

**No. 31**  
**STATE OF MICHIGAN**  
**Journal of the Senate**  
**97th Legislature**  
**REGULAR SESSION OF 2014**

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Senate Chamber, Lansing, Tuesday, March 25, 2014.

10:00 a.m.

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

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

Ananich—present  
Anderson—present  
Bieda—present  
Booher—present  
Brandenburg—excused  
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—excused  
Johnson—present  
Jones—present  
Kahn—present  
Kowall—present  
Marleau—present  
Meekhof—present  
Moolenaar—present  
Nofs—present

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

Senator Phillip J. Pavlov of the 25th District offered the following invocation:

Heavenly Father, we thank You for the blessings You have bestowed upon us as citizens of the great state of Michigan, allowing us to live freely, act freely, and grow freely, according to Your will. As legislators of this great state, allow us to desire eagerly, search prudently, acknowledge sincerely, and fulfill truly only those things that are pleasing to You.

Grant by Your grace that we may not falter in times of prosperity or adversity; that we may not be unduly elated in one nor dejected in the other. Let us rejoice only in those things that lead us to You, and grieve only in those things that turn us from You.

Bestow upon us, O Lord God, an understanding that knows You, diligence in seeking You, wisdom that knows You, and prudence in enshrining in law those things that are pleasing to You.

We ask this in the name of Christ, Your Son, who lives and reigns with You and the Holy Spirit as one God forever and ever. Amen.

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

### Motions and Communications

Senator Hunter entered the Senate Chamber.

The following communication was received and read:  
Joint Committee on Administrative Rules

March 19, 2014

Pursuant to MCL 24.245a(1), the Joint Committee on Administrative Rules has by a concurrent majority vote waived the remaining session days for the following rule set:

Department of Licensing and Regulatory Affairs

Bureau of Fire Services

Fireworks Safety General Rules

(2013-113 LR) (JCAR #14-05)

According to MCL 24.245a(2), if the Committee waives the remaining session days, the Office of Regulatory Reinvention may immediately file the rule.

Sincerely,  
Senator John Pappageorge  
Presiding Co-Chair

Representative Tom McMillin  
Co-Chair

The communication was referred to the Secretary for record.

The Secretary announced that the following House bills were received in the Senate and filed on Thursday, March 20:  
**House Bill Nos. 5119 5332 5396**

The Secretary announced that the following House bills were received in the Senate and filed on Friday, March 21:  
**House Bill Nos. 4001 5380**

The Secretary announced the enrollment printing and presentation to the Governor on Monday, March 24, for his approval the following bill:

**Enrolled Senate Bill No. 610 at 11:14 a.m.**

The Secretary announced that the following bill was printed and filed on Thursday, March 20, and is available at the Michigan Legislature website:

**House Bill No. 5417**

The Secretary announced that the following bills were printed and filed on Friday, March 21, and are available at the Michigan Legislature website:

**Senate Bill Nos. 881 882 883 884 885 886 887 888 889**

**House Bill Nos. 5418 5419 5420**

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

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

Senator Meekhof moved that Senators Brandenburg and Jansen be excused from 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 10:05 a.m.

10:46 a.m.

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

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

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

### Messages from the Governor

The following messages from the Governor were received:

Date: March 20, 2014  
Time: 1:28 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 437 (Public Act No. 36), being**

An act to amend 1967 (Ex Sess) PA 7, entitled "An act to provide for interlocal public agency agreements; to provide standards for those agreements and for the filing and status of those agreements; to permit the allocation of certain taxes or money received from tax increment financing plans as revenues; to permit tax sharing; to provide for the imposition of certain surcharges; to provide for additional approval for those agreements; and to prescribe penalties and provide remedies," by amending sections 5, 7, and 9 (MCL 124.505, 124.507, and 124.509), section 5 as amended by 2011 PA 263 and section 7 as amended by 2002 PA 445.

(Filed with the Secretary of State on March 20, 2014, at 4:11 p.m.)

Date: March 20, 2014  
Time: 1:30 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 629 (Public Act No. 37), being**

An act to amend 1948 (1st Ex Sess) PA 31, entitled "An act to provide for the incorporation of authorities to acquire, furnish, equip, own, improve, enlarge, operate, and maintain buildings, automobile parking lots or structures, transit-oriented developments, transit-oriented facilities, recreational facilities, stadiums, and the necessary site or sites therefor, together with appurtenant properties and facilities necessary or convenient for the effective use thereof, for the use of any county, city, village, or township, or for the use of any combination of 2 or more counties, cities, villages, or townships, or for the use of any school district and any city, village, or township wholly or partially within the district's boundaries, or for the use of any school district and any combination of 2 or more cities, villages, or townships wholly or partially within the district's boundaries, or for the use of any intermediate school district and any constituent school district or any city, village, or township, wholly or partially within the intermediate school district's boundaries; to provide for compensation of authority commissioners; to permit transfers of property to authorities; to authorize the execution of contracts, leases, and subleases pertaining to authority property and the use of authority property; to authorize incorporating units to

impose taxes without limitation as to rate or amount and to pledge their full faith and credit for the payment of contract of lease obligations in anticipation of which bonds are issued by an authority; to provide for the issuance of bonds by such authorities; to validate action taken and bonds issued; to provide other powers, rights, and duties of authorities and incorporating units, including those for the disposal of authority property; and to prescribe penalties and provide remedies,” by amending section 11 (MCL 123.961), as amended by 2008 PA 452.

(Filed with the Secretary of State on March 20, 2014, at 4:13 p.m.)

Date: March 20, 2014

Time: 1:32 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 630 (Public Act No. 38), being**

An act to amend 1980 PA 450, entitled “An act to prevent urban deterioration and encourage economic development and activity and to encourage neighborhood revitalization and historic preservation; to provide for the establishment of tax increment finance authorities and to prescribe their powers and duties; to authorize the acquisition and disposal of interests in real and personal property; to provide for the creation and implementation of development plans; to provide for the creation of a board to govern an authority and to prescribe its powers and duties; to permit the issuance of bonds and other evidences of indebtedness by an authority; to permit the use of tax increment financing; to reimburse authorities for certain losses of tax increment revenues; and to prescribe the powers and duties of certain state agencies and officers,” by amending section 1 (MCL 125.1801), as amended by 2013 PA 61.

(Filed with the Secretary of State on March 20, 2014, at 4:15 p.m.)

Respectfully,  
Rick Snyder  
Governor

The following message from the Governor was received on March 20, 2014, and read:

EXECUTIVE ORDER  
No. 2014-7

**Mental Health and Wellness Commission  
Mental Health Diversion Council**

**Amendment of Executive Orders 2013-6 and 2013-7**

WHEREAS, Section 1 of Article V of the Michigan Constitution of 1963 vests the executive power of the state of Michigan in the Governor; and

WHEREAS, on February 20, 2013, Executive Order 2013-6 created the Mental Health and Wellness Commission (Commission) and Executive Order 2013-7 created the Mental Health Diversion Council (Council); and

WHEREAS, the Commission has spent the last year working to identify gaps in our current mental health system and provided recommendations to address those gaps; however, there is still more work to do; and

WHEREAS, the Commission publicly issued a report on January 21, 2014; and

WHEREAS, it is necessary for the Commission to monitor and aid the implementation of recommendations from the Commission’s report and to thoroughly review additional mental health areas; and

WHEREAS, the Council has made significant strides in its efforts to divert individuals with mental illness or substance use disorders out of the criminal justice system and into appropriate treatment but is solely focused on the adult population. In an effort to have a comprehensive diversion program the scope of the Council must be broadened to include review of the juvenile justice system; and

WHEREAS, the goals of the Commission and Council can best be achieved by adding members specializing in juvenile issues to the Council, expanding the scope and duties of the Commission, and extending the time for the Commission to complete its work;

NOW, THEREFORE, I, Richard D. Snyder, Governor of the state of Michigan, by virtue of the power and authority vested in the Governor by the Michigan Constitution of 1963 and Michigan law, order that:

**I. SECTION II. A. 9. IS ADDED TO EXECUTIVE ORDER 2013-6 TO READ AS FOLLOWS:**

“9. The Commission is also tasked with: reviewing and recommending solutions to overcoming transportation challenges for those with developmental disabilities, mental illnesses, and substance use disorders; supporting the expansion of the scope of the diversion council to juvenile justice; developing transition planning for parents and children; evaluating the policies, programs and services outlined in the Commission report.”

**II. SECTION II. C. OF EXECUTIVE ORDER 2013-6 IS AMENDED TO READ AS FOLLOWS:**

C. “The Commission shall cease to exist on or before December 31, 2015.”

**III. SECTION I. B. OF EXECUTIVE ORDER 2013-7 IS AMENDED TO READ AS FOLLOWS:**

“B. The Council shall be composed of eighteen (18) members appointed by the Governor. Of the members initially appointed, four (4) members shall be appointed for terms expiring on January 30, 2015; five (5) members shall be appointed for terms expiring on January 30, 2016; and five (5) members shall be appointed for terms expiring on January 30, 2017. The four (4) members added by this executive order shall be appointed for terms expiring January 30, 2018. After the initial appointments, members of the council shall serve a term of four (4) years.

**IV. SECTION I. C. OF EXECUTIVE ORDER 2013-7 IS AMENDED TO READ AS FOLLOWS:**

C. The Council consists of the following members:

- The Lieutenant Governor, or his or her designee from within the Lieutenant Governor’s office;
- The director of the Department of Community Health, or his or her designee from within the Department of Community Health;
- The director of the Department of Human Services, or his or her designee from within the Department of Human Services;
- The director of the Department of Corrections, or his or her designee from within the Department of Corrections;
- An individual representing the State Court Administrative Office;
- An individual representing a Medicaid pre-paid inpatient health plan (PIHP);
- An individual representing adult service agencies and/or providers from a local community mental health service program (CMHSP);
- An individual representing the judiciary;
- An individual representing prosecutors;
- An individual representing community prisoner or jail re-entry;
- An individual representing court administrators;
- An individual representing county sheriffs;
- An individual representing local law enforcement;
- A licensed attorney with experience representing individuals with mental illness;
- An individual representing advocates or consumer representatives on adult diversion issues;
- An individual representing juvenile mental health treatment practitioners;
- An individual representing school systems, being someone from an intermediate school district or local school district; and
- An individual representing advocates or consumer representatives on juvenile justice issues.

**V. SECTION II. OF EXECUTIVE ORDER 2013-7 IS AMENDED TO ADD SUBSECTION II. D. TO READ AS FOLLOWS:**

D. The council shall include in its scope a review of juvenile justice as it relates to mental health and juvenile justice diversion including, but not be limited to, the following:

1. Ensuring a universal statewide tool is utilized across the state for courts to administer and properly evaluate and assess youth as they enter the juvenile justice system.
2. Providing support and assistance to existing juvenile mental health courts and foster expansion of such courts.
3. Monitoring and follow-up of Michigan juvenile competency legislation enacted in 2012.
4. Following-up on the results of the Department of Human Services’ juvenile justice behavioral health study (expected to be completed in late 2014).
5. Seeking ways in which the state can assist communities in developing and implementing mobile crisis response for youth psychiatric emergencies.
6. Standardizing and centralizing records, as well as improving information-sharing, among agencies dealing with behaviorally challenged youth at risk of or experiencing detention/incarceration.
7. Improving training for Youth Crisis Intervention for law enforcement.
8. Clarifying the statutory/contractual relationship between law enforcement and Centers for Medicare and Medicaid Services regarding juvenile diversion.
9. Developing best practice re-entry strategies for youth leaving juvenile justice facilities.

This Order is effective upon filing.

[SEAL]

Given under my hand and the Great Seal of the state of Michigan this 20th day of March, in the Year of our Lord, Two Thousand and Fourteen.

Richard D. Snyder  
Governor

By the Governor:  
Ruth A. Johnson  
Secretary of State

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

The following messages from the Governor were received and read:

March 11, 2014

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

**State Board of Architects**

Dennis M. King of 7306 Village Square Drive, West Bloomfield, Michigan 48322, county of Oakland, representing architects, succeeding Paula Van Valkenburgh, is appointed for a term expiring March 31, 2018.

Joseph Welmers of 780 South Third, Brighton, Michigan 48116, county of Livingston, representing the general public, succeeding Jeffrey Wilkerson, is appointed for a term expiring March 31, 2018.

March 11, 2014

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

**State Board of Professional Engineers**

Charles J. Hookham of 2902 East Eisenhower Parkway, Ann Arbor, Michigan 48108, county of Washtenaw, representing professional engineers, succeeding George Karmo, is appointed for a term expiring March 31, 2018.

Cary Junior of 21043 S. Evers Place, Ferndale, Michigan 48220, county of Oakland, representing the general public, succeeding himself, is reappointed for a term expiring March 31, 2018.

March 18, 2014

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

**Michigan Council for Rehabilitation Services**

Jennifer L. Wiebold of 224 Raintree Circle, Kalamazoo, Michigan 49006, county of Kalamazoo, representing disability advocacy groups, succeeding Mary A. Greenawalt, is appointed for a term expiring December 31, 2016.

Sara Grivetti of 3939 E. Old Pine Trail, Midland, Michigan 48642, county of Midland, representing the Statewide Independent Living Council, succeeding herself, is reappointed for a term expiring December 31, 2016.

Aimee Sterk of 2093 Tyler Street, Jenison, Michigan 49428, county of Ottawa, representing disability advocacy groups, succeeding herself, is reappointed for a term expiring December 31, 2016.

Rodney Jones of 3131 Hunter Road, Brighton, Michigan 48114, county of Livingston, representing business, industry and labor, succeeding himself, is reappointed for a term expiring December 31, 2016.

Trina E. Edmondson of 2045 Galewood, S.W., Wyoming, Michigan 49505, county of Kent, representing disability advocacy groups, succeeding herself, is reappointed for a term expiring December 31, 2016.

Deanna F. Middlebrooks of 2262 Edison Street, Detroit, Michigan 48206, county of Wayne, representing vocational rehabilitation counselors, succeeding herself, is reappointed for a term expiring December 31, 2016.

March 19, 2014

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

**State Board of Professional Surveyors**

Steven S. Gravlin of 336 Elmington Court, Canton, Michigan 48188, county of Wayne, representing professional surveyors, succeeding himself, is reappointed for a term expiring March 31, 2018.

Jeffrey Hertrich of 12759 W. Greenfield Road, Grand Ledge, Michigan 48837, county of Eaton, representing the general public, succeeding Donnie Whitley, is appointed for a term expiring March 31, 2018.

Sincerely,  
Rick Snyder  
Governor

The appointments were referred to the Committee on Government Operations.

### Messages from the House

**Senate Joint Resolution V, entitled**

A joint resolution to petition the congress of the United States to call a convention to propose amendments to the constitution of the United States to require a balanced federal budget.

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

The House of Representatives has adopted the joint resolution as substituted (H-1).

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

**Senate Bill No. 641, entitled**

A bill to amend 1980 PA 299, entitled "Occupational code," by amending sections 2502a, 2504, and 2508 (MCL 339.2502a, 339.2504, and 339.2508), section 2502a as added by 2002 PA 611, section 2504 as amended by 2003 PA 196, and section 2508 as amended by 1988 PA 16, and by adding section 2504a.

The House of Representatives has substituted (H-4) the bill.

The House of Representatives has passed the bill as substituted (H-4), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

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

**Senate Bill No. 719, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 19612 (MCL 324.19612), as amended by 2012 PA 446.

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

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

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

**Senate Bill No. 805, entitled**

A bill to amend 1974 PA 258, entitled "Mental health code," by amending sections 100b, 134a, 504, 515, 932, 1001a, 1003, 1003a, 1003b, 1003c, 1004, 1005d, and 1006 (MCL 330.1100b, 330.1134a, 330.1504, 330.1515, 330.1932, 330.2001a, 330.2003, 330.2003a, 330.2003b, 330.2003c, 330.2004, 330.2005d, and 330.2006), section 100b as amended by 2012 PA 500, section 134a as amended by 2010 PA 293, section 515 as amended by 1995 PA 290, sections 1001a, 1003a, 1003b, 1004, 1005d, and 1006 as amended and section 1003c as added by 1993 PA 252, and section 1003 as amended by 2007 PA 112.

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. 806, entitled**

A bill to amend 1979 PA 218, entitled "Adult foster care facility licensing act," by amending section 34b (MCL 400.734b), as amended by 2010 PA 292.

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. 807, entitled**

A bill to amend 1984 PA 233, entitled "Prudent purchaser act," by amending section 2 (MCL 550.52).

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. 808, entitled**

A bill to amend 1980 PA 350, entitled "The nonprofit health care corporation reform act," by amending section 410 (MCL 550.1410), as amended by 1998 PA 24.

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. 809, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending sections 20a, 21a, and 36 of chapter VIII and section 15g of chapter XVII (MCL 768.20a, 768.21a, 768.36, and 777.15g), section 20a of chapter VIII as amended by 2006 PA 655, section 21a of chapter VIII as amended by 1994 PA 56, section 36 of chapter VIII as amended by 2002 PA 245, and section 15g of chapter XVII as amended by 2008 PA 16.

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. 810, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 43515 (MCL 324.43515), as added by 1995 PA 57.

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

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

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. 811, entitled**

A bill to amend 1981 PA 180, entitled "Older Michigianians act," by amending section 6 (MCL 400.586), as amended by 1987 PA 35.

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.

**House Bill No. 4369, entitled**

A bill to amend 1976 PA 451, entitled "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," by amending sections 1225 and 1280c (MCL 380.1225 and 380.1280c), section 1225 as amended by 2012 PA 1 and section 1280c as amended by 2011 PA 8.

The House of Representatives has substituted (H-3) the Senate substitute (S-3).

The House of Representatives has concurred in the Senate substitute (S-3) as substituted (H-3), ordered that the bill be given immediate effect and agreed to the full title.

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

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:

**Senate Bill No. 862**

**Senate Bill No. 869**

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



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 Ananich as Chairperson.

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

**Senate Bill No. 598, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 159g (MCL 750.159g), as amended by 2012 PA 351.

**House Bill No. 4292, entitled**

A bill to amend 1937 PA 94, entitled "Use tax act," by amending section 14a (MCL 205.104a), as amended by 2008 PA 439.

**Senate Bill No. 862, entitled**

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

**Senate Bill No. 869, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 48716 (MCL 324.48716), as added by 1995 PA 57.

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. 585, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending the title and sections 448, 449, and 450 (MCL 750.448, 750.449, and 750.450), the title as amended by 2010 PA 107, section 448 as amended by 2002 PA 45, and sections 449 and 450 as amended by 2002 PA 46, and by adding sections 451b and 451c.

Substitute (S-5).

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

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

**Senate Bill No. 593, entitled**

A bill to amend 1994 PA 203, entitled "Foster care and adoption services act," (MCL 722.951 to 722.960) by adding section 4e.

Substitute (S-2).

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

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

**Senate Bill No. 597, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 16148 and 17060 (MCL 333.16148 and 333.17060), section 16148 as amended by 1995 PA 115 and section 17060 as amended by 1990 PA 247.

Substitute (S-1).

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

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

**Senate Bill No. 431, entitled**

A bill to amend 1984 PA 431, entitled "The management and budget act," (MCL 18.1101 to 18.1594) by adding section 261e.

Substitute (S-2).

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

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

**Senate Bill No. 613, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 40115.

Substitute (S-3).

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

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

**Senate Bill No. 714, entitled**

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

Substitute (S-1).

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

By unanimous consent the Senate proceeded to the order of

**Introduction and Referral of Bills**

Senators Bieda, Whitmer, Warren, Gregory, Anderson, Smith, Ananich, Hopgood, Hunter, Young, Hood, Rocca, Schuitmaker and Jones introduced

**Senate Joint Resolution EE, entitled**

A joint resolution proposing an amendment to the state constitution of 1963, by amending sections 2, 4, 5, 6, 13, 17, and 18 of article I, section 3 of article II, section 5 of article III, sections 4, 7, 9, 18, 33, and 53 of article IV, sections 2, 3, 8, 10, 11, 14, 17, 22, 23, 24, 25, and 26 of article V, sections 2, 3, 6, 11, 17, 18, 20, 21, 22, and 30 of article VI, sections 6, 28, and 32 of article VII, sections 3, 5, and 6 of article VIII, sections 4, 5, and 7 of article XI, and section 3 of article XII, to make the language of the state constitution of 1963 gender neutral.

The joint resolution was read a first and second time by title and referred to the Committee on Government Operations.

Senators Caswell and Jones introduced

**Senate Joint Resolution FF, entitled**

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 8 of article IX, to increase the sales tax rate and to dedicate that revenue to transportation purposes.

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

**House Bill No. 4001, entitled**

A bill to amend 1976 PA 442, entitled "Freedom of information act," by amending sections 4, 5, 10, and 11 (MCL 15.234, 15.235, 15.240, and 15.241), sections 4, 5, and 10 as amended by 1996 PA 553, and by adding sections 10a and 10b.

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 Government Operations.

**House Bill No. 5119, entitled**

A bill to amend 1962 PA 174, entitled "Uniform commercial code," by amending section 4A108 (MCL 440.4608), as added by 1992 PA 100.

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.

Senator Meekhof moved that rule 3.203 be suspended and that the bill be referred to the Committee of the Whole and placed on the order of General Orders.

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

**House Bill No. 5332, entitled**

A bill to amend 1974 PA 258, entitled “Mental health code,” (MCL 330.1001 to 330.2106) by adding section 274a. The House of Representatives has passed the bill.

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

**House Bill No. 5380, entitled**

A bill to provide for the appointment of article V convention delegates; to provide for the powers and duties of those delegates; and to provide for the duties of certain state governmental officials.

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 Government Operations.

**House Bill No. 5396, entitled**

A bill to amend 1980 PA 299, entitled “Occupational code,” by amending section 1110 (MCL 339.1110), as amended by 1988 PA 463.

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 Regulatory Reform.

### Statements

Senators Whitmer and Caswell 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, in which Senator Young concurred, is as follows:

I rise today to congratulate the hundreds of same-sex couples across Michigan who were able to be wed this weekend. They joined with untold other couples this weekend, heterosexual couples, who were married and celebrated their right to share their love with whomever they choose without any of us in this room telling them it’s either more or less legitimate than the love that others may have.

It is that freedom to make our own decisions about our lives, and choose who we want to spend it with; that is the very core of our Constitution. Yet here we are today with our Governor Rick Snyder and our Attorney General Bill Schuette continuing their fight to deny those couples their constitutional right to love, and many of you here in this chamber are applauding their efforts every step of the way. I simply have to ask: Why?

Why do you continue to believe that it is your right to dictate what a family can or should look like? Why do you believe you have the authority, let alone the expertise, to declare that two loving parents are incapable of raising a child simply because they are both of the same sex? And, most importantly, why are you so concerned that other people simply want to be happy in the state they call home without people like you judging them for it?

When I watched the news this past Saturday, I saw pictures of pure joy, of happiness, and of true love. Have we truly become so cynical that those images and the powerful message behind them can so easily be tuned out in favor of continuing to wage an ideological war against our own people? It’s time to let it go.

The fact of the matter is that the Attorney General’s defense of this discriminatory law was an absolute embarrassment on so many levels. As a lawyer, I was embarrassed by the laughable legal arguments the state made. As a taxpayer, I was embarrassed by the \$40,000 to \$120,000 in expenses we paid to the so-called expert witnesses called by the state whose testimony was determined to be entirely unbelievable by the judge. As a mother, as a wife, and a citizen, I was embarrassed that my state and my elected officials would attempt to litigate discrimination and inequality against our own people. Our citizens—all of our citizens—deserve so much better from their Governor and Attorney General, and those of you here today who have encouraged them to continue those misguided efforts only embarrass this chamber as a result.

Same-sex marriage is now a long overdue reality in Michigan. It is now your decision whether you will join the rest of us in the 21st century and recognize that. I encourage you to do just that. The legal limbo our same-sex married couples now face is disgraceful, and we as leaders can and must fix it.

I have called on the Governor and Attorney General today to drop their appeal and end that legal ambiguity for our people. Their case will not win, and the only purpose it continues to serve is to hurt the people all of us in this chamber were sent here to represent. I hope we can offer them better than that. I hope that we as a chamber can recognize that love is love, and congratulate everyone who finds it, regardless with whom they find it.

Senator Caswell’s statement is as follows:

I want to bring to the chamber’s notice some innovative ideas that are occurring in higher education. I know higher education has been an issue that we have all struggled with. In Purdue, when Mitch Daniels resigned or retired as Governor of Indiana, he was selected as president of Purdue University. First of all, for the last two years, he has frozen tuition at Purdue.

Second of all, he has put money on the table to his various departments, telling them that if they come up with a way to let a student get their degree in three years that he would donate \$500,000 to the department for whatever need they have. A three-year degree saves money for the student and makes money for the department. Thirdly, he has taken a considerably lower salary than is common amongst university administrators.

The other college I want to mention is Adrian, here in this state. Adrian College, for their incoming freshmen, is guaranteeing them when they graduate in four years that they will be able to get a job that pays more than \$37,000. If they're not able to do that, the college is telling them that their tuition will be reimbursed. Again, I want all of you to hear. Adrian College is guaranteeing all incoming freshmen next fall that they will get a job upon graduation that pays more than \$37,000. If they do not get a job that pays more than \$37,000, their tuition will be reimbursed. They have seen enrollment applications climb from 350 last year to over 850 this year.

There are innovative things we can do, and there are innovative things that are already happening at universities around the country. As we move forward, I hope that we will look at these things. A three-year degree—think of the money that can be saved. A job guarantee at a certain salary or you get your tuition back—pretty good deal. Let's be creative in our thinking.

### Committee Reports

The Committee on Insurance reported

**Senate Bill No. 715, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding chapter 22A.

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.

Joe Hune  
Chairperson

To Report Out:

Yeas: Senators Hune, Marleau, Brandenburg, Hansen, Robertson and Bieda

Nays: None

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

### COMMITTEE ATTENDANCE REPORT

The Committee on Insurance submitted the following:

Meeting held on Thursday, March 20, 2014, at 9:30 a.m., Room 110, Farnum Building

Present: Senators Hune (C), Marleau, Brandenburg, Hansen, Robertson and Bieda

Excused: Senator Smith

The Committee on Regulatory Reform reported

**Senate Bill No. 862, entitled**

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

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, Pavlov and Warren

Nays: None

The bill was referred to the Committee of the Whole.

### COMMITTEE ATTENDANCE REPORT

The Committee on Regulatory Reform submitted the following:

Meeting held on Thursday, March 20, 2014, at 1:25 p.m., Room 210, Farnum Building

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

Excused: Senators Meekhof and Johnson

The Committee on Health Policy reported

**Senate Bill No. 853, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding part 55A.  
With the recommendation that the bill pass.

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

James A. Marleau  
Chairperson

To Report Out:

Yeas: Senators Marleau, Robertson, Emmons, Hune, Jones, Schuitmaker, Warren and Ananich

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Health Policy reported

**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.  
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.

James A. Marleau  
Chairperson

To Report Out:

Yeas: Senators Marleau, Robertson, Emmons, Hune, Jones, Schuitmaker, Warren and Ananich

Nays: None

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

The Committee on Health Policy reported

**House Bill No. 5136, entitled**

A bill to amend 1974 PA 258, entitled "Mental health code," (MCL 330.1001 to 330.2106) by adding section 141a.  
With the recommendation that the bill pass.

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

James A. Marleau  
Chairperson

To Report Out:

Yeas: Senators Marleau, Robertson, Emmons, Hune, Jones, Schuitmaker, Warren and Ananich

Nays: None

The bill was referred to the Committee of the Whole.

#### COMMITTEE ATTENDANCE REPORT

The Committee on Health Policy submitted the following:

Meeting held on Thursday, March 20, 2014, at 2:30 p.m., Senate Hearing Room, Ground Floor, Boji Tower

Present: Senators Marleau (C), Robertson, Emmons, Hune, Jones, Schuitmaker, Warren and Ananich

Excused: Senator Johnson

The Committee on Outdoor Recreation and Tourism reported

**Senate Bill No. 869, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 48716 (MCL 324.48716), as added by 1995 PA 57.

With the recommendation that the bill pass.

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

Goeffrey M. Hansen  
Chairperson

To Report Out:

Yeas: Senators Hansen, Casperson, Moolenaar, Young and Hopgood

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Outdoor Recreation and Tourism reported

**House Bill No. 5191, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 81133 and 81147 (MCL 324.81133 and 324.81147), section 81133 as amended by 2013 PA 249 and section 81147 as amended by 2013 PA 119.

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.

Goeffrey M. Hansen  
Chairperson

To Report Out:

Yeas: Senators Hansen, Casperson, Moolenaar, Young 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 Outdoor Recreation and Tourism submitted the following:

Meeting held on Thursday, March 20, 2014, at 12:30 p.m., Room 110, Farnum Building

Present: Senators Hansen (C), Hildenbrand, Casperson, Moolenaar, Young and Hopgood

Excused: Senator Meekhof

#### COMMITTEE ATTENDANCE REPORT

The Committee on Natural Resources, Environment and Great Lakes submitted the following:

Meeting held on Thursday, March 20, 2014, at 9:00 a.m., Room 210, Farnum Building

Present: Senators Casperson (C), Pavlov, Green, Kowall and Warren

Excused: Senators Meekhof and Hood

#### COMMITTEE ATTENDANCE REPORT

The Subcommittee on Department of Human Services submitted the following:

Meeting held on Thursday, March 20, 2014, at 1:00 p.m., Rooms 402 and 403, Capitol Building

Present: Senators Caswell (C), Jansen, Proos and Gregory

#### COMMITTEE ATTENDANCE REPORT

The Subcommittee on State Police and Military Affairs submitted the following:

Meeting held on Thursday, March 20, 2014, at 3:00 p.m., Room 405, Capitol Building

Present: Senators Colbeck (C), Pappageorge and Gregory

#### COMMITTEE ATTENDANCE REPORT

The Committee on Natural Resources, Environment and Great Lakes submitted the following:

Meeting held on Monday, March 24, 2014, at 2:00 p.m., Lexington Community Center, 6964 Huron Avenue, Lexington

Present: Senators Casperson (C), Pavlov, Green, Kowall and Warren

Excused: Senators Meekhof and Hood

#### COMMITTEE ATTENDANCE REPORT

The Subcommittee on Agriculture and Rural Development submitted the following:

Meeting held on Tuesday, March 25, 2014, at 9:00 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building

Present: Senators Green (C), Moolenaar and Hopgood

**Scheduled Meetings**

**Administrative Rules** - Wednesday, March 26, 8:30 a.m., Senate Hearing Room, Ground Floor, Boji Tower (373-5773)

**Appropriations -****Subcommittees -**

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

**Community Health Department** - Thursday, March 27, 1:30 p.m., Senate Hearing Room, Ground Floor, Boji Tower (373-2768)

**Corrections Department** - Thursday, March 27, 9:30 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

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

**Judiciary** - Thursday, March 27, 2:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

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

**Families, Seniors and Human Services** - Wednesday, March 26, 3:00 p.m., Room 210, Farnum Building (373-5323)

**Health Policy** - Thursday, March 27, 9:00 a.m., Senate Hearing Room, Ground Floor, Boji Tower (373-5323)

**Local Government and Elections** - Wednesday, March 26, 3:00 p.m., Room 100, Farnum Building (373-5314)

**Natural Resources, Environment and Great Lakes** - Thursday, March 27, 9:00 a.m., Room 210, Farnum Building (373-5314)

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

**Regulatory Reform** - Thursday, March 27, 1:00 p.m., Room 210, Farnum Building (373-5307)

Senator Meekhof moved that the Senate adjourn.  
The motion prevailed, the time being 11:23 a.m.

The President, Lieutenant Governor Calley, declared the Senate adjourned until Wednesday, March 26, 2014, at 10:00 a.m.

CAROL MOREY VIVENTI  
Secretary of the Senate

