon; to regulate the conduct of parties to labor disputes and to require the parties to follow certain procedures; to regulate and limit the right to strike and picket; to protect the rights and privileges of employees, including the right to organize and engage in lawful concerted activities; to protect the rights and privileges of employers; to make certain acts unlawful; to make appropriations; and to prescribe means of enforcement and penalties for violations of this act,” by amending section 27 (MCL 423.27) and by adding sections 27a, 27b, 27c, and 27d.

The bill was read a first and second time by title and referred to the Committee on Reforms, Restructuring and Reinventing.

Senators Casperson, Hansen and Pappageorge introduced

Senate Bill No. 885, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending sections 20910 and 20919 (MCL 333.20910 and 333.20919), as amended by 2006 PA 582.

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

Senators Moolenaar, Hildenbrand, Schuitmaker, Gregory, Warren, Nofs, Marleau, Kahn, Meekhof and Kowall introduced

Senate Bill No. 886, entitled

A bill to regulate the offer and sale of life interests and long-term leases in independent living units, nursing homes, retirement homes, homes for the aged, and adult foster care facilities; to prohibit fraudulent practices in relation to the offer and sale of those life interests and long-term leases; to provide for the powers and duties of certain state governmental agencies; to provide for penalties and remedies; to prescribe civil sanctions; and to repeal acts and parts of acts.

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

Senators Schuitmaker, Moolenaar, Hildenbrand, Gregory, Warren, Nofs, Marleau, Kahn, Meekhof and Kowall introduced

Senate Bill No. 887, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 20171 (MCL 333.20171), as amended by 1990 PA 252.

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

Senators Hildenbrand, Moolenaar, Schuitmaker, Gregory, Warren, Nofs, Marleau, Kahn, Meekhof and Kowall introduced

Senate Bill No. 888, entitled

A bill to amend 1979 PA 218, entitled “Adult foster care facility licensing act,” by amending section 10 (MCL 400.710), as amended by 2006 PA 201.

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

Senators Nofs, Hildenbrand, Moolenaar, Gregory, Warren, Marleau, Kahn, Meekhof and Kowall introduced
Senate Bill No. 889, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 15b of chapter XVII (MCL 777.15b), as amended by 2010 PA 152.

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

House Bill No. 5234, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending sections 156, 462a, 462b, 462c, 462d, 462e, 462f, 462g, and 462h (MCL 750.156, 750.462a, 750.462b, 750.462c, 750.462d, 750.462e, 750.462f, 750.462g, and 750.462h), sections 462a, 462b, 462c, 462d, 462e, 462f, 462g, and 462h as added by 2006 PA 162; 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 Families, Seniors and Human Services.

House Bill No. 5235, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 16w of chapter XVII (MCL 777.16w), as amended by 2010 PA 361.

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 Families, Seniors and Human Services.

House Bill No. 5236, entitled

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending section 4701 (MCL 600.4701), as amended by 2010 PA 363.

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 Families, Seniors and Human Services.

House Bill No. 5237, entitled

A bill to amend 1985 PA 87, entitled “William Van Regenmorter crime victim’s rights act,” by amending section 16b (MCL 780.766b), as added by 2010 PA 364.

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 Families, Seniors and Human Services.

House Bill No. 5239, entitled

A bill to amend 1975 PA 238, entitled “Child protection law,” by amending section 3 (MCL 722.623), as amended by 2008 PA 510.

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 Families, Seniors and Human Services.

Committee Reports

The Committee on Judiciary reported

Senate Resolution No. 123.

A resolution to memorialize the Congress of the United States to make any murder of a police officer or corrections officer while in the line of duty a federal offense.

(For text of resolution, see Senate Journal No. 26, p. 327.)

With the recommendation that the resolution be adopted.

Rick Jones
 Chairperson

To Report Out:

Yeas: Senators Jones, Schuitmaker, Rocca and Bieda

Nays: None

The resolution was placed on the order of Resolutions.

The Committee on Judiciary reported
Senate Bill No. 714, entitled

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

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.

Rick Jones
 Chairperson

To Report Out:

Yeas: Senators Jones, Schuitmaker, Rocca and Bieda

Nays: None

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

The Committee on Judiciary reported

House Bill No. 4486, entitled

A bill to amend 1974 PA 258, entitled "Mental health code," by amending the title and sections 100b, 100c, 100d, 260, 276, 277, 278, 279, 281, 282, 283, 286, and 464a (MCL 330.1100b, 330.1100c, 330.1100d, 330.1260, 330.1276, 330.1277, 330.1278, 330.1279, 330.1281, 330.1282, 330.1283, 330.1286, and 330.1464a), the title as amended by 1995 PA 290, sections 100b, 100c, and 100d as amended and sections 260, 276, 277, 278, 279, 281, 282, 283, and 286 as added by 2012 PA 500, and section 464a as added by 1994 PA 339, and by adding sections 281a, 281b, and 281c.

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.

Rick Jones
 Chairperson

To Report Out:

Yeas: Senators Jones, Schuitmaker, Rocca and Bieda

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 Judiciary submitted the following:

Meeting held on Tuesday, March 18, 2014, at 2:30 p.m., Room 110, Farnum Building

Present: Senators Jones (C), Schuitmaker, Rocca and Bieda

The Committee on Appropriations reported

House Bill No. 4295, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 11, 11m, 20g, 21f, 22a, 22b, 22g, 51a, 51c, 99h, 101, and 147c (MCL 388.1611, 388.1611m, 388.1620g, 388.1621f, 388.1622a, 388.1622b, 388.1622g, 388.1651a, 388.1651c, 388.1699h, 388.1701, and 388.1747c), sections 11 and 22a as amended and section 20g as added by 2013 PA 97, sections 11m, 22b, 22g, 51a, 51c, 101, and 147c as amended and section 99h as added by 2013 PA 60, and section 21f as amended by 2013 PA 130, and by adding sections 31b, 31g, 32r, 64d, and 94.

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, Proos, Schuitmaker, Walker, Anderson, Gregory, Hood, Hopgood and Johnson

Nays: Senator Colbeck

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 19, 2014, at 9:32 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building

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

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Department of Licensing and Regulatory Affairs submitted the following:
 Meeting held on Thursday, March 20, 2014, at 9:00 a.m., Rooms 402 and 403, Capitol Building
 Present: Senators Jansen (C) and Proos
 Excused: Senator Johnson

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Department of Corrections submitted the following:
 Meeting held on Thursday, March 20, 2014, at 9:25 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building
 Present: Senators Proos (C), Walker and Anderson

Scheduled Meetings

Appropriations -

Subcommittees -

Agriculture and Rural Development - Tuesday, March 25, 9:00 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

Community Colleges - Wednesday, March 26, 9:00 a.m., Room 210, Farnum Building (373-2768)

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

General Government - Tuesday, 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)

State Police and Military Affairs - Thursdays, March 27, April 17 (CANCELED), and April 24, 3:00 p.m., Rooms 402 and 403, Capitol Building (373-2768)

Transportation - Tuesday, March 25, 12:30 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

Judiciary - Tuesday, March 25, 2:30 p.m., Room 110, Farnum Building (373-5323)

Natural Resources, Environment and Great Lakes - Monday, March 24, 2:00 p.m., Lexington Community Center, 6964 Huron Avenue, Lexington; and Thursday, March 27, 9:00 a.m., Room 210, Farnum Building (373-5314)

Outdoor Recreation and Tourism - Thursday, March 27, 12:30 p.m., Room 110, Farnum Building (373-5323)

Senator Pavlov moved that the Senate adjourn.
 The motion prevailed, the time being 1:12 p.m.

The Assistant President pro tempore, Senator Hansen, declared the Senate adjourned until Tuesday, March 25, 2014, at 10:00 a.m.

CAROL MOREY VIVENTI
 Secretary of the Senate