

No. 45
STATE OF MICHIGAN
Journal of the Senate
98th Legislature
REGULAR SESSION OF 2015

Senate Chamber, Lansing, Wednesday, May 13, 2015.

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
Bieda—present
Booher—present
Brandenburg—present
Casperson—present
Colbeck—present
Emmons—present
Green—present
Gregory—present
Hansen—present
Hertel—present
Hildenbrand—present
Hood—present

Hopgood—present
Horn—present
Hune—present
Johnson—present
Jones—present
Knezek—present
Knollenberg—present
Kowall—present
MacGregor—present
Marleau—present
Meekhof—present
Nofs—present
O'Brien—present

Pavlov—present
Proos—present
Robertson—present
Rocca—present
Schmidt—present
Schuitmaker—present
Shirkey—present
Smith—excused
Stamas—present
Warren—present
Young—present
Zorn—present

Lord George Carey, former Archbishop of Canterbury, offered the following invocation:

Lord, the God of righteousness and truth, grant to the President and all members of this Senate and all in positions of responsibility the guidance of Your Holy Spirit. May they never lead the nation wrongly through love of power, desire to please, or unworthy ideals. But laying aside all private interests and prejudices, they keep in mind their responsibility to seek to improve the condition of all people. So may Your kingdom come and Your name be hallowed. Amen.

That was from the House of Commons, and this is from the House of Lords: Almighty God, by whom alone all kings reign and princes decree justice and from whom alone cometh our counsel, wisdom, and understanding: We Thy unworthy servants here gathered together in Thy name do most humbly beseech Thee to send down Thy heavenly wisdom from above to direct and guide us in all of our consultations. Grant that we having Thy fear always before our eyes and laying aside all private interests, prejudices, and partial affections, the result of all our counsel may be to the glory of Thy blessed name, the maintenance of true religion and justice, the public wealth, peace, and tranquility of the realm and the uniting and knitting together of the hearts of all persons and the states within the same. In true Christian love and charity one towards another through Jesus Christ our Lord. Amen.

Will you say with me, the grace of our Lord Jesus Christ and the love of God and the fellowship of the Holy Spirit, Amen.

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

Motions and Communications

Senators Hansen and Nofs entered the Senate Chamber.

The Secretary announced that the Majority Leader has made the appointment of the following standing committees:

Agriculture - Senator Johnson (MVC) replacing Senator Smith.

Banking and Financial Institutions - Senator Young replacing Senator Smith.

Economic Development and International Investment - Senator Warren (MVC) replacing Senator Smith.

Energy and Technology - Senator Bieda replacing Senator Smith.

Insurance - Senator Johnson replacing Senator Smith and Senator Bieda as (MVC).

The standing committee appointments were approved, a majority of the members serving voting therefor.

The following communication was received and read:

Office of the Senate Minority Leader

May 12, 2015

I would like to formally notify you of my decision to remove Senator Virgil Smith, Jr., from his position as Assistant Minority Caucus Whip. Senator Bert Johnson is now serving in this role, effective immediately.

Thank you for your time.

Sincerely,
Jim Ananich
Senate Minority Leader

The communication was referred to the Secretary for record.

The following communications were received:

Department of State

Administrative Rules Notices of Filing

May 7, 2015

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2013-104-CH (Secretary of State Filing #15-05-04) on this date at 2:59 p.m. for the Department of Health and Human Services, entitled "Blood Lead Analysis Reporting."

These rules become effective immediately upon filing with the Secretary of State unless adopted under section 33, 44, 45a(6) or 48 of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

May 7, 2015

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2014-128-HS (Secretary of State Filing #15-05-06) on this date at 2:59 p.m. for the Department of Health and Human Services, entitled "Interstate Compact on the Placement of Children."

These rules become effective 30 days upon filing with the Secretary of State.

May 7, 2015

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2014-027-HS (Secretary of State Filing #15-05-05) on this date at 3:00 p.m. for the Department of Health and Human Services, entitled "State Emergency Relief Program."

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

Sincerely,

Ruth Johnson

Secretary of State

Robin L. Houston, Departmental Supervisor
Office of the Great Seal

The communications were referred to the Secretary for record.

The Secretary announced that the following House bills were received in the Senate and filed on Tuesday, May 12:

House Bill Nos. 4074 4166 4464 4465

Senator Hood moved that Senators Johnson and Young be temporarily excused from today's session.

The motion prevailed.

Senator Hood moved that Senator Smith be excused from today's session.

The motion prevailed.

Messages from the Governor

The following messages from the Governor were received and read:

May 4, 2015

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

Chair - Governor's Talent Investment Board

Gerald M. Alyea of 6901 Lansing Avenue, Jackson, Michigan 49201, county of Jackson, is appointed for a term expiring at the pleasure of the Governor.

Vice Chair - Governor's Talent Investment Board

Dennis J. Argyle of 5366 Hampton Place, Saginaw, Michigan 48623, county of Saginaw, is appointed for a term expiring at the pleasure of the Governor.

Governor's Talent Investment Board

Marcus R. James of 6095 Riverview Drive, Jackson, Michigan 49203, county of Jackson, representing the private sector, is appointed for a term expiring April 15, 2017.

Helen Dietrich of 882 Harding Avenue, Conklin, Michigan 49403, county of Ottawa, representing the private sector, is appointed for a term expiring April 15, 2017.

Douglas A. Parkes of 724 Harbor Drive, Manistee, Michigan 49660, county of Manistee, representing the private sector, is appointed for a term expiring April 15, 2017.

Jodi M. Gibson of 5506 N. Red Pine Circle, Kalamazoo, Michigan 49009, county of Kalamazoo, representing the private sector, is appointed for a term expiring April 15, 2017.

Brad Rusthoven of 3362 Canopy Drive, DeWitt, Michigan 48820, county of Clinton, representing the private sector, is appointed for a term expiring April 15, 2017.

Donald C. O'Connell of 20900 Smallwood Drive, Beverly Hills, Michigan 48025, county of Oakland, representing labor/apprenticeships, is appointed for a term expiring April 15, 2017.

Tauzzari T. Robinson of 8431 Sherwood Drive, Grand Blanc, Michigan 48439, county of Genesee, representing youth organizations, is appointed for a term expiring April 15, 2017.

Abdul Haidous of 39225 Glenwood Road, Wayne, Michigan 48184, county of Wayne, representing chief elected officials, is appointed for a term expiring April 15, 2017.

Darcy Kerr of 10700 Sunfield Road, Sunfield, Michigan 48890, county of Eaton, representing the private sector, is appointed for a term expiring April 15, 2018.

Dennis J. Argyle of 5360 Hampton Place, Saginaw, Michigan 48623, county of Saginaw, representing the private sector, is appointed for a term expiring April 15, 2018.

Thomas Begin of 598 Mary Court, Fenton, Michigan 48430, county of Genesee, representing the private sector, is appointed for a term expiring April 15, 2018.

Gregory Winter of 14436 Parallel Avenue, Alpena, Michigan 49707, county of Presque Isle, representing the private sector, is appointed for a term expiring April 15, 2018.

Tony L. Retaskie of 936 Wilson Street, Marquette, Michigan 49855, county of Marquette, representing labor/apprenticeships, is appointed for a term expiring April 15, 2018.

William J. Peterson of 39925 Southpointe Drive, Harrison Township, Michigan 48045, county of Macomb, representing labor/apprenticeships, is appointed for a term expiring April 15, 2018.

Elaine Wood of 451 N. Madison Avenue, Traverse City, Michigan 49684, county of Grand Traverse, representing community-based organizations, is appointed for a term expiring April 15, 2018.

Suzanne Howell of 2411 Willowdale Road, Burton, Michigan 48509, county of Genesee, representing core programs, is appointed for a term expiring April 15, 2019.

Christine Qinn of 1350 Nicholas Lane, Charlotte, Michigan 48813, county of Eaton, representing core programs, is appointed for a term expiring April 15, 2019.

Conan M. Smith of 234 8th Street, Ann Arbor, Michigan 48103, county of Washtenaw, representing chief elected officials, is appointed for a term expiring April 15, 2019.

Gerald M. Alyea of 6901 Lansing Avenue, Jackson, Michigan 49201, county of Jackson, representing the private sector, is appointed for a term expiring April 15, 2019.

Kenyatta Brame of 2531 Barfield Avenue, S.E., Grand Rapids, Michigan 49546, county of Kent, representing the private sector, is appointed for a term expiring April 15, 2019.

Paul W. Arsenault of 160 S. Lilac Street, Ishpeming, Michigan 49849, county of Marquette, representing the private sector, is appointed for a term expiring April 15, 2019.

Tony Day of P.O. Box 440, Athens, Michigan 49011, county of Calhoun, representing the private sector, is appointed for a term expiring April 15, 2019.

John Moll of 5571 Lake Pleasant Road, North Branch, Michigan 48461, county of Lapeer, representing the private sector, is appointed for a term expiring April 15, 2019.

Zane P. Walker of 2127 East Burnside Road, North Branch, Michigan 48461, county of Lapeer, representing labor/apprenticeships, is appointed for a term expiring April 15, 2019.

Sincerely,
Rick Snyder
Governor

The appointments were referred to the Committee on Government Operations.

The following message from the Governor was received and read:

May 8, 2015

Due to an error on the letter dated April 21, 2015, and filed with your office on May 7, 2015, please be advised of the following correction appearing in **bold**:

Chair - Michigan Liquor Control Commission

Andrew J. Deloney of 1470 Hillway Road, White Lake, Michigan 48386, county of Oakland, succeeding himself, is reappointed for a term expiring at the pleasure of the Governor.

Michigan Liquor Control Commission

Andrew J. Deloney of 1470 Hillway Road, White Lake, Michigan 48386, county of Oakland, representing Republicans, succeeding himself, is reappointed for a term expiring June 12, 2019.

Teri L. Quimby of 10771 Woodfield Circle, Brighton, Michigan 48114, county of Livingston, representing Republicans, succeeding herself, is reappointed for a term expiring June 12, **2019**.

Sincerely,
Rick Snyder
Governor

The message was referred to the Committee on Government Operations.

By unanimous consent the Senate proceeded to the order of
General Orders

Senator Kowall 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 Hildenbrand as Chairperson.

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

Senate Bill No. 270, entitled

A bill to amend 1998 PA 386, entitled "Estates and protected individuals code," (MCL 700.1101 to 700.8206) by adding sections 5301b and 5402a.

Senate Bill No. 281, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 8322 (MCL 600.8322), as amended by 2005 PA 326.

Senate Bill No. 166, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 33 (MCL 257.33), as amended by 2013 PA 36, and by adding section 7b.

Senate Bill No. 154, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 13p of chapter XVII (MCL 777.13p), as amended by 2010 PA 317.

Senate Bill No. 304, entitled

A bill to amend 2008 PA 429, entitled "Scrap metal regulatory act," by amending section 6 (MCL 445.426), as added by 2014 PA 99.

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. 251, entitled

A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending section 11 of chapter XIII (MCL 712A.11), as amended by 1996 PA 409, and by adding section 2f to chapter XIII.

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. 165, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 624a, 657, 660, 662, 901, and 907 (MCL 257.624a, 257.657, 257.660, 257.662, 257.901, and 257.907), section 624a as amended by 2012 PA 306, sections 657 and 662 as amended by 2002 PA 494, section 660 as amended by 2006 PA 339, and section 907 as amended by 2014 PA 303, and by adding sections 518a and 625p.

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. 152, entitled

A bill to amend 2004 PA 403, entitled "Michigan unarmed combat regulatory act," by amending the title and sections 1, 10, 11, 12, 20, 21, 22, 30, 31, 33, 34, 35, 40, 41, 42, 47, 48, 55, 57, and 58 (MCL 338.3601, 338.3610, 338.3611,

338.3612, 338.3620, 338.3621, 338.3622, 338.3630, 338.3631, 338.3633, 338.3634, 338.3635, 338.3640, 338.3641, 338.3642, 338.3647, 338.3648, 338.3655, 338.3657, and 338.3658), sections 1, 10, 11, 12, 21, 31, 34, 35, 47, 48, 55, 57, and 58 as amended by 2007 PA 196, sections 20 and 33 as amended by 2012 PA 546, and section 22 as amended by 2010 PA 100, and by adding sections 33a, 33b, 33c, 33d, 49, 49a, and 54a; and to repeal acts and parts of acts.

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.

During the Committee of the Whole, Senator Johnson entered the Senate Chamber.

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

Senator Young entered the Senate Chamber.

Senate Bill No. 52, entitled

A bill to amend 2008 PA 176, entitled “Veterans welcome home act,” by amending section 2 (MCL 35.1232).

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.

Third Reading of Bills

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

House Bill No. 4076

Senate Bill No. 244

Senate Bill No. 245

Senate Bill No. 246

House Bill No. 4162

House Bill No. 4163

The motion prevailed.

The following bill was read a third time:

House Bill No. 4076, entitled

A bill to amend 1927 PA 372, entitled “An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms, gas ejecting devices, and electro-muscular disruption devices; to prohibit the buying, selling, or carrying of certain firearms, gas ejecting devices, and electro-muscular disruption devices without a license or other authorization; to provide for the forfeiture of firearms and electro-muscular disruption devices under certain circumstances; to provide for penalties and remedies; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; to prohibit certain conduct against individuals who apply for or receive a license to carry a concealed pistol; to make appropriations; to prescribe certain conditions for the appropriations; and to repeal all acts and parts of acts inconsistent with this act,” by amending section 2 (MCL 28.422), as amended by 2014 PA 201.

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. 164

Yeas—37

Ananich
Bieda

Hertel
Hildenbrand

Knollenberg
Kowall

Robertson
Rocca

Booher	Hood	MacGregor	Schmidt
Brandenburg	Hopgood	Marleau	Schuitmaker
Casperson	Horn	Meekhof	Shirkey
Colbeck	Hune	Nofs	Stamas
Emmons	Johnson	O'Brien	Warren
Green	Jones	Pavlov	Young
Gregory	Knezek	Proos	Zorn
Hansen			

Nays—0

Excused—1

Smith

Not Voting—0

In The Chair: O'Brien

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

The following bill was read a third time:

Senate Bill No. 244, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 40119 (MCL 324.40119), as amended by 2013 PA 175.

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. 165

Yeas—37

Ananich	Hertel	Knollenberg	Robertson
Bieda	Hildenbrand	Kowall	Rocca
Booher	Hood	MacGregor	Schmidt
Brandenburg	Hopgood	Marleau	Schuitmaker
Casperson	Horn	Meekhof	Shirkey
Colbeck	Hune	Nofs	Stamas
Emmons	Johnson	O'Brien	Warren
Green	Jones	Pavlov	Young
Gregory	Knezek	Proos	Zorn
Hansen			

Nays—0

Excused—1

Smith

Not Voting—0

In The Chair: O'Brien

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 245, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 40118 (MCL 324.40118), as amended by 2012 PA 520.

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. 166**Yeas—37**

Ananich	Hertel	Knollenberg	Robertson
Bieda	Hildenbrand	Kowall	Rocca
Booher	Hood	MacGregor	Schmidt
Brandenburg	Hopgood	Marleau	Schuitmaker
Casperson	Horn	Meekhof	Shirkey
Colbeck	Hune	Nofs	Stamas
Emmons	Johnson	O'Brien	Warren
Green	Jones	Pavlov	Young
Gregory	Knezek	Proos	Zorn
Hansen			

Nays—0**Excused—1**

Smith

Not Voting—0

In The Chair: O'Brien

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 246, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 13e of chapter XVII (MCL 777.13e), as amended by 2014 PA 538.

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. 167**Yeas—37**

Ananich	Hertel	Knollenberg	Robertson
Bieda	Hildenbrand	Kowall	Rocca
Booher	Hood	MacGregor	Schmidt
Brandenburg	Hopgood	Marleau	Schuitmaker
Casperson	Horn	Meekhof	Shirkey
Colbeck	Hune	Nofs	Stamas
Emmons	Johnson	O'Brien	Warren
Green	Jones	Pavlov	Young
Gregory	Knezek	Proos	Zorn
Hansen			

Nays—0**Excused—1**

Smith

Not Voting—0

In The Chair: O'Brien

The Senate agreed to the title of the bill.

The following bill was read a third time:

House Bill No. 4162, entitled

A bill to amend 1976 PA 333, entitled "An act to provide for the licensing of elevator journeymen and the regulation of elevators and elevator journeymen; to prescribe the functions of the director of labor and the elevator safety board; and to provide penalties for violations of this act," by amending section 2 (MCL 338.2152).

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. 168**Yeas—27**

Booher	Hildenbrand	Marleau	Rocca
Brandenburg	Horn	Meekhof	Schmidt
Casperson	Hune	Nofs	Schuitmaker
Colbeck	Jones	O'Brien	Shirkey
Emmons	Knollenberg	Pavlov	Stamas
Green	Kowall	Proos	Zorn
Hansen	MacGregor	Robertson	

Nays—10

Ananich	Hertel	Johnson	Warren
Bieda	Hood	Knezek	Young
Gregory	Hopgood		

Excused—1

Smith

Not Voting—0

In The Chair: O'Brien

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

The following bill was read a third time:

House Bill No. 4163, entitled

A bill to amend 1967 PA 227, entitled "An act to regulate the inspection, construction, installation, alteration, maintenance, repair and operation of elevators and the licensing of elevator contractors; to prescribe the functions of the director of labor; to create, and prescribe the functions of, the elevator safety board; to provide penalties for violations of the act; and to repeal certain acts and parts of acts," by amending the title and sections 3, 4, and 15 (MCL 408.803, 408.804, and 408.815), section 15 as amended by 2004 PA 269, and by adding section 14a.

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. 169**Yeas—27**

Booher	Hildenbrand	Marleau	Rocca
Brandenburg	Horn	Meekhof	Schmidt
Casperson	Hune	Nofs	Schuitmaker
Colbeck	Jones	O'Brien	Shirkey
Emmons	Knollenberg	Pavlov	Stamas
Green	Kowall	Proos	Zorn
Hansen	MacGregor	Robertson	

Nays—10

Ananich	Hertel	Johnson	Warren
Bieda	Hood	Knezek	Young
Gregory	Hopgood		

Excused—1

Smith

Not Voting—0

In The Chair: O'Brien

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

By unanimous consent the Senate proceeded to the order of
Resolutions

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

House Concurrent Resolution No. 3

The motion prevailed.

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

Senate Resolution No. 52

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

Senator Kowall offered the following resolution:

Senate Resolution No. 52.

A resolution recognizing the 150th Anniversary of BASF.

Whereas, BASF is the world's leading chemical company by sales; and

Whereas, BASF has a substantial presence in the state of Michigan that stretches back to 1969, beginning with its purchase of Wyandotte Chemicals. Today, the company has more than 1,600 employees in Michigan, with facilities located in Wyandotte, Southfield, Livonia, Mattawan, Lincoln Park, Wixom, Troy, and Rochester Hills; and

Whereas, The BASF sites in Michigan and their employees contribute to the well-being of the communities in which they reside through support of local charities and nonprofit organizations, business associations, and chambers of commerce. BASF also supports the University of Michigan and has partnered with the Michigan Science Center to bring the BASF Kids' Lab program to local schoolchildren; and

Whereas, History shows that chemistry is an enabler for new ideas and solutions, and BASF's corporate purpose is "We create chemistry for a sustainable future"; and

Whereas, BASF is celebrating its 150th Anniversary in 2015; and

Whereas, In its 150th year, BASF will focus its "We create chemistry" strategy on addressing global challenges in three areas: urban living, smart energy, and food; and

Whereas, BASF's Michigan sites are contributing solutions to addressing these and other challenges that confront our local communities, state, nation, and the world; and

Whereas, BASF has made it a priority throughout its history—and in particular in its 150th year—to connect people and ideas to make a lasting contribution to society; and

Whereas, BASF has pledged to continue to use what it learns in its anniversary year for the benefit of society; now, therefore, be it

Resolved by the Senate, That we extend best wishes and congratulations to BASF on its 150th Anniversary; and be it further

Resolved, That copies of this resolution be transmitted to all the BASF facilities in the state of Michigan as a token of our esteem.

The question being on the adoption of the resolution,

The resolution was adopted.

Senators Booher, Gregory, Hansen, Hopgood, Marleau, O'Brien, Proos, Schmidt and Stamas were named co-sponsors of the resolution.

Senator Casperson offered the following resolution:

Senate Resolution No. 53.

A resolution to memorialize the President of the United States, the United States Congress, and the United States Environmental Protection Agency to abandon the promulgation of currently proposed carbon emission reduction regulations that would lead to an unnecessary and drastic increase in the cost of electricity for the people of the state of Michigan.

Whereas, The U.S. Environmental Protection Agency (EPA) is in the process of finalizing rules that will require states to reduce carbon emissions by dramatically altering the production, distribution, and use of electricity. The EPA is expected to announce the official requirements during the summer of 2015. As currently proposed, the EPA will allow states only up to one year to submit proposals outlining their plan to comply; and

Whereas, The proposed EPA regulations constitute an unprecedented usurpation of state authority by the federal government. In crafting these new extreme regulations, the EPA has reinterpreted section 111(d) of the Clean Air Act and intends to exercise radical and never before seen federal authority over state electric matters. Section 111(d) had previously been correctly interpreted to extend only to specific emissions aspects of individual power plants, but the EPA is now attempting to extend the regulatory reach to impact decisions affecting the method of generation and type of fuel used to produce electricity, demand response programs, and other parts of the electric system that were being properly overseen by the states; and

Whereas, The proposed EPA regulations are threatening the cost structure of the electric grid in Michigan and around the country. Compliance with these regulations will likely require the early retirement of expensive to build power plants that contribute to Michigan's regional transmission organization, the Midcontinent Independent System Operator (MISO). Retiring these power plants means that other plants which are less cost-effective to operate will be responsible for generating a larger percentage of the region's electricity, resulting in higher rates for Michigan residents and businesses; now, therefore, be it

Resolved by the Senate, That we memorialize the President of the United States, the United States Congress, and the United States Environmental Protection Agency to abandon the promulgation of currently proposed carbon emission reduction regulations that would lead to an unnecessary and drastic increase in the cost of electricity for the people of the state of Michigan; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, the Majority Leader of the United States Senate, the members of the Michigan congressional delegation, and the Administrator of the United States Environmental Protection Agency.

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

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

The question being on the adoption of the resolution,

Senator Kowall moved that the resolution be referred to the Committee on Natural Resources.

The motion prevailed.

Senators Booher, Colbeck, Hansen, Kowall, MacGregor, Marleau, Pavlov, Proos, Schmidt, Shirkey, Stamas and Zorn were named co-sponsors of the resolution.

Senator Meekhof offered the following resolution:

Senate Resolution No. 54.

A resolution commemorating May 13, 2015, as Children's Advocacy Day and recognizing the Children's Trust Fund for its effort to work towards preventing child abuse and neglect in Michigan.

Whereas, Established by the Michigan Legislature through 1982 PA 249 and 1982 PA 250, the Children's Trust Fund is Michigan's only independent statewide nonprofit agency coordinating a statewide network and staff and volunteers who prevent child abuse and neglect; and

Whereas, The Children's Trust Fund's work begins each day when 85 of our youngest Michiganders—infants and children—are put at serious risk because of abuse or neglect. Almost 200,000 children lived in a family that was investigated for suspected abuse or neglect—a staggering 41 percent increase from 2005 to 2013; and

Whereas, Michigan's struggle to protect our children is not just about numbers, but also about adults struggling and striving to make the right choices and whose decisions directly affect the children around them; and

Whereas, Far too many of these adults face challenges that range from substance abuse to behavioral illnesses to joblessness—challenges that bring them to the attention of the child welfare system for a grievous number of these families; and

Whereas, Protecting our children often means stepping in early and providing the adults in their lives with the resources, support, and solutions that can help them make better decisions; and

Whereas, The Children's Trust Fund is the only statewide agency coordinating programs that serve every county to prevent abuse and neglect before they happen. This is achieved through proactive programs and interventions, as well as professionals and trained specialists working with families so they understand and respond to their children's developmental needs and are connected to the support of family and community; and

Whereas, The Children's Trust Fund provides assistance every day in communities all across Michigan, using a research-based approach that builds on parental resilience, promotes community and social connections, and links families to support. This assistance not only improves the well-being of our children, but also saves lives in many cases; and

Whereas, The Children's Trust Fund conducts its work primarily through donations, including annual events such as the Pam Posthumus Signature Auction Event on May 13 in Lansing, designed to generate revenue for its many programs; and

Whereas, Across Michigan, thousands of children and their families with few resources are getting help through the Children's Trust Fund; now, therefore, be it

Resolved by the Senate, That the members of this legislative body recognize May 13, 2015, as Children's Advocacy Day and the Children's Trust Fund for the importance of its function in protecting our children. We extend to all those associated with the Children's Trust Fund and the auction event our sincere appreciation for their commitment to this important cause; and be it further

Resolved, That a copy of this resolution be transmitted to the Children's Trust Fund with our highest esteem.

Pending the order that, under rule 3.204, the resolution be referred to the Committee on Government Operations,

Senator Kowall moved that the rule be suspended.

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

The resolution was adopted.

Senators Ananich, Booher, Brandenburg, Gregory, Hansen, Hertel, Hopgood, Jones, Kowall, MacGregor, Marleau, O'Brien, Pavlov, Proos, Schmidt, Shirkey, Stamas, Zorn and Knollenberg were named co-sponsors of the resolution.

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

The motion prevailed.

Senator Meekhof's statement is as follows:

This is a resolution to recognize the Children's Trust Fund for its efforts to work toward preventing child abuse and neglect in Michigan. The Children's Trust Fund is the only independent statewide nonprofit agency coordinating programs that serve every county in Michigan to prevent child abuse and neglect before they happen through proactive programs and interventions.

Each day, 85 of our youngest Michiganders—infants and children—are put at serious risk because of abuse and neglect. Protecting our children often means stepping in early and providing the adults in their lives with the resources, support, and solutions they need that can help them make better decisions. The Children's Trust Fund conducts its work primarily through donations, including annual events such as the Pam Posthumus Signature Auction Event that will be held in Lansing this evening.

I ask that the members of this legislative body recognize today, May 13, 2015, as Children's Advocacy Day and the Children's Trust Fund for their importance of its functions protecting our children.

Senators Shirkey and Casperson offered the following concurrent resolution:

Senate Concurrent Resolution No. 13.

A concurrent resolution to memorialize the President of the United States, the United States Congress, and the United States Environmental Protection Agency to abandon the promulgation of currently proposed carbon emission reduction regulations that would lead to an unnecessary and drastic increase in the cost of electricity for the people of the state of Michigan.

Whereas, The U.S. Environmental Protection Agency (EPA) is in the process of finalizing rules that will require states to reduce carbon emissions by dramatically altering the production, distribution, and use of electricity. The EPA is expected to announce the official requirements during the summer of 2015. As currently proposed, the EPA will allow states only up to one year to submit proposals outlining their plan to comply; and

Whereas, The proposed EPA regulations constitute an unprecedented usurpation of state authority by the federal government. In crafting these new extreme regulations, the EPA has reinterpreted section 111(d) of the Clean Air Act and intends to exercise radical and never before seen federal authority over state electric matters. Section 111(d) had previously been correctly interpreted to extend only to specific emissions aspects of individual power plants, but the EPA is now attempting to extend the regulatory reach to impact decisions affecting the method of generation and type of fuel used to produce electricity, demand response programs, and other parts of the electric system that were being properly overseen by the states; and

Whereas, The proposed EPA regulations are threatening the cost structure of the electric grid in Michigan and around the country. Compliance with these regulations will likely require the early retirement of expensive to build power plants that contribute to Michigan's regional transmission organization, the Midcontinent Independent System Operator (MISO). Retiring these power plants means that other plants which are less cost-effective to operate will be responsible for generating a larger percentage of the region's electricity, resulting in higher rates for Michigan residents and businesses; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That we memorialize the President of the United States, the United States Congress, and the United States Environmental Protection Agency to abandon the promulgation of currently proposed carbon emission reduction regulations that would lead to an unnecessary and drastic increase in the cost of electricity for the people of the state of Michigan; and be it further

Resolved, That copies of this concurrent resolution be transmitted to the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, the Majority Leader of the United States Senate, the members of the Michigan congressional delegation, and the Administrator of the United States Environmental Protection Agency.

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

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

The question being on the adoption of the concurrent resolution,

Senator Kowall moved that the concurrent resolution be referred to the Committee on Natural Resources.

The motion prevailed.

Senators Booher, Colbeck, Hansen, Kowall, MacGregor, Marleau, Pavlov, Proos, Schmidt, Stamas and Zorn were named co-sponsors of the concurrent resolution.

Introduction and Referral of Bills

Senators Proos, Colbeck, Meekhof, Shirkey and Robertson introduced

Senate Bill No. 330, entitled

A bill to prohibit local units of government from adopting ordinances or regulations that infringe on federal labor laws; to prohibit employers and labor organizations from waiving rights under this act; and to provide remedies.

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

House Bill No. 4074, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 541 (MCL 436.1541), as amended by 2008 PA 489.

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.

House Bill No. 4166, entitled

A bill to amend 1913 PA 88, entitled "An act empowering the board of supervisors of any of the several counties of the state of Michigan to levy a special tax, or by appropriating from the general fund for the purpose of advertising the agricultural advantages of the state or for displaying the products and industries of any county in the state at domestic or foreign expositions, for the purpose of encouraging immigration and increasing trade in the products of the state, and advertising the state and any portion thereof for tourists and resorters, and to permit the boards of supervisors out of any sum so raised, or out of the general fund, to contribute all or any portion of the same to any development board or bureau to be by said board or bureau expended for the purposes herein named," by amending the title and section 1 (MCL 46.161).

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.

House Bill No. 4464, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 4g (MCL 205.54g), as amended by 2013 PA 211.

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. 4465, entitled

A bill to amend 1937 PA 94, entitled "Use tax act," by amending section 4d (MCL 205.94d), as amended by 2008 PA 439.

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.

Statements

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

The motion prevailed.

Senator Colbeck's statement is as follows:

I would just like to make a few quick remarks about an upcoming decision from the Supreme Court pending on May 18. They will be ruling on the *King v. Burwell* case, and I just want to make sure everyone understands the implications for the residents of Michigan.

In HR 3590, which is otherwise known as Obamacare, there are several sections directly related to this case. Section 1311 deals with the requirements around state-based exchanges. Section 1321 deals with the requirements around federal exchanges, and Section 1401 deals with premium assistance opportunities. It's very clear for anyone who has read the act as I have that the premium assistance only refers to the state-based exchanges. In other words, Michigan who right now defaults to a federal exchange, if this case is ruled in favor of the plaintiff, which is King, will no longer be eligible for subsidies in our federal exchange. That was rewritten afterward by the President's administration and is not consistent with the law. Ultimately, the Supreme Court will make the final decision, and that is what we are waiting for on Monday.

If the ruling is in favor of the plaintiff, Michigan will no longer be eligible for those subsidies which invoke another section of the Affordable Care Act, Section 5000A. Under this section, individuals are exempt from the provisions of the individual mandate if the cost of the plan exceeds 8 percent of their personal household income. When you start doing the math on this, you have to have a household income of around \$200,000 to be able to afford a plan under the Affordable Care Act. Additionally, these folks already have plans.

In essence, this gives the citizens of Michigan and, by default, the employers in the state of Michigan a get-out-of-Obamacare-free card as long as we stay out of a state-based exchange. So I am encouraging my colleagues that there will be a lot of push for a state-based exchange in the wake of this court decision. I would just like to make sure that we have a solid resolve to oppose any government-run, state-based exchange here in Michigan. Let's give our citizens the opportunity to get out of Obamacare. Make no mistake, any support for a state-based exchange in Michigan is support for Obamacare. A lot of folks understand that the bill is more about control than it ever was about care and is something that needs to be opposed for our citizens and on behalf of our citizens.

If we are really interested in giving good, quality care and access to good care at an affordable price to our citizens, we need to be pursuing free-market alternatives to Obamacare, such as the patient-centered care solution that I have talked about previously. This would involve direct primary care services coupled with a high-deductible health plan for catastrophic services within a tax-exempt account. We need to be pursuing free-market alternatives and avoid the temptation to pursue another government-run program in the wake of the *King v. Burwell* decision.

Committee Reports

COMMITTEE ATTENDANCE REPORT

The Committee on Health Policy submitted the following:

Meeting held on Tuesday, May 12, 2015, at 12:30 p.m., Senate Hearing Room, Ground Floor, Boji Tower

Present: Senators Shirkey (C), Hune, O'Brien, Marleau, Jones, Stamas, Robertson, Hertel, Knezek and Hopgood

COMMITTEE ATTENDANCE REPORT

The Committee on Local Government submitted the following:

Meeting held on Tuesday, May 12, 2015, at 12:30 p.m., Room 100, Farnum Building

Present: Senators Zorn (C), Proos, Brandenburg, Rocca and Young

Scheduled Meetings

Appropriations -

Subcommittee -

K-12, School Aid, Education and House School Aid Appropriations Subcommittee - Wednesday, June 3, 8:30 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

Economic Development and International Investment - Thursday, May 14, 1:30 p.m., Room 210, Farnum Building (373-5312)

Elections and Government Reform - Thursday, May 14, 9:00 a.m., Rooms 402 and 403, Capitol Building (373-1721)

Transportation - Thursday, May 14, 8:30 a.m., Room 210, Farnum Building (373-5323)

Veterans, Military Affairs and Homeland Security - Thursday, May 14, 2:00 p.m., Room 110, Farnum Building (373-5314)

Senator Kowall moved that the Senate adjourn.
The motion prevailed, the time being 10:47 a.m.

The Assistant President pro tempore, Senator O'Brien, declared the Senate adjourned until Thursday, May 14, 2015, at 10:00 a.m.

JEFFREY F. COBB
Secretary of the Senate