

No. 60
STATE OF MICHIGAN
Journal of the Senate
97th Legislature
REGULAR SESSION OF 2013

Senate Chamber, Lansing, Thursday, June 20, 2013.

10:00 a.m.

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

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

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

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

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

Senator Roger Kahn, M.D., of the 32nd District offered the following invocation:

Heavenly Father, we thank You for the day that you've furnished us. We thank You for Your guidance today in all of us. We thank You for Your presence in our families' lives and how You watch over us. We ask that You would also watch over this Senate session, and give us good conscience and good faith as we make decisions today and always.

May we, by Your blessing, be wise and good stewards of the treasures of our state and nation and good stewards in the responsibility given to us by the citizens of Michigan. Lord, help us remember the young for they are our future; the weak, for raising them up makes us all strong. Help us bring sunlight to those who live in the shadows.

Amen.

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

Motions and Communications

Senators Richardville, Robertson and Green entered the Senate Chamber.

Senator Hopgood moved that Senators Ananich, Hood, Johnson and Young be temporarily excused from today's session. The motion prevailed.

Senator Ananich entered the Senate Chamber.

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

The motion prevailed.

Senator Kahn's statement is as follows:

I want the chamber to know that July 19 of this year, the good Senator who sits to my left is going to be 82 years old. Yes, he has the energy as if he were 28 years old but, in fact, it will be 82 summers. Like me, the Senator from the 13th District is term-limited. We keep talking about taking a vacation sometime together up to Canada. I'm looking forward to getting that done. He can't go this year, because he's going to go to Greece where he's going to be honored by their entire government. I don't know why that would be. He's shaking his head. I would agree with him; I don't think he deserves that kind of honor.

Senator Pappageorge graduated with a bachelor's in science and engineering from West Point, as many of us know. Many of us call him The Colonel. He subsequently has a master's in government politics from the University of Maryland and attended the U.S. Army War College. Both are prestigious appointments given to rising stars within the military. He is a decorated veteran with a Distinguished Service Medal, a Superior Service Medal, the Bronze Star, nine Air Medals, the Combat Infantryman Badge, and the Vietnamese Cross of Galantry. In fact, he served two tours of combat during the Vietnam War.

There are other things about Senator Pappageorge that aren't as known. These last facts you couldn't have seen if you accessed his webpage. His favorite job, he says, was when he was 16 and was a lifeguard at an all-girls' camp. Now, I can understand how that would be attractive to a young, virile man, which he is to this day. In fact, he says work has been downhill ever since. Talking about ever since, when he leaves the magic kingdom here in Lansing, he's not done. He's always wanted to be a drummer like famous Gene Krupa, and so, Senator Pappageorge, to get you on your way, here are your drumsticks.

Join me in wishing the good Senator a happy birthday.

Senator Meekhof moved that rule 3.902 be suspended to allow the guests of Senators Emmons, Richardville and Moolenaar 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 and Gallery.

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 Wednesday, June 19:
House Bill Nos. 4208 4272 4409 4575 4745

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

Senate Bill Nos.	433	434	435	436	437	438
House Bill Nos.	4844	4845	4846			

Recess

Senator Meekhof moved that the Senate recess subject to the call of the Chair. The motion prevailed, the time being 10:09 a.m.

10:16 a.m.

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

During the recess, Senator Moolenaar introduced Tom and Vicki Shooks, owners of Standard Provision LLC, and family members; commemorating the 25th anniversary of the Northern Michigan custom slaughterhouse and community philanthropy, and presented them with a Special Tribute.

Senator Kahn responded briefly.

During the recess, Senators Johnson and Young entered the Senate Chamber.

Senators Emmons, Richardville, Moolenaar and Hune asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator Emmons' statement is as follows:

I appreciate your attention this morning. I have with me as my guests the wife of Arthur Ellis, Sybil Ellis, and their daughter Marcia Tillotson. If you listen to this tribute, you will understand what a remarkable individual Arthur Ellis was and the great contributions he's made to the entire state:

"LET IT BE KNOWN, That it is with a profound sense of sadness for the deep loss to his family and the community that we are moved to offer this tribute to honor the life of Arthur E. Ellis. A loving husband, dedicated father, proud grandfather and great grandfather, respected public servant and faithful friend, Arthur has enriched countless lives and will be genuinely missed.

Born on September 14, 1932, Arthur was an alumnus of Jackson Junior College, Michigan State University, Eastern Michigan University and Central Michigan University. A vibrant and ambitious individual, Arthur had a passion for education and throughout his life, played a significant role in promoting higher education and improving the state's educational structure.

Arthur possessed a rare energy for life that positively influenced those around him. With genuine respect for his legacy of accomplishment, we join with the community in extending our condolences to his family and many friends. Arthur will be sincerely missed and long remembered. Undoubtedly, the loss of this exceptional individual has left a void in the lives of those who knew him.

Serving others was a lifelong philosophy for Arthur Ellis. A Korean War veteran, Arthur rose to the rank of Army first lieutenant and served our great nation as a budget analyst in the United States Army. During this time, he married the love of his life, Sibyl Marie Clark, and began their 58-year marriage. Following a brief stint in the private sector, Arthur began his civilian career in public service as an analyst at the Legislative Service Bureau in 1962. By 1965, Arthur was named the first ever director of the Senate Fiscal Agency.

In 1968, Arthur left state government to begin his next career in education. He served as secretary of the Eastern Michigan University Board of Regents from 1968 to 1970 before moving to Central Michigan University where he enjoyed his work as the Vice President of Public Affairs. His leadership, knowledge and dedication to education earned Arthur the respect of his colleagues and the appointment to serve as the interim president of Central Michigan University in 1975 and again in 1985. It was a natural move in 1986 when Arthur was selected to be the full-time president of Central Michigan University in 1986. It was a position he embraced, advancing the University and the community with, among other things, his work in creating the Central Michigan University Research Corporation's Mount Pleasant SmartZone to attract and retain technological research companies.

Arthur retired from the Central Michigan University presidency in 1988 but was soon called back to public service when Governor John Engler appointed him as the director of the Michigan Department of Commerce in 1991. As a small business owner and with his fiscal background, Arthur spearheaded the consolidation of the Department of Commerce and the Department of Licensing and Regulation, achieving great savings for the state during tough economic times.

Arthur's exemplary leadership and inspiring commitment to education then earned him the appointment by the State Board of Education to interim superintendent of public education in 1995, shortly before being appointed the State Superintendent of Public Instruction. His interest in assuring all Michigan's children graduated from high school prepared for college or entry into the workforce brought about the recodification of the school code which included the creation of charter schools and schools of choice. Undoubtedly the state public education system improved under Arthur's leadership.

The life of Arthur Ellis is a study in the power of hard work, dedication, integrity, optimism and commitment to his career, his family and his state. We are clearly grateful for his many achievements which will continue to move Michigan forward long into the future.

IN SPECIAL TRIBUTE, Therefore, This document is signed and dedicated to offer our highest praise as a memorial for the life of Arthur 'Art' Ellis. May his wife Sibyl, children Mark, Marcia, Marian and their families know of our sincere condolences and of the high regard in which Arthur's memory is held by the people of Michigan."

A moment of silence was observed in memory of distinguished public servant Arthur E. Ellis.

Senator Richardville's statement is as follows:

Colleagues, I rise this morning to pay tribute to Lauren Michalak for her invaluable contributions to the Michigan Senate, as well as her commitment to public service for the last five years. Lauren will be leaving in August to pursue her graduate degree at the University of Maryland.

Upon graduating with honors from Michigan State University in 2008, Lauren began her service in the Michigan Senate as a staff member for Senator Jason Allen and quickly proved herself as a valued asset to all who worked with her. In her current role, she is a clerk to the Committees on Judiciary; Economic Development; Natural Resources, Environment and Great Lakes; and Outdoor Recreation and Tourism—that's all that she's been up to. She has earned much respect in and around the Legislature. The chairmen of those respective committees have all joined me this morning.

Her vast understanding of the committee process and remarkable attention to detail have allowed her to assist each committee chair with unparalleled expertise. In the Gallery today to help us celebrate Lauren's success are her mother Alison and her grandparents, Bob and Kathy Michalak.

On behalf of the lawmakers, staff, and all who have worked with her, we are pleased to have this opportunity to express our admiration for her exemplary service, as well as our greatest hopes for much success in Maryland. Lauren, on behalf of everyone here, we wish you well.

Senator Moolenaar's statement is as follows:

With sadness, we are going to be losing someone from our Senate team, Elizabeth Lane, who has been working with me for the past year in our office, and prior to working with me, worked with her hometown Senator Hune. She is just a wonderful young lady. She is going on for her Ph.D. in political science at Michigan State, emphasizing public law. Elizabeth has, for the last year, been working on constituent relations for us and has been doing a fantastic job. She's started a program that I hope we will continue on a yearly basis, doing a tour of the Heritage 23 Route that goes from Northern Michigan all along the sunrise side of our Lake Huron coast.

We want to thank Elizabeth. She's a graduate of Michigan State. She was a captain of the Izzone, and she's done great work for us. With that, I'd like to introduce Senator Hune, who would like to say a few words as well.

Senator Hune's statement is as follows:

I have to admit, I was a little upset when he stole her away from my office and the people of the 22nd District. She was a fabulous talent in my office, and certainly, she's been a fabulous asset to the people of the Midland community. The world of academia stole her away from this institution, but she will be going on to much bigger and brighter things with a skill set that is unbeatable.

So, Elizabeth Lane, I want to say thank you for all your service to the people of the great state of Michigan, and good luck on your future endeavors.

The following communications were received:
Department of State

Administrative Rules
Notices of Filing

November 29, 2012

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2012-035-LR (Secretary of State Filing #12-11-06) on this date at 4:03 p.m. for the Department of Licensing and Regulatory Affairs, entitled "Board of Medicine - General Rules."

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

June 5, 2013

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2012-135-LR (Secretary of State Filing #13-06-01) on this date at 4:29 p.m. for the Department of Licensing and Regulatory Affairs, entitled "GI Part 74. Fire Fighting."

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

June 5, 2013

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2013-004-LR (Secretary of State Filing #13-06-02) on this date at 4:31 p.m. for the Department of Licensing and Regulatory Affairs, entitled "GI Part 12. Welding and Cutting."

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

June 5, 2013

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2013-005-LR (Secretary of State Filing #13-06-03) on this date at 4:33 p.m. for the Department of Licensing and Regulatory Affairs, entitled "OH Part 478. Illumination."

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

June 5, 2013

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2013-006-LR (Secretary of State Filing #13-06-04) on this date at 4:35 p.m. for the Department of Licensing and Regulatory Affairs, entitled "CS Part 30. Telecommunications."

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

June 5, 2013

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative rule #2013-010-LR (Secretary of State Filing #13-06-05) on this date at 4:37 p.m. for the Department of Licensing and Regulatory Affairs, entitled "OH Part 305. Asbestos Standards for General Industry."

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

June 5, 2013

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2013-011-LR (Secretary of State Filing #13-06-06) on this date at 4:39 p.m. for the Department of Licensing and Regulatory Affairs, entitled "OH Part 602. Asbestos Standards in Construction."

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

June 11, 2013

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2013-025-NR (Secretary of State Filing #13-06-07) on this date at 3:52 p.m. for the Department of Natural Resources, entitled "Local Snowmobile/Off Road Vehicle Control."

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

June 11, 2013

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2013-026-NR (Secretary of State Filing #13-06-08) on this date at 3:54 p.m. for the Department of Natural Resources, entitled "Placement of ORV License."

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

June 11, 2013

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2013-027-NR (Secretary of State Filing #13-06-09) on this date at 3:56 p.m. for the Department of Natural Resources, entitled "Numbering of Vessels and Motorboats."

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

June 11, 2013

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2013-038-IF (Secretary of State Filing #13-06-10) on this date at 3:58 p.m. for the Department of Insurance and Financial Services, entitled "Credit Unions."

R490.113, R490.114, R490.117, and R490.118 of the Michigan Administrative Code is rescinded from the Code.

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

The communications were referred to the Secretary for record.

Recess

Senator Meekhof moved that the Senate recess subject to the call of the Chair.
The motion prevailed, the time being 10:33 a.m.

12:10 p.m.

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

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:

Senate Bill No. 142

Senate Bill No. 143

The motion prevailed.

The following bill was read a third time:

Senate Bill No. 142, entitled

A bill to amend 1937 PA 94, entitled "Use tax act," by amending section 2b (MCL 205.92b), as amended by 2008 PA 439.

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. 320

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: Schuitmaker

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 143, entitled

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

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. 321

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: Schuitmaker

The Senate agreed to the title of the bill.

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

House Bill No. 4112, entitled

A bill to make, supplement, and adjust appropriations for various state departments and agencies, the judicial branch, and capital outlay for the fiscal years ending September 30, 2013 and September 30, 2014; and to provide for the expenditure of the appropriations.

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

The President, Lieutenant Governor Calley, resumed the Chair.

The question being on the passage of the bill,

Senator Kahn offered the following amendments:

1. Amend page 4, following line 4, after “hotline—” by striking out “2.0 FTE positions” and inserting “1.0 FTE position”.
2. Amend page 20, following line 16, by inserting:
“Student safety fund 1,129,000”.
3. Amend page 25, following line 5, by inserting:
“Sec. 150. There is appropriated for the various state departments and agencies, the judicial branch, and capital outlay to supplement appropriations for the fiscal year ending September 30, 2014, from the following funds:”.
4. Amend page 25, following line 6, by inserting:
“Full-time equated classified position 1.0”.
5. Amend page 25, line 7, by striking out “2,089,300” and inserting “2,239,300”.
6. Amend page 25, line 10, by striking out “2,089,300” and inserting “2,239,300”.
7. Amend page 25, line 15, by striking out “89,300” and inserting “239,300”.
8. Amend page 29, line 17, after the second “June” by striking out “10” and inserting “30”.
9. Amend page 34, line 4, after “is” by striking out “\$2,089,300.00” and inserting “\$2,239,300.00” and adjusting the subtotals, totals, and section 201 accordingly.

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

The question being on the passage of the bill,

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

Roll Call No. 322

Yeas—36

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

Nays—1

Young

Excused—1

Hood

Not Voting—0

In The Chair: President

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

Senate Bill No. 301, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 16 of chapter XV (MCL 775.16), as amended by 1980 PA 506.

The House of Representatives has amended the bill as follows:

1. Amend page 2, line 12, after “unless” by striking out “Senate Bill No. 300” and inserting “House Bill No. 4529”.

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

Pending the order that, under rule 3.202, the bill be laid over one day,
Senator Meekhof moved that the rule be suspended.

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

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

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

Roll Call No. 323

Yeas—36

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

Nays—1

Hune

Excused—1

Hood

Not Voting—0

In The Chair: President

Senator Meekhof moved that the bill be given immediate effect.
The motion prevailed, 2/3 of the members serving voting therefor.
The Senate agreed to the full title.
The bill was referred to the Secretary for enrollment printing and presentation to the Governor.

By unanimous consent the Senate proceeded to the order of
Resolutions

Senator Meekhof moved that consideration of the following resolution be postponed for today:
Senate Resolution No. 34
The motion prevailed.

The question was placed on the adoption of the following resolution consent calendar:
Senate Resolution No. 77
The resolution consent calendar was adopted.

Senators Hildenbrand and Warren offered the following resolution:
Senate Resolution No. 77.

A resolution to declare July 2013 as Craft Beer Month in the state of Michigan.

Whereas, Michigan craft brewers are a vibrant affirmation and expression of Michigan's entrepreneurial traditions, operating as community-based small businesses and providing employment for more than 1,000 workers; and

Whereas, Michigan has craft brewers in every region of the state and more than 100 craft brewers statewide; and

Whereas, The Michigan Brewers Guild celebrates Michigan Craft Beer Month each year by hosting a Summer Festival in July; and

Whereas, Craft brewers in Michigan support state agriculture by purchasing hops, wheat, beet sugar, cherries, apples, and numerous other fruits, herbs, and vegetables grown in Michigan; and

Whereas, Michigan craft brewers promote Michigan's spirit of independence through a renaissance in handcrafted beers like those first brought to Michigan by European settlers and produced here by our forefathers, including Bernhard Stroh, for the enjoyment of the citizenry; and

Whereas, Striving to educate legal drinking-age residents, Michigan craft brewers convey awareness about the differences in beer flavor, aroma, color, alcohol content, body, and other complex variables, as well as historic brewing traditions, beer history, and gastronomic qualities of beer; and

Whereas, Michigan craft brewers champion the message of responsible enjoyment to their customers and work within their communities to prevent alcohol abuse and underage drinking; and

Whereas, Craft brewers in Michigan produce more than 100 distinct styles of flavorful beers, the quality and diversity of which have made Michigan the envy of many states, contributing to balanced trade with increased Michigan exports and promoting Michigan tourism; and

Whereas, Michigan craft brewers have been a successful business model during our state's economic struggles, thriving and expanding—furthering their economic importance to the state; and

Whereas, Michigan craft brewers are vested in the future, health, and welfare of their communities as employers providing a diverse array of quality local jobs; as contributors to the local tax base; and as committed sponsors of a broad range of vital community institutions and philanthropic causes, including not-for-profit housing development associations, chambers of commerce, humane societies, athletic teams, and medical research; now, therefore, be it

Resolved by the Senate, That the members of this legislative body declare July 2013 as Craft Beer Month in the state of Michigan. We recognize the contributions that Michigan craft brewers have made to the state's communities, economy, and history; and be it further

Resolved, That we commend Michigan craft brewers for providing jobs, improving the balance of trade, supporting Michigan agriculture, and educating residents about the history and culture of beer while promoting the responsible consumption of beer as a beverage of moderation.

Senators Anderson, Bieda, Booher, Brandenburg, Hansen, Jansen, Kowall, Marleau, Proos and Schuitmaker were named co-sponsors of the resolution.

Introduction and Referral of Bills

Senator Robertson introduced

Senate Bill No. 440, entitled

A bill to amend 1976 PA 388, entitled "Michigan campaign finance act," by amending section 18 (MCL 169.218), as amended by 2006 PA 89.

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

Senator Robertson introduced

Senate Bill No. 441, entitled

A bill to amend 1976 PA 388, entitled "Michigan campaign finance act," (MCL 169.201 to 169.282) by adding section 18a.

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

Senator Marleau introduced

Senate Bill No. 442, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1642 (MCL 380.1642); 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 Education.

Senator Marleau introduced

Senate Bill No. 443, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 6094 (MCL 600.6094).

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

Senators Casperson, Robertson, Hansen, Green and Booher introduced

Senate Bill No. 444, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 3306, 3307, 3309, and 3311 (MCL 324.3306, 324.3307, 324.3309, and 324.3311), section 3306 as amended by 2011 PA 90 and sections 3307, 3309, and 3311 as added by 2004 PA 246, and by adding section 3315.

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

Senators Booher, Casperson, Hune, Pavlov and Kowall introduced

Senate Bill No. 445, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 41301 and 41302 (MCL 324.41301 and 324.41302), section 41301 as amended by 2009 PA 51 and section 41302 as added by 2009 PA 52.

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

Senator Booher introduced

Senate Bill No. 446, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 22210 (MCL 333.22210), as amended by 2011 PA 51.

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

Senator Booher introduced

Senate Bill No. 447, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," (MCL 600.101 to 600.9947) by adding section 151f.

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

Senators Gregory, Ananich, Hood, Young, Bieda, Smith, Hopgood, Anderson, Whitmer, Warren and Hunter introduced **Senate Bill No. 448, entitled**

A bill to provide for family military leave from employment for the spouse of an individual deployed in active military service under certain conditions; to prohibit retaliation for use of family military leave; and to prescribe remedies.

The bill was read a first and second time by title and referred to the Committee on Veterans, Military Affairs and Homeland Security.

House Bill No. 4208, entitled

A bill to amend 1986 PA 59, entitled "Resort district rehabilitation act," by amending sections 2 and 6 (MCL 125.2202 and 125.2206).

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

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

House Bill No. 4272, entitled

A bill to amend 1941 PA 207, entitled "Fire prevention code," by amending section 19 (MCL 29.19), as amended by 2006 PA 337.

The House of Representatives has passed the bill.

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

House Bill No. 4409, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 78g (MCL 211.78g), as amended by 2003 PA 263.

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

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

House Bill No. 4575, entitled

A bill to amend 2008 PA 549, entitled "Michigan promise zone authority act," by amending sections 3, 5, 7, 11, 15, and 17 (MCL 390.1663, 390.1665, 390.1667, 390.1671, 390.1675, and 390.1677).

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

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

House Bill No. 4745, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending sections 102, 208, 814a, 1031, 1242, 1246, 1505, 2080, 2110b, 2153, 3010, 3580, 3926a, 3935, 4424, 4501, 4601, 4603, 4609, 4625, 4673, 4701, 4705, 4713, 4715, 4733, 4734, and 8111 (MCL 500.102, 500.208, 500.814a, 500.1031, 500.1242, 500.1246, 500.1505, 500.2080, 500.2110b, 500.2153, 500.3010, 500.3580, 500.3926a, 500.3935, 500.4424, 500.4501, 500.4601, 500.4603, 500.4609, 500.4625, 500.4673, 500.4701, 500.4705, 500.4713, 500.4715, 500.4733, 500.4734, and 500.8111), section 102 as amended by 2000 PA 252, section 208 as amended by 2002 PA 105, section 814a as added by 2009 PA 198, section 1031 as added by 2008 PA 342, section 1242 as amended by 2002 PA 32, section 1246 as added by 2001 PA 228, section 1505 as amended by 2011 PA 75, section 2080 as amended by 2008 PA 513, section 2110b as added by 2004 PA 190, section 2153 as added by 2012 PA 206, section 3010 as amended by 2006 PA 208, section 3580 as added by 2000 PA 249, section 3935 as amended and section 3926a as added by 2006 PA 442, section 4424 as amended by 2008 PA 497, section 4501 as amended by 2012 PA 39, sections 4601, 4603, 4609, 4625, 4673, 4701, 4705, 4713, 4715, 4733, and 4734 as added by 2008 PA 29, and section 8111 as amended by 2006 PA 358.

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 Insurance.

Recess

Senator Meekhof moved that the Senate recess until 1:30 p.m.

The motion prevailed, the time being 12:33 p.m.

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

Recess

Senator Meekhof moved that the Senate recess subject to the call of the Chair. The motion prevailed, the time being 1:31 p.m.

2:41 p.m.

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

During the recess, Senator Hood entered the Senate Chamber.

By unanimous consent the Senate returned to the order of

General Orders

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

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

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

Senate Bill No. 20, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 11123 (MCL 324.11123), as amended by 2010 PA 357.

The bill was placed on the order of Third Reading of Bills.

By unanimous consent the Senate returned to the order of

Third Reading of Bills

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

Senate Bill No. 20

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:

Senate Bill No. 20

House Bill No. 4132

House Bill No. 4540

House Bill No. 4541

House Bill No. 4080

The motion prevailed.

The following bill was read a third time:

Senate Bill No. 20, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 11123 (MCL 324.11123), as amended by 2010 PA 357.

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. 324

Yeas—38

Ananich
Anderson

Gregory
Hansen

Kahn
Kowall

Richardville
Robertson

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

Nays—0

Excused—0

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

House Bill No. 4132, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 9307 (MCL 324.9307), as amended by 2013 PA 45.

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. 325

Yeas—38

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

Nays—0

Excused—0

Not Voting—0

In The Chair: 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 protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to protect the people’s right to hunt and fish; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, assessments, and donations; to provide certain appropriations; to prescribe penalties and provide remedies; and to repeal acts and parts of acts.”.

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 4540, entitled

A bill to amend 1974 PA 198, entitled “An act to provide for the establishment of plant rehabilitation districts and industrial development districts in local governmental units; to provide for the exemption from certain taxes; to levy and collect a specific tax upon the owners of certain facilities; to impose and provide for the disposition of an administrative fee; to provide for the disposition of the tax; to provide for the obtaining and transferring of an exemption certificate and to prescribe the contents of those certificates; to prescribe the powers and duties of the state tax commission and certain officers of local governmental units; and to provide penalties,” by amending sections 6 and 7 (MCL 207.556 and 207.557), section 6 as amended by 1996 PA 323 and section 7 as amended by 2008 PA 457.

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. 326

Yeas—38

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

Nays—0

Excused—0

Not Voting—0

In The Chair: President

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

The following bill was read a third time:

House Bill No. 4541, entitled

A bill to amend 2000 PA 146, entitled “Obsolete property rehabilitation act,” by amending section 6 (MCL 125.2786), as amended by 2011 PA 272.

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. 327**Yeas—38**

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

Nays—0**Excused—0****Not Voting—0**

In The Chair: President

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

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

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

“An act to provide for the establishment of obsolete property rehabilitation districts in certain local governmental units; to provide for the exemption from certain taxes; to levy and collect a specific tax upon the owners of certain facilities; to provide for the disposition of the tax; to provide for the obtaining and transferring of an exemption certificate and to prescribe the contents of those certificates; to prescribe the powers and duties of certain local government officials; and to provide penalties.”

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 4080, entitled

A bill to authorize the state administrative board to convey certain parcels of state-owned property in Chippewa and Schoolcraft counties; to prescribe conditions for the conveyances; and to provide for certain powers and duties of certain state departments in regard to the properties.

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. 328**Yeas—38**

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

Nays—0

Excused—0

Not Voting—0

In The Chair: President

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

Recess

Senator Meekhof moved that the Senate recess subject to the call of the Chair. The motion prevailed, the time being 2:54 p.m.

3:30 p.m.

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

By unanimous consent the Senate returned to the order of
Resolutions

Senator Meekhof moved that rule 3.204 be suspended to permit immediate consideration of the following concurrent resolution:

Senate Concurrent Resolution No. 9

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

Senator Meekhof offered the following concurrent resolution:

Senate Concurrent Resolution No. 9.

A concurrent resolution prescribing the legislative schedule.

Resolved by the Senate (the House of Representatives concurring), That when the Senate adjourns on Thursday June 20, 2013, it stands adjourned until Tuesday, August 27, 2013, at 12:00 noon; when it adjourns on Tuesday, August 27, 2013, it stands adjourned until Wednesday, August 28, 2013, at 12:00 noon; when it adjourns on Wednesday, August 28, 2013, it stands adjourned until Tuesday, September 3, 2013, at 12:00 noon; when it adjourns on Tuesday, September 3, 2013, it stands adjourned until Wednesday, September 4, 2013, at 12:00 noon; and when it adjourns on Wednesday, September 4, 2013, it stands adjourned until Tuesday, September 10, 2013, at 10:00 a.m.; and be it further

Resolved, That when the House of Representatives adjourns on Thursday, June 20, 2013, it stands adjourned until Tuesday, September 3, 2013, at 12:00 noon; when it adjourns on Tuesday, September 3, 2013, it stands adjourned until Wednesday, September 4, 2013, at 12:00 noon; and when it adjourns on Wednesday, September 4, 2013, it stands adjourned until Tuesday, September 10, 2013, at 1:30 p.m.

The question being on the adoption of the concurrent resolution,

The concurrent resolution was adopted.

Senator Hunter requested the yeas and nays.

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

The concurrent resolution was adopted, a majority of the members voting therefor, as follows:

Roll Call No. 329

Yeas—26

Booher
Brandenburg

Hansen
Hildenbrand

Kowall
Marleau

Pavlov
Proos

Casperson	Hune	Meekhof	Richardville
Caswell	Hunter	Moolenaar	Robertson
Colbeck	Jansen	Nofs	Rocca
Emmons	Jones	Pappageorge	Walker
Green	Kahn		

Nays—12

Ananich	Gregory	Johnson	Warren
Anderson	Hood	Schuitmaker	Whitmer
Bieda	Hopgood	Smith	Young

Excused—0**Not Voting—0**

In The Chair: President

Protests

Senators Johnson, Young, Smith, Whitmer, Hopgood and Hood, under their constitutional right of protest (Art. 4, Sec. 18), protested against the adoption of Senate Concurrent Resolution 9.

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

The motion prevailed.

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

I rise today in disbelief and with great disdain for this chamber’s lack of spine, absence of conscience, and nauseating disregard for the poor and sick citizens of our state who hail from every single district that each of us represent in this chamber. It is irresponsible for us to even be considering adjourning for even one day when our work here isn’t yet done.

The expansion of Medicaid, after all, is indeed a component of the Affordable Care Act, otherwise known as Obamacare. It would make people’s lives better, and it would save lives, and it would save money. I could stand here and list all the facts, the data, and the reasons why we should act to implement this policy, but, knowing my friends on the other side of the aisle, it will only fall on deaf ears. This proposed policy has been around for well over a year. The Republican majority failed to take action because they were convinced somehow that the Supreme Court would rule the Affordable Care Act unconstitutional. They were wrong. Then the Republican majority failed to take action because somehow they were convinced that Mitt Romney would win the presidency in 2012. Again, they were dead wrong.

Now this Republican majority—even after their partisans in the lower chamber attached foolish and irresponsible and foolish caveats and provisions to the clean expansion of Medicaid—is failing to take action on behalf of their constituents, because they fear the blowback from the rabid ideologues of the Tea Party. The result of this failure to contend with reality will cost Michigan millions of dollars, leave billions of dollars of federal funds on the table, and risk the health care and lives of the people we are elected to represent. If it were not for the half-million low-income, hardworking Michigan citizens who would remain uninsured and less healthy as a result of this body’s failure to do its job, I’d be fine with this intransigence.

The Michigan Senate Republicans have dealt their standard-bearer, Governor Rick Snyder, a devastating blow. Expanding Medicaid was high on this Governor’s agenda. It was highlighted in his State of the State address, and his administration has spent months working to talk sense into those holding out on their support of it. He returned from his so-called economic development trip to Israel to try to close the deal. This Republican Caucus has made him look weak and ineffective in the eyes of the people of this great state.

Why do most of my colleagues on the other side of the aisle take their marching orders from right-wing blogs, the likes of Glenn Beck, and people who protest the government, while holding signs that read: “Get your government hands off

my Medicare?" This is a disaster, a stunning failure of leadership. Michigan does deserve better. It is a sad indictment of this body that we can act with the utmost quickness to pass destructive deals that dissolve entire school districts, that allow for the installation of unelected bureaucrats to run our cities and school districts, and to pass right-to-work-for-less legislation in the dark of night that has not led to a single job being created in this state thus far. In fact, unemployment numbers just released indicated that last month the state's unemployment rate remained flat, at an entire percentage above the national average.

It goes without saying that this experiment, in complete Republican control of state government, has been and remains an utter failure. Thank you, and I ask that we do the right thing before we adjourn at any moment today.

By unanimous consent the Senate returned to the order of

Third Reading of Bills

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

House Bill No. 4132, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 9307 (MCL 324.9307), as amended by 2013 PA 45.

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

The question being on the passage of the bill,

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

The motion prevailed.

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

House Bill No. 4541, entitled

A bill to amend 2000 PA 146, entitled "Obsolete property rehabilitation act," by amending section 6 (MCL 125.2786), as amended by 2011 PA 272.

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

The question being on the passage of the bill,

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 3:41 p.m.

4:09 p.m.

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

By unanimous consent the Senate returned to the order of

Messages from the House

Senate Bill No. 380, entitled

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

The 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.

Pending the order that, under rule 3.202, the bill be laid over one day,

Senator Meekhof moved that the rule be suspended.

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

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. 330**Yeas—28**

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

Nays—10

Anderson	Hood	Smith	Whitmer
Bieda	Hopgood	Warren	Young
Gregory	Johnson		

Excused—0**Not Voting—0**

In The Chair: President

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

Senate Bill No. 383, entitled

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

The 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.

Pending the order that, under rule 3.202, the bill be laid over one day,

Senator Meekhof moved that the rule be suspended.

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

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. 331**Yeas—28**

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

Nays—10

Anderson
Bieda
Gregory

Hood
Hopgood
Johnson

Smith
Warren

Whitmer
Young

Excused—0**Not Voting—0**

In The Chair: President

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

By unanimous consent the Senate returned to the order of

Motions and Communications

Senator Meekhof moved that, pursuant to rule 1.114, upon receipt of Senate bills returned from the House of Representatives, the Secretary of the Senate be directed to proceed with the enrollment printing and presentation of the bills to the Governor.

The motion prevailed.

By unanimous consent the Senate proceeded to the order of

Statements

Senators Gregory, Kahn, Warren, Colbeck, Whitmer and Richardville asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator Gregory's statement is as follows:

I rise in extreme disappointment that this body is preparing to adjourn without taking action on legislation before us that would finally expand Medicaid in Michigan under the Affordable Care Act. By taking action today, you could have expanded Medicaid for state residents who are under 133 percent of the federal poverty level, offering health care coverage for more residents while securing federal funding to help pay for it. In total, 320,000 Michiganders would have been covered in the first year of the expansion, and an estimated 470,000 would be covered by 2021. Michigan's uninsured population would have dropped by 46 percent. Today, Senate Republicans have missed an important opportunity to do their jobs and govern in good conscience by not passing an expansion of Medicaid to nearly half a million low-income residents and their families in Michigan.

How much longer do Michigan's struggling citizens have to wait? On November 6, 2012, I wrote an op-ed for the *Oakland Press* entitled "Expanding Medicaid eligibility will save money, increase health care coverage." Presidential politics were holding it hostage back then, but despite President Barack Obama's overwhelming re-election, the Republican majorities in the Legislature ignored this issue.

Then in February 2012, Governor Snyder called for action on expanding Medicaid as part of his budget recommendation. For that, I applaud the Governor, who is speaking for the people who need health care the most. But, as is often the case with the Governor's recommendations, especially the more bipartisan ones, the Legislature sat idle. Then, during the budget process, more Republicans took to calling for expanding Medicaid to help our citizens and secure federal funding, including the Senate Appropriations chair from the 32nd District, and I applaud that Senator.

I even sought to take up the mantle for Medicaid expansion in lieu of support on the other side of the aisle, offering an amendment to the Department of Community Health budget that would include Medicaid expansion. Unfortunately,

that amendment was defeated along party lines, with only one Republican crossing over. Then, an attempt at compromise was approached, with Republican State Representative Matt Lori introducing legislation to expand Medicaid in Michigan, House Bill No. 4714. Still, the Legislature hemmed and hawed.

Then, last week, the House Republicans finally broke their stalemate and passed the bill. House Republicans passed this bill. Today, Senate Republicans had the chance to do the same and failed miserably. We have already seen some Senate Republicans spending the last few months vilifying Michigan's low-income residents, and now Senate Republicans are turning their backs on half a million people in need. As is far too often the modus operandi of this body, you have let your personal and petty politics override pragmatism, and you have turned a practical and positive issue into an extreme and polarizing one. It's unbelievable that you cannot put your political pettiness and stubborn ignorance aside to extend health care coverage to half a million struggling Michigan citizens, securing hundreds of millions of dollars in federal funding in the process.

Now, you want to go off for the summer and take a vacation, having failed on one of the most important initiatives currently before this state. What about the people who don't have insurance? While you're off on vacation, they continue without insurance; they continue with the health care problems they have. Nothing will change, other than they will get worse. I am beside myself that all this waiting has come down to this—not resolution, not compromise, not action—just plain failure.

Senator Kahn's statement is as follows:

We are sent here to do our best for Michigan, elected by districts to represent Michigan at 38 different views. I have been generally impressed with the passion and the honor of the folks of this chamber. My good friend from the 14th District, who just spoke, I admire greatly.

I think it helps now and then when you are faced with tough decisions like Medicaid and the school dissolutions, which are pretty tough for me. The budgets this year were as tough as any I have dealt with. It helps now and then, I think, to take a step back and take a little longer view. The future is not only beyond our sight, it is beyond our efforts to predict. One of my personal rules of politics is when it's over, it's not over.

You know, we accomplish in our lifetimes only a tiny fraction of our hopes, mankind's hopes, our dreams, and our needs. Nothing we do is complete, which is another way of saying that understanding always lies beyond us. No statement, including my dear friend's from the 14th District, says all that could be said. No program that we start is complete. No declaration like those that will come today after mine brings perfection or perfect understanding. No set of goals and objectives includes everything.

This is what I think we are about: We plant here seeds that one day will grow. We water the seeds already planted by prior legislatures. We water them knowing that they hold future promise. We lay foundations that will need further development. Like yeast, we produce effects far beyond our capabilities. We cannot do everything, and there is a sense of liberation in realizing that.

This enables us to do something and to do it well. It may be incomplete, but it is a beginning, a step along the way, an opportunity for others to come and do the rest. We may never see the end result, but that is the difference between generations. We are workers, not God; politicians, not prophets. We are architects of a future not our own.

Senator Warren's statement is as follows:

Colleagues, I'm reminded every single day that I am a member of the minority party here in Lansing. I'm reminded by the distribution of the members of the committees I sit on. I'm reminded in the office budget I am allotted. And, of course, I am reminded in the policies that are taken up for consideration in this chamber and those that are left to die.

But when I leave Lansing and talk to the residents in my district and in my travels throughout the state, I find that we—both the majority party and the minority party—shouldn't truly be that far apart, because what our constituents want is really quite simple. They want fairness. They want discussion on the merits of the issues of the day. They want compromise and collaboration. They want progress. They want for us to work together to move Michigan forward.

I will tell you, Mr. President, that against any of these measures, as time goes on, I think my colleagues from the other side of the aisle will find that they are actually in the minority today. They are letting a very small, but very vocal, faction of people drive a policy debate based on anger and fear. They're derailing a proposal that would save the state hundreds of millions of dollars a year; that would provide health care access for nearly half a million Michigan residents; and that would alleviate billions of dollars in uncompensated care for our hospitals and health care providers.

In the time since the Affordable Care Act was signed into law, we have already seen significant increases in both coverage and care for our seniors, women, and young adults in our state. We know that continuing this trend through the extension of Medicaid benefits will not only stand to improve the well-being of some of Michigan's most vulnerable individuals, but also save our state money down the road as we increase access to preventative care and reduce the need for more expensive emergency room and urgent care visits.

I stand before you outraged that we could not come to the table and put an essential policy in place for our citizens. But perhaps more than outraged, I am saddened that we put the politics of fear and anger ahead of what is both morally right for the people of the state and economically beneficial to us all.

I had a group of constituents with me yesterday to spend a day at the Capitol with me. I introduced them to you all when they were in the Gallery. For me, after having worked in this system for over 20 years, it is always exciting to see our work through fresh eyes, through their eyes. I had one constituent in particular who was so excited by all she witnessed yesterday, and she told me it was like seeing democracy in action.

I don't know how to tell her that this is certainly not democracy here today. I hope that some of you have a better answer for your constituents.

Senator Colbeck's statement is as follows:

You know, we've had a lot of conversations about Medicaid expansion over the past few days, and what I'd like to do is get the conversation focused more on access to quality health care, because I think that's what the conversation needs to focused on. That makes it personal.

We've had a lot of discussions on Medicaid expansion because of the Affordable Care Act, and we know that Section 2001 of H.R. 3590 of the Affordable Care Act is specifically targeted to require the states to provide expanded Medicaid services. If it weren't for the Supreme Court, we wouldn't have the option to go off and even consider Medicaid expansion. It would be mandated, and we'd have to comply with that. What I ask my colleagues to do is step back and actually refocus on the core issue, which is providing access to quality health care for people.

Now, when Obamacare was launched, it was launched under the promise of lowering costs for everybody for health care. It was launched under the promise of expanded coverage for everyone. It was launched under the promise of protecting consumer choice. Well, we've had some time to actually read the bill now, and we've had time to go off and put in all those clarifying statements that tell us what the bill actually contains. I'm here to tell you that everything that it promised that it was going to achieve, the direct opposite has happened.

That gets us back to: What are some solutions that do work? What we've had before us in House Bill No. 4714 is one approach to going off and solving this problem. I would like to say it's the approach that mostly aligns with what the federal government wants to pursue. There are a couple waivers in there, a couple free-market ideas in there, but primarily it was a reaction to what the federal government was requesting for states to go off and comply with. So I kind of characterize it as federal control.

There are other options that I think our colleagues should be looking at that involve state control. We have a lot of control over the health care requirements in our state right now. One thing I'd like to add to the equation is also a discussion of true, individual control, getting back into examining true free-market principles. When you look at the health care market today, the only place that we actually do see the objectives in Obamacare actually being achieved are in free-market solutions. Examples of those are in veterinary services or in dentistry or laser eye surgery or plastic surgery. If you want to find areas where they actually control costs and deliver high-quality service, that's where you see it.

Whenever we get the government in the middle of it—let's face it, just like we're talking here, and a lot of people want to see certain policies move one way or another—things tend to get bogged down. Things tend to take a lot longer than you'd like them to go off and take. Well, in the free market, things happen a lot quicker, and they happen a lot more efficiently. I think it's time that we gave a serious look into making sure that we actually focus on those types of solutions instead of the stuff that's been proven to fail every single time it's been tried.

I ask my colleagues, when we renew this discussion over Medicaid expansion, that we instead focus on a discussion of access to quality care. After all, it's time that we kind of get back to our roots. When we actually look at what actually works in regards to providing quality care, what actually works is a free market. What actually works is getting back to our founding principles that we started off with in our country. At the center of those founding principles is the idea of freedom and personal responsibility. I encourage my colleagues to renew a commitment to those fundamental principles.

Senator Whitmer's statement is as follows:

I just came from crashing the Governor's latest press conference as I'm apt to do in times of tough votes and tough debates here at the Capitol. And you know there's not anyone who's been a greater critic of the Governor than I over the last few years. But today, I'm here to tell you he's right.

I'm glad he came back from Israel. I'm glad he's here trying to push through Medicaid expansion legislation because it's the right thing to do. We're talking about half a million people in the state of Michigan whom you're about to turn your backs on and go home on a vacation. We're talking about hundreds of millions of dollars that could come into our state that other Republican governors have grabbed onto because it's the right thing to do for the health of their people and for the welfare of their state. It impacts every single one of us.

You know, if you're lucky enough—and I know all of you Senators are—you have health care with your job where you walk into the hospital and you've got your health care card. Guess what? Good for you. But what you don't know is you're subsidizing all the uncompensated care in the state of Michigan when you do that. It costs more for you, for us to have this many uninsured people in our state. We all pay, and that's why we all benefit if we do the right thing and expand Medicaid to cover some of our sickest, poorest people in the state of Michigan.

It's almost half a million people, hundreds of millions of dollars for the state of Michigan. So I object to your adjourning today and going on vacation. I object to you turning your backs. I'm even going to give the House Republicans a compliment for standing up and doing the right thing here, and you don't hear that from me very often.

It takes courage. There's no profile in courage here today. You know what? I'm going to quote what the Governor just said in his press conference: "I'm going to urge Michiganders to contact the Republican Senators and urge them to take a vote, not a vacation."

Senator Richardville's statement is as follows:

Mr. President, I would like to start with a quote. I think it was Mark Twain who said, "The reports of my death have been exaggerated." It's the same thing with the debate and discussion regarding reforming Medicaid in Michigan. That debate is not over, despite what you may be reading or hearing someplace else. The members of my caucus have been working hard to improve upon something that was hoisted upon us, if you will, by the federal government with very little consideration of the impact it would have on the taxpayers of Michigan. The Michigan Senate is simply not ready to take a vote on whether or not to accept more than \$1 billion in federal dollars for Medicaid and the strings that come along with that. We owe it to our neighbors and our communities to thoroughly review this issue and consider alternatives to the current proposal.

The legislation that we are talking about today will be referred to committee, and a legislative workgroup will spend the summer reviewing the current legislation and proposals offered by my colleagues that seek to improve upon what is already somewhat tremendous work that has been done by the House and other members of this committee. I look forward to working with the Governor—and I hope that he is still willing to work on this—the House, and my colleagues on the other side of the aisle to present a plan for a truly healthier Michigan.

By unanimous consent the Senate returned to the order of

Motions and Communications

Senator Meekhof moved that the following bill, now on the order of General Orders, be referred to the Committee on Government Operations:

House Bill No. 4714, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending sections 105, 105a, 106, 107, 108, and 109c (MCL 400.105, 400.105a, 400.106, 400.107, 400.108, and 400.109c), section 105 as amended by 1980 PA 321, section 105a as added by 1988 PA 438, sections 106 and 107 as amended by 2006 PA 144, and section 109c as amended by 1994 PA 302, and by adding sections 105c and 105d.

The motion prevailed.

Senator Meekhof moved that, unless Senate Concurrent Resolution No. 9, prescribing the legislative schedule, is adopted by the House of Representatives, when the Senate adjourns today, it stand adjourned until Wednesday, July 3, at 10:00 a.m.; when the Senate adjourns on July 3, it stand adjourned until Thursday, July 18, at 10:00 a.m.; when the Senate adjourns on July 18, it stand adjourned until Friday, August 2, at 10:00 a.m.; when the Senate adjourns on August 2, it stand adjourned until Friday, August 16, at 10:00 a.m.; and when the Senate adjourns on August 16, it stand adjourned until Tuesday, August 27, at 12:00 noon.

The motion prevailed.

Senator Meekhof moved that the Senate adjourn.

The motion prevailed, the time being 4:43 p.m.

In pursuance of the order previously made, the President, Lieutenant Governor Calley, declared the Senate adjourned until Wednesday, July 3, 2013, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate