

No. 50
STATE OF MICHIGAN
Journal of the Senate
97th Legislature
REGULAR SESSION OF 2014

Senate Chamber, Lansing, Wednesday, May 28, 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—excused
Pavlov—present
Proos—excused
Richardville—present
Robertson—present
Rocca—present
Schuitmaker—present
Smith—present
Walker—present
Warren—present
Whitmer—present
Young—present

Senator Bertram C. Johnson of the 2nd District offered the following invocation:

Father God, grant us the sensitivity to hear Your voice and the courage to follow its instruction. What we do here today might not be for the assuaging of any of our egos, but it would ultimately benefit Your people and Your kingdom and growth. All these things, in all Your beauty and majesty, we thank You for, and we pray for Your continued peace within us. Amen.

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

Motions and Communications

Senators Meekhof and Richardville entered the Senate Chamber.

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

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

Senator Meekhof moved that Senators Proos and Pappageorge be excused from today's session. The motion prevailed.

The Secretary announced that the following House bills were received in the Senate and filed on Tuesday, May 27:

House Bill Nos.	4649	4650	5361	5404	5405	5406	5407	5478	5479	5480	5481	5482	5483	5484
	5485	5486	5487	5488	5489	5490	5591	5592						

The Secretary announced the enrollment printing and presentation to the Governor on Tuesday, May 27, for his approval the following bill:

Enrolled Senate Bill No. 934 at 7:56 p.m.

The Secretary announced that the following bills were printed and filed on Tuesday, May 27, and are available at the Michigan Legislature website:

Senate Bill Nos. 959 960

Messages from the Governor

The following messages from the Governor were received:

Date: May 27, 2014
Time: 11:20 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 612 (Public Act No. 136), being

An act to amend 1980 PA 299, entitled “An act to revise, consolidate, and classify the laws of this state regarding the regulation of certain occupations and to regulate certain persons and activities relative to those occupations; to create a board for each of those occupations; to establish the powers and duties of certain departments and agencies and the boards of each occupation; to provide for the promulgation of rules; to provide for certain fees; to provide for penalties and civil fines; to establish rights, relationships, and remedies of certain persons under certain circumstances; to provide immunity from certain civil liability for certain entities and certain related occupations under certain circumstances; to repeal certain parts of this act on a specific date; and to repeal certain acts and parts of acts,” by amending section 1108 (MCL 339.1108), as amended by 1988 PA 463.

(Filed with the Secretary of State on May 27, 2014, at 2:45 p.m.)

Date: May 27, 2014
Time: 11:24 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 546 (Public Act No. 131), being

An act 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.

(Filed with the Secretary of State on May 27, 2014, at 2:35 p.m.)

Date: May 27, 2014

Time: 11:26 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 628 (Public Act No. 133), being

An act to amend 1985 PA 87, entitled “An act to establish the rights of victims of crime and juvenile offenses; to provide for certain procedures; to establish certain immunities and duties; to limit convicted criminals from deriving profit under certain circumstances; to prohibit certain conduct of employers or employers’ agents toward victims; and to provide for penalties and remedies,” by amending section 2 (MCL 780.752), as amended by 2009 PA 28.

(Filed with the Secretary of State on May 27, 2014, at 2:39 p.m.)

Date: May 27, 2014

Time: 11:28 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 749 (Public Act No. 134), being

An act to amend 1985 PA 87, entitled “An act to establish the rights of victims of crime and juvenile offenses; to provide for certain procedures; to establish certain immunities and duties; to limit convicted criminals from deriving profit under certain circumstances; to prohibit certain conduct of employers or employers’ agents toward victims; and to provide for penalties and remedies,” by amending section 31 (MCL 780.781), as amended by 2009 PA 28.

(Filed with the Secretary of State on May 27, 2014, at 2:41 p.m.)

Date: May 27, 2014

Time: 11:30 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 862 (Public Act No. 135), being

An act to amend 1998 PA 58, entitled “An act to create a commission for the control of the alcoholic beverage traffic within this state, and to prescribe its powers, duties, and limitations; to provide for powers and duties for certain state departments and agencies; to impose certain taxes for certain purposes; to provide for the control of the alcoholic liquor traffic within this state and to provide for the power to establish state liquor stores; to prohibit the use of certain devices for the dispensing of alcoholic vapor; to provide for the care and treatment of alcoholics; to provide for the incorporation of farmer cooperative wineries and the granting of certain rights and privileges to those cooperatives; to provide for the licensing and taxation of activities regulated under this act and the disposition of the money received under this act; to prescribe liability for retail licensees under certain circumstances and to require security for that liability; to provide procedures, defenses, and remedies regarding violations of this act; to provide for the enforcement and to prescribe penalties for violations of this act; to provide for allocation of certain funds for certain purposes; to provide for the confiscation and disposition of property seized under this act; to provide referenda under certain circumstances; and to repeal acts and parts of acts,” by amending section 531 (MCL 436.1531), as amended by 2013 PA 237.

(Filed with the Secretary of State on May 27, 2014, at 2:43 p.m.)

Date: May 27, 2014

Time: 11:32 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 574 (Public Act No. 132), being

An act to amend 1893 PA 206, entitled “An act to provide for the assessment of rights and interests, including leasehold interests, in property and the levy and collection of taxes on property, and for the collection of taxes levied; making those taxes a lien on the property taxed, establishing and continuing the lien, providing for the sale or forfeiture and conveyance

of property delinquent for taxes, and for the inspection and disposition of lands bid off to the state and not redeemed or purchased; to provide for the establishment of a delinquent tax revolving fund and the borrowing of money by counties and the issuance of notes; to define and limit the jurisdiction of the courts in proceedings in connection with property delinquent for taxes; to limit the time within which actions may be brought; to prescribe certain limitations with respect to rates of taxation; to prescribe certain powers and duties of certain officers, departments, agencies, and political subdivisions of this state; to provide for certain reimbursements of certain expenses incurred by units of local government; to provide penalties for the violation of this act; and to repeal acts and parts of acts," by amending section 78 (MCL 211.78), as amended by 2008 PA 512.

(Filed with the Secretary of State on May 27, 2014, at 2:37 p.m.)

Date: May 27, 2014

Time: 8:11 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 934 (Public Act No. 138), being

An act to fix minimum wages for employees within this state; to prohibit wage discrimination; to provide for a wage deviation board; to provide for the administration and enforcement of this act; to prescribe penalties for the violation of this act; and to repeal acts and parts of acts.

(Filed with the Secretary of State on May 27, 2014, at 8:27 p.m.)

Respectfully,
Rick Snyder
Governor

Messages from the House

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

House Bill No. 4369

Senate Bill No. 479

The motion prevailed.

Senator Kahn entered the Senate Chamber.

Senate Bill No. 114, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 34d (MCL 211.34d), as amended by 2012 PA 185.

The House of Representatives has substituted (H-2) the bill.

The House of Representatives has passed the bill as substituted (H-2), ordered that it be given immediate effect and amended the title to read as follows:

A bill to amend 1893 PA 206, entitled "An act to provide for the assessment of rights and interests, including leasehold interests, in property and the levy and collection of taxes on property, and for the collection of taxes levied; making those taxes a lien on the property taxed, establishing and continuing the lien, providing for the sale or forfeiture and conveyance of property delinquent for taxes, and for the inspection and disposition of lands bid off to the state and not redeemed or purchased; to provide for the establishment of a delinquent tax revolving fund and the borrowing of money by counties and the issuance of notes; to define and limit the jurisdiction of the courts in proceedings in connection with property delinquent for taxes; to limit the time within which actions may be brought; to prescribe certain limitations with respect to rates of taxation; to prescribe certain powers and duties of certain officers, departments, agencies, and political subdivisions of this state; to provide for certain reimbursements of certain expenses incurred by units of local government; to provide penalties for the violation of this act; and to repeal acts and parts of acts," by amending section 34d (MCL 211.34d), as amended by 2014 PA 18.

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

Senate Bill No. 409, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 316 (MCL 750.316), as amended by 2013 PA 39.

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

The House of Representatives has passed the bill as substituted (H-1), ordered that it be given immediate effect and amended the title to read as follows:

A bill to amend 1931 PA 328, entitled “An act to revise, consolidate, codify, and add to the statutes relating to crimes; to define crimes and prescribe the penalties and remedies; to provide for restitution under certain circumstances; to provide for the competency of evidence at the trial of persons accused of crime; to provide immunity from prosecution for certain witnesses appearing at criminal trials; to provide for liability for damages; and to repeal certain acts and parts of acts inconsistent with or contravening any of the provisions of this act,” by amending section 316 (MCL 750.316), as amended by 2014 PA 23.

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

Senate Bill No. 418, entitled

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” by amending section 1202 (MCL 500.1202), as amended by 2012 PA 552.

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.

Senators Young and Smith entered the Senate Chamber.

Senate Bill No. 472, entitled

A bill to amend 1990 PA 345, entitled “State survey and remonumentation act,” by amending the title and sections 2, 3, 4, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, and 17 (MCL 54.262, 54.263, 54.264, 54.266, 54.267, 54.268, 54.269, 54.270, 54.271, 54.272, 54.273, 54.274, 54.275, 54.276, and 54.277), sections 2 and 12 as amended by 2010 PA 260, section 6 as amended by 1998 PA 5, section 8 as amended by 2002 PA 489, and section 11 as amended by 2006 PA 76, and by adding sections 9a, 9b, and 17a.

The House of Representatives has substituted (H-3) the bill.

The House of Representatives has passed the bill as substituted (H-3), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

Pending the order that, under rule 3.202, the bill be laid over one day,

Senator Meekhof moved that the rule be suspended.

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

The question being on concurring in the substitute made to the bill by the House,

The substitute was concurred in, a majority of the members serving voting therefor, as follows:

Roll Call No. 317

Yeas—35

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

Nays—0

Excused—3

Hunter

Pappageorge

Pros

Not Voting—0

In The Chair: Schuitmaker

The question being on concurring in the committee recommendation to give the bill immediate effect,
The recommendation was concurred in, 2/3 of the members serving voting therefor.
The Senate agreed to the full title.
The bill was referred to the Secretary for enrollment printing and presentation to the Governor.

Senate Bill No. 494, entitled

A bill to amend 1979 PA 152, entitled “State license fee act,” by repealing section 23 (MCL 338.2223).
The House of Representatives has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The question being on concurring in the committee recommendation to give the bill immediate effect,
The recommendation was concurred in, 2/3 of the members serving voting therefor.
The Senate agreed to the full title.
The bill was referred to the Secretary for enrollment printing and presentation to the Governor.

Senate Bill No. 607, entitled

A bill to amend 1979 PA 152, entitled “State license fee act,” by repealing section 62 (MCL 338.2262).
The House of Representatives has substituted (H-1) the bill.
The House of Representatives has passed the bill as substituted (H-1), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.
Pending the order that, under rule 3.202, the bill be laid over one day,
Senator Meekhof moved that the rule be suspended.
The motion prevailed, a majority of the members serving voting therefor.
The question being on concurring in the substitute made to the bill by the House,
The substitute was concurred in, a majority of the members serving voting therefor, as follows:

Roll Call No. 318**Yeas—35**

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

Nays—0**Excused—3**

Hunter	Pappageorge	Proos
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Not Voting—0

In The Chair: Schuitmaker

The question being on concurring in the committee recommendation to give the bill immediate effect,
 The recommendation was concurred in, 2/3 of the members serving voting therefor.
 The Senate agreed to the full title.
 The bill was referred to the Secretary for enrollment printing and presentation to the Governor.

Senate Bill No. 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.

Substitute (H-1).

The question being on concurring in the substitute made to the bill by the House,
 The substitute was concurred in, a majority of the members serving voting therefor, as follows:

Roll Call No. 319

Yeas—35

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

Nays—0

Excused—3

Hunter	Pappageorge	Proos
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Not Voting—0

In The Chair: Schuitmaker

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 as amended.
 The bill was referred to the Secretary for enrollment printing and presentation to the Governor.

Senate Bill No. 477, entitled

A bill to amend 1979 PA 152, entitled "State license fee act," by repealing section 28 (MCL 338.2228).
 Substitute (H-1).

The question being on concurring in the substitute made to the bill by the House,
 The substitute was concurred in, a majority of the members serving voting therefor, as follows:

Roll Call No. 320

Yeas—35

Ananich	Green	Jones	Robertson
Anderson	Gregory	Kahn	Rocca

Bieda	Hansen	Kowall	Schuitmaker
Booher	Hildenbrand	Marleau	Smith
Brandenburg	Hood	Meekhof	Walker
Casperson	Hopgood	Moolenaar	Warren
Caswell	Hune	Nofs	Whitmer
Colbeck	Jansen	Pavlov	Young
Emmons	Johnson	Richardville	

Nays—0

Excused—3

Hunter	Pappageorge	Proos
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Not Voting—0

In The Chair: Schuitmaker

The question being on concurring in the committee recommendation to give the bill immediate effect,
The recommendation was concurred in, 2/3 of the members serving voting therefor.
The Senate agreed to the full title.
The bill was referred to the Secretary for enrollment printing and presentation to the Governor.

Senate Bill No. 648, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending sections 2701, 2705, and 2711 (MCL 333.2701, 333.2705, and 333.2711), as added by 1990 PA 16.

(This bill was returned from the House without amendment on May 27 and the recommendation for immediate effect postponed. See Senate Journal No. 49, p. 843.)

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.

Senator Hunter entered the Senate Chamber.

Senate Bill No. 649, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending sections 2707 and 2723 (MCL 333.2707 and 333.2723), as added by 1990 PA 16.

(For text of amendments, see Senate Journal No. 49, p. 843.)

The question being on concurring in the amendments made to the bill by the House,
The amendments were concurred in, a majority of the members serving voting therefor, as follows:

Roll Call No. 321

Yeas—36

Ananich	Green	Johnson	Richardville
Anderson	Gregory	Jones	Robertson
Bieda	Hansen	Kahn	Rocca
Booher	Hildenbrand	Kowall	Schuitmaker
Brandenburg	Hood	Marleau	Smith

Casperson	Hopgood	Meekhof	Walker
Caswell	Hune	Moolenaar	Warren
Colbeck	Hunter	Nofs	Whitmer
Emmons	Jansen	Pavlov	Young

Nays—0

Excused—2

Pappageorge	Proos
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Not Voting—0

In The Chair: Schuitmaker

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

The following bill was announced:

Senate Bill No. 929, entitled

A bill to amend 1993 PA 23, entitled “Michigan limited liability company act,” by amending section 705a (MCL 450.4705a), as amended by 2002 PA 686.

(This bill was read a third time on May 27 and consideration postponed. See Senate Journal No. 49, p. 849.)

The question being on the passage of the bill,
Senator Bieda offered the following amendment:

1. Amend page 2, line 1, by striking out all of subdivision (C) and inserting:

“(C) “NONPROFIT CORPORATION” MEANS A CORPORATION THAT, UNDER THE LAWS OF THE JURISDICTION IN WHICH IT WAS FORMED, IS A NONPROFIT CORPORATION, INCLUDING, BUT NOT LIMITED TO, A CORPORATION FORMED UNDER OR SUBJECT TO, IN WHOLE OR IN PART, THE NONPROFIT CORPORATION ACT, 1982 PA 162, MCL 450.2101 TO 450.3192.”.

The amendment 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. 322

Yeas—35

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

Nays—1

Colbeck

Excused—2

Pappageorge

Proos

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. 66**House Bill No. 4377****House Bill No. 4392****House Bill No. 4683****House Bill No. 4691****House Bill No. 4376****House Bill No. 4378****House Bill No. 4528****House Bill No. 4684****House Bill No. 5220**

The motion prevailed.

The following bill was read a third time:

Senate Bill No. 66, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1278c.

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. 323**Yeas—36**

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

Nays—0**Excused—2**

Pappageorge

Proos

Not Voting—0

In The Chair: Schuitmaker

The Senate agreed to the title of the bill.

The following bill was read a third time:

House Bill No. 4377, entitled

A bill to amend 1980 PA 299, entitled "Occupational code," by repealing article 23 (MCL 339.2301 to 339.2310).

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. 324**Yeas—26**

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

Nays—10

Anderson	Hood	Smith	Whitmer
Bieda	Hopgood	Warren	Young
Gregory	Johnson		

Excused—2

Pappageorge	Proos
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Not Voting—0

In The Chair: Schuitmaker

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.

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

"An act to revise, consolidate, and classify the laws of this state regarding the regulation of certain occupations and to regulate certain persons and activities relative to those occupations; to create a board for each of those occupations; to establish the powers and duties of certain departments and agencies and the boards of each occupation; to provide for the promulgation of rules; to provide for certain fees; to provide for penalties and civil fines; to establish rights, relationships, and remedies of certain persons under certain circumstances; to provide immunity from certain civil liability for certain entities and certain related occupations under certain circumstances; to repeal certain parts of this act on a specific date; and to repeal certain acts and parts of acts."

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 4392, entitled

A bill to amend 1980 PA 299, entitled "Occupational code," by repealing article 27 (MCL 339.2701 to 339.2721).

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. 325

Yeas—36

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

Nays—0

Excused—2

Pappageorge Proos

Not Voting—0

In The Chair: Schuitmaker

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.

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

"An act to revise, consolidate, and classify the laws of this state regarding the regulation of certain occupations and to regulate certain persons and activities relative to those occupations; to create a board for each of those occupations; to establish the powers and duties of certain departments and agencies and the boards of each occupation; to provide for the promulgation of rules; to provide for certain fees; to provide for penalties and civil fines; to establish rights, relationships, and remedies of certain persons under certain circumstances; to provide immunity from certain civil liability for certain entities and certain related occupations under certain circumstances; to repeal certain parts of this act on a specific date; and to repeal certain acts and parts of acts,".

The Senate agreed to the full title.

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.

Senator Hildenbrand offered the following resolution:

Senate Resolution No. 155.

A resolution to declare May 28, 2014, as Be The Match Day in Michigan.

Whereas, For the thousands of people diagnosed every year with life-threatening blood cancers like leukemia and lymphoma, a cure exists; and

Whereas, Over the past 25 years, Be The Match, operated by the National Marrow Donor Program (NMDP), has managed the largest and most diverse marrow registry in the world; and

Whereas, Here in Michigan, Michigan Blood serves as an official Be The Match affiliate and has a critical role in maintaining and growing registry participation in our state; and

Whereas, Michigan Blood's tireless advocacy and fundraising on behalf of this program demonstrates its true commitment to this outstanding program and all those it serves; and

Whereas, It is important to raise awareness of this program and its financial needs in order to ensure its continued success; now, therefore, be it

Resolved by the Senate, That we hereby recognize May 28, 2014, as Be The Match Day. We encourage ongoing and expanded support for this important program that helps save the lives of people with life-threatening illnesses in our state; and be it further

Resolved, That a copy of this resolution be transmitted to Michigan Blood as a token of our sincere appreciation for all that they do.

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 Ananich, Anderson, Booher, Brandenburg, Emmons, Hansen, Hopgood, Marleau and Richardville were named co-sponsors of the resolution.

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

The motion prevailed.

Senator Hildenbrand's statement is as follows:

Senate Resolution No. 155 recognizes today, May 28, 2014, as Be The Match Day in Michigan. The program serves a vital role in identifying and connecting bone marrow donors with patients needing a match for their cancer treatments. Over the past 25 years, Be The Match, operated by the National Marrow Donor Program, has managed the largest and most diverse marrow registry in the world.

Here in Michigan, Michigan Blood located in Grand Rapids serves as the official state affiliate for this program. The dedicated staff and volunteers at Michigan Blood work tirelessly to add over 2,500 new potential donors to the registry each and every year. I am honored to have Michigan Blood headquartered in my district, and as I mentioned earlier, there is a marrow drive going on just down the hall in the Speaker's Library. I also have two representatives from Michigan Blood in the east Gallery, if my colleagues could please help me welcome them to the Michigan Senate.

I ask for my colleagues' support of Senate Resolution No. 155.

Senators Johnson, Ananich and Warren offered the following resolution:

Senate Resolution No. 156.

A resolution to denounce the House Republican Fiscal Year 2015 Budget Resolution and to memorialize the Congress and the President of the United States to oppose any proposal that would eliminate Medicare as it has traditionally existed, make substantial tax cuts to already-struggling social safety net programs, or increase the tax burden on the middle class.

Whereas, The House Republican Fiscal Year 2015 Budget Resolution (House Concurrent Resolution 96), introduced by Congressman Paul Ryan, would balance the federal budget by cutting \$5 trillion in nondefense spending. More than two-thirds of those cuts would eliminate or reduce programs that currently help low-income and middle-class Americans afford expenses, such as health care, education, and food; and

Whereas, The Ryan budget eliminates comprehensive health care provided by the popular Medicare system and replaces it with an experimental voucher program that would force the next generation of seniors to choose between the medical treatment that they need and the medical treatment that they can afford; and

Whereas, The Ryan budget contains \$2.7 trillion in cuts to Medicaid and to subsidies that help low- and moderate-income people buy private insurance, which would leave an estimated 40 million Americans uninsured by 2024; and

Whereas, The Ryan budget cuts Pell Grants for low- and moderate-income students by up to \$125 billion by freezing the maximum grant (currently just \$5,645 per year) for ten years, limiting eligibility, and repealing all mandatory funding; and

Whereas, The Ryan budget cuts the Supplemental Nutrition Assistance Program (SNAP) by \$137 billion over the next decade, forcing 3.8 million people off the food assistance program in 2014, and then converts SNAP to a block grant in 2019 and imposes even deeper cuts; and

Whereas, The Ryan budget includes an additional \$500 billion in unspecified cuts to other programs, such as school lunches and other child nutrition programs, as well as Supplemental Security Income, which helps very poor people who are elderly or have serious disabilities; and

Whereas, The Ryan budget eliminates or reduces several tax deductions that middle-class Americans currently rely on, such as the Earned Income Tax Credit (EITC), while reducing the federal corporate tax rate from 35 percent to 25 percent; and

Whereas, The Ryan budget redistributes wealth upward to the affluent, who typically enjoy better health, leaving the poorest Americans with fewer benefits and larger health care expenses; now, therefore, be it

Resolved by the Senate, That we denounce the House Republican Fiscal Year 2015 Budget Resolution; and be it further

Resolved, That we memorialize the Congress and the President of the United States to oppose any proposal that would eliminate Medicare as it has traditionally existed, make substantial tax cuts to already-struggling social safety net programs, or increase the tax burden on the middle class; 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, and the members of the Michigan congressional delegation.

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 Appropriations.

The motion prevailed.

Senators Anderson and Hopgood were named co-sponsors of the resolution.

Recess

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

The motion prevailed, the time being 10:48 a.m.

11:02 a.m.

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

Introduction and Referral of Bills

Senator Schuitmaker introduced

Senate Bill No. 961, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending section 106a (MCL 400.106a), as amended by 2012 PA 356.

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

Senators Robertson and Ananich introduced

Senate Bill No. 962, entitled

A bill to amend 1974 PA 198, entitled "An act to provide for the establishment of plant rehabilitation districts and industrial development districts in local governmental units; to provide for the exemption from certain taxes; to levy and collect a specific tax upon the owners of certain facilities; to impose and provide for the disposition of an administrative fee; to provide for the disposition of the tax; to provide for the obtaining and transferring of an exemption certificate and to prescribe the contents of those certificates; to prescribe the powers and duties of the state tax commission and certain officers of local governmental units; and to provide penalties," by amending section 7 (MCL 207.557), as amended by 2013 PA 85.

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

House Bill No. 4649, entitled

A bill to amend 1994 PA 203, entitled "Foster care and adoption services act," by amending section 3 (MCL 722.953) and by adding section 8a.

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

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

House Bill No. 4650, entitled

A bill to amend 1994 PA 204, entitled "The children's ombudsman act," by amending sections 2, 5a, and 6 (MCL 722.922, 722.925a, and 722.926), section 2 as amended by 2004 PA 560 and sections 5a and 6 as amended by 2013 PA 38.

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

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

House Bill No. 5361, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 40111 (MCL 324.40111), as amended by 2012 PA 340.

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 Outdoor Recreation and Tourism.

House Bill No. 5404, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 20919 and 20965 (MCL 333.20919 and 333.20965), section 20919 as amended by 2006 PA 582 and section 20965 as amended by 2000 PA 375.

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. 5405, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding sections 7422 and 17744c.

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. 5406, entitled

A bill to amend 1963 PA 17, entitled "An act to relieve certain persons from civil liability when rendering emergency care, when rendering care to persons involved in competitive sports under certain circumstances, or when participating in a mass immunization program approved by the department of public health," (MCL 691.1501 to 691.1507) by adding section 3.

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. 5407, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 1106, 17745, 17751, 17754, and 17757 (MCL 333.1106, 333.17745, 333.17751, 333.17754, and 333.17757), section 1106 as amended by 2000 PA 58, sections 17745, 17751, and 17757 as amended by 2013 PA 186, and section 17754 as amended by 2013 PA 268, and by adding sections 7421 and 17744b.

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. 5478, entitled

A bill to amend 1969 PA 317, entitled "Worker's disability compensation act of 1969," by amending section 501 (MCL 418.501), as amended by 1993 PA 198.

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 Reforms, Restructuring and Reinvesting.

House Bill No. 5479, entitled

A bill to amend 1969 PA 317, entitled "Worker's disability compensation act of 1969," (MCL 418.101 to 418.941) by adding section 501a.

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 Reforms, Restructuring and Reinvesting.

House Bill No. 5480, entitled

A bill to amend 1969 PA 317, entitled "Worker's disability compensation act of 1969," (MCL 418.101 to 418.941) by adding section 538.

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 Reforms, Restructuring and Reinvesting.

House Bill No. 5481, entitled

A bill to amend 1969 PA 317, entitled "Worker's disability compensation act of 1969," by amending section 356 (MCL 418.356), as amended by 1994 PA 271.

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 Reforms, Restructuring and Reinvesting.

House Bill No. 5482, entitled

A bill to amend 1969 PA 317, entitled "Worker's disability compensation act of 1969," by amending section 391 (MCL 418.391), as amended by 2007 PA 190.

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 Reforms, Restructuring and Reinvesting.

House Bill No. 5483, entitled

A bill to amend 1969 PA 317, entitled "Worker's disability compensation act of 1969," (MCL 418.101 to 418.941) by adding section 501b.

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 Reforms, Restructuring and Reinvesting.

House Bill No. 5484, entitled

A bill to amend 1969 PA 317, entitled "Worker's disability compensation act of 1969," by amending section 515 (MCL 418.515).

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 Reforms, Restructuring and Reinvesting.

House Bill No. 5485, entitled

A bill to amend 1969 PA 317, entitled "Worker's disability compensation act of 1969," by amending section 553 (MCL 418.553).

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 Reforms, Restructuring and Reinvesting.

House Bill No. 5486, entitled

A bill to amend 1969 PA 317, entitled "Worker's disability compensation act of 1969," by amending section 561 (MCL 418.561).

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 Reforms, Restructuring and Reinvesting.

House Bill No. 5487, entitled

A bill to amend 1969 PA 317, entitled "Worker's disability compensation act of 1969," by amending section 551 (MCL 418.551), as amended by 2002 PA 25.

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 Reforms, Restructuring and Reinvesting.

House Bill No. 5488, entitled

A bill to amend 1969 PA 317, entitled “Worker’s disability compensation act of 1969,” by amending section 555 (MCL 418.555).

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 Reforms, Restructuring and Re-inventing.

House Bill No. 5489, entitled

A bill to amend 1969 PA 317, entitled “Worker’s disability compensation act of 1969,” by amending section 537 (MCL 418.537), as amended by 1992 PA 269.

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 Reforms, Restructuring and Re-inventing.

House Bill No. 5490, entitled

A bill to amend 1969 PA 317, entitled “Worker’s disability compensation act of 1969,” by amending section 541 (MCL 418.541).

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 Reforms, Restructuring and Re-inventing.

House Bill No. 5591, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending section 335a (MCL 750.335a), as amended by 2005 PA 300.

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. 5592, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending section 167 (MCL 750.167).

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.

Statements

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

The motion prevailed.

Senator Caswell’s statement is as follows:

At the risk of boring my colleagues, I would like to say a heartfelt thank you for passing the bill today that loosened up the high school curriculum requirements, allowing students who want to go in a different direction to do that. More needs to be done, but it was a good start. We heard testimony today in the Appropriations Committee about everybody going to college. That’s probably one of the most factually impaired statements I have ever heard in my life, and I continue to beat the drums that everybody does not need to go to a four-year university. Some kind of training after high school is appropriate.

I just got a report from Prosperity Region 9, which includes part of my district, about the jobs that are available. The jobs we need people to fill are jobs that require a limited education beyond high school—truck drivers, welders, etc. We have got to wake up and smell the coffee in this town that not every kid should be going to college. We’re wrong to tell them that, and we have to provide vocational education opportunities for these kids so that they can go out and pick up jobs that are already available.

Thank you for what you did today, and as we move forward, I hope that you remember, no, everybody shouldn’t go to a four-year college. There should be plenty of opportunities for tech ed across the state, not only in our high schools, but afterwards. That’s where we can employ an awful lot of people, and that’s where our jobs are today.

Senator Hood's statement is as follows:

As I stand before you today, I would like that, as we go on in this week and into this weekend, we acknowledge that we had a member, Senator Proos, lose his father this week. As we go on through this week, let's please keep Senator Proos and his family in our hearts and in our prayers. We just have to remember that life is precious, and life is very important. With that being said, remember what family is all about, and take advantage of the time with your family every day. Love them every day. Show them your love, and show Senator Proos our love by saying our prayers for him this evening and this weekend; maybe send him a text just to show that we stand behind him and we are here for him and we care about him and his family.

A moment of silence was observed in memory of John M. Proos III, M.D.

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

Senator Meekhof moved that when the Senate adjourns today, it stand adjourned until Monday, June 2, at 1:00 p.m. The motion prevailed.

Committee Reports

The Committee on Natural Resources, Environment and Great Lakes reported

House Bill No. 5400, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 8504, 8505, 8513, 11502, 11503, 11504, 11505, 11506, 11542, 20101, 20114e, and 20115 (MCL 324.8504, 324.8505, 324.8513, 324.11502, 324.11503, 324.11504, 324.11505, 324.11506, 324.11542, 324.20101, 324.20114e, and 324.20115), sections 8504 and 11542 as amended by 2004 PA 325, section 8505 as amended by 2006 PA 503, section 8513 as added by 1995 PA 60, section 11502 as amended by 2007 PA 212, sections 11503, 11505, and 11506 as amended by 2014 PA 24, section 11504 as amended by 2013 PA 250, section 20101 as amended by 2013 PA 141, section 20114e as amended by 2012 PA 446, and section 20115 as amended by 1995 PA 117, and by adding sections 3112e, 11551, 11551a, 11552, 11553, and 11554.

With the recommendation that the substitute (S-2) be adopted and that the bill then pass.

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

Thomas A. Casperson
Chairperson

To Report Out:

Yeas: Senators Casperson, Pavlov, Green, Kowall and Meekhof

Nays: Senator Warren

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

The Committee on Natural Resources, Environment and Great Lakes reported

House Bill No. 5401, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 20126 (MCL 324.20126), as amended by 2012 PA 446.

With the recommendation that the bill pass.

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

Thomas A. Casperson
Chairperson

To Report Out:

Yeas: Senators Casperson, Pavlov, Green, Kowall and Meekhof

Nays: Senator Warren

The bill was referred to the Committee of the Whole.

The Committee on Natural Resources, Environment and Great Lakes reported

House Bill No. 5402, entitled

A bill to amend 1955 PA 162, entitled "An act to provide for the licensing and inspection of agricultural liming material and to regulate the sale thereof; and to prescribe penalties for the violations of the provisions of this act," by amending section 2 (MCL 290.532).

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

Thomas A. Casperson
Chairperson

To Report Out:

Yeas: Senators Casperson, Pavlov, Green, Kowall and Meekhof
Nays: Senator Warren
The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Natural Resources, Environment and Great Lakes submitted the following:
Meeting held on Tuesday, May 27, 2014, at 8:30 a.m., Room 210, Farnum Building
Present: Senators Casperson (C), Pavlov, Green, Kowall, Meekhof and Warren
Excused: Senator Hood

The Committee on Energy and Technology reported

House Bill No. 5476, entitled

A bill to amend 1939 PA 3, entitled "An act to provide for the regulation and control of public and certain private utilities and other services affected with a public interest within this state; to provide for alternative energy suppliers; to provide for licensing; to include municipally owned utilities and other providers of energy under certain provisions of this act; to create a public service commission and to prescribe and define its powers and duties; to abolish the Michigan public utilities commission and to confer the powers and duties vested by law on the public service commission; to provide for the continuance, transfer, and completion of certain matters and proceedings; to abolish automatic adjustment clauses; to prohibit certain rate increases without notice and hearing; to qualify residential energy conservation programs permitted under state law for certain federal exemption; to create a fund; to provide for a restructuring of the manner in which energy is provided in this state; to encourage the utilization of resource recovery facilities; to prohibit certain acts and practices of providers of energy; to allow for the securitization of stranded costs; to reduce rates; to provide for appeals; to provide appropriations; to declare the effect and purpose of this act; to prescribe remedies and penalties; and to repeal acts and parts of acts," by amending section 11 (MCL 460.11), as added by 2008 PA 286.

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.

Mike Nofs
Chairperson

To Report Out:

Yeas: Senators Nofs, Jones, Marleau, Schuitmaker, Hopgood and Bieda
Nays: None
The bill and the substitute recommended by the committee were referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Energy and Technology submitted the following:
Meeting held on Tuesday, May 27, 2014, at 1:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower
Present: Senators Nofs (C), Jones, Marleau, Schuitmaker, Hopgood and Bieda
Excused: Senators Proos, Walker and Young

Scheduled Meetings

Michigan Law Revision Commission - Monday, June 23, 9:00 a.m., Senate Hearing Room, Ground Floor, Boji Tower (373-0212)

Senator Meekhof moved that the Senate adjourn.
The motion prevailed, the time being 11:13 a.m.

In pursuance of the order previously made, the President pro tempore, Senator Schuitmaker, declared the Senate adjourned until Monday, June 2, 2014, at 1:00 p.m.

CAROL MOREY VIVENTI
Secretary of the Senate