

No. 40
STATE OF MICHIGAN
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REGULAR SESSION OF 2013

Senate Chamber, Lansing, Thursday, May 2, 2013.

10:00 a.m.

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

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

Anderson—present
Bieda—present
Booher—excused
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

Pastor Shane Fritz of Charisma Life Church of God of Canton offered the following invocation:

Thank You, God, for these awesome men and women who have taken on the responsibility to lead Michigan. Through praise and through criticism, they have been faithful doing what they believe is right. Due to the unique struggles that each one of them experiences, I pray that You will keep them and their families healthy and strong. Bring any healing and restoration needed so that they can have the love and peace at home where the heart of this beautiful state resides.

The Senate has wonderful opportunities to bring positive change to Michigan, so I ask that You will lead each and every one of them to make those decisions that will first honor You and then man. I pray that they will use the authority that You have bestowed upon them to fulfill their call to lead Michigan and influence the nation in a direction that You see fit. Guide each person here today. Give them Your wisdom, knowledge, and understanding. Give them the courage, strength, and help to fulfill that call.

God, please protect these wonderful men and women. Please protect their families and those who help to run their offices. I ask for love and unity to abide in their homes, offices, and in this room today so that they may carry out their duties with confidence and to help bring forth a better and more successful Michigan and America. Amen.

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

Motions and Communications

Senators Robertson, Pavlov, Green and Casperson entered the Senate Chamber.

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

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

The following communication was received and read:
Office of the Auditor General

April 30, 2013

Enclosed is a copy of the following audit report:
Follow-up of the performance audit of the School Report Card Program, Michigan Department of Education.
Sincerely,
Thomas H. McTavish, C.P.A.
Auditor General

The audit report was referred to the Committee on Government Operations.

The Secretary announced that the following House bills were received in the Senate and filed on Wednesday, May 1:
House Bill Nos. 4118 4388 4528

The Secretary announced that the following bills and joint resolution were printed and filed on Wednesday, May 1, and are available at the Michigan Legislature website:

Senate Bill Nos. 332 333 334 335 336
House Bill Nos. 4635 4636 4637 4638 4639 4640 4641 4642 4643 4644 4645 4646 4647 4648
4649 4650 4651
House Joint Resolution S

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

By unanimous consent the Senate proceeded to the order of

Third Reading of Bills

The following bill was read a third time:

Senate Bill No. 221, entitled

A bill to amend 1994 PA 295, entitled "Sex offenders registration act," by amending section 5a (MCL 28.725a), as amended by 2011 PA 17.

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. 154**Yeas—33**

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

Nays—2

Caswell	Warren
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Excused—2

Booher	Hunter
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Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 25, entitled

A bill to amend 1893 PA 206, entitled “The general property tax act,” by amending section 7cc (MCL 211.7cc), as amended by 2012 PA 524.

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. 155**Yeas—35**

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

Nays—0

Excused—2

Booher

Hunter

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

By unanimous consent the Senate proceeded to the order of
Resolutions

The question was placed on the adoption of the following resolution consent calendar:

Senate Resolution No. 47

Senate Resolution No. 48

Senate Resolution No. 49

The resolution consent calendar was adopted.

Senator Hunter offered the following resolution:

Senate Resolution No. 47.

A resolution to recognize Mrs. Jeralean Talley of Inkster, Michigan, the oldest person living in the United States.

Whereas, After verifying the names of Mrs. Jeralean Talley's parents and siblings in the 1900 Census, the Gerontology Research Group, which verifies age information for Guinness World Records, was able to confirm Mrs. Talley's date of birth, naming her the oldest person living in the United States and third-oldest person in the world; and

Whereas, Mrs. Jeralean Talley was born on May 23, 1899, in Montrose, Georgia, and who, at 113 years old, became the oldest person living in the United States on March 21, 2013. She moved to Detroit, Michigan, in 1935, and a year later, she was married to her husband, Alfred Talley; and

Whereas, Mrs. Talley has one daughter, Thelma Holloway, three grandchildren, ten great-grandchildren, and four great-great-grandchildren; and

Whereas, She has outlived the national average life expectancy of 78.7 years to reach the milestone of supercentenarian—a person who is 110 years old or older. Approximately 1 in 5 million people living in the United States become a supercentenarian; and

Whereas, Until the age of 104, Mrs. Talley was an avid bowler and looks forward to her annual fishing trips in May; and

Whereas, Mrs. Talley lives by the motto: Treat others the way you want to be treated. Such a spirit should be honored in our society today; and

Whereas, This milestone is certainly a time of celebration for her family and friends and one which offers us an opportunity to gratefully recognize the contributions of one of our nation's outstanding citizens; now, therefore, be it

Resolved by the Senate, That we congratulate Mrs. Jeralean Talley on becoming the oldest person living in the United States; and be it further

Resolved, That copies of this resolution be transmitted to Mrs. Jeralean Talley and her family, Governor Rick Snyder, the mayor of the city of Inkster, and the Inkster City Council as a token of our highest esteem.

Senators Anderson, Bieda, Brandenburg, Emmons, Hansen, Hood, Hopgood, Jansen, Johnson, Jones, Pappageorge, Proos, Warren and Whitmer were named co-sponsors of the resolution.

Senator Bieda offered the following resolution:

Senate Resolution No. 48.

A resolution recognizing May 6-12, 2013, as National Nurses Week.

Whereas, May 6-12, 2013, is recognized as National Nurses Week, beginning with International Nurses Day on May 6 and ending with the birthday of Florence Nightingale, the founder of modern nursing, on May 12; and

Whereas, Nurses are health care professionals who are globally recognized for their commitment to advocating for their patients and refusing to compromise their high standards for care; and

Whereas, Nurses are respected and revered for the difficult and demanding nature of their daily work. They are trained experts who perform the very demanding job of caring for the sick and injured when they are in need of around-the-clock medical attention; and

Whereas, These specially-trained caregivers are a vital part of the medical field for the assistance and knowledge they provide to doctors, surgeons, anesthesiologists, and other health care professionals; and

Whereas, Consistently on the front lines of medicine, nurses fight for safe patient care and adequate staffing to ensure patient treatment and recovery; and

Whereas, In our public health departments, nurses help prevent the spread of communicable diseases by containing, controlling, and preventing outbreaks. They immunize our children to keep them healthy and strong so that they are able to fight off sickness and diseases; and

Whereas, Nurses in Michigan fight for the health, safety, and human rights not only of the sick, but also of the elderly, the young, those with disabilities, the injured, the economically disadvantaged, and the most vulnerable among us; and

Whereas, Nurses support their patients both at the bedside and beyond, working to create a world in which all people can be safe, healthy, and prosperous; now, therefore, be it

Resolved by the Senate, That under the leadership of the Michigan Nurses Association, registered nurses across Michigan are committed to enhancing and protecting the nursing profession; and be it further

Resolved, That nurses be respected and promoted on a daily basis for the services and care they provide; and be it further

Resolved, That there is no time like the present to be energized about the future of nursing, especially here in Michigan; and be it further

Resolved, That in honor of the work and dedication of nurses around the world and right here in Michigan, May 6, 2013, be hereby observed as Nurses Day and May 6-12, 2013, be recognized as Nurses Week in the state of Michigan.

Senators Anderson, Brandenburg, Emmons, Hansen, Hildenbrand, Hood, Hoptgood, Jansen, Johnson, Jones, Marleau, Pappageorge, Proos, Rocca, Warren and Whitmer were named co-sponsors of the resolution.

Senator Richardville offered the following resolution:

Senate Resolution No. 49.

A resolution to recognize May 3, 2013, as Stand4Change Day in the state of Michigan.

Whereas, Stand4Change Day is a united movement among our country's and our state's youth and educational staff to demonstrate their dedication to promoting inclusive, judgment-free schools across the country; and

Whereas, Defeat the Label, a nonprofit organization, works to bring attention to bullying issues among elementary, middle, and high school students through awareness campaigns, community outreach, special events, and social media; and

Whereas, According to the United States Department of Justice, a child is bullied in the United States every seven minutes, and according to the National Association of School Psychologists, an estimated 160,000 students miss school each day due to bullying; and

Whereas, Defeat the Label has helped to bring awareness of the impact of bullying to our communities and schools across the nation and empowered students to stand up against bullies and their actions; and

Whereas, While students and educators across North America will stand up to bullying by physically standing up in their classrooms at 12 noon (EST) on May 3, 2013, we encourage all Michigan schools to join with them and participate in Stand4Change Day; now, therefore, be it

Resolved by the Senate, That the members of this legislative body declare May 3, 2013, as Stand4Change Day in Michigan; and be it further

Resolved, That copies of this resolution be transmitted to the Michigan Department of Education and Jeff Sakwa and Kevin Goldman of West Bloomfield, Michigan, as a token of our appreciation for their efforts in helping to raise awareness in our schools about the impact of bullying.

Senator Meekhof moved that rule 3.204 be suspended to name the entire membership of the Senate and the Lieutenant Governor as co-sponsors of the resolution.

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

By unanimous consent the Senate proceeded to the order of

Introduction and Referral of Bills

Senators Bieda, Kowall, Jones, Hoptgood, Smith, Johnson, Warren, Anderson and Hood introduced

Senate Bill No. 348, entitled

A bill to amend 1969 PA 287, entitled "An act to regulate pet shops, animal control shelters, and animal protection shelters; to establish uniform procedures and minimum requirements for adoption of dogs, cats, and ferrets; and to prescribe penalties and civil fines and to provide remedies," by amending the title and section 1 (MCL 287.331), as amended by 1997 PA 7, and by adding section 5b.

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

Senators Green, Hildenbrand, Robertson, Marleau, Jones and Brandenburg introduced

Senate Bill No. 349, entitled

A bill to amend 1974 PA 258, entitled "Mental health code," by amending section 748 (MCL 330.1748), as amended by 1998 PA 497.

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

House Bill No. 4118, entitled

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

The House of Representatives has passed the bill.

The bill was read a first and second time by title and referred to the Committee on Families, Seniors and Human Services.

House Bill No. 4388, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending sections 57 and 57b (MCL 400.57 and 400.57b), as amended by 2011 PA 131.

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

The bill was read a first and second time by title and referred to the Committee on Families, Seniors and Human Services.

House Bill No. 4528, entitled

A bill to amend 2004 PA 161, entitled "Michigan immigration clerical assistant act," by amending the title and sections 3, 13, 17, and 21 (MCL 338.3453, 338.3463, 338.3467, and 338.3471); and to repeal acts and parts of acts.

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

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

By unanimous consent the Senate returned to the order of

General Orders

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

The motion prevailed, and the President, Lieutenant Governor Calley, designated Senator Jansen 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:

House Bill No. 4264, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 174a (MCL 750.174a), as amended by 2012 PA 172.

Senate Bill No. 279, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 537 (MCL 436.1537), as amended by 2011 PA 298.

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. 27, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 537 (MCL 436.1537), as amended by 2011 PA 298.

Substitute (S-1).

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

1. Amend page 7, line 3, after "(B)" by striking out the balance of the subdivision and inserting "**THE GROWLER IS SEALED AND HAS A LABEL AFFIXED TO IT THAT INCLUDES AT LEAST THE BRAND NAME OF THE BEER, THE CLASS OF THE BEER, THE NET CONTENTS OF THE CONTAINER, AND THE NAME OF THE RETAILER FILLING THE GROWLER.**".

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.

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:
Senate Bill No. 79, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 537 (MCL 436.1537), as amended by 2011 PA 298, and by adding section 415.

Substitute (S-7).

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

Statements

Senators Bieda, Meekhof, Young, Whitmer, Kahn, Colbeck and Johnson asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator Bieda's statement is as follows:

Today, I want to rise in honor of and to acknowledge the life of a very good friend, a longtime civic activist in the city of Warren, Fred Stefani, who passed away this week at the age of 96. Fred Stefani was not only a very good friend of myself and my family, but he was a good friend to everybody who knew him in the city of Warren.

He was the founder of the Warren Senior Connection, which is the largest senior citizen group in not only Macomb County, but, I understand, in the state of Michigan. At one time, at its height, it had over 500 members, and they are a very active group, I might add. Fred, as he turned into his nineties, kept a very active pace. He really, truly lived a life worth living and lived every moment of his life for the betterment of all and for the betterment of the seniors, in particular, in the city of Warren.

He was a veteran of the Navy, serving for four years. He was married to the love of his life for 44 years, Ruth. Together, they raised three children, and they had between the two of them seven grandchildren and fifteen great-grandchildren. He also was involved in a lot of other civic affairs in the city of Warren, having served in a number of volunteer capacities. He was a very good friend.

I would like to ask if we could have a moment of silence in honor of Fred Stefani and his many contributions and the many like him who contribute on a daily basis and receive very little, if no recognition for the work that they do for the betterment of their communities.

A moment of silence was observed in memory of Warren civic activist Fred Stefani.

Senator Meekhof's statement is as follows:

Michigan can look forward to air-conditioned condos for chickens instead of chicken coops; all-inclusive resorts for dairy cattle instead of dairy farms; and seeing our farmland, neighborhoods, and recreation areas overrun by marauding predators, like wolves, if extremist groups trying to influence Michigan public policy get their wish list.

For years, radical animal rights groups have been waging a war against livestock farming and hunting. Groups such as the Humane Society of the United States (HSUS) is chief among them. According to the website ActivistCash.com, which is dedicated to tracking the actions of dozens of such groups, the HSUS portrays itself as a mainstream animal care organization. They spend millions running TV ads showing miserable-looking dogs and cats, and they raise many millions more from running these ads. Their fundraising is so successful that they've become one of the wealthiest animal rights groups in the world.

"While most local animal shelters are underfunded and unsung, HSUS has accumulated \$162 million in assets and built a recognizable brand by capitalizing on the confusion its very name provokes. This misdirection results in an irony of which most animal lovers are unaware, which is that HSUS raises enough money to finance animal shelters in every single state, with money left to spare, yet it doesn't operate a single one anywhere," says ActivistCash.com

What HSUS does do is spend millions on programs that, among others, seek to economically cripple poultry, meat, and dairy producers and eliminate hunting. Assaults on livestock farming only raise prices and hurt the economy, with a disproportionate impact on lower-income families. HSUS president Wayne Pacelle once said, "If we could shut down all sport hunting in a moment, we would."

The HSUS is leading an effort that will effectively ban wolf hunting in Michigan. Late last year, we passed a new law to allow a limited wolf hunt in the UP, where the state's wolf population is currently confined. Wolves no longer are an endangered species, and their population is growing. Along with the increased number of wolves comes damage to livestock and pets, as well as potential danger to the health and safety of people from these predatory and migratory hunters.

Wolves have become a commonplace sight, and not a welcome one, across the western UP, and even right in towns like Ironwood. They've taken up residence in parks and other places frequented by people. More than 70 wolves have had to be destroyed by local law enforcement and state and federal wildlife managers due to concerns about human safety or threats to livestock.

I'm pleased to stand with Senator Casperson and my colleagues and engage out-of-state radicals like HSUS. Today, the battle is over the reasonable and limited hunting of wolves. Tomorrow, we may be looking at an assault on turkey and deer hunting. Or perhaps the next target of the extremists will be over poultry or dairy production, which has occurred in other states.

Livestock farming and hunting are vital parts of our heritage and our economy. Let's tell groups like HSUS to keep their radical agenda in Washington, and let Michigan decide what's best for our state.

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

Senator Young's statement is as follows:

I would like to start with a quote from Timothy Harper: "The power of the U.S. Constitution comes not from the document itself but rather from our society's agreement to live under the rule of law." The reason why we have a constitution is not to grant the government power, but it is the people's rights to protect from these governments. We have lost sight of that with this unconstitutional and illegal emergency manager law.

Now I know that when you passed this law—even though 52 percent of this state voted it down; 82 percent of the people in my district voted against it—you meant well and had good intentions. But absolute power corrupts absolutely. A tenet of democracy is that concentrated power is a direct threat to individual autonomy and freedom. What you might have meant to go in there to cure can be manipulated to contaminate. What you might have meant to go in there and construct can now be used to go in there and create carnage. And what you might have meant to go in there for correction can be turned into corruption.

So, Mr. President, the question is, if we don't have the EM law, what do we want? What do we want in the city of Detroit? We want more jobs and less jails. We want more schools and less secret deals. We want excellence in education, not educational achievement authorities. We want a trail that is built for tomorrow, not tyrannical takeovers.

Mr. President, the citizens of Detroit and the state of Michigan believe that the future is not some unforeseen event, but it is a structure that is built, a trail that is blazed. But one of the key tools to blazing that trail, of leaving our mark, and of seizing our destiny is the right to vote in democracy. That is a fundamental American tenet. That is what makes this union one that can be perfected. That is what makes our states states that are chasing perfection, pursuing excellence, and achieving innovation every day. It is the right to exercise your franchise where American exceptionalism comes from.

Now I am not saying that there won't be some successes, even though we can't determine what success is or what your definition of success is, but bottom line, we will never be as great as we can be if we are not willing to sacrifice what we are for, what we can become. The only way in which we can do that is to destroy the boundaries, destroy the limits of this EM law, and allow our people and this state to live in freedom and enjoy the social compact as it was intended.

We have to repeal this EM law. It is illegal and unconstitutional. The future of this state depends on democracy. It is the cornerstone of our foundation.

So, Mr. President, I say in conclusion, as Calvin Coolidge said, "Let us make sure that laws are not just based on the majority but on the foundation of righteousness."

Senator Whitmer's statement is as follows:

I rise to address an op-ed written by Eli and Edythe Broad and circulated by Governor Snyder's office on the Education Achievement Authority to all of our offices. As an elected official, a Michigan citizen, and a proud Spartan graduate, I am well-aware and very grateful indeed for the Broads' many contributions to our state and my alma mater. Their philanthropy and civic engagement have given Michigan State the business school, a fantastic art museum, the Human Genome Project, and was integral to expanding stem cell research in our country.

But I worry that Governor Snyder has defrauded them and taken advantage of their laudable goals. In the Broads' column on the EAA, it states, "The only question that should be asked is: What is best for Michigan students?" They also say, "Every student deserves an equal chance to learn and to receive the same resources." I couldn't agree more with that sentiment, but the irony is that Snyder's EAA has taken the exact same resources, literally taking dollars away from neighboring public schoolkids' education. You see, we just learned that Snyder officials have taken \$6 million out of the already financially-strapped Detroit Public Schools. Is that what is best for our students?

The Broads' piece says, "It is unconscionable that students attending an EAA school should be shortchanged even a dollar." Well, shouldn't the reverse be true as well, that we should not be shortchanging Detroit Public Schools students to the tune of \$6 million to keep the EAA afloat? Unfortunately, Governor Snyder's EAA, and I suspect unbeknownst to the Broads, has been secretly siphoning money from one of our state's most impoverished school districts to pay for his pet project. I suspect that the Broads' support of the EAA is largely in its principles and not in its practices, which as of late have dwindled to shady subterfuge and backroom swindling. The blame for this disjuncture and the questionable activities of the EAA lie squarely on Governor Snyder's shoulders.

It is time for Rick Snyder to stop acting like a cold, calculating CEO focused on maximizing profits for the private sector, and start acting like a Governor with a fiduciary duty to us all, especially to our kids.

Senator Kahn's statement is as follows:

On Tuesday and Wednesday of this week, I rose during Statements to speak to the issues of Medicaid reform, with the backdrop of a recent EPIC-MRA poll showing the majority of our citizens to be in favor of Medicaid reform regardless of party or position within the party. Yesterday, I spoke about end-of-life care, and the day before I spoke of our need to have the equivalent of a health care coach in order to have help in bringing people to wellness and save dollars. In the former case, that we could honor people's wishes and again save dollars. It is a tough act to be able to save money and improve health at the same time.

Today, I would like to speak for a moment about other notions out there that collectively go under the grouping of co-pays. Federal law requires that co-pays be nominal. The meaning of nominal is that they cannot be at such a level that they would exert a chilling effect on access to care. That is embodied in federal rules regarding Medicaid, and they are embodied in the notion of the EMTALA laws. The notions that we can explore, therefore, do include some change in the overall number of dollars in a co-pay or in the amount that you can charge for first-day services in a hospital, but they cannot exert a chilling effect on access.

What else is available? Well, in the sense of trying to improve people's overall health, we can look at ideas that would encourage reductions in weight—obesity, things that would help to encourage folks to quit smoking, things that would lead to a reduction in drug use, for those who have problems with drug abuse, offer treatment for them. All of these would improve health and could, according to multiple medical studies, serve to be cost-saving.

We have a bill over in the House that will require mandatory drug testing. Married to that should be drug treatment for those who fail such tests, in my opinion. These ideas could be classified under the heading of sticks or carrots. There can be carrots, and I will give an example. Currently, cash welfare and Medicaid is a lump sum. That could be broken into two categories—basic and enhanced. The carrot would be an enhancement in cash welfare or other forms of government support for those who do, in fact, follow procedures or attempt to improve their health.

One other idea that has been talked about and which, in my opinion, would be mandatory if indeed we consider a healthy Michigan approach to Medicaid, would be elimination of this program if the federal support is withdrawn.

Senator Colbeck's statement is as follows:

Well, colleagues, we've got one budget left out there in the Senate, the Department of Community Health. The budget right now is held up by one fundamental question: Should we expand Medicaid from the current 100 percent of the federal poverty limit to 138 percent of the federal poverty limit? Implied with this question is that citizens in this pool would have better health, i.e., a healthier Michigan. In this context, I think it's important to share the results of a study that was performed out in Oregon.

The Oregon Health Insurance Experiment (OHIE) may be the most important study ever conducted on health insurance. Oregon officials randomly assigned thousands of low-income Medicaid applicants—basically, the most vulnerable portion of the group that would receive coverage under Obamacare's Medicaid expansion—either to receive Medicaid coverage or nothing at all. Health economists then compared the people who got Medicaid to the people who didn't. The OHIE is the only randomized, controlled study ever conducted on the effect of having health insurance versus no health insurance. Randomized, controlled studies are the gold standard of such research.

Well, here are some of the study's results and conclusions: "We found no significant effect of Medicaid coverage on the prevalence or diagnosis of hypertension or high cholesterol levels or on the use of medication for these conditions. Medicaid coverage significantly increased the probability of a diagnosis of diabetes and the use of diabetes medication, but we observed no significant effect on average glycosylated hemoglobin levels or on the percentage of participants with levels of 6.5% or higher. Medicaid coverage decreased the probability of a positive screening for depression, increased the use of many preventive services, and nearly eliminated catastrophic out-of-pocket medical expenditures.

This randomized, controlled study showed that Medicaid coverage generated no significant improvements in measured physical health outcomes in the first 2 years, but it did increase use of health care services, raise rates of diabetes detection and management, lower rates of depression, and reduce financial strain."

I'd like to focus on that last part about reducing financial strain. It may have reduced financial strain on the participants in the study, but it increased the financial strain on the people who had to pay for that. Against that backdrop, I want to hearken back to what's going on back in Washington, D.C., the same people who are promising to cover all of our expenses for this Medicaid expansion because they have all the money to provide that 100 percent coverage in the state of Michigan for the next three years.

Here's what they're saying in D.C. right now: Senate Majority Leader Harry Reid says he shares colleagues' concerns that the Affordable Care Act could become a train wreck if it's not implemented properly. Reid warned that people will not be able to choose health insurance plans on government health exchanges if federal authorities lack the resources to set them up and educate the public. These are the same resources that we're supposed to be provided here in the state, and they can't get it together to go off and figure out what they're going to do in D.C. "'Max said unless we implement this properly, it's going to be a train wreck and I agree with him,' Reid said, echoing a warning delivered last month by the Senate Finance Committee Chairman Max Baucus."

The feds attempted to get the states to go off and paint their fence with the federal health care exchange, à la Tom Sawyer, and we said no. Now they're trying to figure out how they're going to do what they tried to hand off to us. We need to avoid this bait-and-switch where they're trying to take their problems and throw them at the state. We've got our act together for the first time in many years in the state of Michigan. We need to say no to any additional burdens to our state budget, and now we've got evidence that says we can take just as good of care of our citizens by saying no to Medicaid expansion.

I request that all my colleagues take notice of what's going on here. Medicaid expansion is a bad deal for the citizens of the state of Michigan, and it's a bad deal for our nation as a whole. I urge your defeat of any measure that aims to expand Medicaid in our state.

Senator Johnson's statement is as follows:

I rise today to bring some needed attention to the financial tomfoolery of Governor Snyder, Detroit emergency manager Kevyn Orr, and the long list of private contracts funded with public tax dollars being issued to their friends in the consulting business. Today the *Detroit Free Press* reported that, just since December, the city of Detroit under direction of the Governor has spent almost \$14 million on nine contracts with various firms, including the one Kevyn Orr was recently partner at.

Under this regime, city and state taxpayers are paying Ernst & Young for a financial restructuring adviser to develop a long-term financial plan for the city with a price tag of \$6.6 million; an operational restructuring adviser with Conway MacKenzie to analyze city departments for a cool \$4.2 million; an operations adviser from Plante Moran to improve property tax and assessor's offices for \$3.3 million; an actuarial adviser from a firm called Milliman to study pension costs for nearly \$400,000; an investment banker with Miller Buckfire to advise the city on capital markets and asset sales for \$1.8 million; legal counsel with the Miller Canfield law firm, which helped draft the emergency manager laws, to represent the mayor for \$300,000; an auditor from Aon Hewitt to assist in compliance with the consent agreement for \$185,850; and an auditor with Kessler & Associates for another \$350,000. And, perhaps most egregiously, there is a contract for legal counsel with Kevyn Orr's former firm, Jones Day, to negotiate with the very same creditors that they represent, the same big banks that have wreaked havoc in Detroit and all across the country and were bailed out with taxpayer dollars after the economic crash several years ago. This contract runs \$3.35 million, with a cap on fees to be lifted if the city enters bankruptcy.

Could this \$14 million in consultant fees be better used putting police on the streets? Demolishing blighted buildings? Replacing the money SEMCOG took from DDOT at the Governor's direction? Absolutely. Instead, under the guise of a fiscal emergency, we have high-priced lawyers, accountants, consultants, and various other paper pushers lecturing the city on fiscal restraint, while bringing in huge paychecks for their firms.

Like the vultures they are, their most creative recommendations simply boil down to cut services, cut employees, break contracts, bust unions, and sell assets.

I am confident that one day what we see taking place in Detroit under Governor Snyder's emergency management regime will produce an excellent case study in crony capitalism and the usurpation of democracy under the guise of perceived and even contrived emergencies.

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

Senator Meekhof moved that rule 3.902 be suspended to allow the guests of Senator Warren admittance to the Senate floor, including center aisle.

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

Senator Meekhof moved that rule 3.901 be suspended to allow photographs to be taken from the Senate floor.

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

Recess

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

The motion prevailed, the time being 11:02 a.m.

11:10 a.m.

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

During the recess, Senator Warren introduced members of the University of Michigan Men's Basketball Team, NCAA Final Four Championship contenders; and Head Coach John Beilein; and presented them with a Special Tribute.

Senator Richardville and Coach Beilein responded briefly.

During the recess, Senator Hunter entered the Senate Chamber.

Committee Reports

The Committee on Education reported

Senate Bill No. 80, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending section 18 (MCL 388.1618), as amended by 2012 PA 201.

With the recommendation that the substitute (S-3) 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.

The Committee on Education reported

Senate Bill No. 81, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 1254 and 1814 (MCL 380.1254 and 380.1814), section 1254 as amended by 1995 PA 289 and section 1814 as added by 2004 PA 417.

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.

The Committee on Education reported

House Bill No. 4471, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending section 101 (MCL 388.1701), as amended by 2012 PA 516.

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.

Phillip J. Pavlov
Chairperson

To Report Out:

Yeas: Senators Pavlov, Emmons, Colbeck, Hopgood and Young

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, May 1, 2013, at 12:00 noon, Senate Hearing Room, Ground Floor, Boji Tower

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

The Committee on Health Policy reported

Senate Bill No. 237, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 9208 (MCL 333.9208), as amended by 2000 PA 90.

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 Johnson

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Health Policy reported

Senate Bill No. 238, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1177 (MCL 380.1177), as amended by 2000 PA 91.

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 Johnson

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Health Policy reported

Senate Bill No. 239, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending section 167 (MCL 388.1767), as amended by 2006 PA 342.

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 Johnson

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 Wednesday, May 1, 2013, at 1:00 p.m., Room 110, Farnum Building

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

COMMITTEE ATTENDANCE REPORT

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

Meeting held on Thursday, May 2, 2013, at 8:30 a.m., Room 210, Farnum Building

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

Scheduled Meetings

Finance - Wednesday, May 8, 12:30 p.m., Room 210, Farnum Building (373-5307)

Infrastructure Modernization - Tuesday, May 7, 2:30 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-1760)

Natural Resources, Environment and Great Lakes - Monday, May 6, 1:00 p.m., Port of Detroit Public Dock and Terminal Building, 2nd Floor Public Space, 130 East Atwater Street, Detroit (373-5323)

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

The Assistant President pro tempore, Senator Hansen, declared the Senate adjourned until Tuesday, May 7, 2013, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate

