

No. 83
STATE OF MICHIGAN
Journal of the Senate
97th Legislature
REGULAR SESSION OF 2013

Senate Chamber, Lansing, Wednesday, October 16, 2013.

10:00 a.m.

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

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

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

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

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

Pastor Eric Strattan of Bridge Bible Church of Muskegon offered the following invocation:

Lord, we thank You for blessings of freedom, of health, of human government, and for these legislators who are committed to serving well. May today's deliberations in this house, this chamber of government, as well as their counterparts across the hall, accomplish things that are very helpful not just to our city and state, but also as part of a nation.

We pray for Your very best and for Your blessings. We thank You for these things that are beyond what we deserve. We depend on You today. We pray these things with gratitude and humility. Amen.

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

Motions and Communications

Senators Emmons, Proos, Casperson, Green, Jansen, Hildenbrand, Pavlov, Jones and Booher entered the Senate Chamber.

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

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

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

The Secretary announced that the following House bills were received in the Senate and filed on Tuesday, October 15:
House Bill Nos. 4121 4622 4740 4793 4821 4831 4866

The Secretary announced the enrollment printing and presentation to the Governor on Tuesday, October 15, for his approval the following bills:

Enrolled Senate Bill No. 25 at 1:16 p.m.

Enrolled Senate Bill No. 351 at 1:18 p.m.

Messages from the Governor

The following messages from the Governor were received and read:

October 15, 2013

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

Emergency Manager - Highland Park School District

Gregory D. Weatherspoon of 17866 Arnwine Drive, Vandalia, Michigan 49095, county of Cass, succeeding Donald B. Weatherspoon, is appointed to serve effective October 16, 2013.

October 15, 2013

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

Emergency Manager - Muskegon Heights School District

Gregory D. Weatherspoon of 17866 Arnwine Drive, Vandalia, Michigan 49095, county of Cass, succeeding Donald B. Weatherspoon, is appointed to serve effective October 16, 2013.

Sincerely,
Rick Snyder
Governor

The appointments were referred to the Committee on Government Operations.

Senator Richardville entered the Senate Chamber.

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 Proos as Chairperson.

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

Senate Bill No. 476, entitled

A bill to amend 1980 PA 299, entitled "Occupational code," by amending section 303a (MCL 339.303a), as amended by 2006 PA 489; and to repeal acts and parts of acts.

Senate Bill No. 477, entitled

A bill to amend 1979 PA 152, entitled "State license fee act," by repealing section 28 (MCL 338.2228).

Senate Bill No. 478, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 82101 (MCL 324.82101), as amended by 2010 PA 371.

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. 358, entitled

A bill to amend 1956 PA 217, entitled "Electrical administrative act," by amending section 7 (MCL 338.887), as amended by 2013 PA 69.

Substitute (S-1).

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

1. Amend page 4, line 16, after "pump" by striking out the balance of the line through "dwelling" on line 17 and inserting a comma.

2. Amend page 4, line 17, after "in" by striking out "the house" and inserting "**A BUILDING**".

3. Amend page 4, line 18, after "installer" by inserting "**OR WELL DRILLING CONTRACTOR THAT IS**".

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. 312, entitled

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

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. 494, entitled

A bill to amend 1979 PA 152, entitled "State license fee act," by repealing section 23 (MCL 338.2223).

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.

During the Committee of the Whole, Senators Pappageorge, Kahn, Brandenburg and Hunter entered the Senate Chamber.

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 guest of Senator Schuitmaker admittance to the Senate floor.

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

Third Reading of Bills

The following bill was read a third time:

Senate Bill No. 307, entitled

A bill to amend 1951 PA 33, entitled “An act to provide police and fire protection for townships and for certain areas in townships, certain incorporated villages, and certain cities; to authorize contracting for fire and police protection; to authorize the purchase of fire and police equipment, and the maintenance and operation of the equipment; to provide for defraying the cost of the equipment; to authorize the creation of special assessment districts and the levying and collecting of special assessments; to authorize the issuance of special assessment bonds in anticipation of the collection of special assessments and the advancement of the amount necessary to pay such bonds, and to provide for reimbursement for such advances by reassessment if necessary; to authorize the collection of fees for certain emergency services in townships and other municipalities; to authorize the creation of administrative boards and to prescribe their powers and duties; to provide for the appointment of traffic officers and to prescribe their powers and duties; and to repeal acts and parts of acts,” by amending section 10 (MCL 41.810), as amended by 2004 PA 463.

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. 407

Yeas—37

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

Nays—0

Excused—1

Johnson

Not Voting—0

In The Chair: Schuitmaker

The Senate agreed to the title of the bill.

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

Senate Bill No. 546

Senate Bill No. 475

Senate Bill No. 174

Senate Bill No. 387

Senate Bill No. 492

The motion prevailed.

The following bill was read a third time:

Senate Bill No. 546, entitled

A bill to amend 1877 PA 164, entitled “An act to authorize cities, incorporated villages, and townships to establish and maintain, or contract for the use of, free public libraries and reading rooms; and to prescribe penalties and provide remedies,” by amending sections 2, 3, 4, 5, 7, 9, 10, 10a, 10c, 11, 14, 15, and 16 (MCL 397.202, 397.203, 397.204, 397.205, 397.207, 397.209, 397.210, 397.210a, 397.210c, 397.211, 397.214, 397.215, and 397.216), section 2 as amended by 2000 PA 99, sections 10, 10a, and 10c as amended by 1994 PA 81, section 11 as amended by 2002 PA 160, and sections 14 and 16 as amended and section 15 as added by 1984 PA 128.

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. 408

Yeas—37

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

Nays—0

Excused—1

Johnson

Not Voting—0

In The Chair: Schuitmaker

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 475, entitled

A bill to enact the trampoline court safety act; to prescribe the duties and liabilities of trampoline court operators and persons who use trampoline courts; and to provide for the acceptance of certain risks by persons who use trampoline courts.

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. 409**Yeas—25**

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

Nays—12

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

Excused—1

Johnson

Not Voting—0

In The Chair: Schuitmaker

The Senate agreed to the title of the bill.

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

Senator Johnson entered the Senate Chamber.

The following bill was read a third time:

Senate Bill No. 174, entitled

A bill to require certain consumer reporting agencies to place security freezes for consumers under certain circumstances; to provide for the removal of those security freezes; to authorize and limit fees; to prescribe the powers and duties of certain state agencies and officials; and to provide remedies.

The question being on the passage of the bill,

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

Roll Call No. 410**Yeas—38**

Ananich	Gregory	Kahn	Richardville
Anderson	Hansen	Kowall	Robertson
Bieda	Hildenbrand	Marleau	Rocca
Booher	Hood	Meekhof	Schuitmaker
Brandenburg	Hopgood	Moolenaar	Smith
Casperson	Hune	Nofs	Walker

Caswell
Colbeck
Emmons
Green

Hunter
Jansen
Johnson
Jones

Pappageorge
Pavlov
Proos

Warren
Whitmer
Young

Nays—0

Excused—0

Not Voting—0

In The Chair: Schuitmaker

The Senate agreed to the title of the bill.

Senators Ananich, Anderson, Bieda, Booher, Brandenburg, Casperson, Emmons, Green, Gregory, Hildenbrand, Hood, Hopgood, Hunter, Johnson, Kahn, Kowall, Moolenaar, Nofs, Pavlov, Richardville, Robertson, Rocca, Schuitmaker and Warren were named co-sponsors of the bill.

The following bill was read a third time:

Senate Bill No. 387, entitled

A bill to amend 1969 PA 317, entitled “Worker’s disability compensation act of 1969,” by amending section 161 (MCL 418.161), as amended by 2012 PA 83.

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. 411

Yeas—38

Ananich
Anderson
Bieda
Booher
Brandenburg
Casperson
Caswell
Colbeck
Emmons
Green

Gregory
Hansen
Hildenbrand
Hood
Hopgood
Hune
Hunter
Jansen
Johnson
Jones

Kahn
Kowall
Marleau
Meekhof
Moolenaar
Nofs
Pappageorge
Pavlov
Proos

Richardville
Robertson
Rocca
Schuitmaker
Smith
Walker
Warren
Whitmer
Young

Nays—0

Excused—0

Not Voting—0

In The Chair: Schuitmaker

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 492, entitled

A bill to amend 1976 PA 451, entitled “The revised school code,” by amending section 1147 (MCL 380.1147), as amended by 2012 PA 198.

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. 412

Yeas—38

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

Nays—0

Excused—0

Not Voting—0

In The Chair: Schuitmaker

The Senate agreed to the title of the bill.

By unanimous consent the Senate proceeded to the order of

Resolutions

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

Senate Resolution No. 34

The motion prevailed.

Senators Walker, Meekhof, Hildenbrand and Kahn offered the following concurrent resolution:

Senate Concurrent Resolution No. 12.

A concurrent resolution to authorize the State Board of Education and the Michigan Department of Education to move forward and expend resources to implement the use of the Common Core State Standards so long as the conditions of this concurrent resolution are met.

Whereas, Noting that the Tenth Amendment to the United States Constitution states, “The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people,” and recognizing that there is no constitutional provision delegating the power to educate children to the federal government, the Michigan Legislature declares that the federal government has no constitutional authority to dictate how children in the state of Michigan are to be educated; and

Whereas, Article VI, Section 231, of the FY 2013-14 Department of Education budget (2013 PA 59) states, “Funds appropriated in part 1 shall not be used to fund implementation of common core state standards or smarter balanced assessments unless an affirmative action of the legislature authorizing implementation of said standards or assessments is provided.”; and

Whereas, Article IX, Section 17, of the Michigan Constitution states, “No money shall be paid out of the state treasury except in pursuance of appropriations made by law.”; and

Whereas, Article VIII, Section 1, of the Michigan Constitution states, “Religion, morality and knowledge being necessary to good government and the happiness of mankind, schools and the means of education shall forever be encouraged.”; and

Whereas, Article VIII, Section 3, of the Michigan Constitution states, “Leadership and general supervision over all public education, including adult education and instructional programs in state institutions, except as to institutions of higher education granting baccalaureate degrees, is vested in a state board of education. It shall serve as the general planning and coordinating body for all public education, including higher education, and shall advise the legislature as to the financial requirements in connection therewith.”; and

Whereas, The Common Core State Standards were adopted by the State Board of Education in June 2010. The standards were developed by the National Governors Association and the Council of Chief State School Officers and are not a mandate by the federal government; and

Whereas, Adopting high educational expectations and ensuring that all of our students are receiving a high-quality education to develop independent thought and compete globally through a transparent and accountable system is paramount. With the previously-mentioned facts in mind, the House Subcommittee on Common Core State Standards has had dozens of hours of study and held extensive committee hearings with testimony from a diverse set of experts, educators, and the public to examine the Common Core State Standards adopted by the State Board of Education; and

Whereas, The extensive hearings led to this action by the Legislature with a belief that education “standards” define minimum expectations of what students should know at the conclusion of a course of study but not the methods, curriculum, or the entirety of what students are taught; and

Whereas, The Michigan Legislature recognizes that a high-quality education to develop independent thought is an important part of being a successful person; and

Whereas, Michigan students compete nationally and internationally for work opportunities and better careers, and, as such, a high-quality education is an important base for their success in this global competition; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That we authorize, pursuant to 2013 PA 59, the State Board of Education and the Michigan Department of Education to continue to implement the use of aspects of the Common Core State Standards, as they are known today, so long as the conditions of this concurrent resolution are met; and be it further

Resolved, That any future education standards or student assessment tools approved by the State Board of Education shall be presented in a report or in testimony to the standing education committees of both chambers of the Legislature before final board approval; and be it further

Resolved, That implementation of the Common Core State Standards by the State Board of Education and the Michigan Department of Education is contingent on the ability of Michigan to add different college- and career-ready standards that are in the best interest of the students of Michigan, with no ramifications from the federal government; and be it further

Resolved, That the State Board of Education and the Michigan Department of Education may implement Common Core State Standards so long as such standards do not dictate curriculum or prescribe a particular method of instruction. Parents who choose to educate their children at home, pursuant to Section 1561 of the Revised School Code, 1976 PA 451, MCL 380.1561, retain their independence and control over their children’s education and are not subject to Common Core State Standards or the Smarter Balanced Assessment; and be it further

Resolved, That the State Board of Education and the Michigan Department of Education may implement Common Core State Standards so long as control over the creation and implementation of curriculum, textbooks, educational materials, and instructional methods shall remain under the control of the local school districts and not the federal government; and be it further

Resolved, That the State Board of Education and the Michigan Department of Education may implement Common Core State Standards so long as the authority and flexibility, as permitted under Section 1278 of the Revised School Code, 1976 PA 451, MCL 380.1278, to develop or adopt a different set of standards remains with locally-elected school boards should they determine other college- and career-ready standards are appropriate for their students, including teaching high school Euclidean geometry and classic English literature; and be it further

Resolved, That the State Board of Education and the Michigan Department of Education may implement Common Core State Standards so long as, consistent with Section 1278 of the Revised School Code, 1976 PA 451, MCL 380.1278, the standards shall not include attitudes, beliefs, or value systems that are not essential in the legal, economic, and social structure of our society, and to the personal and social responsibility of its citizens, as determined by locally-elected school boards; and be it further

Resolved, That the State Board of Education and the Michigan Department of Education may implement Common Core State Standards so long as Michigan’s students and parents are assured of the safety and security of their personally identifiable student information by knowing that no noneducation-related information on students or their families, including, but not limited to, religion, political affiliations, or biometric data, will be collected, tracked, housed, reported, sold, or shared with the federal government or outside entities; and be it further

Resolved, That the State Board of Education and the Michigan Department of Education shall issue a full report, which is to be submitted to both chambers of the Legislature by December 1, 2013. In preparation for receipt of this report, the State Board of Education may take steps to remove conflicts of interest and provide the State Board of Education and the Michigan Department of Education the necessary latitude and objectivity to develop their recommendations for Michigan's student assessment tools. This report is to include a review of all available student assessment tools with a special emphasis on an assessment based on Michigan's state standards and adaptation thereof. The report should also include information on how the assessments would be used and the implementation costs for local school districts and the state of Michigan. The Legislature is not committed to any specific assessment tool, but believes that any state assessment should be a computer-adaptive test that measures individual student growth. The Legislature intends to evaluate all assessment options in the FY 2014-15 school aid budget based on this report. Until that time, the Michigan Department of Education can continue to participate in the development of assessment options and recommendations only; and be it further

Resolved, That the state of Michigan, pursuant to Section 1279c of the Revised School Code, 1976 PA 451, MCL 380.1279c, shall test only for proficiency in basic and advanced academic skills and subject matter, and testing shall not be used to measure pupils' values or attitudes. Local school districts shall have the authority to align their locally-developed or commercially-available assessment tests to the set of standards that they use in their daily curriculum to better serve the students in their districts; and be it further

Resolved, That the Michigan Department of Education will provide an official way for parents, teachers, administrators, and the public to provide feedback on the implementation of the Common Core State Standards and appropriate assessment aligned with those standards. This can be an obvious placement on the department website or a person specifically designated and responsible for following up on comments received. These comments will be considered as discussion continues regarding the standards and assessment; and be it further

Resolved, That copies of this resolution be transmitted to the State Board of Education and the Michigan Department of Education.

Pursuant to rule 3.204, the concurrent resolution was referred to the Committee on Government Operations.

Introduction and Referral of Bills

Senators Kowall, Jones and Bieda introduced

Senate Bill No. 623, entitled

A bill to amend 1982 PA 162, entitled "Nonprofit corporation act," by amending sections 103, 104, 105, 106, 107, 108, 109, 110, 121, 122, 123, 131, 132, 133, 141, 143, 151, 202, 209, 212, 215, 217, 221, 241, 242, 243, 246, 251, 261, 275, 301, 303, 304, 305, 307, 308, 309, 313, 317, 331, 332, 338, 402, 403, 404, 405, 407, 413, 415, 421, 422, 423, 441, 442, 444, 446, 451, 455, 461, 485, 487, 501, 505, 506, 511, 521, 523, 527, 528, 531, 541, 548, 551, 552, 553, 561, 562, 563, 565, 567, 569, 601, 602, 611, 615, 631, 641, 642, 643, 701, 707, 741, 753, 801, 804, 805, 811, 815, 817, 821, 823, 851, 855, 901, 911, 913, 922, 923, 925, 932, 1001, 1002, 1012, 1015, 1016, 1021, 1032, 1035, 1041, 1042, 1051, 1060, 1104, 1107, 1145, and 1162 (MCL 450.2103, 450.2104, 450.2105, 450.2106, 450.2107, 450.2108, 450.2109, 450.2110, 450.2121, 450.2122, 450.2123, 450.2131, 450.2132, 450.2133, 450.2141, 450.2143, 450.2151, 450.2202, 450.2209, 450.2212, 450.2215, 450.2217, 450.2221, 450.2241, 450.2242, 450.2243, 450.2246, 450.2251, 450.2261, 450.2275, 450.2301, 450.2303, 450.2304, 450.2305, 450.2307, 450.2308, 450.2309, 450.2313, 450.2317, 450.2331, 450.2332, 450.2338, 450.2402, 450.2403, 450.2404, 450.2405, 450.2407, 450.2413, 450.2415, 450.2421, 450.2422, 450.2423, 450.2441, 450.2442, 450.2444, 450.2446, 450.2451, 450.2455, 450.2461, 450.2485, 450.2487, 450.2501, 450.2505, 450.2506, 450.2511, 450.2521, 450.2523, 450.2527, 450.2528, 450.2531, 450.2541, 450.2548, 450.2551, 450.2552, 450.2553, 450.2561, 450.2562, 450.2563, 450.2565, 450.2567, 450.2569, 450.2601, 450.2602, 450.2611, 450.2615, 450.2631, 450.2641, 450.2642, 450.2643, 450.2701, 450.2707, 450.2741, 450.2753, 450.2801, 450.2804, 450.2805, 450.2811, 450.2815, 450.2817, 450.2821, 450.2823, 450.2851, 450.2855, 450.2901, 450.2911, 450.2913, 450.2922, 450.2923, 450.2925, 450.2932, 450.3001, 450.3002, 450.3012, 450.3015, 450.3016, 450.3021, 450.3032, 450.3035, 450.3041, 450.3042, 450.3051, 450.3060, 450.3104, 450.3107, 450.3145, and 450.3162), sections 106, 404, 505, 548, 611, 901, and 922 as amended by 2008 PA 222, sections 108, 561, 562, 563, 565, 567, and 569 as amended by 1993 PA 129, section 110 as amended by 1990 PA 39, section 123 as amended by 2008 PA 482, section 131 as amended by 2005 PA 219, sections 133, 141, 143, 151, 405, 407, 413, 421, 441, 446, 451, and 521 as amended by 2008 PA 9, section 209 as amended by 1996 PA 397, sections 261, 501, and 541 as amended by 2009 PA 88, section 911 as amended by 1996 PA 84, section 1060 as amended by 2012 PA 309, and sections 1104, 1107, 1145, and 1162 as added by 1984 PA 209, and by adding sections 303a, 303b, 303c, 303d, 314, 336, 341a, 343, 344, 345, 392, 406, 408, 409, 412, 432, 447a, 466, 467, 468, 472, 473, 488, 489, 491a, 492a, 493a, 494, 495, 496, 497, 514, 515a, 529, 545a, 564a, 564b, 564c, 571, 703a, 706, 711, 712, 713, 724, 735, 736a, 745, 746, 751, 754, 841a, 842a, 1013, and 1056; and to repeal acts and parts of acts.

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

Senators Jones, Kowall and Bieda introduced

Senate Bill No. 624, entitled

A bill to amend 1965 PA 169, entitled "An act to require court proceedings for dissolution of domestic charitable purpose corporations; and to require the filing of notice of intention to withdraw with the attorney general by foreign charitable purpose corporations attempting to withdraw from this state," by amending the title and sections 1 and 2 (MCL 450.251 and 450.252), and by adding sections 1a and 2a.

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

Senators Bieda, Jones and Kowall introduced

Senate Bill No. 625, entitled

A bill to amend 1993 PA 23, entitled "Michigan limited liability company act," by amending section 102 (MCL 450.4102), as amended by 2012 PA 568.

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

Senator Young introduced

Senate Bill No. 626, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 7403 and 7404 (MCL 333.7403 and 333.7404), as amended by 2012 PA 183.

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

House Bill No. 4121, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," (MCL 211.1 to 211.155) by adding section 7ll. The House of Representatives has passed the bill and ordered that it be given immediate effect.

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

House Bill No. 4622, entitled

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

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

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

House Bill No. 4740, entitled

A bill to amend 1929 PA 178, entitled "An act to provide for the establishment, operation and control of county medical care facilities by 2 or more counties of less than 1,000,000 population," by amending section 2 (MCL 404.2).

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

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

House Bill No. 4793, entitled

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

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

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

House Bill No. 4821, entitled

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

The 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 Transportation.

House Bill No. 4831, entitled

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

The House of Representatives has passed the bill.

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

House Bill No. 4866, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending section 648 (MCL 257.648).

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 Transportation.

Statements

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

The motion prevailed.

Senator Young’s statement is as follows:

I would like to start with a quote from Bill Clinton: “Health care is a public good.” Madam President, I rise today to speak on behalf of Detroit’s retirees. Currently, every effort is being made to improve the quality and affordability of health care for the citizens of this state. However, Detroit’s emergency manager, Kevyn Orr, appointed by Governor Snyder, is doing the exact opposite.

Kevyn Orr has decided that the best solution to Detroit’s financial problems is to push all of the city’s eligible retirees onto Medicare and pay a portion of their expenses. Those who aren’t eligible will be given a \$125 stipend. Let me say that again. Those who aren’t eligible will be given a \$125 stipend—not \$1,000, not \$1,500, not \$2,500, not \$10,000—which is taxable, toward their purchase of health care. But there is no requirement that stipend be used for health care.

Mr. Orr, apparently, is no longer concerned with the quality of care our retirees receive and is only concerned with shifting responsibility. Mr. Orr is also no longer concerned with fairness as evidenced by his willingness to change the rules in the middle of the game. There is too much going on in the city of Detroit. You go into a room and think you are counting votes and they look you straight in the face and say, “You thought we were counting votes, but we are counting tickets, and you don’t have any.” I am telling you, it is absurd. It is literally a royal rumble every week, like a street fight every day. Kevyn Orr is a major contributor to this. He has to go.

Mr. Orr is also going to more than triple the cost of deductibles for current employees and add an additional 50 percent to the out-of-pocket costs to families. Kevyn Orr seeks to make a short-term savings while failing to realize the long-term expenses of not properly caring for our retirees. Lowering the quality of their care and increasing their costs are a financial burden to them and their families, as well as a drain on the local economy.

These men and women have dedicated their lives to improving the city of Detroit and to keeping her citizens safe from harm. Whether it is running into burning buildings, running into hails of gunfire, picking up trash, or knocking down abandoned buildings, these men and women deserve health care. To do this damage to them now after their years of service is beyond reprehensible.

The unilateral, draconian decisions made by Kevyn Orr show how massively flawed the emergency manager law is and why the voters were justified in overturning it. We need to return democracy to Detroit and govern by the will of the people.

Committee Reports

The Committee on Energy and Technology reported

House Bill No. 4937, entitled

A bill to amend 2000 PA 322, entitled “Julian-Stille value-added act,” by amending the title and section 3 (MCL 285.303); and to repeal acts and parts of acts.

With the recommendation that the bill pass.

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

Mike Nofs
Chairperson

To Report Out:

Yeas: Senators Nofs, Proos, Jones, Marleau, Hopgood, Bieda and Young

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Energy and Technology submitted the following:

Meeting held on Tuesday, October 15, 2013, at 1:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower

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

Excused: Senators Schuitmaker and Walker

The Committee on Veterans, Military Affairs and Homeland Security reported

House Bill No. 4605, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 20950 (MCL 333.20950), as amended by 2006 PA 568.

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.

John R. Moolenaar
Chairperson

To Report Out:

Yeas: Senators Moolenaar, Pappageorge, Emmons, Gregory and Smith

Nays: None

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

The Committee on Veterans, Military Affairs and Homeland Security reported

House Bill No. 4731, entitled

A bill to amend 1966 PA 291, entitled "Firefighters training council act," by amending section 9 (MCL 29.369), as amended by 2006 PA 213.

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.

John R. Moolenaar
Chairperson

To Report Out:

Yeas: Senators Moolenaar, Pappageorge, Emmons, Gregory and Smith

Nays: None

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

The Committee on Veterans, Military Affairs and Homeland Security reported

House Bill No. 4752, entitled

A bill to amend 1965 PA 290, entitled "Boiler act of 1965," by amending sections 2 and 13d (MCL 408.752 and 408.763d), section 2 as amended and section 13d as added by 2008 PA 159.

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.

John R. Moolenaar
Chairperson

To Report Out:

Yeas: Senators Moolenaar, Pappageorge, Emmons, Gregory and Smith

Nays: None

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

The Committee on Veterans, Military Affairs and Homeland Security reported

House Bill No. 4754, entitled

A bill to amend 1984 PA 192, entitled "Forbes mechanical contractors act," by amending section 6 (MCL 338.976), as amended by 2010 PA 149.

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.

John R. Moolenaar
Chairperson

To Report Out:

Yeas: Senators Moolenaar, Pappageorge, Emmons, Gregory and Smith

Nays: None

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

The Committee on Veterans, Military Affairs and Homeland Security reported

House Bill No. 4756, entitled

A bill to amend 1980 PA 299, entitled "Occupational code," by amending section 2404b (MCL 339.2404b), as added by 2007 PA 157.

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.

John R. Moolenaar
Chairperson

To Report Out:

Yeas: Senators Moolenaar, Pappageorge, Emmons, Gregory and Smith

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 Veterans, Military Affairs and Homeland Security submitted the following:
Meeting held on Tuesday, October 15, 2013, at 1:00 p.m., Room 210, Farnum Building
Present: Senators Moolenaar (C), Pappageorge, Emmons, Gregory and Smith

COMMITTEE ATTENDANCE REPORT

The Committee on Transportation submitted the following:
Meeting held on Tuesday, October 15, 2013, at 12:30 p.m., Room 100, Farnum Building
Present: Senators Casperson (C), Kowall, Brandenburg and Hansen
Excused: Senators Pavlov, Hood and Ananich

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Department of Human Services submitted the following:
Meeting held on Tuesday, October 15, 2013, at 2:00 p.m., Room 405, Capitol Building
Present: Senators Caswell (C), Jansen, Proos and Gregory

Scheduled Meetings

Appropriations -

Subcommittee -

Human Services Department - Tuesdays, October 22, October 29, November 5 (CANCELED), and November 12, 2:00 p.m., Room 405, Capitol Building (373-2768)

Economic Development - Thursday, October 17, 2:30 p.m., Bridging Communities, 6900 McGraw Street, Detroit (373-5312)

Legislative Council - Thursday, November 7, 9:30 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-0212)

Natural Resources, Environment and Great Lakes - Thursday, October 17, 9:00 a.m., Room 210, Farnum Building (373-5312)

Outdoor Recreation and Tourism - Thursday, October 17, 12:30 p.m., Room 110, Farnum Building (373-5312)

Regulatory Reform - Thursday, October 17, 1:00 p.m., Room 210, Farnum Building (373-5307)

Senator Meekhof moved that the Senate adjourn.
The motion prevailed, the time being 10:37 a.m.

The President pro tempore, Senator Schuitmaker, declared the Senate adjourned until Thursday, October 17, 2013, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate