

No. 50
STATE OF MICHIGAN
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Senate Chamber, Lansing, Tuesday, May 28, 2013.

10:00 a.m.

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

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

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

Imam Mika'il Stewart Saadiq of Al-Aqabah Islamic Community Center of Detroit offered the follow invocation:

Let us seek refuge with our Creator, who is all-hearing, all-knowing, from any impure thoughts or intentions. I begin with the name of God, most gracious and eternally beneficent. Our Lord, shower Your guidance upon this humble but honorable assembly. Give them the strength, courage, vigilance, and empathy to carry out what they have been entrusted to do.

Let this assembly yield blessings and progress that You are well pleased with. Endow each seat with the wisdom necessary to see beyond absolutes and arrive at rational sacrifice. Allow us to reflect that You have created us of many intellects and persuasions, made us into many shades of skin You chose, and endowed all people with dignity so that we may understand one another.

Our Lord, we beg Your assistance in securing the safety, health, and wealth of these great lakes and lands of this great state You have so beautifully created. Let us be grateful and reciprocate that gratitude through our leadership. Have mercy upon our children and our elderly. Let us be mindful of those less fortunate than ourselves. Let us share our education, skills, best practices, and opportunities with one another to maintain a strong, intelligent populace.

Our Lord, guide our servicemen and women at home and abroad. Give them tranquility in their dark moments. Bless our teachers. Let us appreciate them as they should be. Endow them with a sense of accomplishment through the success of all Michiganders.

Our Lord, forgive us if we may err or be neglectful. Redeem us and guide us to right.

All praises to our Creator, and He is never absent. Amen.

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

Motions and Communications

Senators Green and Hunter entered the Senate Chamber.

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.

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

Senator Meekhof moved that Senator Hansen be excused from today's session. The motion prevailed.

Senator Hopgood moved that Senator Young be temporarily excused from today's session. The motion prevailed.

Senator Meekhof moved that the Committee on Finance be discharged from further consideration of the following bill:

House Bill No. 4705, entitled

A bill to amend 1993 PA 331, entitled "State education tax act," (MCL 211.901 to 211.906) by adding section 5c.

The motion prevailed, a majority of the members serving voting therefor, and the bill was placed on the order of General Orders.

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. 327

Senate Bill No. 337

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

The Secretary announced that the following House bills were received in the Senate and filed on Thursday, May 23:

House Bill Nos. 4038 4334 4654

The Secretary announced that the following bills were printed and filed on Thursday, May 23, and are available at the Michigan Legislature website:

Senate Bill Nos. 375 376 377 378 379 380 381 382 383

House Bill Nos. 4757 4758 4759 4760 4761 4762 4763

The Secretary announced that the following bills and joint resolution were printed and filed on Friday, May 24, and are available at the Michigan Legislature website:

Senate Bill Nos.	384	385	386	387	388	389	390	391	392
Senate Joint Resolution	V								
House Bill Nos.	4764	4765	4766	4767	4768	4769	4770	4771	4772

Messages from the House

Senate Bill No. 51, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 7jj (MCL 211.7jj[1]), as added by 2006 PA 378.

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

The House of Representatives has passed the bill as substituted (H-1), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

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

Senate Bill No. 54, entitled

A bill to amend 2006 PA 379, entitled "Qualified forest property recapture tax act," by amending section 5 (MCL 211.1035).

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,

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

The motion prevailed.

Senate Bill No. 55, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 7dd (MCL 211.7dd), as amended by 2012 PA 324.

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,

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

The motion prevailed.

Senate Bill No. 56, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 9301, 9302, 9304, 9307, 9308, and 9310 (MCL 324.9301, 324.9302, 324.9304, 324.9307, 324.9308, and 324.9310), sections 9301, 9302, 9304, 9308, and 9310 as amended by 1998 PA 463 and section 9307 as amended by 2004 PA 439, and by adding sections 51301, 51302, 51305, and 51306; and to repeal acts and parts of acts.

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

The House of Representatives has passed the bill as substituted (H-1), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

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

Senate Bill No. 57, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 8703, 8707, 8708, and 8709 (MCL 324.8703, 324.8707, 324.8708, and 324.8709), as amended by 2011 PA 2.

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,

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

The motion prevailed.

Senate Bill No. 58, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 50301 and 50302 (MCL 324.50301 and 324.50302), as added by 1995 PA 57.

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

The motion prevailed.

Recess

Senator Meekhof moved that the Senate recess subject to the call of the Chair. The motion prevailed, the time being 10:15 a.m.

10:43 a.m.

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

During the recess, Senators Young, Kahn and Pappageorge entered the Senate Chamber.

By unanimous consent the Senate proceeded to the order of

Third Reading of Bills

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

House Bill No. 4169

House Bill No. 4170

House Bill No. 4171

The motion prevailed.

The following bill was read a third time:

House Bill No. 4169, entitled

A bill to amend 1895 PA 3, entitled "The general law village act," by amending section 18a of chapter XIV (MCL 74.18a), as amended by 2003 PA 305.

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. 214**Yeas—32**

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

Nays—5

Hood	Johnson	Smith	Young
Hunter			

Excused—1

Hansen

Not Voting—0

In The Chair: President

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

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

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

“An act to provide for the government of certain villages; to define their powers and duties; to provide for the levy and collection of taxes, borrowing of money, and issuance of bonds and other evidences of indebtedness by villages subject to this act; to define the powers and duties of certain state and local officers and entities; to define the application of this act and provide for its amendment by villages subject to this act; to validate prior amendments and certain prior actions taken and bonds issued by villages subject to this act; to provide for the disincorporation of villages; and to prescribe penalties and provide remedies.”

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 4170, entitled

A bill to amend 1966 PA 331, entitled “Community college act of 1966,” by amending sections 21, 37, and 57 (MCL 389.21, 389.37, and 389.57), as amended by 2003 PA 306.

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. 215

Yeas—32

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

Nays—5

Hood	Johnson	Smith	Young
Hunter			

Excused—1

Hansen

Not Voting—0

In The Chair: President

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

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

“An act to revise and consolidate the laws relating to community colleges; to provide for the creation of community college districts; to provide a charter for such districts; to provide for the government, control and administration of such districts; to provide for the election of a board of trustees; to define the powers and duties of the board of trustees; to provide for the assessment, levy, collection and return of taxes therefor; to authorize community college districts to operate a new jobs training program, enter into certain training agreements, and issue bonds to finance the training program; 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. 4171, entitled

A bill to amend 1954 PA 116, entitled “Michigan election law,” by amending sections 24a, 30g, 307, 308, 323, 347, 355, 426c, 426f, 426l, 792, 806, 809, 822, 823, 826, 866, 867, and 868 (MCL 168.24a, 168.30g, 168.307, 168.308, 168.323, 168.347, 168.355, 168.426c, 168.426f, 168.426l, 168.792, 168.806, 168.809, 168.822, 168.823, 168.826, 168.866, 168.867, and 168.868), section 24a as amended by 2012 PA 586, section 307 as amended by 2010 PA 55, section 308 as added by 2003 PA 302, section 426f as amended by 1990 PA 32, sections 809 and 868 as amended by 1995 PA 261, section 826 as amended by 2003 PA 119, section 866 as amended by 2010 PA 53, and section 867 as amended by 1980 PA 200; and to repeal acts and parts of acts.

The question being on the passage of the bill,

Senator Richardville offered the following substitute:

Substitute (S-2).

The substitute 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. 216

Yeas—32

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

Nays—5

Hood	Johnson	Smith	Young
Hunter			

Excused—1

Hansen

Not Voting—0

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.

Senator Richardville offered to amend the title to read as follows:

A bill to amend 1954 PA 116, entitled "An act to reorganize, consolidate, and add to the election laws; to provide for election officials and prescribe their powers and duties; to prescribe the powers and duties of certain state departments, state agencies, and state and local officials and employees; to provide for the nomination and election of candidates for public office; to provide for the resignation, removal, and recall of certain public officers; to provide for the filling of vacancies in public office; to provide for and regulate primaries and elections; to provide for the purity of elections; to guard against the abuse of the elective franchise; to define violations of this act; to provide appropriations; to prescribe penalties and provide remedies; and to repeal certain acts and all other acts inconsistent with this act," by amending sections 24a, 30g, 307, 308, 323, 347, 355, 426c, 426f, 426l, 642, 792, 806, 809, 822, 823, 826, 866, 867, and 868 (MCL 168.24a, 168.30g, 168.307, 168.308, 168.323, 168.347, 168.355, 168.426c, 168.426f, 168.426l, 168.642, 168.792, 168.806, 168.809, 168.822, 168.823, 168.826, 168.866, 168.867, and 168.868), section 24a as amended by 2012 PA 586, section 307 as amended by 2010 PA 55, section 308 as added by 2003 PA 302, section 426f as amended by 1990 PA 32, section 642 as amended by 2012 PA 523, sections 809 and 868 as amended by 1995 PA 261, section 826 as amended by 2003 PA 119, section 866 as amended by 2010 PA 53, and section 867 as amended by 1980 PA 200; and to repeal acts and parts of acts.

The amendment to the title was adopted.

The Senate agreed to the title as amended.

By unanimous consent the Senate returned to the order of

Motions and Communications

Senator Meekhof moved that the Committee on Government Operations be discharged from further consideration of the following bills:

House Bill No. 4084, entitled

A bill to establish the ALS of Michigan ("Lou Gehrig's disease") fund in the department of treasury; to provide for the distribution of the money from the funds; to prescribe the powers and duties of certain agencies and officials; and to provide for appropriations.

House Bill No. 4085, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 435 (MCL 206.435), as amended by 2012 PA 154.

The motion prevailed, a majority of the members serving voting therefor, and the bills were placed on the order of General Orders.

By unanimous consent the Senate proceeded to the order of

General Orders

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

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

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

Senate Bill No. 357, entitled

A bill to amend 1972 PA 284, entitled "Business corporation act," by amending section 778 (MCL 450.1778), as amended by 1993 PA 91.

Senate Bill No. 255, entitled

A bill to amend 1972 PA 230, entitled "Stille-DeRossett-Hale single state construction code act," by amending section 28 (MCL 125.1528), as amended by 1996 PA 48.

Senate Bill No. 327, entitled

A bill to amend 1941 PA 122, entitled "An act to establish the revenue collection duties of the department of treasury; to prescribe its powers and duties as the revenue collection agency of this state; to prescribe certain powers and duties

of the state treasurer; to establish the collection duties of certain other state departments for money or accounts owed to this state; to regulate the importation, stamping, and disposition of certain tobacco products; to provide for the transfer of powers and duties now vested in certain other state boards, commissions, departments, and offices; to prescribe certain duties of and require certain reports from the department of treasury; to provide procedures for the payment, administration, audit, assessment, levy of interests or penalties on, and appeals of taxes and tax liability; to prescribe its powers and duties if an agreement to act as agent for a city to administer, collect, and enforce the city income tax act on behalf of a city is entered into with any city; to provide an appropriation; to abolish the state board of tax administration; to prescribe penalties and provide remedies; and to declare the effect of this act," by amending section 4 (MCL 205.4), as amended by 2002 PA 657.

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. 337, entitled

A bill to amend 1941 PA 122, entitled "An act to establish the revenue collection duties of the department of treasury; to prescribe its powers and duties as the revenue collection agency of this state; to prescribe certain powers and duties of the state treasurer; to establish the collection duties of certain other state departments for money or accounts owed to this state; to regulate the importation, stamping, and disposition of certain tobacco products; to provide for the transfer of powers and duties now vested in certain other state boards, commissions, departments, and offices; to prescribe certain duties of and require certain reports from the department of treasury; to provide procedures for the payment, administration, audit, assessment, levy of interests or penalties on, and appeals of taxes and tax liability; to prescribe its powers and duties if an agreement to act as agent for a city to administer, collect, and enforce the city income tax act on behalf of a city is entered into with any city; to provide an appropriation; to abolish the state board of tax administration; to prescribe penalties and provide remedies; and to declare the effect of this act," by amending sections 27a and 30 (MCL 205.27a and 205.30), section 27a as amended by 2012 PA 211 and section 30 as amended by 1993 PA 14.

Substitute (S-1).

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

By unanimous consent the Senate proceeded to the order of

Introduction and Referral of Bills

Senators Hune and Brandenburg introduced

Senate Bill No. 393, entitled

A bill to amend 1993 PA 327, entitled "Tobacco products tax act," by amending sections 7 and 12 (MCL 205.427 and 205.432), section 7 as amended by 2012 PA 325 and section 12 as amended by 2012 PA 188.

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

Senator Hune introduced

Senate Bill No. 394, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 3109e.

The bill was read a first and second time by title and referred to the Committee on Natural Resources, Environment and Great Lakes.

Senators Caswell, Jansen and Nofs introduced

Senate Bill No. 395, entitled

A bill to amend 2011 PA 152, entitled "Publicly funded health insurance contribution act," by amending sections 2, 3, 4, 5, and 8 (MCL 15.562, 15.563, 15.564, 15.565, and 15.568).

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

House Bill No. 4038, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 41301 (MCL 324.41301), as amended by 2009 PA 51.

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 Natural Resources, Environment and Great Lakes.

House Bill No. 4334, entitled

A bill to amend 1993 PA 23, entitled “Michigan limited liability company act,” by amending section 904 (MCL 450.4904), as amended by 2010 PA 126.

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.

House Bill No. 4654, entitled

A bill to amend 1972 PA 284, entitled “Business corporation act,” by amending section 284 (MCL 450.1284), as added by 2012 PA 569.

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

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

The motion prevailed.

Senator Hunter’s statement is as follows:

I rise with a heavy heart today. Over the weekend, I got some very bad news. There was a very close personal friend of mine—who also happens to be a political consultant who has done work for some of us here on the Democratic side in the Senate, as well as in the House—and I wanted to just share with you because I’m sure for those of you all who pray, this family would appreciate your prayers; because a close friend of mine lost his son, who was headed to high school in the fall, in a drowning accident on Sunday afternoon.

I just wanted to share that because I don’t need to tell anybody in this room that anything can happen at any time, but those of us in this room who are parents, we never set out, we never plan, we never expect to have to bury a child. My heart is especially heavy, having two boys of my own. You all have children and grandchildren, and so I thought it was appropriate to just rise today and have a moment of silence for Eric Foster and his family, because of the loss of his son Jamil, who again was, I believe, 13 or 14, but I know he was headed to high school.

With that, Mr. President, I ask that you and our colleagues would join me in having a moment of silence please.

A moment of silence was observed for the family of Jamil Foster.

Senator Hopgood’s statement is as follows:

Last week, I submitted a FOIA request to the EAA asking that they provide more information in terms of past and current enrollment, the number of students expelled and suspended, safety policies, results of financial audits, certification of EAA administrators, compliance with teacher requirements, EAA’s human capital management system, and MDE reporting requirements for the registration of educational personnel. As far as I’m concerned, we already have all the information we really need about the EAA. In case you missed it on Friday, information was released in the *Detroit News* that the EAA overstated the number of schools under its authority in order to win \$35.4 million in grants from the federal government, a grant that they ended up receiving as a result.

In the application, the EAA claimed to have legislative permission to grow out to 60 schools by 2017, over the 15 that they currently have. It was a statement that was highly regarded as presumptuous at best and; at worst, a flat-out lie. If the EAA felt comfortable lying on the application for a \$35.4 million grant from the federal government, it begs the question: What else is the EAA going to embellish? Student achievement scores, perhaps? As it was, responses to a FOIA request submitted by Wayne State Associate Professor Thomas Pedroni questioned the integrity of their achievement claims.

Poor planning and/or preparation by the EAA led to severe and widespread problems in the initial fall testing, including the inability of students to login for or not be dropped from the online tests, the lack of technology, including headsets for audio testing, and students simply being administered the wrong test altogether. This information makes it impossible to accurately compare these results to the winter ones, where the tests ran much more smoothly. In addition, the FOIA requests also revealed that while 91 percent of EAA students took the exam in the fall, only 72 percent did so in the winter. What I and many others across the state would like to know is what happened to the other 19 percent of students? Did they discontinue their enrollment? Were they expelled, or did the EAA cherry-pick which students were able to take the exam the second time around in order to better the results. Or did they perhaps just cook the books altogether? It doesn’t seem too farfetched after the information received Friday.

Academic issues are just the beginning of a long line of issues we witnessed under the EAA’s reign of control. Just last month, a report was released that documented unprecedented problems amongst the EAA’s pupils, involving more than 1 out of every 2 students with disciplinary infractions including offensives of every kind, from gambling and truancy to disorderly conduct and weapons possession. Perhaps such issues would be under control if the EAA hadn’t hired a private contractor who failed to train their employees on how to conduct standard safety measures, such as CPR and first aid.

Security officers aren't the only ones with a severe lack of training. Many EAA teachers are thrown into the fire without adequate preparation or support. Not surprisingly, the teacher turnover rate is dramatic, with 1 of 5 quitting the EAA within its first six months of operation. Fifty-one percent of teachers in the EAA have three years of experience or less, while 20 percent of the teachers are from Teach For America. For those not familiar, Teach For America is a program that sends college grads through a five-week crash course in teaching before immersing them into schools. A reliance on young, inexperienced teachers further documents the EAA's inability to think toward the future and operate in a sustainable manner.

After being stonewalled by the authority, Representative Cogen Lipton also FOIA'd the EAA. The request was met by more stall tactics, including a request for a deposit and an extension. Eventually, the response was delivered, revealing that the authority had taken \$12 million in loans from struggling DPS. This amount is in addition to \$2 million from the state last January, despite the claim that the authority would be funded fully through the per-pupil allowance from the state and charitable donations.

I find it alarming that even after receiving millions of dollars in philanthropic support, the EAA is still struggling to get by. I'd like to be very clear in that I don't oppose solutions to advance Michigan's lowest-performing schools. Foundations can do wonderful things when partnered with education. We've been witness to the success of the Kalamazoo Promise, as well as United Way's collaborative approach to improving metro Detroit high schools through gifts from General Motors. What we are missing is the evidence that we can continue with these reforms.

Senator Young's statement is as follows:

Mr. President, I'd like to start with a quote: "Let us never forget that government is ourselves and not an alien power over us. The ultimate rulers of our democracy are not a President and Senators and Congressmen and government officials, but the voters of this country." Mr. President, I rise before you today to talk about the unconstitutional and illegal emergency manager law. Mr. President, Michigan's exceptionalism, its abundance, its prosperity, its opportunity is a by-product of democracy. What separates this state—what allows us as elected officials to go about the business of improving this state and perfecting this union is the fact that people—the citizens—have the right to exercise their franchise; the fact that they are the ones who define their rights to the government, not the government defining the people's rights. That is not a power we have. That is not an authority we should exercise. It's wrong. It's unconstitutional. It's against what the founders wanted. It's against American principle, Mr. President.

Mr. President, I know there are people out there who would say Detroit is dying. Detroit is on the brink. It's on the ropes. It's seen better days. It's run out of gas. It's inching and sputtering. Mr. President, a diamond is nothing but a lump of coal under intense heat and pressure. A supernova is nothing but a dying star. For a phoenix to rise, first it has to come from the ground of ashes. That's what the city of Detroit is, and the only way we're going to have that recovery—the only way we're going to have that breakthrough is with democracy.

Now people are saying that without the EM somehow the city of Detroit is going to fall apart. It's going to collapse. It's going to implode. Mr. President, I say from great trial comes great triumph. Mr. President, I say what was meant to be for Detroit's annihilation will be turned around for its amelioration. Mr. President, I say what was meant for its perdition will be its restoration. Mr. President, I say what was meant for its execution will be turned around for its revolution.

Mr. President, we will not have a prosperous city of Detroit if the people cannot exercise their right to vote. It's fundamental in a civil society. The only difference between Americans and every country—the fact that we don't have people charging the gates right now; the fact that we're not subject to overthrows and coups and government plots is because in America, the people have the right to control their government. The people have the right to choose who's elected and who is not. The people have the right to determine who serves them and who doesn't. So for life, liberty, and the pursuit of happiness; for the inalienable rights given to Americans; for the sacred promise on which we pledge our lives, our fortunes, and our sacred honor; for a government of the people, for the people, and by the people, Mr. President, we must, we shall eliminate this EM law.

Mr. President, please let's take up a vote to repeal this unconstitutional, illegal, autocratic, tyrannical law. Mr. President, I see it in your eyes; you understand what I'm saying. You believe in great change. You believe in power for tomorrow. Let this be the day when we put aside our partisan differences; when Republicans and Democrats and Independents come together for the common cause of democracy and for a better, brighter future.

Join me, Mr. President. Join the future, Mr. President. It's worth fighting for. Repeal the EM law.

By unanimous consent the Senate returned to the order of

Messages from the House

Senate Bill No. 189, entitled

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

The House of Representatives has appointed Reps. Forlini, Pscholka and Faris as conferees to join with Sens. Jansen, Kahn and Johnson.

The bill was referred to the Conference Committee.

Committee Reports

The Committee on Finance reported

Senate Bill No. 114, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 34d (MCL 211.34d), as amended by 2012 PA 185.

With the recommendation that the bill pass.

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

Jack M. Brandenburg
Chairperson

To Report Out:

Yeas: Senators Brandenburg, Jansen, Pappageorge, Robertson, Bieda and Warren

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Finance reported

Senate Bill No. 327, entitled

A bill to amend 1941 PA 122, entitled "An act to establish the revenue collection duties of the department of treasury; to prescribe its powers and duties as the revenue collection agency of this state; to prescribe certain powers and duties of the state treasurer; to establish the collection duties of certain other state departments for money or accounts owed to this state; to regulate the importation, stamping, and disposition of certain tobacco products; to provide for the transfer of powers and duties now vested in certain other state boards, commissions, departments, and offices; to prescribe certain duties of and require certain reports from the department of treasury; to provide procedures for the payment, administration, audit, assessment, levy of interests or penalties on, and appeals of taxes and tax liability; to prescribe its powers and duties if an agreement to act as agent for a city to administer, collect, and enforce the city income tax act on behalf of a city is entered into with any city; to provide an appropriation; to abolish the state board of tax administration; to prescribe penalties and provide remedies; and to declare the effect of this act," by amending section 4 (MCL 205.4), as amended by 2002 PA 657.

With the recommendation that the bill pass.

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

Jack M. Brandenburg
Chairperson

To Report Out:

Yeas: Senators Brandenburg, Jansen, Pappageorge, Proos, Robertson, Bieda and Warren

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Finance reported

Senate Bill No. 337, entitled

A bill to amend 1941 PA 122, entitled "An act to establish the revenue collection duties of the department of treasury; to prescribe its powers and duties as the revenue collection agency of this state; to prescribe certain powers and duties of the state treasurer; to establish the collection duties of certain other state departments for money or accounts owed to this state; to regulate the importation, stamping, and disposition of certain tobacco products; to provide for the transfer of powers and duties now vested in certain other state boards, commissions, departments, and offices; to prescribe certain duties of and require certain reports from the department of treasury; to provide procedures for the payment, administration, audit, assessment, levy of interests or penalties on, and appeals of taxes and tax liability; to prescribe its powers and duties if an agreement to act as agent for a city to administer, collect, and enforce the city income tax act on behalf of a city is entered into with any city; to provide an appropriation; to abolish the state board of tax administration; to prescribe penalties and provide remedies; and to declare the effect of this act," by amending sections 27a and 30 (MCL 205.27a and 205.30), section 27a as amended by 2012 PA 211 and section 30 as amended by 1993 PA 14.

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.

Jack M. Brandenburg
Chairperson

To Report Out:

Yeas: Senators Brandenburg, Jansen, Pappageorge, Proos, Robertson, Bieda and Warren

Nays: None

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

The Committee on Finance reported

House Bill No. 4002, entitled

A bill to amend 1941 PA 122, entitled "An act to establish the revenue collection duties of the department of treasury; to prescribe its powers and duties as the revenue collection agency of this state; to prescribe certain powers and duties of the state treasurer; to establish the collection duties of certain other state departments for money or accounts owed to this state; to regulate the importation, stamping, and disposition of certain tobacco products; to provide for the transfer of powers and duties now vested in certain other state boards, commissions, departments, and offices; to prescribe certain duties of and require certain reports from the department of treasury; to provide procedures for the payment, administration, audit, assessment, levy of interests or penalties on, and appeals of taxes and tax liability; to prescribe its powers and duties if an agreement to act as agent for a city to administer, collect, and enforce the city income tax act on behalf of a city is entered into with any city; to provide an appropriation; to abolish the state board of tax administration; to prescribe penalties and provide remedies; and to declare the effect of this act," by amending section 30 (MCL 205.30), as amended by 1993 PA 14.

With the recommendation that the bill pass.

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

Jack M. Brandenburg
Chairperson

To Report Out:

Yeas: Senators Brandenburg, Jansen, Pappageorge, Proos, Robertson, Bieda and Warren

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Finance submitted the following:

Meeting held on Wednesday, May 22, 2013, at 1:30 p.m., Room 210, Farnum Building

Present: Senators Brandenburg (C), Jansen, Pappageorge, Proos, Robertson, Bieda and Warren

The Committee on Banking and Financial Institutions reported

Senate Bill No. 380, entitled

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

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.

Darwin L. Booher
Chairperson

To Report Out:

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

Nays: None

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

The Committee on Banking and Financial Institutions reported

Senate Bill No. 381, entitled

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

With the recommendation that the bill pass.

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

Darwin L. Booher
Chairperson

To Report Out:

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

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Banking and Financial Institutions reported

Senate Bill No. 382, entitled

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

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.

Darwin L. Booher
Chairperson

To Report Out:

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

Nays: None

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

The Committee on Banking and Financial Institutions reported

Senate Bill No. 383, entitled

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

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.

Darwin L. Booher
Chairperson

To Report Out:

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

Nays: Senator Ananich

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

COMMITTEE ATTENDANCE REPORT

The Committee on Banking and Financial Institutions submitted the following:

Meeting held on Thursday, May 23, 2013, at 1:30 p.m., Room 100, Farnum Building

Present: Senators Booher (C), Nofs, Green, Marleau, Rocca and Ananich

Excused: Senator Smith

COMMITTEE ATTENDANCE REPORT

The Conference Committee on Community Colleges (SB 199) submitted the following:

Meeting held on Thursday, May 23, 2013, at 8:30 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building

Present: Senators Booher (C), Kahn and Anderson

COMMITTEE ATTENDANCE REPORT

The Conference Committee on School Aid (SB 182) submitted the following:

Meeting held on Thursday, May 23, 2013, at 9:00 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building

Present: Senators Walker (C), Kahn and Hopgood

COMMITTEE ATTENDANCE REPORT

The Conference Committee on Higher Education (SB 193) submitted the following:

Meeting held on Thursday, May 23, 2013, at 11:00 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building

Present: Senators Schuitmaker (C), Kahn and Hood

COMMITTEE ATTENDANCE REPORT

The Conference Committee on Corrections (SB 197) submitted the following:

Meeting held on Thursday, May 23, 2013, at 11:45 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building
Present: Senators Proos (C), Kahn and Anderson

COMMITTEE ATTENDANCE REPORT

The Committee on Health Policy submitted the following:

Meeting held on Thursday, May 23, 2013, at 12:30 p.m., Senate Hearing Room, Ground Floor, Boji Tower
Present: Senators Marleau (C), Robertson, Emmons, Hune, Jones, Schuitmaker, Warren and Ananich
Excused: Senator Johnson

COMMITTEE ATTENDANCE REPORT

The Conference Committee on Judiciary (SB 191) submitted the following:

Meeting held on Thursday, May 23, 2013, at 1:30 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building
Present: Senators Proos (C), Kahn and Johnson

COMMITTEE ATTENDANCE REPORT

The Conference Committee on Licensing and Regulatory Affairs (SB 190) submitted the following:

Meeting held on Thursday, May 23, 2013, at 3:30 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building
Present: Senators Jansen (C), Kahn and Johnson

COMMITTEE ATTENDANCE REPORT

The Conference Committee on State Police (SB 185) submitted the following:

Meeting held on Tuesday, May 28, 2013, at 8:30 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building
Present: Senators Colbeck (C), Kahn and Gregory

COMMITTEE ATTENDANCE REPORT

The Conference Committee on Military and Veterans Affairs (SB 187) submitted the following:

Meeting held on Tuesday, May 28, 2013, at 8:45 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building
Present: Senators Colbeck (C), Kahn and Gregory

COMMITTEE ATTENDANCE REPORT

The Conference Committee on General Government (SB 194) submitted the following:

Meeting held on Tuesday, May 28, 2013, at 9:00 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building
Present: Senators Pappageorge (C) and Kahn
Excused: Senator Johnson

COMMITTEE ATTENDANCE REPORT

The Conference Committee on Agriculture and Rural Development (SB 201) submitted the following:

Meeting held on Tuesday, May 28, 2013, at 9:15 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building
Present: Senators Green (C), Kahn and Hopgood

Scheduled Meetings

Senator Meekhof moved that the Senate adjourn.
The motion prevailed, the time being 11:24 a.m.

The President, Lieutenant Governor Calley, declared the Senate adjourned until Wednesday, May 29, 2013, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate

