

**No. 102**  
**STATE OF MICHIGAN**  
**Journal of the Senate**  
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**REGULAR SESSION OF 2013**

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Senate Chamber, Lansing, Thursday, December 12, 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

Chaplain Adam Simon of Clinton Township Fire Department of Clinton Township offered the following invocation:

Our God and our Father, Lord, we thank You for a new day and for today, especially for bringing us all here safely this morning. Thank You for every person sitting here in this room. Thank You for raising them up and appointing them to their collective positions for such a time as this. Thank You, Lord, for the events and circumstances in their lives that have shaped who they are and have brought them to the very seats that they are sitting in today.

Father, we ask that You please continue to guide and protect them, our state, and our nation at every level; from the greatest and highest office to the very poorest of citizens. Help us, Father, to keep our eyes on You, the Giver of every good and perfect gift and to always remember that every dollar, every possession, every ounce of waking energy and talent—even down to our every heartbeat—is a precious gift from Your sovereign hand.

Father, most of all, I pray for wisdom for every one of these lawmakers. Please give them, as a group, a spirit of unity and direction as they work together to make key decisions that will affect, for many years to come, this amazing state that You've given us to live in.

Father, as they leave this session and enter into their break before the new year, I pray that You would grant each one of them rest during this break. I pray for peace in their lives, in their homes, and upon their families. Please guide them, refill them, and refresh them during this time so that they come back in the new year with a renewed vision, a greater sense of purpose, and with a deeper sense of clarity and focus in their respective positions.

Most of all, Father, I pray that You will open the eyes, the ears, and the hearts of those in this room to be able to see Your loving hand working in their lives, both individually and collectively.

Thank you again, Father, for all that You've done in our lives and all that You plan to do. May Your will be done. We ask all of this in the name of Your Son Jesus Christ. Amen.

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

### Motions and Communications

Senators Emmons and Green entered the Senate Chamber.

Senator Hopgood moved that Senators Hunter and Johnson be temporarily excused from today's session.  
The motion prevailed.

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

Senator Meekhof moved that rule 3.902 be suspended to allow the guests of Senator Casperson admittance to the Senate floor.  
The motion prevailed, a majority of the members serving voting therefor.

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

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:  
**House Bill No. 4622**  
**House Bill No. 4793**  
**Senate Bill No. 66**  
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, December 11:  
**House Bill Nos. 4808 4865 5074**

The Secretary announced that the following bills were printed and filed on Wednesday, December 11, and are available at the Michigan Legislature website:  
**House Bill Nos. 5182 5183 5184 5185 5186 5187 5188 5189 5190 5191 5192 5193 5194**

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

The motion prevailed.

Senator Hopgood's statement is as follows:

I rise this morning with a somewhat heavy heart. Today we are announcing that Andrea Cascarilla, my chief of staff for going on three years now, is leaving my office. She isn't going far, so we are happy about that.

Just a little bit about Andrea: She has been a staffer in the Legislature for more than 20 years now, starting off in the office of State Representative Greg Pitoniak in the early '90s. She served with him for three terms and went on to serve with Ray Basham, State Representative and then State Senator, for a total of 14 years. The last three years now, she has served as my chief of staff. She really is an institution in terms of not just the Legislature, but certainly the Downriver communities which I represent and my predecessors have represented.

Andrea graduated from Michigan State University. She is a true and loyal Spartan, but she really has been a fixture Downriver for us working on so many issues over the years, including the ongoing hazardous waste deep injection well. That issue is something which has hung over our communities for almost the entire time that she has been a legislative staff person. So that shows you the dedication and steadfastness which she has exhibited in her time.

Just in the last three years in which she has been my chief of staff, she has quite literally been my right hand helping with all of the major issues which come through the 8th Senate District, working on legislation, working on local issues, and just being there at all hours of the day—from early in the morning to late at night and weekends. I think she has even sent e-mails from the beaches in Florida while on vacation.

Her dedication and her loyalties are going to be missed in the 8th Senate District. But as I said, she is not going far. She is going to be sticking around town and participating in the legislative process in a different way.

We congratulate her. We wish her the best. We have a Special Tribute here which I would like to present to Andrea, as well as a State Seal that has been signed by all of us here in the Senate. I would just like to ask colleagues and staff to help me to congratulate Andrea and wish her well.

Senators Kahn, Brandenburg, Ananich and Pappageorge entered the Senate Chamber.

### 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.

10:25 a.m.

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

During the recess, Senators Hunter and Richardville entered the Senate Chamber.

### Messages from the House

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

#### **House Bill No. 4277**

The motion prevailed.

#### **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 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 Senate agreed to the full title.

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

#### **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 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 Senate agreed to the full title.

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

**Senate Bill No. 661, entitled**

A bill to amend 1976 PA 388, entitled "Michigan campaign finance act," by amending sections 4, 6, 26, 33, 46, 52, 52a, 55, and 69 (MCL 169.204, 169.206, 169.226, 169.233, 169.246, 169.252, 169.252a, 169.255, and 169.269), sections 4, 6, and 33 as amended by 2012 PA 273, sections 26, 52, and 69 as amended by 2001 PA 250, section 52a as added by 1995 PA 264, and section 55 as amended by 2012 PA 277.

The House of Representatives has amended the bill as follows:

1. Amend page 5, line 10, after "Except" by inserting "**ONLY**".
2. Amend page 5, line 12, after "**(J)**" by striking out "**AN**" and inserting "**EXCEPT ONLY FOR THE PURPOSES OF SECTION 47, AN**".
3. Amend page 19, following line 15, by inserting:

"Sec. 47. (1) Except as otherwise provided in this subsection and subject to subsections (3) and (4), a billboard, placard, poster, pamphlet, or other printed matter having reference to an election, a candidate, or a ballot question, shall bear upon it the name and address of the person paying for the matter. Except as otherwise provided in this subsection and subject to subsections (3) and (4), if the printed matter relating to a candidate is an independent expenditure that is not authorized in writing by the candidate committee of that candidate, the printed matter shall contain the following disclaimer: "Not authorized by any candidate committee". An individual other than a candidate is not subject to this subsection if the individual is acting independently and not acting as an agent for a candidate or any committee. This subsection does not apply to communications between a separate segregated fund established under section 55 and individuals who can be solicited for contributions to that separate segregated fund under section 55.

(2) A radio or television paid advertisement having reference to an election, a candidate, or a ballot question shall identify the sponsoring person as required by the federal communications commission, shall bear the name of the person paying for the advertisement, and shall be in compliance with subsection (3) and with the following:

(a) If the radio or television paid advertisement relates to a candidate and is an independent expenditure, the advertisement shall contain the following disclaimer: "Not authorized by any candidate".

(b) If the radio or television paid advertisement relates to a candidate and is not an independent expenditure but is paid for by a person other than the candidate to which it is related, the advertisement shall contain the following disclaimer: "Authorized by .....".

(name of candidate or name of candidate committee)

(3) The size and placement of an identification or disclaimer required by this section shall be determined by rules promulgated by the secretary of state. The rules may exempt printed matter and certain other items such as campaign buttons or balloons, the size of which makes it unreasonable to add an identification or disclaimer, from the identification or disclaimer required by this section.

(4) Except **FOR A COMMUNICATION DESCRIBED IN SUBSECTION (5) AND EXCEPT** for a candidate committee's printed matter or radio or television paid advertisements, each identification or disclaimer required by this section shall also indicate that the printed matter or radio or television paid advertisement is paid for "with regulated funds". Printed matter or a radio or television paid advertisement that is not subject to this act shall not bear the statement required by this subsection.

**(5) A COMMUNICATION OTHERWISE ENTIRELY EXEMPTED FROM THIS ACT UNDER SECTION 6(2)(J) IS SUBJECT ONLY TO THE IDENTIFICATION REQUIRED BY SUBSECTION (1), (2), OR (8) IF THAT COMMUNICATION REFERENCES A CLEARLY IDENTIFIED CANDIDATE OR BALLOT QUESTION WITHIN 60 DAYS BEFORE A GENERAL ELECTION OR 30 DAYS BEFORE A PRIMARY ELECTION IN WHICH THE CANDIDATE OR BALLOT QUESTION APPEARS ON A BALLOT AND IS TARGETED TO THE RELEVANT ELECTORATE WHERE THE CANDIDATE OR BALLOT QUESTION APPEARS ON THE BALLOT BY MEANS OF RADIO, TELEVISION, MASS MAILING, OR PRERECORDED TELEPHONE MESSAGE.**

~~(6)~~ (5) A person who knowingly violates this section is guilty of a misdemeanor punishable by a fine of not more than \$1,000.00, or imprisonment for not more than 93 days, or both.

**(7) AS USED IN THIS SECTION, "MASS MAILING" MEANS A MAILING BY UNITED STATES MAIL OR FACSIMILE OF MORE THAN 500 PIECES OF MAIL MATTER OF AN IDENTICAL OR SUBSTANTIALLY SIMILAR NATURE WITHIN ANY 30-DAY PERIOD.**

**(8) A PRERECORDED TELEPHONE MESSAGE THAT IN EXPRESS TERMS ADVOCATES THE ELECTION OR DEFEAT OF A CLEARLY IDENTIFIED CANDIDATE, OR THE QUALIFICATION, PASSAGE, OR DEFEAT OF A BALLOT QUESTION, SHALL CONTAIN THE NAME AND TELEPHONE NUMBER, ADDRESS, OR OTHER CONTACT INFORMATION OF THE PERSON PAYING FOR THE PRERECORDED TELEPHONE MESSAGE, AND SHALL BE IN COMPLIANCE WITH SUBSECTION (4)."**

4. Amend page 20, line 16, after “legislator” by striking out the period and inserting a comma and “except as follows:  
 (a) A house political party caucus committee or a senate political party caucus committee shall not pay a debt incurred by a candidate if that debt was incurred while the candidate was seeking nomination at a primary election and the candidate was opposed at that primary.

(b) A house political party caucus committee or a senate political party caucus committee shall not make a contribution to or make an expenditure on behalf of a candidate if that candidate is seeking nomination at a primary election and the candidate is opposed at that primary.”.

The House of Representatives has passed the bill as amended, ordered that it be given immediate effect and amended the title to read as follows:

A bill to amend 1976 PA 388, entitled “An act to regulate political activity; to regulate campaign financing; to restrict campaign contributions and expenditures; to require campaign statements and reports; to regulate anonymous contributions; to regulate campaign advertising and literature; to provide for segregated funds for political purposes; to provide for the use of public funds for political purposes; to create certain funds; to provide for reversion, retention, or refunding of unexpended balances in certain funds; to require other statements and reports; to regulate acceptance of certain gifts, payments, and reimbursements; to prescribe the powers and duties of certain state departments and state and local officials and employees; to provide appropriations; to prescribe penalties and provide remedies; and to repeal certain acts and parts of acts,” by amending sections 4, 6, 26, 33, 46, 47, 52, 52a, 55, and 69 (MCL 169.204, 169.206, 169.226, 169.233, 169.246, 169.247, 169.252, 169.252a, 169.255, and 169.269), sections 4, 6, and 33 as amended by 2012 PA 273, sections 26, 52, and 69 as amended by 2001 PA 250, section 52a as added by 1995 PA 264, and sections

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 amendments made to the bill by the House, Senator Bieda offered the following amendment:

1. Amend page 31, following line 1, by inserting:

“Enacting section 1. This amendatory act does not take effect unless Senate Bill No. 168 of the 97th Legislature is enacted into law.”.

The question being on the adoption of the amendment,

The President pro tempore, Senator Schuitmaker, ruled that the amendment was out of order because only amendments to the House amendments were in order, pursuant to Mason’s Manual Section 766.7.

Senator Bieda appealed the decision of the Chair.

The question being shall the decision of the Chair stand as the judgment of the Senate,

The decision of the Chair stood as the judgment of the Senate, a majority of the members voting therefor.

Senator Hunter requested the yeas and nays.

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

The decision of the Chair stood as the judgment of the Senate, a majority of the members voting therefor, as follows:

**Roll Call No. 617**

**Yeas—26**

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

**Nays—11**

Ananich	Gregory	Hunter	Whitmer
Anderson	Hood	Smith	Young
Bieda	Hopgood	Warren	

**Excused—1**

Johnson

**Not Voting—0**

In The Chair: Schuitmaker

The question being on concurring in the amendments made to the bill by the House,  
The amendments were concurred in, a majority of the members serving voting therefor, as follows:

**Roll Call No. 618****Yeas—23**

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

**Nays—14**

Ananich	Green	Hopgood	Warren
Anderson	Gregory	Hunter	Whitmer
Bieda	Hansen	Smith	Young
Booher	Hood		

**Excused—1**

Johnson

**Not Voting—0**

In The Chair: Schuitmaker

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

**Protests**

Senators Bieda, Ananich and Gregory, under their constitutional right of protest (Art. 4, Sec. 18), protested against concurring in the House amendments to Senate Bill No. 661.

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

The motion prevailed.

Senator Bieda’s statement, in which Senators Ananich and Gregory concurred, is as follows:

Madam President, the amendment I am offering would tie-bar this legislation to campaign finance transparency legislation I introduced earlier this year. My bill would require the candidates to disclose personal finances to help identify conflicts of interest. Unfortunately, the House didn’t make the bill currently before us any better, and we are heading down a dangerous road of dark money in Michigan politics. As a state, we have a failing grade for transparency. I hope that this tie-bar amendment can help bring a little bit more sunlight to our election process.

It's kind of interesting if you take a look around the world and around this country. According to the National Bureau of Economic Research, which studied 175 countries, it found that two-thirds of them have some kind of disclosure law for elected officials. At the national level, members of Congress and officeholders in 47 other states file annual reports disclosing their personal finances. Personal financial disclosure is not some idle intrusion, nor does it need to be overly intrusive. It is a way by which citizens can validate whether public officials are voting their office to benefit themselves financially or otherwise acting in an unethical way.

Even Supreme Court Justice Scalia, a conservative by any measure, supports campaign finance disclosure. In his opinion in the *Doe v. Reed* case, he stated, "Requiring people to stand up in public for their political acts fosters civic courage, without which democracy is doomed." I never thought I'd say this about a Justice Scalia opinion, but he's right.

Any of my colleagues who believe sunlight is the best disinfectant should support my amendment.

### 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. 4966**

**House Bill No. 4967**

**House Bill No. 4968**

**House Bill No. 4969**

**House Bill No. 5048**

**House Bill No. 5049**

**House Bill No. 5103**

**House Bill No. 4125**

**House Bill No. 4208**

**House Bill No. 4327**

**House Bill No. 4204**

**House Bill No. 4993**

**House Bill No. 5020**

**House Bill No. 5021**

**House Bill No. 5051**

**House Bill No. 5052**

**House Bill No. 5053**

**House Bill No. 5054**

**House Bill No. 5050**

**House Bill No. 4996**

**House Bill No. 5073**

**Senate Bill No. 275**

**House Bill No. 4770**

**House Bill No. 4771**

The motion prevailed.

The following bill was read a third time:

**House Bill No. 4966, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 350a (MCL 750.350a), as amended by 2012 PA 548.

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. 619

### Yeas—37

Ananich

Anderson

Bieda

Booher

Brandenburg

Gregory

Hansen

Hildenbrand

Hood

Hopgood

Kahn

Kowall

Marleau

Meekhof

Moolenaar

Richardville

Robertson

Rocca

Schuitmaker

Smith

Casperson	Hune	Nofs	Walker
Caswell	Hunter	Pappageorge	Warren
Colbeck	Jansen	Pavlov	Whitmer
Emmons	Jones	Proos	Young
Green			

**Nays—0**

**Excused—1**

Johnson

**Not Voting—0**

In The Chair: Schuitmaker

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

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

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

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

The Senate agreed to the full title.

The following bill was read a third time:

**House Bill No. 4967, entitled**

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending section 1076 (MCL 600.1076), as amended by 2012 PA 547.

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. 620**

**Yeas—37**

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

**Nays—0**



**Excused—1**

Johnson

**Not Voting—0**

In The Chair: Schuitmaker

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

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

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

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

The Senate agreed to the full title.

The following bill was read a third time:

**House Bill No. 4968, entitled**

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 4a of chapter IX (MCL 769.4a), as amended by 2012 PA 550.

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. 621****Yeas—37**

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

**Nays—0****Excused—1**

Johnson

**Not Voting—0**

In The Chair: Schuitmaker

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

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

“An act to revise, consolidate, and codify the laws relating to criminal procedure and to define the jurisdiction, powers, and duties of courts, judges, and other officers of the court under the provisions of this act; to provide laws relative to the rights of persons accused of criminal offenses and ordinance violations; to provide for the arrest of persons charged with or suspected of criminal offenses and ordinance violations; to provide for bail of persons arrested for or accused of criminal offenses and ordinance violations; to provide for the examination of persons accused of criminal offenses; to regulate the procedure relative to grand juries, indictments, informations, and proceedings before trial; to provide for trials of persons complained of or indicted for criminal offenses and ordinance violations and to provide for the procedure in those trials; to provide for judgments and sentences of persons convicted of criminal offenses and ordinance violations; to establish a sentencing commission and to prescribe its powers and duties; to provide for procedure relating to new trials and appeals in criminal and ordinance violation cases; to provide a uniform system of probation throughout this state and the appointment of probation officers; to prescribe the powers, duties, and compensation of probation officers; to provide penalties for the violation of the duties of probation officers; to provide for procedure governing proceedings to prevent crime and proceedings for the discovery of crime; to provide for fees of officers, witnesses, and others in criminal and ordinance violation cases; to set forth miscellaneous provisions as to criminal procedure in certain cases; to provide penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act.”

The Senate agreed to the full title.

The following bill was read a third time:

**House Bill No. 4969, entitled**

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 7411 (MCL 333.7411), as amended by 2012 PA 549.

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. 622**

**Yeas—37**

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

**Nays—0**

**Excused—1**

Johnson

**Not Voting—0**

In The Chair: Schuitmaker

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

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

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

The Senate agreed to the full title.

Senator Johnson entered the Senate Chamber.

The following bill was read a third time:

**House Bill No. 5048, entitled**

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending section 430 (MCL 750.430), as amended by 2004 PA 223.

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. 623**

**Yeas—38**

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

**Nays—0**

**Excused—0**

**Not Voting—0**

In The Chair: Schuitmaker

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

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

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

The Senate agreed to the full title.

### Recess

Senator Meekhof moved that the Senate recess until 11:05 a.m.

The motion prevailed, the time being 10:54 a.m.

The Senate reconvened at the expiration of the recess and was called to order by the President, Lieutenant Governor Calley.

The following bill was read a third time:

#### House Bill No. 5049, entitled

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending section 1209 (MCL 600.1209), as added by 2012 PA 335.

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. 624

#### Yeas—37

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

#### Nays—0

#### Excused—0

#### Not Voting—1

Young

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

The Senate agreed to the full title.

The following bill was read a third time:

**House Bill No. 5103, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 72110 (MCL 324.72110), as amended by 2010 PA 46.

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. 625**

**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. 4125, entitled**

A bill to amend 1969 PA 162, entitled “An act to establish a state-supported school of osteopathic medicine; to establish and fix the membership of an advisory board for the school; and to provide for its assignment to an established 4-year state institution of higher education,” by repealing sections 2, 3, and 4 (MCL 390.662, 390.663, and 390.664).

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. 626**

**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.

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

The motion prevailed.

Senator Pavlov’s statement is as follows:

I rise today to honor a valued member of my staff. It seems that this time of year there are a lot of goodbyes going on, and I just wanted to take the time to express my appreciation for Matt Evans to everyone in this chamber, because everyone in this chamber has benefitted from the work that he has produced in my office. It is a great pleasure to recognize Matt Evans for his years of dedication and commitment to the Michigan State Senate. We are pleased to offer our congratulations to Matt in recognition of his exceptional work ethic, as he has worked tirelessly for the constituents of the 25th Senate District and the state of Michigan.

Matt began his career in public service after graduating from Calvin College with a degree in public administration and business. He worked for Congressman Vernon Ehlers as his constituent services representative, acting as a liaison between the Congressman and the constituents of the 3rd Michigan District from February 2007 to January 2011. Matt then came to work for my office and the constituents of the 25th Senate District as my constituent director in May 2011.

For the last year, he has served as my legislative director and has displayed exceptional professionalism in handling all aspects of the legislative process and the complexity that goes along with it. He has demonstrated an impressive ability to communicate clearly their impacts in practical terms. He has provided me with valuable policy support, especially in the areas of natural resources, transportation, and education. His dedication and hard work have been pivotal in the success of our office and in improving the quality of life for Michigan residents.

As his next step, Matt will be serving as director of legislative affairs for the Michigan United Conservation Club. We know that Matt's policy expertise will aid them in all their undertakings, and we look forward to continuing to work with him in the future.

The following bill was read a third time:

**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 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. 627**

**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 authorize the establishment of a resort district authority; to prescribe its powers and duties; to correct and prevent deterioration in resort districts; to encourage historic preservation; to authorize the acquisition and disposal of interests in real and personal property; to authorize the creation and implementation of rehabilitation plans in the districts; to create a board and to prescribe its powers and duties; to authorize the levy and collection of taxes; and to authorize the issuance of bonds and other evidences of indebtedness."

The Senate agreed to the full title.

By unanimous consent the Senate returned to the order of

**Messages from the House**

Senator Meekhof moved to reconsider the vote by which consideration of the following bill was postponed for today:

**House Bill No. 4277**

The motion prevailed.

The question being on the motion that consideration of the bill be postponed for today,

Senator Meekhof withdrew the motion.

The House of Representatives requested the return of  
**House Bill No. 4277, entitled**

A bill to amend 1998 PA 58, entitled “Michigan liquor control code of 1998,” by amending section 525 (MCL 436.1525), as amended by 2010 PA 279.

Senator Meekhof moved that the request of the House of Representatives be granted.  
The motion prevailed.

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

The President pro tempore, Senator Schuitmaker, resumed the Chair.

The following bill was read a third time:

**House Bill No. 4327, entitled**

A bill to amend 2005 PA 280, entitled “Corridor improvement authority act,” by amending section 2 (MCL 125.2872), as amended by 2012 PA 229.

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. 628**

**Yeas—33**

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

**Nays—5**

Caswell	Hune	Nofs	Schuitmaker
Colbeck			

**Excused—0**

**Not Voting—0**

In The Chair: Schuitmaker

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

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

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

“An act to provide for the establishment of a corridor improvement authority; to prescribe the powers and duties of the authority; to correct and prevent deterioration in business districts; to encourage historic preservation; to authorize the acquisition and disposal of interests in real and personal property; to authorize the creation and implementation of development plans and development areas in the districts; to promote the economic growth of the districts; to create a



board; to prescribe the powers and duties of the board; to authorize the levy and collection of taxes; to authorize the issuance of bonds and other evidences of indebtedness; to authorize the use of tax increment financing; to prescribe powers and duties of certain state officials; to provide for rule promulgation; and to provide for enforcement of the act.”  
 The Senate agreed to the full title.

The following bill was read a third time:

**House Bill No. 4204, entitled**

A bill to amend 2001 PA 142, entitled “Michigan memorial highway act,” (MCL 250.1001 to 250.2080) by adding section 76.

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. 629**

**Yeas—38**

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

**Nays—0**

**Excused—0**

**Not Voting—0**

In The Chair: Schuitmaker

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

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

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

“An act to consolidate prior acts naming certain Michigan highways; to provide for the naming of certain highways; to prescribe certain duties of the state transportation department; and to repeal acts and parts of acts and certain resolutions.”.

The Senate agreed to the full title.

The following bill was read a third time:

**House Bill No. 4993, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 43532a (MCL 324.43532a), as added by 2013 PA 108, and by adding section 43532b.

The question being on the passage of the bill,

Senator Warren offered the following amendment:

1. Amend page 2, line 19, after “**SECTION.**” by inserting “**MONEY FROM THE FUND SHALL NOT BE SPENT TO SUPPORT OR OPPOSE A REFERENDUM INVOKED UNDER SECTION 9 OF ARTICLE II OF THE STATE CONSTITUTION OF 1963.**”.

The amendment was not adopted, a majority of the members serving not voting therefor.

Senator Hunter requested the yeas and nays.

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

The amendment was not adopted, a majority of the members serving not voting therefor, as follows:

**Roll Call No. 630**

**Yeas—14**

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

**Nays—24**

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

**Excused—0**

**Not Voting—0**

In The Chair: Schuitmaker

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. 631**

**Yeas—25**

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

**Nays—13**

Ananich	Gregory	Hunter	Warren
Anderson	Hood	Johnson	Whitmer
Bieda	Hopgood	Smith	Young
Colbeck			

**Excused—0**

**Not Voting—0**

In The Chair: Schuitmaker

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

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

“An act to 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. 5020, entitled**

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending section 304 (MCL 257.304), as amended by 2012 PA 498.

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. 632****Yeas—37**

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

**Nays—0****Excused—0****Not Voting—1**

Smith

In The Chair: Schuitmaker

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

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

“An act to provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or generally accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways; to create certain funds; to provide penalties and sanctions for a violation of this act; to provide for civil liability of owners and operators of vehicles and service of process on residents and nonresidents; to regulate the introduction and use of certain evidence; to provide for the levy of certain assessments; to provide for the enforcement of this act; to provide for the creation of and to prescribe the powers and duties of certain state and local agencies; to impose liability upon the state or local agencies; to provide appropriations for certain purposes; to repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date.”

The Senate agreed to the full title.

The following bill was read a third time:

**House Bill No. 5021, entitled**

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending section 1084 (MCL 600.1084), as added by 2010 PA 154.

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. 633**

**Yeas—38**

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

**Nays—0**

**Excused—0**

**Not Voting—0**

In The Chair: Schuitmaker

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

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

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

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

The Senate agreed to the full title.

The following bill was read a third time:

**House Bill No. 5051, entitled**

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending section 539k (MCL 750.539k), as added by 2004 PA 460.

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. 634**

**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	Pros	Young
Green	Jones		

**Nays—0**

**Excused—0**

**Not Voting—0**

In The Chair: Schuitmaker

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

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

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

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

The Senate agreed to the full title.

The following bill was read a third time:

**House Bill No. 5052, entitled**

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 16aa of chapter XVII (MCL 777.16aa), as added by 2007 PA 20.

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. 635**

**Yeas—38**

Ananich	Gregory	Kahn	Richardville
Anderson	Hansen	Kowall	Robertson

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

**Nays—0**

**Excused—0**

**Not Voting—0**

In The Chair: Schuitmaker

The Assistant President pro tempore, Senator Hansen, assumed the Chair.

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

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

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

“An act to revise, consolidate, and codify the laws relating to criminal procedure and to define the jurisdiction, powers, and duties of courts, judges, and other officers of the court under the provisions of this act; to provide laws relative to the rights of persons accused of criminal offenses and ordinance violations; to provide for the arrest of persons charged with or suspected of criminal offenses and ordinance violations; to provide for bail of persons arrested for or accused of criminal offenses and ordinance violations; to provide for the examination of persons accused of criminal offenses; to regulate the procedure relative to grand juries, indictments, informations, and proceedings before trial; to provide for trials of persons complained of or indicted for criminal offenses and ordinance violations and to provide for the procedure in those trials; to provide for judgments and sentences of persons convicted of criminal offenses and ordinance violations; to establish a sentencing commission and to prescribe its powers and duties; to provide for procedure relating to new trials and appeals in criminal and ordinance violation cases; to provide a uniform system of probation throughout this state and the appointment of probation officers; to prescribe the powers, duties, and compensation of probation officers; to provide penalties for the violation of the duties of probation officers; to provide for procedure governing proceedings to prevent crime and proceedings for the discovery of crime; to provide for fees of officers, witnesses, and others in criminal and ordinance violation cases; to set forth miscellaneous provisions as to criminal procedure in certain cases; to provide penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act.”

The Senate agreed to the full title.

The following bill was read a third time:

**House Bill No. 5053, entitled**

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 10c of chapter II (MCL 762.10c), as amended by 2010 PA 316.

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. 636**

**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: Hansen

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

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

“An act to revise, consolidate, and codify the laws relating to criminal procedure and to define the jurisdiction, powers, and duties of courts, judges, and other officers of the court under the provisions of this act; to provide laws relative to the rights of persons accused of criminal offenses and ordinance violations; to provide for the arrest of persons charged with or suspected of criminal offenses and ordinance violations; to provide for bail of persons arrested for or accused of criminal offenses and ordinance violations; to provide for the examination of persons accused of criminal offenses; to regulate the procedure relative to grand juries, indictments, informations, and proceedings before trial; to provide for trials of persons complained of or indicted for criminal offenses and ordinance violations and to provide for the procedure in those trials; to provide for judgments and sentences of persons convicted of criminal offenses and ordinance violations; to establish a sentencing commission and to prescribe its powers and duties; to provide for procedure relating to new trials and appeals in criminal and ordinance violation cases; to provide a uniform system of probation throughout this state and the appointment of probation officers; to prescribe the powers, duties, and compensation of probation officers; to provide penalties for the violation of the duties of probation officers; to provide for procedure governing proceedings to prevent crime and proceedings for the discovery of crime; to provide for fees of officers, witnesses, and others in criminal and ordinance violation cases; to set forth miscellaneous provisions as to criminal procedure in certain cases; to provide penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act.”

The Senate agreed to the full title.

The following bill was read a third time:

**House Bill No. 5054, entitled**

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 16t of chapter XVII (MCL 777.16t), as amended by 2012 PA 332.

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. 637**

**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: Hansen

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

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

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

“An act to revise, consolidate, and codify the laws relating to criminal procedure and to define the jurisdiction, powers, and duties of courts, judges, and other officers of the court under the provisions of this act; to provide laws relative to the rights of persons accused of criminal offenses and ordinance violations; to provide for the arrest of persons charged with or suspected of criminal offenses and ordinance violations; to provide for bail of persons arrested for or accused of criminal offenses and ordinance violations; to provide for the examination of persons accused of criminal offenses; to regulate the procedure relative to grand juries, indictments, informations, and proceedings before trial; to provide for trials of persons complained of or indicted for criminal offenses and ordinance violations and to provide for the procedure in those trials; to provide for judgments and sentences of persons convicted of criminal offenses and ordinance violations; to establish a sentencing commission and to prescribe its powers and duties; to provide for procedure relating to new trials and appeals in criminal and ordinance violation cases; to provide a uniform system of probation throughout this state and the appointment of probation officers; to prescribe the powers, duties, and compensation of probation officers; to provide penalties for the violation of the duties of probation officers; to provide for procedure governing proceedings to prevent crime and proceedings for the discovery of crime; to provide for fees of officers, witnesses, and others in criminal and ordinance violation cases; to set forth miscellaneous provisions as to criminal procedure in certain cases; to provide penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act.”

The Senate agreed to the full title.

The following bill was read a third time:

**House Bill No. 5050, entitled**

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending section 411w (MCL 750.411w), as added by 2012 PA 146.

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. 638**

**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	Pros	Young
Green	Jones		

**Nays—0**

**Excused—0**

**Not Voting—0**

In The Chair: Hansen

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

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

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

The Senate agreed to the full title.

The following bill was read a third time:

**House Bill No. 4996, entitled**

A bill to amend 2008 PA 551, entitled “Uniform securities act (2002),” by amending sections 102a, 202, 504, and 510 (MCL 451.2102a, 451.2202, 451.2504, and 451.2510) and by adding section 202a.

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. 639**

**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	Pros	Young
Green	Jones		

**Nays—0**

**Excused—0**

**Not Voting—0**

In The Chair: Hansen

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

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

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

“An act to enact the uniform securities act (2002) relating to the issuance, offer, sale, or purchase of securities; to prohibit fraudulent practices in relation to securities; to establish civil and criminal sanctions for violations of the act and civil sanctions for violation of the rules promulgated pursuant to the act; to require the registration of broker-dealers, agents, investment advisers, and securities; to make uniform the law with reference to securities; 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. 5073, entitled**

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending section 675 (MCL 257.675), as amended by 2004 PA 151.

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. 640****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: Hansen

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

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

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

“An act to provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or generally accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and

highways; to create certain funds; to provide penalties and sanctions for a violation of this act; to provide for civil liability of owners and operators of vehicles and service of process on residents and nonresidents; to regulate the introduction and use of certain evidence; to provide for the levy of certain assessments; to provide for the enforcement of this act; to provide for the creation of and to prescribe the powers and duties of certain state and local agencies; to impose liability upon the state or local agencies; to provide appropriations for certain purposes; to repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date.”.

The Senate agreed to the full title.

The following bill was read a third time:

**Senate Bill No. 275, entitled**

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

The question being on the passage of the bill,

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

The motion prevailed.

The following bill was read a third time:

**House Bill No. 4770, entitled**

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” (MCL 257.1 to 257.923) by adding section 503.

The question being on the passage of the bill,

Senator Bieda offered the following amendment:

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

**“(3) THIS SECTION DOES NOT APPLY TO ANY PERSON OR ORGANIZATION WHOSE ACTIVITIES COMPLY WITH SECTION 410 OF THE MICHIGAN PENAL CODE, 1931 PA 328, MCL 750.410, OR RULE 7.3 OF THE MICHIGAN RULES OF PROFESSIONAL CONDUCT.”** and renumbering the remaining subsection.

The amendment was not adopted, a majority of the members serving not 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. 641**

**Yeas—35**

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

**Nays—2**

Bieda	Young
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**Excused—0**

**Not Voting—1**

Emmons

In The Chair: Hansen

Senator Meekhof moved to reconsider the vote by which the bill was passed.  
 The motion prevailed, 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. 642****Yeas—35**

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

**Nays—3**

Bieda	Gregory	Young
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**Excused—0****Not Voting—0**

In The Chair: Hansen

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

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

“An act to provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or generally accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways; to create certain funds; to provide penalties and sanctions for a violation of this act; to provide for civil liability of owners and operators of vehicles and service of process on residents and nonresidents; to regulate the introduction and use of certain evidence; to provide for the levy of certain assessments; to provide for the enforcement of this act; to provide for the creation of and to prescribe the powers and duties of certain state and local agencies; to impose liability upon the state or local agencies; to provide appropriations for certain purposes; to repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date.”.

The Senate agreed to the full title.

The following bill was read a third time:

**House Bill No. 4771, entitled**

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” (MCL 750.1 to 750.568) by adding section 410b.

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. 643****Yeas—35**

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

**Nays—3**

Bieda	Gregory	Young
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**Excused—0****Not Voting—0**

In The Chair: Hansen

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

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

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

The Senate agreed to the full title.

**Recess**

Senator Meekhof moved that the Senate recess until 1:30 p.m.  
The motion prevailed, the time being 12:24 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.

1:36 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  
**General Orders**

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

The motion prevailed, and the President pro tempore, Senator Schuitmaker, designated Senator Gregory as Chairperson.

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

**Senate Bill No. 584, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 24 of chapter VII (MCL 767.24), as amended by 2012 PA 363.

**Senate Bill No. 591, entitled**

A bill to amend 1965 PA 213, entitled "An act to provide for setting aside the conviction in certain criminal cases; to provide for the effect of such action; to provide for the retention of certain nonpublic records and their use; to prescribe the powers and duties of certain public agencies and officers; and to prescribe penalties," by amending sections 1, 2, and 4 (MCL 780.621, 780.622, and 780.624), section 1 as amended by 2011 PA 64, section 2 as amended by 1994 PA 294, and section 4 as added by 1982 PA 495.

**House Bill No. 4831, entitled**

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 4g (MCL 205.54g), as amended by 2008 PA 438.

**House Bill No. 5041, entitled**

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending section 500 (MCL 208.1500), as amended by 2011 PA 292.

**House Bill No. 5086, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 522 (MCL 206.522), as amended by 2011 PA 180.

**House Bill No. 4622, entitled**

A bill to amend 1956 PA 40, entitled "The drain code of 1956," by amending section 197 (MCL 280.197).

**House Bill No. 4793, entitled**

A bill to amend 1956 PA 40, entitled "The drain code of 1956," by amending sections 75 and 128 (MCL 280.75 and 280.128); and to repeal acts and parts of acts.

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. 588, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," (MCL 760.1 to 777.69) by adding section 21d to chapter VIII.

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 returned to the order of  
**Third Reading of Bills**

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

**Senate Bill No. 584**

**Senate Bill No. 588**  
**Senate Bill No. 591**  
**House Bill No. 4831**  
**House Bill No. 5041**  
**House Bill No. 5086**  
**House Bill No. 4622**  
**House Bill No. 4793**

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

The following bill was read a third time:

**Senate Bill No. 584, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 24 of chapter VII (MCL 767.24), as amended by 2012 PA 363.

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. 644**

**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: Hansen

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 588, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," (MCL 760.1 to 777.69) by adding section 21d to chapter VIII.

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. 645**

**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: Hansen

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 591, entitled**

A bill to amend 1965 PA 213, entitled “An act to provide for setting aside the conviction in certain criminal cases; to provide for the effect of such action; to provide for the retention of certain nonpublic records and their use; to prescribe the powers and duties of certain public agencies and officers; and to prescribe penalties,” by amending sections 1, 2, and 4 (MCL 780.621, 780.622, and 780.624), section 1 as amended by 2011 PA 64, section 2 as amended by 1994 PA 294, and section 4 as added by 1982 PA 495.

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. 646**

**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: Hansen

The Senate agreed to the title of the bill.

The following bill was read a third time:

**House Bill No. 4831, entitled**

A bill to amend 1933 PA 167, entitled “General sales tax act,” by amending section 4g (MCL 205.54g), 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. 647****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: Hansen

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

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

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

“An act to provide for the raising of additional public revenue by prescribing certain specific taxes, fees, and charges to be paid to the state for the privilege of engaging in certain business activities; to provide, incident to the enforcement thereof, for the issuance of licenses to engage in such occupations; to provide for the ascertainment, assessment and collection thereof; to appropriate the proceeds thereof; and to prescribe penalties for violations of the provisions of this act.”.

The Senate agreed to the full title.

The following bill was read a third time:

**House Bill No. 5041, entitled**

A bill to amend 2007 PA 36, entitled “Michigan business tax act,” by amending section 500 (MCL 208.1500), as amended by 2011 PA 292.

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. 648****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: Hansen

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

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

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

“An act to meet deficiencies in state funds by providing for the imposition, levy, computation, collection, assessment, reporting, payment, and enforcement of taxes on certain commercial, business, and financial activities; to prescribe the powers and duties of public officers and state departments; to provide for the inspection of certain taxpayer records; to provide for interest and penalties; to provide exemptions, credits, and refunds; to provide for the disposition of funds; to provide for the interrelation of this act with other acts; and to make appropriations.”.

The Senate agreed to the full title.

The following bill was read a third time:

**House Bill No. 5086, entitled**

A bill to amend 1967 PA 281, entitled “Income tax act of 1967,” by amending section 522 (MCL 206.522), as amended by 2011 PA 180.

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. 649****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: Hansen

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

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

“An act to meet deficiencies in state funds by providing for the imposition, levy, computation, collection, assessment, reporting, payment, and enforcement by lien and otherwise of taxes on or measured by net income and on certain commercial, business, and financial activities; to prescribe the manner and time of making reports and paying the taxes, and the functions of public officers and others as to the taxes; to permit the inspection of the records of taxpayers; to provide for interest and penalties on unpaid taxes; to provide exemptions, credits and refunds of the taxes; to prescribe penalties for the violation of this act; to provide an appropriation; 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. 4622, entitled**

A bill to amend 1956 PA 40, entitled “The drain code of 1956,” by amending section 197 (MCL 280.197).

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. 650**

**Yeas—36**

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

**Nays—0**

**Excused—0**

**Not Voting—2**

Smith

Whitmer

In The Chair: Hansen

Senator Hunter moved that Senators Smith and Whitmer be temporarily excused from today's session. The motion prevailed.

Senators Smith and Whitmer entered the Senate Chamber.

Senator Meekhof moved to reconsider the vote by which the bill was passed. The motion prevailed, 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. 651****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	Pros	Young
Green	Jones		

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

In The Chair: Hansen

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

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

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

“An act to codify the laws relating to the laying out of drainage districts, the consolidation of drainage districts, the construction and maintenance of drains, sewers, pumping equipment, bridges, culverts, fords, and the structures and mechanical devices to properly purify the flow of drains; to provide for flood control projects; to provide for water management, water management districts, and subdistricts, and for flood control and drainage projects within drainage districts; to provide for the assessment and collection of taxes; to provide for the investment of funds; to provide for the deposit of funds for future maintenance of drains; to authorize public corporations to impose taxes for the payment of assessments in anticipation of which bonds are issued; to provide for the issuance of bonds by drainage districts and for the pledge of the full faith and credit of counties for payment of the bonds; to authorize counties to impose taxes when necessary to pay principal and interest on bonds for which full faith and credit is pledged; to validate certain acts and bonds; and to prescribe penalties.”.

The Senate agreed to the full title.

The following bill was read a third time:

**House Bill No. 4793, entitled**

A bill to amend 1956 PA 40, entitled “The drain code of 1956,” by amending sections 75 and 128 (MCL 280.75 and 280.128); and to repeal acts and parts of acts.

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. 652****Yeas—37**

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

**Nays—1**

Young

**Excused—0****Not Voting—0**

In The Chair: Hansen

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

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

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

“An act to codify the laws relating to the laying out of drainage districts, the consolidation of drainage districts, the construction and maintenance of drains, sewers, pumping equipment, bridges, culverts, fords, and the structures and mechanical devices to properly purify the flow of drains; to provide for flood control projects; to provide for water management, water management districts, and subdistricts, and for flood control and drainage projects within drainage districts; to provide for the assessment and collection of taxes; to provide for the investment of funds; to provide for the deposit of funds for future maintenance of drains; to authorize public corporations to impose taxes for the payment of assessments in anticipation of which bonds are issued; to provide for the issuance of bonds by drainage districts and for the pledge of the full faith and credit of counties for payment of the bonds; to authorize counties to impose taxes when necessary to pay principal and interest on bonds for which full faith and credit is pledged; to validate certain acts and bonds; and to prescribe penalties.”.

The Senate agreed to the full title.

**Recess**

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

The motion prevailed, the time being 2:10 p.m.

4:36 p.m.

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

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

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:

**House Bill No. 5140**

**House Bill No. 5046**

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

By unanimous consent the Senate returned to the order of  
**General Orders**

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

The motion prevailed, and the President pro tempore, Senator Schuitmaker, designated Senator Gregory as Chairperson.

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

**Senate Bill No. 674, entitled**

A bill to prohibit discriminatory practices, policies, and customs in the exercise of the right to breastfeed; to provide for enforcement of the right to breastfeed; and to provide remedies.

**House Bill No. 4821, entitled**

A bill to amend 1963 PA 181, entitled "Motor carrier safety act of 1963," by amending section 5 (MCL 480.15), as amended by 2011 PA 160.

**House Bill No. 5046, entitled**

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 1021 (MCL 436.2021), as amended by 2005 PA 21.

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 amendment, the following bill:

**House Bill No. 4352, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 17745, 17751, 17754, and 17757 (MCL 333.17745, 333.17751, 333.17754, and 333.17757), sections 17745 and 17757 as amended by 2011 PA 210 and sections 17751 and 17754 as amended by 2012 PA 209, and by adding section 17744a.

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

1. Amend page 8, line 11, after "article 7" by inserting a comma and "**ARTICLE 8**,".

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

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

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

**House Bill No. 5046**

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

The following bill was read a third time:

**House Bill No. 5046, entitled**

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 1021 (MCL 436.2021), as amended by 2005 PA 21.

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. 653****Yeas—37**

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

**Nays—1**

Schuitmaker

**Excused—0****Not Voting—0**

In The Chair: Schuitmaker

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

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

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

“An act to create a commission for the control of the alcoholic beverage traffic within this state, and to prescribe its powers, duties, and limitations; to provide for powers and duties for certain state departments and agencies; to impose certain taxes for certain purposes; to provide for the control of the alcoholic liquor traffic within this state and to provide for the power to establish state liquor stores; to prohibit the use of certain devices for the dispensing of alcoholic vapor; to provide for the care and treatment of alcoholics; to provide for the incorporation of farmer cooperative wineries and the granting of certain rights and privileges to those cooperatives; to provide for the licensing and taxation of activities regulated under this act and the disposition of the money received under this act; to prescribe liability for retail licensees under certain circumstances and to require security for that liability; to provide procedures, defenses, and remedies regarding violations of this act; to provide for the enforcement and to prescribe penalties for violations of this act; to provide for allocation of certain funds for certain purposes; to provide for the confiscation and disposition of property seized under this act; to provide referenda under certain circumstances; and to repeal acts and parts of acts.”.

The Senate agreed to the full title.

By unanimous consent the Senate returned to the order of

**General Orders**

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

The motion prevailed, and the President pro tempore, Senator Schuitmaker, designated Senator Gregory as Chairperson.

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

**House Bill No. 4353, entitled**

A bill to amend 1976 PA 451, entitled “The revised school code,” by amending sections 1178 and 1179 (MCL 380.1178 and 380.1179), section 1178 as amended by 2006 PA 48 and section 1179 as amended by 2004 PA 73, and by adding section 1179a.

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

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:  
**House Bill No. 5140, entitled**

A bill to amend 1998 PA 58, entitled “Michigan liquor control code of 1998,” by amending section 531 (MCL 436.1531), as amended by 2012 PA 212.

Substitute (S-2).

The following are the amendments to the substitute recommended by the Committee of the Whole:

1. Amend page 10, line 20, after “**COMMISSION**” by striking out the balance of the line through “**SUBSECTION**” on line 21.

2. Amend page 10, line 26, after “**TRANSFERRED**” by striking out the balance of the line through “**SUBSECTION,**” on line 27.

3. Amend page 11, line 7, after “**LICENSE.**” by striking out the balance of the subsection.

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

By unanimous consent the Senate returned to the order of

**Third Reading of Bills**

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

**Senate Bill No. 674**

**House Bill No. 4821**

**House Bill No. 5140**

**House Bill No. 4352**

**House Bill No. 4353**

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

The following bill was read a third time:

**Senate Bill No. 674, entitled**

A bill to prohibit discriminatory practices, policies, and customs in the exercise of the right to breastfeed; to provide for enforcement of the right to breastfeed; and to provide remedies.

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. 654**

**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: Hansen

The Senate agreed to the title of the bill.

Senators Bieda, Booher, Brandenburg, Caswell, Colbeck, Emmons, Hansen, Hildenbrand, Hune, Hunter, Jansen, Johnson, Kahn, Kowall, Marleau, Moolenaar, Nofs, Pappageorge, Pavlov, Proos, Richardville, Robertson, Rocca, Walker and Young were named co-sponsors of the bill.

The following bill was read a third time:

**House Bill No. 4821, entitled**

A bill to amend 1963 PA 181, entitled “Motor carrier safety act of 1963,” by amending section 5 (MCL 480.15), as amended by 2011 PA 160.

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. 655****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: Hansen

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

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

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

“An act to promote safety upon highways open to the public by regulating the operation of certain vehicles; to provide consistent regulation of these areas by state agencies and local units of government; to establish the qualifications of persons necessary for the safe operation of such vehicles; to establish certain violations of shippers offering certain materials for transportation; to limit the hours of service of persons engaged in operating such vehicles; to require the keeping of records of such operations; to provide penalties for the violation of this act; to prescribe the powers and duties of certain state agencies; 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. 5140, entitled**

A bill to amend 1998 PA 58, entitled “Michigan liquor control code of 1998,” by amending section 531 (MCL 436.1531), as amended by 2012 PA 212.

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. 656**

**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	Pros	Young
Green	Jones		

**Nays—0**

**Excused—0**

**Not Voting—0**

In The Chair: Hansen

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

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

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

“An act to create a commission for the control of the alcoholic beverage traffic within this state, and to prescribe its powers, duties, and limitations; to provide for powers and duties for certain state departments and agencies; to impose certain taxes for certain purposes; to provide for the control of the alcoholic liquor traffic within this state and to provide for the power to establish state liquor stores; to prohibit the use of certain devices for the dispensing of alcoholic vapor; to provide for the care and treatment of alcoholics; to provide for the incorporation of farmer cooperative wineries and the granting of certain rights and privileges to those cooperatives; to provide for the licensing and taxation of activities regulated under this act and the disposition of the money received under this act; to prescribe liability for retail licensees under certain circumstances and to require security for that liability; to provide procedures, defenses, and remedies regarding violations of this act; to provide for the enforcement and to prescribe penalties for violations of this act; to provide for allocation of certain funds for certain purposes; to provide for the confiscation and disposition of property seized under this act; to provide referenda under certain circumstances; 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. 4352, entitled**

A bill to amend 1978 PA 368, entitled “Public health code,” by amending sections 17745, 17751, 17754, and 17757 (MCL 333.17745, 333.17751, 333.17754, and 333.17757), sections 17745 and 17757 as amended by 2011 PA 210 and sections 17751 and 17754 as amended by 2012 PA 209, and by adding section 17744a.

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. 657****Yeas—37**

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

**Nays—1**

Young

**Excused—0****Not Voting—0**

In The Chair: Hansen

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

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

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

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

The Senate agreed to the full title.

The following bill was read a third time:

**House Bill No. 4353, entitled**

A bill to amend 1976 PA 451, entitled “The revised school code,” by amending sections 1178 and 1179 (MCL 380.1178 and 380.1179), section 1178 as amended by 2006 PA 48 and section 1179 as amended by 2004 PA 73, and by adding section 1179a.

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. 658****Yeas—27**

Ananich	Hood	Kowall	Robertson
Bieda	Hopgood	Marleau	Rocca
Booher	Hune	Meekhof	Schuitmaker
Colbeck	Hunter	Moolenaar	Smith
Green	Jansen	Pavlov	Walker
Hansen	Jones	Proos	Warren
Hildenbrand	Kahn	Richardville	

**Nays—11**

Anderson	Caswell	Johnson	Whitmer
Brandenburg	Emmons	Nofs	Young
Casperson	Gregory	Pappageorge	

**Excused—0****Not Voting—0**

In The Chair: Hansen

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

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

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

“An act to provide a system of public instruction and elementary and secondary schools; to revise, consolidate, and clarify the laws relating to elementary and secondary education; to provide for the organization, regulation, and maintenance of schools, school districts, public school academies, intermediate school districts, and other public school entities; to prescribe rights, powers, duties, and privileges of schools, school districts, public school academies, intermediate school districts, and other public school entities; to provide for the regulation of school teachers and certain other school employees; to provide for school elections and to prescribe powers and duties with respect thereto; to provide for the levy and collection of taxes; to provide for the borrowing of money and issuance of bonds and other evidences of indebtedness; to establish a fund and provide for expenditures from that fund; to provide for and prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to provide for licensure of boarding schools; to prescribe penalties; and to repeal acts and parts of acts.”.

The Senate agreed to the full title.

**Protest**

Senator Caswell, under his constitutional right of protest (Art. 4, Sec. 18), protested against the passage of House Bill No. 4353 and moved that the statement he made during the discussion of the bill be printed as his reasons for voting “no.”

The motion prevailed.

Senator Caswell’s statement is as follows:

This bill, while well-intentioned, is blatantly unconstitutional. It puts a mandate on the schools that they have to do certain things, and it attempts to skirt the issue of the unconstitutionality under the Headlee Amendment by saying they could get funding from the state if they can’t get private funding.

If we are going to do this and require the schools—and I’m not against doing this—then this bill needs to have a financial aspect to it. We need to reimburse the schools for the training and for any issues they may have in terms of doing this.

I would strongly suggest that we turn this bill down until it is written in such a way that we meet our constitutional duties.

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

**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 House of Representatives has substituted (H-3) the bill.

The House of Representatives has passed the bill as substituted (H-3), 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,  
 Senator Marleau offered the following amendments to the substitute:

1. Amend page 3, following line 27, by inserting:

“(ii) **THE TOTAL AMOUNT OF THE PAYMENTS REQUIRED UNDER THE CONTRACT BY THE SCHOOL DISTRICT OR INTERMEDIATE SCHOOL DISTRICT IS MORE THAN \$100,000.00.**” and renumbering the remaining subparagraphs.

2. Amend page 4, line 5, after “**SUBPARAGRAPH**” by striking out “(ii)” and inserting “(iii)”.

3. Amend page 4, line 16, after “**SUBSECTION**” by striking out “(5)(C)(iii)” and inserting “(5)(C)(iv)(A)”.

4. Amend page 4, line 23, after “**SUBSECTION**” by striking out “(5)(C)(iii)” and inserting “(5)(C)(iv)(A)”.

The amendments to the substitute were adopted.

The question being on concurring in the House substitute as amended,

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

**Roll Call No. 659**

**Yeas—33**

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

**Nays—5**

Bieda	Johnson	Warren	Young
Hood			

**Excused—0**

**Not Voting—0**

In The Chair: Hansen

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

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

The Senate agreed to the full title.

**House Bill No. 4277, entitled**

A bill to amend 1998 PA 58, entitled “An act to create a commission for the control of the alcoholic beverage traffic within this state, and to prescribe its powers, duties, and limitations; to provide for powers and duties for certain state departments and agencies; to impose certain taxes for certain purposes; to provide for the control of the alcoholic liquor traffic within this state and to provide for the power to establish state liquor stores; to prohibit the use of certain devices for the dispensing of alcoholic vapor; to provide for the care and treatment of alcoholics; to provide for the incorporation of farmer cooperative wineries and the granting of certain rights and privileges to those cooperatives; to provide for the licensing and taxation of activities regulated under this act and the disposition of the money received under this act; to prescribe liability for retail licensees under certain circumstances and to require security for that liability; to provide procedures, defenses, and remedies regarding violations of this act; to provide for the enforcement and to prescribe penalties for violations of this act; to provide for allocation of certain funds for certain purposes; to provide for the confiscation and disposition of property seized under this act; to provide referenda under certain circumstances; and to repeal acts and parts of acts,” by amending section 525 (MCL 436.1525), as amended by 2010 PA 279.

The House of Representatives has amended the Senate substitute (S-1) as follows:

1. Amend page 10, line 1, after “effect” by striking out the balance of the enacting section and inserting “May 22, 2014.”.
2. Amend page 10, line 11, by striking out all of subdivision (f) and relettering the remaining subdivisions.

The House of Representatives has concurred in the Senate substitute (S-1) as amended.

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 House amendments made to the Senate substitute,

The amendments were concurred in, a majority of the members serving voting therefor, as follows:

**Roll Call No. 660**

**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: Hansen

By unanimous consent the Senate returned to the order of

**Third Reading of Bills**

By unanimous consent the Senate returned to consideration of the following bill:

**Senate Bill No. 275, entitled**

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

(This bill was read a third time earlier today and consideration postponed. See p. 2007.)

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

1. Amend page 2, following line 23, by inserting:

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

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

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

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

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

Senator Johnson offered the following amendment:

1. Amend page 3, following line 22, by inserting:

“Enacting section 1. This amendatory act takes effect only if a law is enacted in this state that requires members of the legislature to be tested for illegal use of a controlled substance as a condition of holding office under article IV of the state constitution of 1963.” and renumbering the remaining enacting section.

The question being on the adoption of the amendment,

### Point of Order

Senator Meekhof raised the Point of Order that the amendment offered by Senator Johnson to Senate Bill No. 275 was not germane to the bill, added a condition on the qualification of legislators which was not the subject of the bill, and would require an amendment to the State Constitution.

The Assistant President pro tempore, Senator Hansen, ruled that the amendment was not germane and would require a constitutional amendment.

Senator Johnson appealed the decision of the Chair.

The question being shall the decision of the Chair stand as the judgment of the Senate,

The decision of the Chair stood as the judgment of the Senate, a majority of the members voting therefor.

Senator Hunter requested the yeas and nays.

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

The decision of the Chair stood as the judgment of the Senate, a majority of the members voting therefor, as follows:

### Roll Call No. 661

### Yeas—26

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

### Nays—12

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

**Excused—0**

**Not Voting—0**

In The Chair: Hansen

Senator Gregory offered the following amendment:

1. Amend page 3, following line 16, by inserting:

**“(7) ALL INFORMATION, INTERVIEWS, REPORTS, STATEMENTS, MEMORANDA, AND SUBSTANCE ABUSE TEST RESULTS, WRITTEN OR OTHERWISE, RECEIVED BY THE DEPARTMENT THROUGH A SUBSTANCE ABUSE SCREENING OR TESTING PROGRAM REQUIRED UNDER THIS SECTION ARE CONFIDENTIAL COMMUNICATIONS SUBJECT TO THE PRIVACY PROTECTIONS UNDER THE HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT OF 1996, PUBLIC LAW 104-191, AND MAY NOT BE USED OR RECEIVED IN EVIDENCE, OBTAINED IN DISCOVERY OR DISCLOSED IN ANY PUBLIC OR PRIVATE PROCEEDINGS, EXCEPT IN ACCORDANCE WITH THIS SECTION OR IN DETERMINING ELIGIBILITY UNDER THIS ACT.”** and renumbering the remaining subsections.

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

Senator Gregory offered the following amendment:

1. Amend page 2, following line 23, by inserting:

**“(5) IF AN APPLICANT OR RECIPIENT IS REFERRED TO AND PARTICIPATES IN TREATMENT UNDER THIS SECTION, THE DEPARTMENT OR ANY APPLICABLE HEALTH PLAN THAT THE INDIVIDUAL MAY BE COVERED UNDER SHALL PAY FOR THAT TREATMENT.”** and renumbering the remaining subsections.

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

Senator Gregory offered the following amendments:

1. Amend page 1, line 5, by striking out **“REGIONAL SUBSTANCE ABUSE COORDINATING AGENCIES”** and inserting **“DEPARTMENT-DESIGNATED COMMUNITY MENTAL HEALTH ENTITIES”**.

2. Amend page 2, line 7, by striking out **“REGIONAL SUBSTANCE ABUSE COORDINATING AGENCIES”** and inserting **“DEPARTMENT-DESIGNATED COMMUNITY MENTAL HEALTH ENTITIES”**.

3. Amend page 2, line 8, after **“THE”** by striking out the balance of the line through **“AGENCIES”** on line 9 and inserting **“DEPARTMENT-DESIGNATED COMMUNITY MENTAL HEALTH ENTITIES”**.

4. Amend page 2, line 20, after **“THE”** by striking out the balance of the line through **“AGENCIES”** on line 21 and inserting **“DEPARTMENT-DESIGNATED COMMUNITY MENTAL HEALTH ENTITIES”**.

5. Amend page 3, following line 16, by inserting:

**“(J) THE NUMBER OF APPLICANTS AND RECIPIENTS WHO WERE REFERRED TO THE DEPARTMENT-DESIGNATED COMMUNITY MENTAL HEALTH ENTITIES UNDER THIS SECTION.**

**(K) SANCTIONS, IF ANY, THAT HAVE BEEN IMPOSED ON RECIPIENTS AS A RESULT OF THE SUBSTANCE ABUSE TESTING UNDER THIS SECTION.”.**

6. Amend page 3, following line 22, by inserting:

**“(10) AS USED IN THIS SECTION, “DEPARTMENT-DESIGNATED COMMUNITY MENTAL HEALTH ENTITY” MEANS THAT TERM AS DEFINED IN SECTION 100A OF THE MENTAL HEALTH CODE, 1974 PA 258, MCL 330.1100A.”.**

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. 662**

**Yeas—26**

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



**Nays—12**

Ananich  
Anderson  
Bieda

Gregory  
Hood  
Hopgood

Hunter  
Johnson  
Smith

Warren  
Whitmer  
Young

**Excused—0****Not Voting—0**

In The Chair: Hansen

The Senate agreed to the title of the bill.

**Protest**

Senator Gregory, under his constitutional right of protest (Art. 4, Sec. 18), protested against the passage of Senate Bill No. 275 and moved that the statement he made during the discussion of the bill be printed as his reasons for voting “no.”

The motion prevailed.

Senator Gregory’s statement is as follows:

First and foremost, let me thank my colleagues for all the support on all the amendments that went through. This will greatly enhance this bill. But as I’ve probably indicated to quite a few of you, still for me it’s a philosophical feeling for me on this bill. Let me just say, first off, I do not agree and would not agree with anybody having substance abuse and receiving aid. I believe that anyone who’s on there should be worthy to be on there. If they have a problem with substance abuse, they should have some treatment for it.

Having said that, to go to the point of having to find out if somebody’s on substance abuse, with the state spending money and going through all of this, I think that we have too many other areas and issues that we need to address first before we spend money on this drug abuse. If I could, I’d like to follow in the steps of a good friend of mine, Senator Young. I’d like to offer a quote: “Those who cannot learn from their past are doomed to repeat it.” Learning from the past is that we’ve had this drug testing before. It didn’t work, and here we are again. Other states have had the drug testing, and it didn’t work. It cost them more money than it was worth to do it.

For me, we have seniors whom we’ve cut some of the benefits that they’ve had. We’ve had families who have lost benefits. The money that we’re spending on these folks could go to seniors and could go to families. For me, I would ask my colleagues to maintain what we’re doing right now and leave this drug testing alone. I would ask my colleagues to vote “no” on this legislation.

Senators Gregory and Jones 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:

Colleagues, I rise to offer an amendment to this legislation to require suspicion-based drug testing for the Family Independence Program assistance recipients. While I still oppose this legislation, this is an attempt to make it slightly better.

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

Children of these low-income families on state assistance are struggling as it is. They are often single-parent households and with parents working multiple jobs and extensive hours to make ends meet. In this instance, these kids have already

suffered the consequences of their parents' substance abuse. They do not need to continue to suffer. These kids have no control over the circumstances, and therefore, they should not be punished for them.

This amendment will make the proposal slightly more palatable and will make sure these kids are not punished for their parents' actions. My colleagues, you should know that 70 percent of the FIP caseload are children. So we are talking about taking these benefits away from children because a parent may have a substance abuse problem. It will ensure that their guardian or family member can give them the care they need with the continuation of state assistance they need to eat and stay healthy.

Colleagues, I urge you to not forget about Michigan's children who are dependent on state assistance to survive, let alone thrive. I urge you to support this amendment to not recklessly cut off this lifeline for these children.

Senator Jones' statement is as follows:

I rise in support of this bill because it's not about money; it's about children. My family takes in foster children. At least half of them were abused by parents who were on drugs; parents who don't feed their children. They came to my family hungry and not clothed properly, because their welfare money was not used appropriately. That is why we have so many children not doing well in school. I don't believe it's the teachers. I voted against EAA. I believe it's a social problem. We must make sure that our parents are drug-free, feeding their children, getting their kids off to school, and taking care of their children.

This is a vote for the children of Michigan. Stand with the kids.

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 Assistant President pro tempore, Senator Hansen, designated Senator Gregory as Chairperson.

#### **Recess**

Senator Meekhof moved that the Committee of the Whole recess subject to the call of the Chairperson.

The motion prevailed, the time being 5:42 p.m.

5:50 p.m.

The Committee of the Whole was called to order by the Chairperson, Senator Gregory.

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 with a substitute therefor, the following bill:

#### **House Bill No. 4629, entitled**

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

Substitute (S-3).

The following are the amendments to the substitute recommended by the Committee of the Whole:

1. Amend page 20, line 7, after "(6)" by striking out "BOTH" and inserting "ALL".
2. Amend page 20, following line 26, by inserting:

**"(C) BEGINNING ON THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED THIS SUBSECTION, A BILLBOARD OWNER MAY UPGRADE A PERMIT OWNED BY THAT BILLBOARD OWNER ON THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED THIS SUBSECTION TO A DIGITAL BILLBOARD PERMIT. FOR THE FIRST 50 PERMITS UPGRADED TO DIGITAL BILLBOARD PERMITS BY A BILLBOARD OWNER AS PROVIDED IN THIS SUBDIVISION, THE DEPARTMENT SHALL NOT REQUIRE THE BILLBOARD OWNER TO SURRENDER INTERIM PERMITS AS PROVIDED IN SUBDIVISIONS (A) AND (B)."**

3. Amend page 24, line 27, after "WHERE" by inserting "EXISTING VEGETATION IS GREATER THAN 8 FEET TALL OR WHERE EXISTING".

4. Amend page 24, line 27, after "VEGETATION" by striking out the balance of the page through "SIGN" on line 1 of page 25.

5. Amend page 37, line 2, by striking out all of subdivision (f) and inserting:

“(f) **EXISTING VEGETATION GREATER THAN 8 FEET IN HEIGHT WOULD BE MANAGED FOR A NEWLY CONSTRUCTED BILLBOARD OR VEGETATION EXISTED THAT WAS GREATER THAN 8 FEET IN HEIGHT THAT OBSCURED A BILLBOARD OR WOULD HAVE OBSCURED THE BILLBOARD BEFORE IT WAS CONSTRUCTED. WHEN DENYING AN APPLICATION OR PROVIDING A LIMITED PERMIT, THE DEPARTMENT SHALL CONSIDER PREVIOUS VEGETATION MANAGEMENT THAT WAS ALLOWED AT THE BILLBOARD SITE.**”.

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

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

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

**House Bill No. 4629**

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

The following bill was read a third time:

**House Bill No. 4629, entitled**

A bill to amend 1972 PA 106, entitled “Highway advertising act of 1972,” by amending sections 2, 4, 6, 7, 7a, 11, 11a, 15, 17, and 18 (MCL 252.302, 252.304, 252.306, 252.307, 252.307a, 252.311, 252.311a, 252.315, 252.317, and 252.318), sections 2, 7, 11a, and 18 as amended by 2009 PA 86, section 4 as amended by 2008 PA 93, sections 6, 11, and 15 as amended by 2006 PA 448, and sections 7a and 17 as amended by 2011 PA 13, and by adding sections 7b, 17a, 17b, 18b, 18c, and 22a.

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. 663**

**Yeas—36**

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

**Nays—2**

Hopgood	Warren
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**Excused—0**

**Not Voting—0**

The President pro tempore, Senator Schuitmaker, resumed the Chair.

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 licensing, regulation, control, and prohibition of outdoor advertising adjacent to certain roads and highways; to prescribe powers and duties of certain state agencies and officials; to promulgate rules; to provide remedies and prescribe penalties for violations; and to repeal acts and parts of acts.”.

The Senate agreed to the full title.

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

**Senate Bill No. 101, entitled**

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” (MCL 257.1 to 257.923) by adding section 811x.

The House of Representatives has passed the bill and pursuant to Joint Rule 20, inserted the full title.

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. 169, entitled**

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending the title, a division heading, and sections 35a, 36, 244, and 602b (MCL 257.35a, 257.36, 257.244, and 257.602b), the title as amended by 2010 PA 10, section 35a as amended by 1980 PA 515, section 244 as amended by 2008 PA 539, and section 602b as amended by 2013 PA 36, and by adding sections 2b, 663, 665, 666, and 817.

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. 664**

**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**

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. 308, entitled**

A bill to amend 2000 PA 146, entitled "Obsolete property rehabilitation act," by amending section 8 (MCL 125.2788), as amended by 2008 PA 504.

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

The House of Representatives has passed the bill as substituted (H-1) 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. 665**

**Yeas—37**

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

**Nays—1**

Caswell

**Excused—0**

**Not Voting—0**

In The Chair: Schuitmaker

The question being on concurring in the committee recommendation to give the bill immediate effect,  
 The recommendation was not concurred in, 2/3 of the members serving not 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. 312, 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, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

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

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

The Senate agreed to the full title.

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

#### **Senate Bill No. 367, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending sections 603, 611, and 691 (MCL 206.603, 206.611, and 206.691), section 603 as amended by 2011 PA 173, section 611 as amended by 2011 PA 170, and section 691 as amended by 2012 PA 70.

The House of Representatives has substituted (H-2) the bill.

The House of Representatives has passed the bill as substituted (H-2), 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. 666**

#### **Yeas—37**

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

#### **Nays—0**

#### **Excused—0**

#### **Not Voting—1**

Johnson

In The Chair: Schuitmaker

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

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

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

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

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

The Senate agreed to the full title.

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

### **Senate Bill No. 660, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 7212, 7214, 7301a, 7303, 16169, 16170a, 16174, 16192, 16216, 16221, 16222, 16226, 16231, 16231a, 16232, 16233, 16237, 16241, 16245, 16315, 17754, 17768, 17775, and 20176a (MCL 333.7212, 333.7214, 333.7301a, 333.7303, 333.16169, 333.16170a, 333.16174, 333.16192, 333.16216, 333.16221, 333.16222, 333.16226, 333.16231, 333.16231a, 333.16232, 333.16233, 333.16237, 333.16241, 333.16245, 333.16315, 333.17754, 333.17768, 333.17775, and 333.20176a), section 7212 as amended by 2012 PA 183, section 7214 as amended by 1982 PA 352, section 7301a as amended by 2006 PA 392, section 7303 as amended by 1988 PA 60, sections 16169 and 16170a as added and section 16192 as amended by 1993 PA 80, section 16174 as amended by 2012 PA 49, sections 16216 and 16237 as added and section 16241 as amended by 1993 PA 87, section 16221 as amended by 2012 PA 501, sections 16222 and 16231a as added and sections 16232 and 17768 as amended by 1993 PA 79, section 16226 as amended by 2012 PA 499, sections 16231 and 16233 as amended by 2010 PA 382, section 16245 as amended by 2011 PA 223, section 16315 as amended by 2009 PA 216, section 17754 as amended by 2012 PA 209, section 17775 as added by 2012 PA 383, and section 20176a as amended by 1994 PA 52, and by adding article 8; 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 amended the title to read as follows:

A bill to amend 1978 PA 368, entitled "An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to provide for the levy of taxes against certain health facilities or agencies; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for the implementation of federal law; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to provide for an appropriation and supplements; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates," by amending sections 1104, 7212, 7214, 7301a, 7303, 16169, 16170a, 16174, 16192, 16216, 16221, 16222, 16226, 16231, 16231a, 16232, 16233, 16237, 16241, 16245, 16315, 17754, 17768, 17775, and 20176a (MCL 333.1104, 333.7212, 333.7214, 333.7301a, 333.7303, 333.16169, 333.16170a, 333.16174, 333.16192, 333.16216, 333.16221, 333.16222, 333.16226, 333.16231, 333.16231a, 333.16232, 333.16233, 333.16237, 333.16241, 333.16245, 333.16315, 333.17754, 333.17768, 333.17775, and 333.20176a), section 1104 as amended by 1996 PA 307, section 7212 as amended by 2012 PA 183, section 7214 as amended by 1982 PA 352, section 7301a as amended by 2006 PA 392, section 7303 as amended by 1988 PA 60, sections 16169 and 16170a as added and section 16192 as amended by 1993 PA 80, section 16174 as amended by 2012 PA 49, sections 16216 and 16237 as added and section 16241 as amended by 1993 PA 87, section 16221 as amended by 2012 PA 501, sections 16222 and 16231a as added and sections 16232 and 17768 as amended by 1993 PA 79, section 16226 as amended by 2012 PA 499, sections 16231 and 16233 as amended by 2010 PA 382, section 16245 as amended by 2011 PA 223, section 16315 as amended by 2009 PA 216, section 17754 as amended by 2012 PA 209, section 17775 as added by 2012 PA 383, and section 20176a as amended by 1994 PA 52, and by adding article 8; and to repeal acts and parts of acts.

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. 667****Yeas—20**

Booher	Hildenbrand	Marleau	Proos
Casperson	Jansen	Meekhof	Richardville
Caswell	Jones	Nofs	Robertson
Colbeck	Kahn	Pappageorge	Walker
Hansen	Kowall	Pavlov	Warren

**Nays—18**

Ananich	Green	Hunter	Schuitmaker
Anderson	Gregory	Johnson	Smith
Bieda	Hood	Moolenaar	Whitmer
Brandenburg	Hopgood	Rocca	Young
Emmons	Hune		

**Excused—0****Not Voting—0**

In The Chair: Schuitmaker

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

**Senate Bill No. 663, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," (MCL 600.101 to 600.9947) by adding section 2949b.

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. 668****Yeas—38**

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



**Nays—0**

**Excused—0**

**Not Voting—0**

In The Chair: Schuitmaker

The question being on concurring in the committee recommendation to give the bill immediate effect, The recommendation was concurred in, 2/3 of the members serving voting therefor.  
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 the following bill, now on the order of General Orders, be referred to the Committee on Education:

**Senate Bill No. 66, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 1278a and 1278b (MCL 380.1278a and 380.1278b), section 1278a as amended by 2009 PA 205 and section 1278b as amended by 2010 PA 80.  
The motion prevailed.

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.

Senator Meekhof offered the following concurrent resolution:

**Senate Concurrent Resolution No. 13.**

A concurrent resolution providing for the final adjournment of the Legislature.

Resolved by the Senate (the House of Representatives concurring), That when the Senate adjourns on Thursday, December 12, 2013, it stands adjourned until Friday, December 13, 2013, at 11:45 a.m.; and be it further

Resolved, That when the House of Representatives adjourns on Thursday, December 12, 2013, it stands adjourned until Friday, December 13, 2013, at 11:30 a.m.; and be it further

Resolved, That when the Legislature adjourns on Friday, December 13, 2013, it stands adjourned without day.

Pending the order that, under rule 3.204, the concurrent resolution be referred to the Committee on Government Operations, Senator Meekhof moved that the rule be suspended.

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

The concurrent resolution was adopted.

Senator Walker offered the following resolution:

**Senate Resolution No. 107.**

A resolution to support and endorse the proposal submitted by the Michigan Advanced Aerial Systems Consortium requesting that Michigan be named one of six federally-identified unmanned aircraft system (UAS) test sites.

Whereas, The use of UAS for military, governmental, and commercial use is expected to surge greatly over the course of the next decade. UAS applications include dangerous military missions, law enforcement, emergency services, and border surveillance; and

Whereas, The Federal Aviation Administration (FAA), in accordance with the FAA Modernization and Reform Act of 2012, initiated a program to identify six UAS test ranges throughout the United States. These congressionally-mandated

test sites will conduct critical research into how best to safely integrate UAS into the national airspace over the next several years and what certification and navigation requirements will need to be established; and

Whereas, The Michigan Advanced Aerial Systems Consortium has submitted an application for Michigan to be considered for one of the six UAS test sites. The consortium is led by the Michigan Economic Development Corporation and is made up of government, academic, corporate, industry, and military partners, including Alpena County, the Michigan Department of Transportation, the Michigan National Guard, the University of Michigan, Michigan Technological University, Northwestern Michigan College, Kettering University, Western Michigan University, and Alpena Community College; and

Whereas, Michigan is an ideal location for a UAS test site. The consortium brings together researchers, scientists, operators, regulators, and industry leaders with the expertise and commitment to create a dynamic center of expertise and operation; now, therefore, be it

Resolved by the Senate, That we support and endorse the proposal submitted by the Michigan Advanced Aerial Systems Consortium requesting that Michigan be named one of six federally-identified UAS test sites; and be it further

Resolved, That copies of this resolution be transmitted to the Michigan congressional delegation and the Federal Aviation Administration.

Pending the order that, under rule 3.204, the resolution be referred to the Committee on Government Operations, Senator Meekhof moved that the rule be suspended.

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

The question being on the adoption of the resolution,

Senator Meekhof moved that the resolution be referred to the Committee on Veterans, Military Affairs and Homeland Security.

The motion prevailed.

Senators Bieda, Booher, Brandenburg, Colbeck, Jansen, Marleau, Pappageorge, Proos and Robertson were named co-sponsors of the resolution.

#### **Senate Resolution No. 105.**

A resolution designating January 11, 2014, as Human Trafficking Awareness Day in the state of Michigan.

(This resolution was offered on December 10, rules suspended and consideration postponed. See Senate Journal No. 100, p. 1908.)

The question being on the adoption of the resolution,

The resolution was adopted.

Senators Anderson and Bieda were named co-sponsor of the resolution.

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

The motion prevailed.

Senator Emmons' statement is as follows:

I know that the hour is getting late, and we have been here a very, very long time. We have done some very important things, but this resolution really, really focuses on a problem throughout our midst, throughout our country, and throughout this state of Michigan. It is about the issue of human trafficking and the enslavement of individuals.

On January 11, 2014, it is proclaimed to be the National Human Trafficking Day in America. We also want to recognize that date in Michigan. Many of you are aware that the human trafficking industry is a \$32-billion-a-year industry; \$87 million a day globally runs through the economy in this underground, diabolical scheme.

A third of the children who run away are lured or forced into prostitution within 48 hours. That is human trafficking, and that is enslavement. They are children, all shapes, all sizes, male and female.

Human trafficking, the economic impact of that is second only to the drug trade here in America. We need to educate not only ourselves and our family members, but we need to educate our first responders, our emergency room personnel, our public safety officials, our educators, anyone working within a school, those of us involved in our faith-based societies and churches, day care providers, and the list goes on and on.

This day is designated to make sure that people are aware; that there are other individuals who are not enjoying their families, who are not enjoying the freedom that each one of us cherishes. So I would ask that you would support this important piece of legislation, this piece that acknowledges human trafficking as rampage, and we all need to do our parts to address it.

#### **Senate Resolution No. 88.**

A resolution to urge the Congress of the United States to adopt House Concurrent Resolution No. 50, regarding the National Railroad Monument in Durand, Michigan.

The question being on the adoption of the resolution,

The resolution was adopted.

### Recess

Senator Meekhof moved that the Senate recess subject to the call of the Chair. The motion prevailed, the time being 6:26 p.m.

6:45 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

### Statements

Senators Whitmer, Jones, Kahn, Hood and Anderson asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator Whitmer's statement as follows:

As we stand here today about to adjourn for the last time for 2013, I'm well aware that my colleague on the other side of the aisle, wearing his cute little sweater vest, is soon going to regale us with warm stories about bipartisanship and holiday spirit. But you know what? I don't want to hear it. The entire agenda throughout 2013 flies directly in the face of anything you could possibly say about what the holidays are supposed to mean.

The holidays tell us to help those in need, but you've cut unemployment benefits and raised taxes on those who can least afford it. The holidays tell us goodwill toward men, but apparently, you don't believe that extends to women as well, as you maliciously attacked women's rights, our bodies, and our health yesterday. The holidays tell us to deck the halls, but the walls in our schools have been barred or fallen down entirely, as you've slashed their funding and passed a bill this week that the Governor's own advisor admitted was about ending public education as we know it.

Please explain to me and the people of Michigan how any of those policies are in the spirit of the holidays. Holidays are to cherish our loved ones and honor our elders, not tax their pensions and use them to balance budgets. In fact, the only real holiday gift you could give to the people of Michigan today is recessing, stopping, going home, and leaving them alone. The only reason I can think of to celebrate right now is that we are finally about to do that. To paraphrase what Tiny Tim might say here today: God help us, every one.

Senator Jones' statement is as follows:

Today, we took an important vote, because we have children going to school hungry every day without proper clothing because their parents are addicted to drugs and alcohol. They receive welfare money, but they don't spend it on their children. They spend it on their addiction.

When we took this vote, not one person on the other side of the aisle would vote for the children to make sure that their parents were drug-free; so their parents could go out and find a job; so their parents could feed their children and send them to school and help them with their homework. But we did get a response from the other side of the aisle that said all the legislators should be drug tested.

You know, when I first supported this bill, one of my constituents wrote a letter to the *Lansing State Journal* and challenged me to be drug tested. I went out that day, went to an employer service, went to the lab in Lansing there at Waverly and Saginaw, paid my own money, got drug tested and published the results. Because the other side of the aisle feels so strongly about this, in the spirit of Christmas I am offering to pay for any Senator and his chief of staff to go to that lab. I'll meet you there, and I will pay for your drug test. Thank you and Merry Christmas.

Senator Kahn's statement is as follows:

I serve the chamber for our people on Appropriations. We have some numbers that have come in that represent where we are at the end of this year. Over what we predicted in May, we have another \$117 million in the General Fund. Due to frugal use of the dollars that we appropriated this year, we had \$130 million in lapses. We have forecast, because of the Healthy Michigan bill and the reforms contained within it, another \$115 million in reduced spending anticipated next year. That means \$350 million of available revenues that we wouldn't have guessed we were going to have when we passed our budgets in May. So our Christmas stocking in Michigan looks pretty good.

What are we going to find in that Christmas stocking with that money? We find a chance to act on priorities. What sort of priorities do we have—Republicans, Democrats, House, Senate, our people, the Governor? With \$350 million, we can do something further on roads. One of our chambers is really very interested in that. We can do something further with the rainy day fund that would help to pay things down for our emergencies and for our children and our grandchildren in the future. We have folks who would like to see further tax relief for our people. That's possible too. We have priorities,

some of which members of both the Democrat side and the Republican side have brought to me that we ought to be addressing back in our districts. That's also possible with \$350 million. One of the things that disturbs me is the risk attendant to the hole in the Medicaid budget due to only partially funding Medicaid due to the HIPAA shortfall, and that could be addressed too.

In life and in politics, it's not all or nothing. Sometimes there's a little bit for everybody if you can come together and work together and compromise. I look forward to that happening at the beginning of next year, because we do have some extra revenue for our people and their priorities.

Senator Hood's statement is as follows:

I was going to stand here and address some of the comments that were made here earlier by the Senator from the 24th District, but I think that his comments have shown us where his intellect level is. But what I really want to say and what I wanted to stand up here and talk about is us leaving here and going to our Christmas holiday and enjoying the Christmas holiday; the things that we do here and what life is really all about. Last year, I did not know that it was going to be my wife's last Christmas, and this year, I struggle with it. I say to all of you, look deep within your hearts, look deeper than your lives, and look deep within your souls to understand what life is really all about. We can pass laws, and we can make laws, and we change lives here every day, but the precious life that we have is not always going to be here.

So as we leave here and doing the things that we do here, just look at your fellow man and fellow woman and take a piece of that and try to understand their life; not just from your point of view, but from their point of view. Everybody's life is not the same. You can't judge everyone by what your life is all about and what you believe in and what you grew up with or how you grew up, or the geographic area that you grew up in—everything is different. Open up your eyes, open up your mind, and open up your heart to understand. You don't have to believe in it, but just try to understand what someone else is going through, be it if they are on drugs or whatever. People don't wake up and say, "Hey, today I am going to get addicted to drugs or alcohol." It happens. It's life. I know that we look for things to try to stop that and not encourage that, but there are other ways to do it. Let's get them help. Some of them don't want to take the help, because of the addiction that they have, but we have to have the help there for them.

Enjoy this. Enjoy your family. Enjoy your spouses. Tell them that you love them every day, because tomorrow may not be here—it may not. If I could go back and go to last Christmas, I would do it differently. I'd spend more time at home. I'd love a little bit more. I'd kiss a little bit more. I'd touch a little bit more. When I go home tonight, I can't do it. If I were the most powerful man in the world, if I had all of the money in the world, I can't do it. You can. Take advantage of that. Take advantage of every day that you have. Help someone else out. Love someone else. Love someone else you don't even know. We are all running in a dark room, full speed at a brick wall, and you don't know when you are going to hit it. You know, at night time when you get up and it's dark in the house, you kind of feel your way through the house, and you don't want to run into anything, but think about running at it full speed and you don't know when you are going to hit it. You're running at it; everybody in here is running at that brick wall. Be prepared for it.

Don't have the regrets that I had from the last Christmas, saying I should have, I could have, I would have. Do it now. Take the time to love everyone, because that's the way God wants it to be. Shake a hand; give a hug. Take this Christmas, take this time to do that, because you don't know what it's going to be looking like for the next Christmas. Merry Christmas to all of you.

Senator Anderson's statement is as follows:

If I could, members, I wanted to say to my good friend Mo Hood: I got to know Angela, and I know what kind of a person she was. I appreciate that as a reminder to each and every one of us about the person and persons we love and how important it is. I think it is a very appropriate description of what we do here sometimes and in our lives in general, running full speed ahead in the dark into a wall. We're eventually going to hit that wall. I appreciate what you said to all of us.

Members, I just scratched down a couple notes that I did want to share. I know yesterday was a very, very divisive day with one of the votes that we took. There have been a number of those. I hope that we'll start the new year on a new note, and stop these issues that divide our state and work on things that really make a difference to our state and the people in this state; the issues of schools, education, and helping those who really need help. I, for one, don't enjoy those days. I don't think anyone here does. I think we're better than that. I think this body is better than that. This building expects better out of all of us. We should not be taking rights away from people. We should be encouraging the freedoms that we all enjoy.

On another note, I wanted to commend my friend, the good chair of Appropriations from the 32nd District. We've had some pretty serious disagreements over time in my role as vice chair of Appropriations, but I think our relationship has improved to a great degree. Despite his resemblance to the jolly fellow we celebrate this time of year, I believe he—without the red he had on tonight—wasn't implying that we could basically stack the Christmas tree. I appreciate his willingness to work with us on some priorities that are important to us and that are important to the people we all represent. I believe most of us want to get to the right place. There are different ways to get there and different opinions on how to get there, but I would hope that we would focus on that rather than on the personalities and those divisive issues next year.

With that, I just say Merry Christmas to everyone. Happy Holidays, however you wish to express it. I hope everyone has a safe return back here next year. As Senator Hood said, let's appreciate those around us.

I also forgot I wanted to mention my thanks for your support on Senate Bill No. 101, because that license plate will save lives in this state.

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

### Recess

Senator Meekhof moved that the Senate recess subject to the call of the Chair.  
The motion prevailed, the time being 7:03 p.m.

7:32 p.m.

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

By unanimous consent the Senate returned to the order of

### Messages from the House

#### Senate Bill No. 64, 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 27a (MCL 205.27a), as amended by 2012 PA 211.

The House of Representatives has substituted (H-2) the bill.

The House of Representatives has passed the bill as substituted (H-2) and ordered that it be given immediate effect.

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. 669

#### Yeas—37

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

Nays—0

**Excused—1**

Whitmer

**Not Voting—0**

In The Chair: Schuitmaker

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

**Senate Bill No. 443, entitled**

A bill to amend 1961 PA 236, entitled "An act to revise and consolidate the statutes relating to the organization and jurisdiction of the courts of this state; the powers and duties of the courts, and of the judges and other officers of the courts; the forms and attributes of civil claims and actions; the time within which civil actions and proceedings may be brought in the courts; pleading, evidence, practice, and procedure in civil and criminal actions and proceedings in the courts; to provide for the powers and duties of certain state governmental officers and entities; to provide remedies and penalties for the violation of certain provisions of this act; to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act; and to repeal acts and parts of acts," by amending section 6094 (MCL 600.6094).

The House of Representatives has concurred in the Senate amendments to the House substitute (H-3). 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

**Introduction and Referral of Bills**

Senators Hunter, Ananich, Anderson, Smith, Hopgood, Bieda, Young, Whitmer, Warren and Hood introduced

**Senate Bill No. 720, entitled**

A bill to amend 1936 (Ex Sess) PA 1, entitled "Michigan employment security act," by amending section 27 (MCL 421.27), as amended by 2012 PA 496.

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

Senator Schuitmaker introduced

**Senate Bill No. 721, entitled**

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

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

Senator Meekhof introduced

**Senate Bill No. 722, entitled**

A bill to amend 1980 PA 300, entitled "The public school employees retirement act of 1979," by amending section 131a (MCL 38.1431a), as added by 2012 PA 300.

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

Senator Pavlov introduced

**Senate Bill No. 723, entitled**

A bill to amend 1980 PA 300, entitled "The public school employees retirement act of 1979," by amending section 125 (MCL 38.1425), as added by 2010 PA 75.

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

Senator Hune introduced

**Senate Bill No. 724, entitled**

A bill to amend 1980 PA 300, entitled "The public school employees retirement act of 1979," by amending sections 69, 69c, 69f, 70, 71, 75, and 76 (MCL 38.1369, 38.1369c, 38.1369f, 38.1370, 38.1371, 38.1375, and 38.1376), sections 69, 69c, and 70 as amended and section 69f as added by 1989 PA 194, section 71 as amended by 1996 PA 268, section 75 as amended by 2006 PA 617, and section 76 as added by 1985 PA 91.

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

Senator Jansen introduced

**Senate Bill No. 725, entitled**

A bill to amend 1980 PA 300, entitled "The public school employees retirement act of 1979," by amending sections 86 and 87 (MCL 38.1386 and 38.1387), as amended by 2010 PA 75.

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

Senator Caswell introduced

**Senate Bill No. 726, entitled**

A bill to amend 1980 PA 300, entitled "The public school employees retirement act of 1979," by amending section 91 (MCL 38.1391), as amended by 2012 PA 300.

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

Senator Jansen introduced

**Senate Bill No. 727, entitled**

A bill to amend 1980 PA 300, entitled "The public school employees retirement act of 1979," by amending sections 5 and 81d (MCL 38.1305 and 38.1381d), section 5 as amended and section 81d as added by 2012 PA 300, and by adding section 133.

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

Senator Colbeck introduced

**Senate Bill No. 728, entitled**

A bill to amend 1980 PA 300, entitled "The public school employees retirement act of 1979," by amending section 127 (MCL 38.1427), as added by 2010 PA 75.

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

Senators Hansen, Jones and Pappageorge introduced

**Senate Bill No. 729, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 1f of chapter IX (MCL 769.1f), as amended by 2012 PA 331.

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

Senators Emmons, Hune, Smith, Nofs, Green, Pappageorge, Jones, Marleau, Brandenburg, Ananich and Warren introduced  
**Senate Bill No. 730, entitled**

A bill to amend 2000 PA 92, entitled "Food law," by amending section 2129 (MCL 289.2129), as amended by 2012 PA 178, and by adding sections 6152 and 6153.

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

Senator Warren introduced

**Senate Bill No. 731, entitled**

A bill to amend 1998 PA 386, entitled "Estates and protected individuals code," by amending sections 3206, 3207, 3208, 3209, and 3614 (MCL 700.3206, 700.3207, 700.3208, 700.3209, and 700.3614), sections 3206 and 3209 as amended by 2012 PA 63, section 3207 as amended by 2010 PA 325, and section 3208 as added and section 3614 as amended by 2006 PA 299.

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

**House Bill No. 4808, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending sections 16, 18, 200i, 204, 207, 209, 210, 211a, 316, 436, 520b, and 543f (MCL 750.16, 750.18, 750.200i, 750.204, 750.207, 750.209, 750.210, 750.211a, 750.316, 750.436, 750.520b, and 750.543f), sections 16 and 18 as amended by 2004 PA 213, sections 200i, 204, 207, 209, and 210 as amended by 2003 PA 257, section 211a as amended by 2004 PA 523, section 316 as amended by 2013 PA 39, section 436 as amended by 2002 PA 135, section 520b as amended by 2012 PA 372, and section 543f as added by 2002 PA 113.

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 Judiciary.

**House Bill No. 4865, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding part 216.

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 Judiciary.

**House Bill No. 5074, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 87b (MCL 211.87b), as amended by 2002 PA 198.

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.

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.

**Committee Reports**

The Committee on Local Government and Elections reported

**House Bill No. 4622, entitled**

A bill to amend 1956 PA 40, entitled "The drain code of 1956," by amending section 197 (MCL 280.197).

With the recommendation that the bill pass.

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

David B. Robertson  
Chairperson

To Report Out:

Yeas: Senators Robertson, Meekhof, Brandenburg and Young

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Local Government and Elections reported

**House Bill No. 4793, entitled**

A bill to amend 1956 PA 40, entitled "The drain code of 1956," by amending sections 75 and 128 (MCL 280.75 and 280.128); 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.

David B. Robertson  
Chairperson

To Report Out:

Yeas: Senators Robertson, Meekhof and Brandenburg

Nays: None

The bill was referred to the Committee of the Whole.



The Committee on Local Government and Elections reported

**Senate Bill No. 472, entitled**

A bill to amend 1990 PA 345, entitled "State survey and remonumentation act," by amending the title and sections 2, 3, 4, 6, 7, 8, 9, 10, 11, 12, 15, and 17 (MCL 54.262, 54.263, 54.264, 54.266, 54.267, 54.268, 54.269, 54.270, 54.271, 54.272, 54.275, and 54.277), sections 2 and 12 as amended by 2010 PA 260, section 6 as amended by 1998 PA 5, section 8 as amended by 2002 PA 489, and section 11 as amended by 2006 PA 76, and by adding sections 9a and 9b.

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.

David B. Robertson  
Chairperson

To Report Out:

Yeas: Senators Robertson, Meekhof, Brandenburg and Young

Nays: None

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

The Committee on Education reported

**Senate Bill No. 66, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 1278a and 1278b (MCL 380.1278a and 380.1278b), section 1278a as amended by 2009 PA 205 and section 1278b as amended by 2010 PA 80.

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

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

Phillip J. Pavlov  
Chairperson

To Report Out:

Yeas: Senators Pavlov, Emmons, Colbeck and Hopgood

Nays: None

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

#### COMMITTEE ATTENDANCE REPORT

The Committee on Education submitted the following:

Meeting held on Wednesday, December 11, 2013, at 12:00 noon, Senate Hearing Room, Ground Floor, Boji Tower

Present: Senators Pavlov (C), Emmons, Colbeck and Hopgood

Excused: Senator Young

The Committee on Regulatory Reform reported

**House Bill No. 5046, entitled**

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 1021 (MCL 436.2021), as amended by 2005 PA 21.

With the recommendation that the bill pass.

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

Tory Rocca  
Chairperson

To Report Out:

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

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Regulatory Reform reported

**House Bill No. 5140, entitled**

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 531 (MCL 436.1531), as amended by 2012 PA 212.

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

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

Tory Rocca  
Chairperson

**To Report Out:**

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

Nays: None

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

**COMMITTEE ATTENDANCE REPORT**

The Committee on Regulatory Reform submitted the following:

Meeting held on Thursday, December 12, 2013, at 1:00 p.m., Room 210, Farnum Building

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

**COMMITTEE ATTENDANCE REPORT**

The Committee on Energy and Technology submitted the following:

Meeting held on Tuesday, December 10, 2013, at 1:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower

Present: Senators Nofs (C), Proos, Jones, Schuitmaker, Walker, Hopgood, Bieda and Young

Excused: Senator Marleau

**COMMITTEE ATTENDANCE REPORT**

The Joint Committee on Administrative Rules submitted the following:

Meeting held on Thursday, December 12, 2013, at 8:30 a.m., Rooms 426, Capitol Building

Present: Senators Pappageorge (C), Meekhof, Marleau and Johnson

Excused: Senator Hunter and Johnson

**COMMITTEE ATTENDANCE REPORT**

The Subcommittee on K-12, School Aid, Education submitted the following:

Joint meeting held on Thursday, December 12, 2013, at 9:00 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building

Present: Senators Walker (C), Caswell and Pappageorge

Excused: Senator Hopgood

Senator Meekhof moved that the Senate adjourn

The motion prevailed, the time being 7:42 p.m.

Pursuant to Senate Concurrent Resolution No. 13, the President pro tempore, Senator Schuitmaker, declared the Senate adjourned until Friday, December 13, 2013, at 11:45 a.m.

CAROL MOREY VIVENTI  
Secretary of the Senate