

**No. 38**  
**STATE OF MICHIGAN**  
**Journal of the Senate**  
**97th Legislature**  
**REGULAR SESSION OF 2014**

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Senate Chamber, Lansing, Wednesday, April 30, 2014.

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

Senator Howard C. Walker of the 37th District offered the following invocation:

Heavenly Father, thank You for all the blessings You have brought to each and every one of us. It may have been wisdom while we deliberated policy decisions; it may have been a graceful heart so that we could forgive those who may have hurt us; or it may be perseverance and a positive attitude so we can continue to serve the citizens of Michigan with enthusiasm and goodwill.

We thank You for the opportunity to work in this system of government, which was inspired by Your word and which was driven by and answers to those whom it serves. We ask that You would continue to keep Your hand on our works so that we might do Your will.

In Jesus' name we pray. Amen.

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

### Motions and Communications

Senators Hunter, Casperson and Brandenburg entered the Senate Chamber.

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

The following communication was received:

Department of Treasury

April 29, 2014

Please find attached one copy of the Personal Property Audit Annual Report for the period January 1, 2013 through December 31, 2013. The report is required by Public Act 63 of 2011, the General Government Appropriations Act. Article VIII, Section 927 of the Act provides, in part, as follows:

Sec. 927. The department of treasury shall submit annual progress reports to the senate and house of representatives standing committees on appropriations subcommittees on general government and the senate and house fiscal agencies, regarding personal property tax audits. The report shall include the number of audits, revenue generated, and number of complaints received by the department related to the audits.

If you have any questions regarding this report, you may contact David A. Buick, Administrator, Assessment and Certification Division at (517) 373-3305.

David A. Buick, Administrator  
Assessment and Certification Division  
Bureau of Local Government Services

The communication was referred to the Secretary for record.

The Secretary announced that the following House bills were received in the Senate and filed on Tuesday, April 29:

**House Bill Nos. 4341 5216 5217 5218 5220**

The Secretary announced the enrollment printing and presentation to the Governor on Tuesday, April 29, for his approval the following bill:

**Enrolled Senate Bill No. 622 at 12:31 p.m.**

Senator Meekhof moved that rule 3.902 be suspended to allow the guests of Senator Gregory admittance to the Senate floor.

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

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

The motion prevailed.

Senator Gregory's statement is as follows:

I have the distinct honor of notifying the Senate here that my chief of staff, Viki Spector-Walker, today is her last day in the office. Some of you met Viki—probably quite a few of you have met her—and should have met her. Viki has been around the state of Michigan for 40 years. In honor of her retirement, I did want to say a few words to let you know how blessed I am to have her as my chief of staff.

When I first came to Lansing, you know, you think you know everything and everybody, but that's just part of being an elected official, and another part of being an elected official is to know that you don't know. I knew that I didn't know, and I knew that I needed somebody to help me be able to navigate Lansing—to be able to help me.

Viki has been a part of my staff and a part of my life here in Lansing for six years. I spent two years in the House, and during that time period, Viki was with me. Of course, her being here made it much easier for me as a legislator to be able to get things done, to be able to accomplish things. You know, when I first got here, the biggest thing I was trying to do was find out where the bathroom was.

Viki truly has meant the world to me in this big city of Lansing. She's been my advisor, my confidant, my message taker, my appointment maker, and most of all, my friend. It is impossible to put your years of dedication and loyalty into words. I will truly miss you. I know if you work as hard at your retirement as you have being my wonderful chief of staff, your retirement will be filled with the happiness you so much deserve. Our loss is definitely your gain, and I am wishing you all the wonderful things that you truly deserve in your retirement.

We have a Special Tribute for Viki. I won't read you the entire tribute, but I will read you just a portion of it. Thank you, colleagues, for taking the time to listen to me because Viki has been a special person in the city of Lansing not just for me, but for many legislators through the years. I really wanted to offer her a Special Tribute during this, as she calls it, the end of her career in the state of Michigan. So:

“IN SPECIAL TRIBUTE, Therefore, This document is signed and dedicated to honor and commend Victoria Spector-Walker upon the occasion of her retirement after over 40 years of distinguished service in Michigan state government. May her retirement allow Viki time to travel, go cruising in her beloved Maserati convertible ‘Mario,’ spend time enjoying their infamous Spector-Walker Beatles Rock and Roll collection, and displaying enough flamingos in her flower beds to have the neighbors pass around petitions. We offer our congratulations and best wishes to Viki and her husband, James, for happiness and health in the years ahead.”

It's signed by me, Vincent Gregory, State Senator. Congratulations, Viki.

### Recess

Senator Meekhof moved that the Senate recess subject to the call of the Chair.  
The motion prevailed, the time being 10:13 a.m.

11:16 a.m.

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

During the recess, Senator Young entered the Senate Chamber.

By unanimous consent the Senate proceeded to the order of

### Third Reading of Bills

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

#### **Senate Bill No. 678**

The motion prevailed.

The following bill was read a third time:

#### **Senate Bill No. 678, entitled**

A bill to amend 1993 PA 327, entitled “Tobacco products tax act,” by amending section 12 (MCL 205.432), as amended by 2012 PA 188.

The question being on the passage of the bill,  
Senator Kahn offered the following substitute:  
Substitute (S-1).

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

The question being on the passage of the bill,

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

**Roll Call No. 206****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

**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 Colbeck 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 with a substitute therefor, the following bill:

**Senate Bill No. 766, entitled**

A bill to make appropriations for the department of environmental quality for the fiscal year ending September 30, 2015; and to provide for the expenditure of the appropriations.

Substitute (S-1).

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

By unanimous consent the Senate returned to the order of

**Third Reading of Bills**

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

**Senate Bill No. 766**

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

The following bill was read a third time:

**Senate Bill No. 766, entitled**

A bill to make appropriations for the department of environmental quality for the fiscal year ending September 30, 2015; and to provide for the expenditure of the appropriations.

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. 207****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 returned to the order of

**General Orders**

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

The motion prevailed, and the President pro tempore, Senator Schuitmaker, designated Senator Colbeck 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 with a substitute therefor, the following bill:

**Senate Bill No. 773, entitled**

A bill to make appropriations for the department of military and veterans affairs for the fiscal year ending September 30, 2015; and to provide for the expenditure of the appropriations.

Substitute (S-1).

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

By unanimous consent the Senate returned to the order of

**Third Reading of Bills**

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

**Senate Bill No. 773**

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

The following bill was read a third time:

**Senate Bill No. 773, entitled**

A bill to make appropriations for the department of military and veterans affairs for the fiscal year ending September 30, 2015; and to provide for the expenditure of the appropriations.

The question being on the passage of the bill,  
Senator Gregory offered the following amendment:  
1. Amend page 16, following line 17, by inserting:

“Sec. 234. The department shall require that any private entity that has a contract with the department or any of its agencies can have no adjudicated record of substantial or repeated willful noncompliance with any relevant federal, state, or local statute or regulation, including payment of taxes or other payments owed to a public entity. Prior to awarding a contract, the department shall require bidders to submit documentation to the department, signed by the bidder under penalty of perjury, attesting to compliance with all applicable local, state, and federal laws, including health and safety, labor and employment, and licensing laws, that affect the employees, worksite, or performance of the contract. The department shall require all bidders and contractors to complete a pledge of compliance provided by the department attesting under penalty of perjury to comply with all applicable laws, regulations, and statutes.”.

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

Senator Hunter requested the yeas and nays.

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

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

**Roll Call No. 208**

**Yeas—15**

Ananich	Gregory	Hunter	Smith
Anderson	Hansen	Johnson	Warren
Bieda	Hood	Moolenaar	Young
Casperson	Hopgood	Rocca	

**Nays—22**

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

**Excused—0**

**Not Voting—1**

Whitmer

In The Chair: Schuitmaker

Senator Hopgood moved that Senator Whitmer be temporarily excused from the balance of today’s session.  
The motion prevailed.

Senator Gregory offered the following amendment:  
1. Amend page 16, following line 17, by inserting:

“Sec. 233. Each service contract in excess of \$500,000.00 between the department and a person or company for the performance of a governmental function shall provide that the department is entitled to receive a copy of records and files related to the performance of the governmental function, and indicate that those records and files are subject to the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246, and may be disclosed by the public agency pursuant

to the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246. Specifically, the department shall provide that any contractor doing business with an agency or department do all of the following:

(a) Keep and maintain the public records that ordinarily and necessarily would be kept and maintained by the department or any of its agencies in order to perform the service or activity.

(b) Provide the department with access to those public records on the same terms and conditions that the department would provide the records and at a cost that does not exceed costs as defined in the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246, or as otherwise provided by law.”.

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

Senator Hunter requested the yeas and nays.

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

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

**Roll Call No. 209**

**Yeas—14**

Ananich	Gregory	Hunter	Smith
Anderson	Hansen	Johnson	Warren
Bieda	Hood	Rocca	Young
Casperson	Hopgood		

**Nays—23**

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

**Excused—1**

Whitmer

**Not Voting—0**

In The Chair: Schuitmaker

The question being on the passage of the bill,

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

**Roll Call No. 210**

**Yeas—37**

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

Colbeck  
Emmons  
Green

Jansen  
Johnson

Pappageorge  
Pavlov

Warren  
Young

**Nays—0**

**Excused—1**

Whitmer

**Not Voting—0**

In The Chair: Schuitmaker

The Senate agreed to the title of the bill.

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

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

The motion prevailed, and the President pro tempore, Senator Schuitmaker, designated Senator Colbeck 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 with a substitute therefor, the following bill:

**Senate Bill No. 774, entitled**

A bill to make appropriations for the department of natural resources for the fiscal year ending September 30, 2015; and to provide for the expenditure of the appropriations.

Substitute (S-1).

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

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

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

**Senate Bill No. 774**

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

The following bill was read a third time:

**Senate Bill No. 774, entitled**

A bill to make appropriations for the department of natural resources for the fiscal year ending September 30, 2015; and to provide for the expenditure of the appropriations.

The question being on the passage of the bill,

Senator Hopgood offered the following amendments:

1. Amend page 6, following line 5, by inserting:  
“Michigan conservation corps—1.0 FTE position ..... 3,500,000”.
2. Amend page 6, line 13, by striking out “4,170,000” and inserting “7,670,000” and adjusting the subtotals, totals, and section 201 accordingly.

The amendments were not adopted, a majority of the members serving not voting therefor.

Senator Whitmer entered the Senate Chamber.



Senator Hunter requested the yeas and nays.

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

The amendments were not adopted, a majority of the members serving not voting therefor, as follows:

**Roll Call No. 211****Yeas—12**

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

**Nays—26**

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

**Excused—0****Not Voting—0**

In The Chair: Schuitmaker

Senator Hopgood offered the following amendments:

1. Amend page 17, line 25, by striking out all of lines 25 and 26.
2. Amend page 18, line 8, by striking out “6,280,000” and inserting “4,000,000” and adjusting the subtotals, totals, and section 201 accordingly.

3. Amend page 33, line 19, by striking out all of lines 19 through 23.

The amendments were not adopted, a majority of the members serving not voting therefor.

Senator Hunter requested the yeas and nays.

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

The amendments were not adopted, a majority of the members serving not voting therefor, as follows:

**Roll Call No. 212****Yeas—12**

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

**Nays—26**

Booher	Hansen	Marleau	Proos
Brandenburg	Hildenbrand	Meekhof	Richardville
Casperson	Hune	Moolenaar	Robertson
Caswell	Jansen	Nofs	Rocca

Colbeck  
Emmons  
Green

Jones  
Kahn  
Kowall

Pappageorge  
Pavlov

Schuitmaker  
Walker

**Excused—0**

**Not Voting—0**

In The Chair: Schuitmaker

Senator Hopgood offered the following amendment:

1. Amend page 29, following line 5, by inserting:

“Sec. 706. The department shall not use funds appropriated in part 1 to restrict public access to Belle Isle Park for the purpose of holding a conference.”.

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

The question being on the passage of the bill,

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

**Roll Call No. 213**

**Yeas—34**

Ananich  
Anderson  
Bieda  
Booher  
Brandenburg  
Caswell  
Colbeck  
Green  
Gregory

Hansen  
Hildenbrand  
Hood  
Hopgood  
Hunter  
Jansen  
Johnson  
Jones  
Kahn

Kowall  
Marleau  
Meekhof  
Moolenaar  
Nofs  
Pappageorge  
Pavlov  
Proos

Richardville  
Robertson  
Rocca  
Schuitmaker  
Smith  
Walker  
Warren  
Whitmer

**Nays—4**

Casperson

Emmons

Hune

Young

**Excused—0**

**Not Voting—0**

In The Chair: Schuitmaker

The Senate agreed to the title of the bill.

**Protest**

Senator Young, under his constitutional right of protest (Art. 4, Sec. 18), protested against the passage of Senate Bill No. 774.

Senator Young’s statement is as follows:

I rise in opposition to the Department of Natural Resources budget that punishes youth in the city of Detroit and rewards pet projects in two Republican districts. It says a lot about my Republican colleagues that their priorities don’t involve

programs recommended by Governor Snyder for funding that improves the lives of Detroit's youth. So much for having a partnership.

The Governor's budget recommendation included \$2.5 million for the Summer Youth Initiative. My colleagues across the aisle have redlined that and used that funding to promote projects in their own districts instead. Wow, what a shock.

Ladies and gentlemen, I have to ask you, because I do not understand. Which of these programs do you sincerely believe is a better use of tax dollars? The Summer Youth Initiative is a proven success. It's been praised by the DNR and the Snyder Administration for giving teens in urban areas the opportunity to learn valuable work skills and experience outdoor recreation.

My colleague, Senator Hopgood, spoke very eloquently about the Summer Youth Initiative and how it gives teens in Detroit hands-on work experience and mentorship opportunities. For the first time, there's a state park in their backyard, Belle Isle. Even though it was taken illegally and unconstitutionally, it's still a state park. There's an opportunity for these kids to learn and work and better understand their environment right in their own community. This budget takes that opportunity away from them. Once again, I simply have to ask, why?

Once again, we see in this budget the politics of the Republican legislators over the policy that's best for Michiganders. Giving kids real-world work experience? That matters. It's a priority of the department. It's a priority of the Governor. Apparently, it's not a priority of this chamber. I can't vote for that. I won't vote for that. I hope enough of you come to your senses and join me in opposing this budget until the priorities it represents get fixed.

Oh yeah, by the way, the DNR also gives out tickets on Belle Isle. That's why you shouldn't speak on subjects you don't know anything about, because people might actually think you're talking about things you know nothing about.

Senators Hopgood and Young asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator Hopgood's first statement is as follows:

I rise to speak to my amendment to the Department of Natural Resources budget. This amendment would restore funding to the Summer Youth Initiative, a highly-successful program praised by the department and administration for its effort to give teens in urban areas the opportunity to learn valuable work skills and experience outdoor recreation.

The initiative has been supported by Governor Snyder but has been rejected in this year's budget by Senate Republicans. I simply must ask, why? Not only does this program give teens real work experience, but it also provides them with needed mentorship opportunities and directly improves our communities through the beautification projects that they would be tasked with.

In fact, the support of the program has never been more timely for many young people in Detroit. Now that Belle Isle has become a state park, this initiative would provide them with the chance to make a difference in their own backyards. If you pass this budget as is, you have taken away a chance for countless kids in urban areas to gain meaningful work experience and improve Michigan's communities.

This amendment before you simply restores the funding for this program and allows this program to continue to provide that opportunity for our kids. Let's not turn our backs on a program that has already proven successful. I ask that my colleagues join me in voting for this amendment.

Senator Hopgood's second statement is as follows:

Mr. President, my amendment would simply make things fair in this budget. My Republican colleagues have already redlined a program in this budget that was recommended for funding by Governor Snyder, the Michigan Conservation Corps/Summer Youth Initiative. They did so under the idea that it was no longer affordable, despite the fact that the department and the administration have praised its success. And yet, in that same budget in which this important and highly-successful program to help urban kids was cut in the name of cost savings, we have two new costly programs being created that coincidentally enough are in the districts of two of my Republican colleagues; the \$2 million appropriation for the River Raisin National Battlefield Foundation Grant and the \$280,000 appropriation for the Saginaw River Feasibility Study.

Now, maybe it's just me, but it seems fairly interesting that a successful program that helps urban kids gets cut, while two programs that benefit Republican districts get fully funded in this budget. I'm sure that's just a coincidence, though, right? For the sake of fairness, if this body will not prioritize recommendations of the Governor that will help our kids, we should not use our scarce tax dollars for pet projects in the majority's districts either.

I hope my colleagues will support my amendment to remove funding for these projects until we've first funded the programs that we know are working and create opportunities for kids who need them.

Senator Hopgood's third statement is as follows:

I rise to offer an amendment that would direct the department not to close Belle Isle to the public during conferences. When the department entered into this agreement to take over Belle Isle, it promised to keep the park open and accessible to the public. Yet, once already, the state has planned to close Belle Isle to the public while holding a conference there.

This amendment simply makes good on a promise the state made when it took over Belle Isle. I ask for your support for keeping this public asset public.

Senator Young's statement is as follows:

I find it interesting that the previous speaker talked about how there has been no sort of rejection of people being able to go on the island when there have been recent reports of over 383 people who have been pulled over. There have been reports that the mayor and the clerk, the city clerk of Detroit, got pulled over and ticketed. There have been massive arrests, massive tickets handed out. These were the exact things that when Kevyn Orr and the Governor talked about taking over the park, they said would not happen. They even planned on shutting the island down for six days. I kid you not.

The only people who had access were the people from the Yacht Club. Let's say that again: the Yacht Club; not the people in the city, not my constituents who live right there on the street—for whom they lock it up every day; no, not them, not Mookie or Pookie or them—the Yacht Club; the highest standard of financial wealth. Only those people of privilege can be on the island, and you're going to say there's not any resistance? What world are you living in? You must be searching for your sanity because you have lost your ever-loving mind. Unbelievable.

We need to vote this amendment up. I'm just ashamed I didn't sponsor it.

By unanimous consent the Senate proceeded to the order of  
**Resolutions**

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

**Senate Resolution No. 34**

**Senate Resolution No. 123**

The motion prevailed.

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

**Senate Resolution No. 139**

**Senate Resolution No. 140**

The resolution consent calendar was adopted.

Senator Hune offered the following resolution:

**Senate Resolution No. 139.**

A resolution proclaiming May 5-9, 2014, as InfantSEE® Week in Michigan.

Whereas, The most critical stages of vision development occur in the first year of a child's life; and

Whereas, Undetected eye and vision problems can lead to permanent vision impairment or loss of life; and

Whereas, 1 in 10 children is at risk from undiagnosed eye and vision problems, and 1 in 30 children will be affected by amblyopia—a leading cause of vision loss in people younger than 45 years; and

Whereas, Undetected vision problems can contribute to a decrease in a child's quality of life, and may lead to developmental and behavioral difficulties which impede classroom learning, as well as increase the costs to society; and

Whereas, Early detection of vision problems is the best way to treat and prevent permanent vision impairment; and

Whereas, Member optometrists of the American Optometric Association and The Vision Care Institute of Johnson & Johnson Vision Care, Inc., have partnered to create InfantSEE®, a public health program to provide a one-time, no-cost eye assessment for infants six to twelve months old; now, therefore, be it

Resolved by the Senate, That we hereby proclaim May 5-9, 2014, as InfantSEE® Week in the state of Michigan. Our aim is to promote awareness of children's vision care; and be it further

Resolved, That copies of this resolution be transmitted to the Michigan Optometric Association with our highest esteem.

Senators Anderson, Bieda, Booher, Brandenburg, Hansen, Hopgood, Kowall, Marleau, Pappageorge, Proos, Richardville and Warren were named co-sponsors of the resolution.

Senator Richardville offered the following resolution:

**Senate Resolution No. 140.**

A resolution to recognize May 2, 2014, 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 school, 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 2, 2014, 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 2, 2014, 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.

Senators Anderson, Booher, Brandenburg, Hansen, Hopgood, Marleau and Pappageorge were named co-sponsors of the resolution.

Senator Caswell offered the following resolution:

**Senate Resolution No. 137.**

A resolution to declare May 2014 as Community Action Agency Month in the state of Michigan.

Whereas, Citizens with limited income continue to need opportunities to improve their lives and their living conditions, thus ensuring that all citizens are able to live in dignity; and

Whereas, Michigan and the entire United States must continue to promote economic security by providing support and opportunities for all citizens in need of assistance; and

Whereas, Community action agencies were established by law in 1964 under President Lyndon Johnson in effort to aid in the War on Poverty, making 2014 the 50th anniversary of community action in the United States; and

Whereas, The month of May has been designated by the United States Congress as National Community Action Month; and

Whereas, Michigan's 29 community action agencies are the only community-based organizations providing full wrap-around, locally-directed services in all 83 counties in the state; and

Whereas, Community action agencies in Michigan provide services or links to services to more than 182,000 residents every year; and

Whereas, Michigan's community action agencies assist nearly 90,000 families statewide by providing a variety of services, such as early childhood education, Head Start, senior services, affordable housing, food assistance, energy assistance, financial literacy classes, and job training programs, among others; and

Whereas, In the 2012 fiscal year, community action agencies, in cooperation with the Michigan Department of Human Services, successfully administered weatherization assistance program funds which supported energy-efficiency improvements in more than 10,778 Michigan homes; and

Whereas, Community action agencies in Michigan serve as catalysts for innovative partnerships. In 2013, agencies in Hillsdale, Jackson, and Lenawee Counties assisted over 23,369 residents in areas focusing on community and economic development, homeless and housing services, youth and family educational services, stability and life skills services, and basic needs; and

Whereas, Michigan's community action agencies have leveraged their federal allocation of the Community Services Block Grant and other federal, state, local, and private sources of funding to create more than \$332 million in economic activity statewide in 2013; now, therefore, be it

Resolved by the Senate, That the members of this legislative body declare May 2014 as Community Action Agency Month in the state of Michigan; and be it further

Resolved, That a copy of this resolution be transmitted to the Michigan Community Action Agency Association.

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

Senator Meekhof moved that the rule be suspended.

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

The resolution was adopted.

Senators Anderson, Bieda, Booher, Brandenburg, Hansen, Hopgood, Kowall, Marleau, Pappageorge, Proos, Richardville and Warren were named co-sponsors of the resolution.

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

The motion prevailed.

Senator Caswell's statement is as follows:

For the members assembled here today, as you know, in each year, May is designated as Community Action Agency Month. These agencies were signed into law in 1964 under President Johnson. Congress designated this month as the month that we take time to thank them for their services. We have 29 community action agencies in Michigan. They serve over 182,000 residents. They're involved with numerous wraparound activities, as well as weatherization programs.

It's with pride that I offer this resolution for your consideration, and I ask for your support.

Senators Schuitmaker, Green, Kahn, Hansen, Emmons, Casperson, Booher, Jansen, Robertson, Hune, Kowall, Moolenaar, Marleau, Richardville, Hildenbrand, Jones, Pappageorge, Pavlov, Proos, Nofs, Caswell, Walker, Meekhof, Smith, Bieda, Ananich, Gregory, Young, Hood and Johnson offered the following resolution:

**Senate Resolution No. 138.**

A resolution to urge the President and the United States Department of Agriculture (USDA) to reverse their decision to exclude fresh white potatoes from Women, Infants, and Children (WIC) program eligibility.

Whereas, On March 4, 2014, the USDA officially excluded fresh white potatoes from the WIC program, a decision based on outdated 2005 Dietary Guidelines for Americans (DGA) established by the U.S. Department of Health and Human Services and USDA; and

Whereas, In 2010, new DGA recommendations were developed by the U.S. Department of Health and Human Services and USDA calling for an increase of starchy vegetable consumption for women and children, including fresh white potatoes; and

Whereas, In their own statement, the USDA recognizes that white potatoes can be a healthful part of one's diet and that "nutrition education provided to WIC participants will continue to include white potatoes as a healthy source of nutrients and an important part of a healthful diet"; and

Whereas, Since 1996, vegetable consumption levels have dropped for all Americans, including a decline in consumption of fresh white potatoes by 29 percent between 1996 and 2010; and

Whereas, Participants using the WIC program consume 24 percent fewer vegetables than those not using the WIC program, while overall, U.S. women and children are underconsuming starchy vegetables and failing to meet intake recommendations; and

Whereas, Consumption data do not support the notion that WIC participants are overconsuming potatoes. According to the Centers for Disease Control and Prevention and the CDC's National Center for Health Statistics, women participating in the WIC program consumed only 2.1 percent of their total calories from fresh white potatoes, while non-WIC participants took in 2.4 percent of their calories from fresh white potatoes; and

Whereas, Fresh white potatoes are the only fresh fruit or vegetable excluded from the WIC program, even though Congress has provided clear direction for the inclusion of fresh white potatoes in the WIC program; and

Whereas, The WIC guidelines create purchasing disparity by excluding the purchase of fresh white potatoes at retail grocery stores; however, they allow WIC participants to purchase them at farmer's markets; and

Whereas, Nutritional data support the value of fresh white potatoes in providing key nutrients, including potassium, vitamin C, fiber, and foliage, to WIC mothers and their young children; and

Whereas, Potatoes are cholesterol-free, fat-free, and sodium-free and can be served in countless healthy ways; and

Whereas, WIC participants and U.S. taxpayers deserve federal nutrition policy that is science-based and has potential to improve the health of participants; and

Whereas, Fresh white potatoes are one of the most cost-effective sources of providing nutrients, and WIC participants should be allowed to supply nutrients to themselves and their young children in a manner that maximize their WIC vouchers; now, therefore, be it

Resolved by the Senate, That we urge the President and the United States Department of Agriculture to reverse their decision to exclude fresh white potatoes from the Women, Infants, and Children (WIC) program eligibility and to focus on encouraging the consumption of all fresh fruits and vegetables for WIC participants to help meet nutritional intake recommendations; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States and the Secretary of the United States Department of Agriculture.

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

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

The question being on the adoption of the resolution,

Senator Meekhof moved that the resolution be referred to the Committee on Families, Seniors and Human Services.

The motion prevailed.

Senator Brandenburg was named co-sponsor of the resolution.

### **Introduction and Referral of Bills**

**House Bill No. 4341, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 2652 (MCL 333.2652), as amended by 2006 PA 301.

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 Education.



**House Bill No. 5216, entitled**

A bill to amend 1953 PA 232, entitled "Corrections code of 1953," (MCL 791.201 to 791.285) by adding section 34d. The House of Representatives has passed the bill and ordered that it be given immediate effect. The bill was read a first and second time by title and referred to the Committee on Judiciary.

**House Bill No. 5217, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," (MCL 600.101 to 600.9947) by adding section 2956a.

The House of Representatives has passed the bill and ordered that it be given immediate effect. The bill was read a first and second time by title and referred to the Committee on Judiciary.

**House Bill No. 5218, entitled**

A bill to amend 1974 PA 381, entitled "An act to encourage and contribute to the rehabilitation of former offenders and to assist them in the assumption of the responsibilities of citizenship; to prescribe the use of the term "good moral character" or similar term as a requirement for an occupational or professional license or when used as a requirement to establish or operate an organization or facility regulated by this state; and to provide administrative and judicial procedures to contest licensing board or agency rulings thereon," by amending section 2 (MCL 338.42).

The House of Representatives has passed the bill and ordered that it be given immediate effect. The bill was read a first and second time by title and referred to the Committee on Judiciary.

**House Bill No. 5220, entitled**

A bill to amend 1980 PA 299, entitled "Occupational code," by amending section 728 (MCL 339.728), as amended by 2010 PA 215.

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.

**Recess**

Senator Meekhof moved that the Senate recess subject to the call of the Chair. The motion prevailed, the time being 12:14 p.m.

12:20 p.m.

Pursuant to rule 1.101, in the absence of the Presiding Officers, the Senate was called to order by the Secretary of the Senate.

**Scheduled Meetings**

**Administrative Rules** - Wednesday, May 14, 3:30 p.m. or later after committees are given leave to meet, Rooms 402 and 403, Capitol Building (373-5773)

**Health Policy** - Thursday, May 1, 2:30 p.m., Senate Hearing Room, Ground Floor, Boji Tower (373-5323)

**Michigan Law Revision Commission** - Tuesday, May 13, 9:00 a.m., Senate Hearing Room, Ground Floor, Boji Tower (373-0212)

**Natural Resources, Environment and Great Lakes** - Thursday, May 1, 9:00 a.m., Room 210, Farnum Building (373-5314)

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

Senator Meekhof moved that the Senate adjourn. The motion prevailed, the time being 12:21 p.m.

The Secretary of the Senate declared the Senate adjourned until Thursday, May 1, 2014, at 10:00 a.m.

CAROL MOREY VIVENTI  
Secretary of the Senate