

No. 52
STATE OF MICHIGAN
Journal of the Senate
97th Legislature
REGULAR SESSION OF 2014

Senate Chamber, Lansing, Tuesday, June 3, 2014.

10:00 a.m.

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

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

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

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

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

Pastor Christopher Murry of Greater Harvest Missionary Baptist Church of Muskegon Heights offered the following invocation:

Our Father and our gracious God, we thank You for this day that You have allowed us to participate in. We pray now, O God, that as these persons gather together in this Senate to discuss matters pertaining to the well-being of the people of this state, we pray that You would allow them to have a spirit of unity and collective agreement. We thank You for the brilliant minds that reside in this place. We pray for continuity within our state and in our structure.

For this we thank You, and I ask in Your Son Jesus' name. Amen.

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

Motions and Communications

Senator Emmons entered the Senate Chamber.

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

Senator Meekhof moved that Senators Green, Caspersen, Proos and Richardville be temporarily excused from today's session.

The motion prevailed.

Senators Caspersen and Proos entered the Senate Chamber.

Senator Meekhof moved that rule 2.106 be suspended to allow committees to meet during Senate session. The motion prevailed, a majority of the members serving voting therefor.

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

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

Recess

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

The motion prevailed, the time being 10:05 a.m.

11:47 a.m.

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

During the recess, Senators Young, Green, Richardville, Johnson and Hunter entered the Senate Chamber.

By unanimous consent the Senate proceeded to the order of

General Orders

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

The motion prevailed, and the President pro tempore, Senator Schuitmaker, designated Senator Young as Chairperson.

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

Senate Bill No. 931, entitled

A bill to amend 1966 PA 189, entitled "An act to provide procedures for making complaints for, obtaining, executing and returning search warrants; and to repeal certain acts and parts of acts," by amending sections 1, 3, and 5 (MCL 780.651, 780.653, and 780.655), section 1 as amended by 2009 PA 11, section 3 as amended by 1988 PA 80, and section 5 as amended by 2002 PA 112.

Senate Bill No. 959, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 12103, 12109, and 12112 (MCL 324.12103, 324.12109, and 324.12112), as amended by 2013 PA 73.

Senate Bill No. 960, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 11135 and 11153 (MCL 324.11135 and 324.11153), as amended by 2013 PA 73.

The bills were placed on the order of Third Reading of Bills.

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:

Senate Bill No. 924, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 145e. Substitute (S-1).

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

The Committee of the Whole reported back to the Senate, favorably and with amendment, the following bill:

Senate Bill No. 925, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 145f.

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

1. Amend page 1, line 5, after the first "THAN" by striking out "90" and inserting "93".

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

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:

Senate Bill No. 845, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 1 of chapter IV (MCL 764.1), as amended by 2004 PA 318.

Substitute (S-1).

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

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:

Senate Bill No. 932, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 8511, 8512, 8512a, and 8513 (MCL 600.8511, 600.8512, 600.8512a, and 600.8513), sections 8511 and 8513 as amended by 2008 PA 95, section 8512 as amended by 1995 PA 54, and section 8512a as added by 1984 PA 278.

Substitute (S-1).

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

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:

Senate Bill No. 795, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 41305, 41309, and 47361 (MCL 324.41305, 324.41309, and 324.47361), sections 41305 and 41309 as amended by 2009 PA 52 and section 47361 as added by 1995 PA 57.

Substitute (S-3).

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

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:

Senate Bill No. 796, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 13e of chapter XVII (MCL 777.13e), as amended by 2005 PA 81.

Substitute (S-1).

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

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:
Senate Bill No. 797, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 4701 (MCL 600.4701), as amended by 2010 PA 363.

Substitute (S-1).

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

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:
Senate Bill No. 799, entitled

A bill to amend 1969 PA 306, entitled "Administrative procedures act of 1969," by amending section 92 (MCL 24.292), as amended by 1996 PA 237.

Substitute (S-1).

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

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:
Senate Bill No. 800, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 41305, 41309, 43559, and 47361 (MCL 324.41305, 324.41309, 324.43559, and 324.47361), sections 41305 and 41309 as amended by 2009 PA 52, section 43559 as amended by 2013 PA 37, and section 47361 as added by 1995 PA 57.

Substitute (S-1).

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

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:
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.

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.

Recess

Senator Meekhof moved that the Senate recess until 3:00 p.m.

The motion prevailed, the time being 12:04 p.m.

The Senate reconvened at the expiration of the recess and was called to order by the Assistant President pro tempore, Senator Hansen.

Recess

Senator Meekhof moved that the Senate recess subject to the call of the Chair. The motion prevailed, the time being 3:01 p.m.

3:52 p.m.

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

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

Senator Meekhof moved that the rules be suspended and that the following bills, now on Committee Reports, be placed on the General Orders calendar for consideration today:

House Bill No. 5566
House Bill No. 5567
House Bill No. 5568
House Bill No. 5569
House Bill No. 5570
House Bill No. 5573
House Bill No. 5574
House Bill No. 5575
House Bill No. 5576

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

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

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

The motion prevailed, and the President, Lieutenant Governor Calley, designated Senator Young as Chairperson.

After some time spent therein, the Committee arose; and the President, Lieutenant Governor Calley, having resumed the Chair, the Committee reported back to the Senate, favorably and without amendment, the following bills:

House Bill No. 5566, entitled

A bill to create the Michigan financial review commission act; to provide for the operation of certain commissions; to create funds and accounts; to prescribe the powers and duties of certain commissions, the state treasurer, certain other state officials and state employees, and certain local officials; to provide for the dissolution of certain commissions; and to make certain appropriations.

House Bill No. 5567, entitled

A bill to amend 1909 PA 279, entitled "The home rule city act," (MCL 117.1 to 117.38) by adding sections 4s and 4t.

House Bill No. 5568, entitled

A bill to amend 1909 PA 279, entitled "The home rule city act," by amending section 4i (MCL 117.4i), as amended by 2012 PA 7, and by adding section 4p.

House Bill No. 5569, entitled

A bill to amend 2011 PA 152, entitled "Publicly funded health insurance contribution act," by amending section 8 (MCL 15.568), as amended by 2013 PA 273.

House Bill No. 5576, entitled

A bill to amend 1969 PA 312, entitled "An act to provide for compulsory arbitration of labor disputes in municipal police and fire departments; to define such public departments; to provide for the selection of members of arbitration panels; to prescribe the procedures and authority thereof; and to provide for the enforcement and review of awards thereof;" by amending section 9 (MCL 423.239), as amended by 2011 PA 116.

The bills were 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 bills, now on the order of Third Reading of Bills, be placed on their immediate passage at the head of the Third Reading of Bills calendar:

House Bill No. 5566

House Bill No. 5567

House Bill No. 5568

House Bill No. 5569

House Bill No. 5576

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

The following bill was read a third time:

House Bill No. 5566, entitled

A bill to create the Michigan financial review commission act; to provide for the operation of certain commissions; to create funds and accounts; to prescribe the powers and duties of certain commissions, the state treasurer, certain other state officials and state employees, and certain local officials; to provide for the dissolution of certain commissions; and to make certain 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. 333

Yeas—36

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
Emmons	Jansen	Pappageorge	Warren
Green	Johnson	Pavlov	Whitmer

Nays—2

Colbeck	Young
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Excused—0

Not Voting—0

In The Chair: President

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

The following bill was read a third time:

House Bill No. 5567, entitled

A bill to amend 1909 PA 279, entitled “The home rule city act,” (MCL 117.1 to 117.38) by adding sections 4s and 4t.

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. 334**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	Jansen	Pappageorge	Warren
Emmons	Johnson	Pavlov	Whitmer
Green			

Nays—1

Young

Excused—0**Not Voting—0**

In The Chair: President

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 provide for the incorporation of cities and for revising and amending their charters; to provide for certain powers and duties; to provide for the levy and collection of taxes by cities, borrowing of money, and issuance of bonds or other evidences of indebtedness; to validate actions taken, bonds issued, and obligations heretofore incurred; to prescribe penalties and provide remedies; and to repeal acts and parts of acts on specific dates,”.

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 5568, entitled

A bill to amend 1909 PA 279, entitled “The home rule city act,” by amending section 4i (MCL 117.4i), as amended by 2012 PA 7, and by adding section 4p.

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. 335**Yeas—24**

Ananich	Hansen	Johnson	Richardville
Anderson	Hildenbrand	Kahn	Robertson
Bieda	Hood	Kowall	Smith
Booher	Hopgood	Meekhof	Walker
Caswell	Hunter	Nofs	Warren
Gregory	Jansen	Pappageorge	Whitmer

Nays—14

Brandenburg	Green	Moolenaar	Rocca
Casperson	Hune	Pavlov	Schuitmaker
Colbeck	Jones	Proos	Young
Emmons	Marleau		

Excused—0**Not Voting—0**

In The Chair: President

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 provide for the incorporation of cities and for revising and amending their charters; to provide for certain powers and duties; to provide for the levy and collection of taxes by cities, borrowing of money, and issuance of bonds or other evidences of indebtedness; to validate actions taken, bonds issued, and obligations heretofore incurred; to prescribe penalties and provide remedies; and to repeal acts and parts of acts on specific dates,”.

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 5569, entitled

A bill to amend 2011 PA 152, entitled “Publicly funded health insurance contribution act,” by amending section 8 (MCL 15.568), as amended by 2013 PA 273.

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. 336**Yeas—36**

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
Emmons	Jansen	Pappageorge	Warren
Green	Johnson	Pavlov	Whitmer

Nays—2

Colbeck	Young
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Excused—0

Not Voting—0

In The Chair: President

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 limit a public employer’s expenditures for employee medical benefit plans; to provide the power and duties of certain state agencies and officials; to provide for exceptions; and to provide for sanctions.”

The Senate agreed to the full title.

Protest

Senator Colbeck, under his constitutional right of protest (Art. 4, Sec. 18), protested against the passage of House Bill Nos. 5566, 5568 and 5569 and moved that the statement he made during the discussion of the House Bill No. 5566 be printed as his reasons for voting “no.”

The motion prevailed.

Senator Colbeck’s statement is as follows:

Like the previous speaker, I love Detroit as well. My grandparents grew up in Detroit. I spent a lot of my childhood in Detroit. I used to pump gas at my grandpa’s gas station out in Detroit. As someone with Tea Party roots—in deference to the previous speaker—I do, indeed, wish that Detroit return to a prosperous future. I want it to thrive once more. I just want to make sure that in the process of doing so, we don’t drag down the rest of the state.

Today, we are being asked to vote in favor of a targeted bailout to address years of fiscal malfeasance in the city of Detroit. We actually have two issues before us, though. No. 1, how do we get Detroit back on a path toward fiscal responsibility? No. 2, we need to know what state policy to set pertaining to municipal bankruptcies, recognizing that how we respond to Detroit bankruptcy will set a precedent for how the state addresses future bankruptcies.

The first issue was settled in federal Chapter 9 bankruptcy court. We can debate the terms of that deal until the cows come home, but that is not our role as legislators. That was the role of the judicial branch. Our role in addressing this first issue is simply to decide whether or not to appropriate \$195 million of state funds to the city of Detroit to satisfy the terms of the grand bargain.

The second issue, however, has not been settled. In fact, it has not been addressed in any substantive manner at all, unless you count dipping into the state rainy day fund as a policy. Flint, Highland Park, and Wayne County are among the municipalities in serious financial trouble. They are next in line for whatever state bankruptcy policy we establish in the resolution of the Detroit bankruptcy. Are we going to dip into the rainy day fund to bail out all of these communities?

This Detroit bankruptcy vote has been long in the making. We have known this day was coming for many months, long before our state budget was ever prepared. Late last fall, I proposed a solution to this problem that not only addressed the Detroit bankruptcy, but also addressed road funding and the chronic underfunding of local units of government. It was ignored in favor of a solution that forces us to dip into the rainy day fund.

My proposed solution featured state fiscal belt tightening, not breaking into the state piggy bank. It would necessarily require financial sacrifices in other areas of the budget, but I believe that there is a path to digging Detroit out of a deep financial hole with existing resources in a manner that respects the intent of our Constitution.

This proposal would be to fund Detroit and other municipalities in the state in accordance with existing guidelines for statutory revenue sharing. If Detroit needs an additional \$195 million and Detroit currently receives roughly 50 percent of revenue sharing, then another \$195 million would need to be distributed to other municipalities. We would put stipulations on this incremental revenue sharing such that it must first be applied to any outstanding debt obligations before applying it to other municipal expense items. In this way, Detroit would still receive the funds necessary to address their current financial situation in the terms of the grand bargain, but we would do so in a manner that respects the equal benefit clause, Article I, Section 1 of the Michigan Constitution.

One of my chief concerns is that however we address the Detroit emergency, it will be setting a precedent for how we treat similar financial emergencies throughout the state and even throughout our country, in light of the lemming approach to policymaking that sometimes takes center stage in our country. By distributing additional funds to other municipalities with the above stipulation, we would not only make a dent in the outstanding debt obligations of municipalities currently in financial distress, but we would also encourage better financial behavior by rewarding communities that have been more responsible with their financial management practices. It would reward these communities with more money for roads or sewer systems or other community improvements, or, in a novel approach, local officials could return the money to their constituents.

What is the problem with this approach? Finding \$390 million in funding. It is the same problem we face with road funding. Our state tax revenue has been increasing as a result of an economic growth dividend. We have grown our state revenue by \$97 million since 2013. Overall, we had almost \$1.4 billion in general funds to distribute to budgets for fiscal year '15. Where has the money gone? Well, \$100 million went to increased road funding. That leaves \$1.3 billion. Where did it go?

Remember, we knew this day was coming months before the budgets were prepared. Why didn't we set aside \$195 million or, better yet, \$390 million to address this issue in the fiscal year '15 budget? It comes down to priorities. I would argue that funding the grand bargain is a higher priority than film credits or the expansion of Medicaid or early childhood credits. I would argue that funding our roads is a higher priority than those line items as well.

I remain concerned that we continue to box ourselves into dead-end solutions that lead to bigger government. Medicaid expansion and road funding strategies based on tax increases take our state in the wrong direction if our destination is the prosperity of all of our citizens. We need to tighten our state spending belts, not break open the piggy bank.

Caught in the directional crossfire are retirees in the city of Detroit. They are arguably the most vulnerable citizens, as they often rely solely upon their retirement income to make ends meet. That is why I have been working hard with them to provide health care options that stretch existing dollars to provide them with quality health care. These options are based on my patient-centered care solution that I offered as an alternative to Medicaid expansion.

Now we need to work on ways to ensure a fiscally healthy Michigan. That is why we need to go beyond rejecting a state policy precedent that dips into the rainy day fund when municipalities go bankrupt. For that reason, I urge my colleagues to vote "no" on the Detroit bankruptcy bill package.

The following bill was read a third time:

House Bill No. 5576, entitled

A bill to amend 1969 PA 312, entitled "An act to provide for compulsory arbitration of labor disputes in municipal police and fire departments; to define such public departments; to provide for the selection of members of arbitration panels; to prescribe the procedures and authority thereof; and to provide for the enforcement and review of awards thereof;" by amending section 9 (MCL 423.239), as amended by 2011 PA 116.

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. 337

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	Jansen	Pappageorge	Warren
Emmons	Johnson	Pavlov	Whitmer
Green			

Nays—1

Young

Excused—0

Not Voting—0

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

Protest

Senator Young, under his constitutional right of protest (Art. 4, Sec. 18), protested against the passage of House Bill Nos. 5566, 5567, 5568, 5569 and 5576 and moved that the statement he made during the discussion of House Bill No. 5566 be printed as his reasons for voting “no.”

The motion prevailed.

Senator Young’s statement is as follows:

Mr. President, I’d like to start with a quote: “No man is above the law and no man is below it, nor do we ask any man’s permission when we require him to obey it.” Mr. President, I rise today to register my opposition to the Detroit bankruptcy bills, which would keep the city of Detroit under the rule of some unelected cronies for Lord knows how long. Mr. President, this oversight commission is like me and Buffalo Wild Wings; once you let them in, they never leave.

I’m glad this body is finally taking an interest in my community. It’s long past time that the state lent a helping hand to Detroit, but there’s a big difference between a helping hand and a handcuff. Yes, pensions will be protected—under the Constitution and the 10th Amendment, they should be—honoring the promises made to retirees decades ago. Yes, the collection of the Detroit Institute of Arts will not be sold off to pay shady bankers who made loans to a city who knew they couldn’t afford it—the definition of predatory lending.

These are all good things, and I’m glad to see them resolved, but I remain dismayed that that interest translates to ownership, possession, and oversight. Mr. President, my community, my constituency was made a promise that once Kevyn Orr—who wasn’t elected the dogcatcher and who came in there illegally and unconstitutionally—did what he was going to do, he was going to leave, and the city of Detroit would return back to self-governance. But here we are once again handcuffing, usurping, and taking away the right to vote from the citizens.

Mr. President, my constituency has given up too much for the right to vote. My constituency has been killed for the right to vote. My constituency has been lynched for the right to vote. My constituency has been hosed for the right to vote. My constituency has had dogs sicced on them for the right to vote. Any man who will sacrifice democracy for money deserves neither democracy nor money. Man’s back is not bent, and it’s not meant to be ripped. I’d rather die on my feet like a man, fighting for my constituency’s right to vote, than live on my knees in subjugation.

That’s what we want. The citizens of Detroit want jobs and justice, not jails and jaundice. They want economic elevation, not political subjugation. My community wants to be included, not exploited by greedy Wall Street bankers who took advantage of the citizens, who are the reason most of them had their houses foreclosed on by bottom-feeding barons who came in and were making millions of dollars at the expense of the city of Detroit that’s supposed to be bankrupt.

What about the community as a whole? What about the people who are unemployed? My community, my city has a 48 percent real unemployment rate. I have constituents going from job to job to job to job to job to job to job, and this package isn’t helping them. What about my constituents who have been redlined by the auto industry for longer than I’ve been a person? This issue isn’t helping them.

It just seems to me that it doesn’t matter if the law is illegal, legal, constitutional, unconstitutional; you can make it up as you go along. All is fair in love and war when it comes time for everyone else getting their money. But when it comes to my constituency actually benefiting; when it comes to my constituency actually experiencing change on a real level, that is where we always fall short.

The power of the oppressors is determined by the limits of the oppressed. Mr. President, we have reached our limit in the city of Detroit. They’re talking about, “We’re giving these folks money, and we’re bailing them out.” How are you going to bail out somebody whom you owe money to? The state of Michigan owes the city of Detroit \$732 million, and you’ve got these Tea Partiers running around who haven’t been in Detroit since “Magnum P.I.” was on the air, but they’re going to come in and tell me and my constituents that they’re bailing us out. No, you’re paying us money you owe—money you took—so this state could balance its books; so this state can have clean parks; so this state can have cops on the streets just so they can go to Belle Isle and then harass people, and tell them they look like riffraff so they have to get off the island. But that’s a different story, and I’m not going to go there. I’ll get off my soap box.

That’s what’s going on. I’m not saying people don’t mean well. I’m not saying that you don’t. I don’t say that you’re not trying to do the best for pensioners. But, Mr. President, at some point in time, the people’s agenda has to be upheld in this body. We can have policy that could’ve taken us toward immortal glory, and instead we’re looking at something that will probably put us into eternal shame.

Mr. President, I just want to say again that these are all good things, and I’m glad to see them resolved, but it simply won’t do for the people of my city; my friends, my neighbors, my constituents under the thumb of people hand-picked by this administration to enact policies in their own best interests, not Detroit’s. It simply won’t do to attempt to tie the hands

of a public that quickly support the work of the DIA, to stop them from doing so by levying a millage. Such provisions are clearly dog whistles to the Tea Party groups that would rather see them bleed and die than rebuild and thrive.

Mr. President, I love my city. I want my city to be what we all know it can be, but I cannot support these bills that put the city of Detroit under the control of a mysterious oversight entity with undefined—almost omnipotent—authority for an undetermined amount of time—three years, two years, four years, eight years, ten years, twenty years, the rest of my lifetime, until the Apocalypse comes, until the caskets drop. There’s no time that is OK for you to take the rights of the people to vote, because that’s not your right to have.

We live in America, Jack. We don’t negotiate with terrorists. We don’t sit down with tyrants. We don’t build colonies. That’s what this policy represents—intrastate colonialism—and it’s wrong. You ought to be ashamed of yourselves.

I will say this in conclusion: Mr. President, someday when I find the right person, I’ll have children. When I do, do I really want the conversation that I have with my child when they look at me, and they say, “Why are we living under this elective despotism?” Do I really want to have to talk to them about what it was like when man lived in this city where people were free, where they walked tall, where they had the right to self-determination? Do I really want to have that conversation? Do I really want them to ask me where I was when democracy died in Detroit? I say no.

This bill is wrong. It’s unconstitutional. For us to live in a country where the Constitution is our shield and liberty is our sword, this bill cannot pass. This bill will not pass. But I will tell you this: This bill will be the sparkplug that will ignite a supernova. When that supernova falls and hits the ground, righteousness will shoot up from the ground and fall over its inhabitants, and those people will either vote and support democracy or vote to support tyranny. Their hearts will be marked, and the souls will feel the heat of the people of this state rising up for truth, justice, and the American way; to plant our lives and our fortunes and our sacred honor for life, liberty, and democracy and the pursuit of happiness. Please, Mr. President, we must vote this bill down.

By unanimous consent the Senate returned to the order of

General Orders

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

The motion prevailed, and the President, Lieutenant Governor Calley, designated Senator Young as Chairperson.

After some time spent therein, the Committee arose; and the President, Lieutenant Governor Calley, having resumed the Chair, the Committee reported back to the Senate, favorably and without amendment, the following bills:

House Bill No. 5573, entitled

A bill to amend 2000 PA 489, entitled “Michigan trust fund act,” by amending section 7 (MCL 12.257), as amended by 2009 PA 183.

House Bill No. 5574, entitled

A bill to amend 1984 PA 431, entitled “The management and budget act,” by amending section 358 (MCL 18.1358), as amended by 2002 PA 504.

House Bill No. 5575, entitled

A bill to create the Michigan settlement administration authority; to provide for the operation of the authority; to create certain funds; to authorize the resolution of certain potential claims against the state; to prescribe the powers and duties of the authority and certain other state officials and state employees; and to make certain appropriations.

The bills were 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 bills, now on the order of Third Reading of Bills, be placed on their immediate passage at the head of the Third Reading of Bills calendar:

House Bill No. 5573

House Bill No. 5574

House Bill No. 5575

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

The following bill was read a third time:

House Bill No. 5573, entitled

A bill to amend 2000 PA 489, entitled “Michigan trust fund act,” by amending section 7 (MCL 12.257), as amended by 2009 PA 183.

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. 338

Yeas—21

Ananich	Hopgood	Kowall	Robertson
Anderson	Hunter	Meekhof	Smith
Bieda	Jansen	Nofs	Walker
Gregory	Johnson	Pappageorge	Warren
Hildenbrand	Kahn	Richardville	Whitmer
Hood			

Nays—17

Booher	Emmons	Jones	Proos
Brandenburg	Green	Marleau	Rocca
Casperson	Hansen	Moolenaar	Schuitmaker
Caswell	Hune	Pavlov	Young
Colbeck			

Excused—0

Not Voting—0

In The Chair: President

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 create certain funds; to provide for the allocation of certain revenues among certain funds and for the operation, investment, and expenditure of certain funds; and to impose certain duties and requirements on certain state officials;”.

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 5574, entitled

A bill to amend 1984 PA 431, entitled “The management and budget act,” by amending section 358 (MCL 18.1358), as amended by 2002 PA 504.

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. 339

Yeas—21

Ananich	Hopgood	Kowall	Robertson
Anderson	Hunter	Meekhof	Smith

Bieda
Gregory
Hildenbrand
Hood

Jansen
Johnson
Kahn

Nofs
Pappageorge
Richardville

Walker
Warren
Whitmer

Nays—17

Booher
Brandenburg
Casperson
Caswell
Colbeck

Emmons
Green
Hansen
Hune

Jones
Marleau
Moolenaar
Pavlov

Proos
Rocca
Schuitmaker
Young

Excused—0

Not Voting—0

In The Chair: President

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 prescribe the powers and duties of the department of management and budget; to define the authority and functions of its director and its organizational entities; to authorize the department to issue directives; to provide for the capital outlay program; to provide for the leasing, planning, constructing, maintaining, altering, renovating, demolishing, conveying of lands and facilities; to provide for centralized administrative services such as purchasing, payroll, record retention, data processing, and publishing and for access to certain services; to provide for a system of internal accounting and administrative control for certain principal departments; to provide for an internal auditor in certain principal departments; to provide for certain powers and duties of certain state officers and agencies; to codify, revise, consolidate, classify, and add to the powers, duties, and laws relative to budgeting, accounting, and the regulating of appropriations; to provide for the implementation of certain constitutional provisions; to create funds and accounts; to make appropriations; to prescribe remedies and penalties; to rescind certain executive reorganization orders; to prescribe penalties; and to repeal certain acts and parts of acts.”.

The Senate agreed to the full title.

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

The motion prevailed.

Senator Hunter’s statement is as follows:

Colleagues, I rise in support of this bill package to assist the city of Detroit as it works to recover from bankruptcy and duly consider the thousands of thousands of retirees throughout our great state. As an elected official from the city of Detroit and obviously a resident, I am pleased that we were able to work together as statesmen and stateswomen and people of goodwill to reach this bipartisan compromise to better the city and, in turn, our entire state.

This proposal successfully strikes a balance between the needs and concerns of Democrats and Republicans, Detroit and Lansing officials, and city residents and out-county suburban residents alike. It took a lot of work, patience, and diplomacy to reach a compromise like this.

I want to thank everyone involved with developing and passing this legislative package, starting with our Governor Rick Snyder and our legislative leaders on both sides of the aisle, for shepherding this proposal through the Legislature; specifically, the bill sponsors for taking the lead on this; as well as the emergency manager in Detroit, Kevyn Orr; as well as the chief Detroit bankruptcy mediator, U.S. District Judge Gerald Rosen; the DIA, their donors, and the various other philanthropic foundations and community groups who came to the table and stayed there in good faith; and everyone else involved in making this happen today. Thank you.

With this package, we have tackled a challenging situation to come up with an agreeable solution like this. It helps Detroit settle its financial challenges, as well as work toward getting out of bankruptcy. It makes pensioners as whole as possible and protects the Detroit Institute of Arts from having its artwork seized and sold off. These bills will help the city of Detroit get through these tough times, and come out of the other side of bankruptcy rejuvenated, vibrant, and with a renewed focus on attracting jobs and economic development for the good of our citizens and the entire state.

Mr. President, before I take my seat, I would just like to say—and I said this in committee earlier today—we are all politicians; that’s the nature of the game. We’re elected to do a job, and sometimes that means we have to take positions to support the orthodoxy of our individual parties. However, this is one of those times when we are to be statesmen; not to try and score cheap—I underscore, cheap—political points; not to take advantage of this opportunity to show off and to perform for the cameras and for the media. This happens all too often; antics and, I dare say, buffoonery happens on the Senate floor and in the House of Representatives in this Legislature.

We become known too much and too often as politicians. Why don’t we stand up today and be statesmen and stateswomen, and do the right thing for the people because it’s the right thing to do.

The following bill was read a third time:

House Bill No. 5575, entitled

A bill to create the Michigan settlement administration authority; to provide for the operation of the authority; to create certain funds; to authorize the resolution of certain potential claims against the state; to prescribe the powers and duties of the authority and certain other state officials and state employees; and to make certain 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. 340

Yeas—21

Ananich	Hopgood	Kowall	Robertson
Anderson	Hunter	Meekhof	Smith
Bieda	Jansen	Nofs	Walker
Gregory	Johnson	Pappageorge	Warren
Hildenbrand	Kahn	Richardville	Whitmer
Hood			

Nays—17

Booher	Emmons	Jones	Proos
Brandenburg	Green	Marleau	Rocca
Casperson	Hansen	Moolenaar	Schuitmaker
Caswell	Hune	Pavlov	Young
Colbeck			

Excused—0

Not Voting—0

In The Chair: President

The question being on concurring in the committee recommendation to give the bill immediate effect,

The recommendation was concurred in, 2/3 of the members serving voting therefor.

The Senate agreed to the title of the bill.

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

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

The motion prevailed, and the President, Lieutenant Governor Calley, designated Senator Young as Chairperson.

After some time spent therein, the Committee arose; and the President, Lieutenant Governor Calley, having resumed the Chair, the Committee reported back to the Senate, favorably and without amendment, the following bill:

House Bill No. 5570, entitled

A bill to amend 1965 PA 314, entitled "Public employee retirement system investment act," by amending sections 12c, 13, 13e, and 20m (MCL 38.1132c, 38.1133, 38.1133e, and 38.1140m), sections 12c, 13, and 20m as amended and section 13e as added by 2012 PA 347, and by adding section 13g.

The bill 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:

House Bill No. 5570

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

The following bill was read a third time:

House Bill No. 5570, entitled

A bill to amend 1965 PA 314, entitled "Public employee retirement system investment act," by amending sections 12c, 13, 13e, and 20m (MCL 38.1132c, 38.1133, 38.1133e, and 38.1140m), sections 12c, 13, and 20m as amended and section 13e as added by 2012 PA 347, and by adding section 13g.

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. 341

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	Jansen	Pappageorge	Warren
Emmons	Johnson	Pavlov	Whitmer
Green			

Nays—1

Young

Excused—0

Not Voting—0

In The Chair: President

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 authorize the investment of assets of public employee retirement systems or plans created and established by the state or any political subdivision; to provide for the payment of certain costs and investment expenses; to authorize investment in variable rate interest loans; to define and limit the investments which may be made by an investment fiduciary with the assets of a public employee retirement system; and to prescribe the powers and duties of investment fiduciaries and certain state departments and officers.”.

The Senate agreed to the full title.

Senator Meekhof moved that the rules be suspended and that the following bills, now on the order of Third Reading of Bills, be placed on their immediate passage:

Senate Bill No. 959

Senate Bill No. 960

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

The following bill was read a third time:

House Bill No. 4528, entitled

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

The 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. 342

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: President

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 regulate certain transactions involved in immigration matters and the providing of services in those matters; to set standards and security requirements involving certain immigration matters and persons engaged in immigration matters; to create a list of immigration clerical assistants; to provide for certain powers and duties for certain state agencies; and to provide for remedies and penalties.”.

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 4684, entitled

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

The 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. 343

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: President

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 protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to protect the people’s right to hunt and fish; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, assessments, and donations; to provide certain appropriations; to prescribe penalties and provide remedies; and to repeal acts and parts of acts.”.

The Senate agreed to the full title.

The following bill was read a third time:

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 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. 344

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: President

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.

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

House Bill No. 4486

Senate Bill No. 959

Senate Bill No. 960

The motion prevailed.

The following bill was read a third time:

House Bill No. 4486, entitled

A bill to amend 1974 PA 258, entitled “Mental health code,” by amending the title and sections 100b, 100c, 100d, 260, 276, 277, 278, 279, 281, 282, 283, 286, and 464a (MCL 330.1100b, 330.1100c, 330.1100d, 330.1260, 330.1276, 330.1277, 330.1278, 330.1279, 330.1281, 330.1282, 330.1283, 330.1286, and 330.1464a), the title as amended by 1995 PA 290, section 100b as amended by 2014 PA 72, sections 100c and 100d as amended and sections 260, 276, 277, 278, 279, 281, 282, 283, and 286 as added by 2012 PA 500, and section 464a as added by 1994 PA 339, and by adding sections 281a, 281b, and 281c.

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. 345

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: President

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 codify, revise, consolidate, and classify the laws relating to mental health; to prescribe the powers and duties of certain state and local agencies and officials and certain private agencies and individuals; to regulate certain agencies and facilities providing mental health services; to provide for certain charges and fees; to establish civil admission procedures for individuals with mental illness or developmental disability; to establish guardianship procedures for individuals with developmental disability; to establish procedures regarding individuals with mental illness or developmental disability who are in the criminal justice system; to provide for penalties and remedies; and to repeal acts and parts of acts;”.

The Senate agreed to the full title.

The following bill was read a third time:

Senate Bill No. 959, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 12103, 12109, and 12112 (MCL 324.12103, 324.12109, and 324.12112), as amended by 2013 PA 73.

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. 346

Yeas—37

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

Nays—1

Caswell

Excused—0

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 960, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 11135 and 11153 (MCL 324.11135 and 324.11153), as amended by 2013 PA 73.

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. 347

Yeas—37

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

Nays—1

Caswell

Excused—0

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

By unanimous consent the Senate proceeded to the order of

Resolutions

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. 157

Senate Resolution No. 158

The resolution consent calendar was adopted.

Senator Green offered the following resolution:

Senate Resolution No. 157.

A resolution commemorating June 7-15, 2014, as Aquatic Invasive Species Awareness Week in Michigan.

Whereas, Michigan and its economy are defined by the Great Lakes and depend on its great abundance of fresh water for manufacturing, tourism, fishing, public water supplies, agriculture, and numerous other uses; and

Whereas, Preventing the introduction of aquatic invasive species ultimately benefits Michigan, and stopping the introduction of these species would eliminate the need for the state, business, industry, and citizens from employing costly methods to control and manage them; and

Whereas, Michigan has taken the lead in protecting the Great Lakes from aquatic invasive species from a number of pathways, including ballast water, canals and waterways, organisms in trade, and recreational activities; and

Whereas, Over 180 nonindigenous aquatic species are established in the Great Lakes Basin, many of which are displacing native species, disrupting habitats, and degrading natural, managed, and agricultural landscapes, resulting in millions of dollars for control efforts each year; and

Whereas, Michigan has over 900,000 registered boaters and many other recreational, commercial, and industrial users of over 11,000 inland lakes and over 36,000 miles of rivers and streams, many of which are impacted by aquatic invasive species; and

Whereas, Aquatic invasive species awareness is an important first step toward behavior change which prevents the introduction and spread of aquatic invasive species; and

Whereas, Spring marks the beginning of water-related recreational activities in Michigan; and

Whereas, Aquatic Invasive Species Awareness Week is an opportunity for government to join forces with business, industry, environmental groups, community organizations, and citizens to take action against the introduction and spread of aquatic invasive species; now, therefore, be it

Resolved by the Senate, That we hereby commemorate June 7- 15, 2014, as Aquatic Invasive Species Awareness Week in the state of Michigan; and be it further

Resolved, That all citizens are encouraged to increase their understanding and awareness of aquatic invasive species and their environmental and economic impacts, and take preventative measures to stop the introduction and spread of aquatic invasive species; and be it further

Resolved, That copies of this resolution be transmitted to the Michigan Department of Environmental Quality, Michigan Department of Agriculture and Rural Development, Michigan Department of Natural Resources, Michigan Department of Transportation, Great Lakes Fishery Commission, Council of Great Lakes Governors, Michigan congressional delegation, and Great Lakes Commission.

Senators Anderson, Bieda, Booher, Brandenburg, Emmons, Hansen, Hildenbrand, Jones, Kowall, Marleau, Pappageorge, Pavlov and Richardville were named co-sponsors of the resolution.

Senator Booher offered the following resolution:

Senate Resolution No. 158.

A resolution to commemorate June 23, 2014, as Coast Guard Auxiliary Day in recognition of the United States Coast Guard Auxiliary's 75 years of dedicated service.

Whereas, The United States Coast Guard Auxiliary has served as the unpaid volunteer, uniformed civilian component of the United States Coast Guard since its creation by Congress on June 23, 1939, and more recently, as the lead volunteer force in the Department of Homeland Security; and

Whereas, Each year, the 32,000 volunteer men and women of the Auxiliary nationwide save almost 500 lives, assist some 15,000 boaters in distress, conduct more than 150,000 courtesy safety examinations of recreational vessels, and instruct over 500,000 students in boating and water safety courses; and

Whereas, The Auxiliary, with its traditional boating safety mission, can be found on Michigan waterways, in the air, in classrooms, and on the dock assisting the U.S. Coast Guard. They provide the boating public with hundreds of hours each year in boating safety education courses and vessel safety checks, which directly contribute to the prevention of countless search and rescue cases and ultimately save lives; and

Whereas, There has been an increased need for the Auxiliary to fill the gaps in terms of safety and security patrols in and around large ports and critical infrastructure following the events of September 11, 2001. The U.S. Coast Guard also continues to deploy assets overseas to assist with military operations in the Mideast; and

Whereas, Auxiliary members have been incorporated into the U.S. Coast Guard's port, waterways, and security missions, including Maritime Domain Awareness and the American Waterway Watch programs, as well as providing administrative logistics support at venues ranging from medical clinics to Coast Guard training center classrooms to foreign interpreter services aboard deployed cutters; and

Whereas, Auxiliary members are instructing thousands of Michigan recreational boaters, as well as public and private stakeholders who live, work, and play around Michigan's waterfront, on how to properly identify and report suspicious maritime activity for the benefit of the nation's safety and security; and

Whereas, Admiral Robert J. Papp Jr., Commandant of the United States Coast Guard said, "The Coast Guard Auxiliary is an extremely valuable asset to the Coast Guard, the Department of Homeland Security and our Nation"; now, therefore, be it

Resolved by the Senate, That we hereby commemorate June 23, 2014, as Coast Guard Auxiliary Day in recognition of the U.S. Coast Guard Auxiliary's 75 years of dedicated service; and be it further

Resolved, That a copy of this resolution be transmitted to the Coast Guard Auxiliary's National Commodore, the Commodore of the Ninth Central Region, the Director of Auxiliary - Ninth Coast Guard District, the District Commander - Ninth Coast Guard District, and the President of the National Association of Commodores as evidence of our support, admiration, and commendation of their efforts.

Senators Anderson, Bieda, Brandenburg, Caswell, Colbeck, Emmons, Hansen, Hildenbrand, Jones, Kowall, Marleau, Pappageorge, Pavlov and Richardville were named co-sponsors of the resolution.

Committee Reports

The Committee on Government Operations reported

House Bill No. 5566, entitled

A bill to create the Michigan financial review commission act; to provide for the operation of certain commissions; to create funds and accounts; to prescribe the powers and duties of certain commissions, the state treasurer, certain other state officials and state employees, and certain local officials; to provide for the dissolution of certain commissions; and to make certain appropriations.

With the recommendation that the bill pass.

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

Randy Richardville
Chairperson

To Report Out:

Yeas: Senators Richardville, Hildenbrand, Meekhof, Whitmer and Hunter

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Government Operations reported

House Bill No. 5567, entitled

A bill to amend 1909 PA 279, entitled "The home rule city act," (MCL 117.1 to 117.38) by adding sections 4s and 4t.

With the recommendation that the bill pass.

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

Randy Richardville
Chairperson

To Report Out:

Yeas: Senators Richardville, Hildenbrand, Meekhof, Whitmer and Hunter

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Government Operations reported

House Bill No. 5568, entitled

A bill to amend 1909 PA 279, entitled "The home rule city act," by amending section 4i (MCL 117.4i), as amended by 2012 PA 7, and by adding section 4p.

With the recommendation that the bill pass.

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

Randy Richardville
Chairperson

To Report Out:

Yeas: Senators Richardville, Hildenbrand, Meekhof, Whitmer and Hunter

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Government Operations reported

House Bill No. 5569, entitled

A bill to amend 2011 PA 152, entitled "Publicly funded health insurance contribution act," by amending section 8 (MCL 15.568), as amended by 2013 PA 273.

With the recommendation that the bill pass.

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

Randy Richardville
Chairperson

To Report Out:

Yeas: Senators Richardville, Hildenbrand, Meekhof, Whitmer and Hunter

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Government Operations reported

House Bill No. 5570, entitled

A bill to amend 1965 PA 314, entitled "Public employee retirement system investment act," by amending sections 12c, 13, 13e, and 20m (MCL 38.1132c, 38.1133, 38.1133e, and 38.1140m), sections 12c, 13, and 20m as amended and section 13e as added by 2012 PA 347, and by adding section 13g.

With the recommendation that the bill pass.

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

Randy Richardville
Chairperson

To Report Out:

Yeas: Senators Richardville, Hildenbrand, Meekhof, Whitmer and Hunter

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Government Operations reported

House Bill No. 5573, entitled

A bill to amend 2000 PA 489, entitled "Michigan trust fund act," by amending section 7 (MCL 12.257), as amended by 2009 PA 183.

With the recommendation that the bill pass.

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

Randy Richardville
Chairperson

To Report Out:

Yeas: Senators Richardville, Hildenbrand, Meekhof, Whitmer and Hunter

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Government Operations reported

House Bill No. 5574, entitled

A bill to amend 1984 PA 431, entitled "The management and budget act," by amending section 358 (MCL 18.1358), as amended by 2002 PA 504.

With the recommendation that the bill pass.

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

Randy Richardville
Chairperson

To Report Out:

Yeas: Senators Richardville, Hildenbrand, Meekhof, Whitmer and Hunter

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Government Operations reported

House Bill No. 5575, entitled

A bill to create the Michigan settlement administration authority; to provide for the operation of the authority; to create certain funds; to authorize the resolution of certain potential claims against the state; to prescribe the powers and duties of the authority and certain other state officials and state employees; and to make certain appropriations.

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

Randy Richardville
Chairperson

To Report Out:

Yeas: Senators Richardville, Hildenbrand, Meekhof, Whitmer and Hunter
Nays: None
The bill was referred to the Committee of the Whole.

The Committee on Government Operations reported

House Bill No. 5576, entitled

A bill to amend 1969 PA 312, entitled "An act to provide for compulsory arbitration of labor disputes in municipal police and fire departments; to define such public departments; to provide for the selection of members of arbitration panels; to prescribe the procedures and authority thereof; and to provide for the enforcement and review of awards thereof," by amending section 9 (MCL 423.239), as amended by 2011 PA 116.

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

Randy Richardville
Chairperson

To Report Out:

Yeas: Senators Richardville, Hildenbrand, Meekhof, Whitmer and Hunter
Nays: None
The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Government Operations submitted the following:
Meeting held on Tuesday, June 3, 2014, at 1:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower
Present: Senators Richardville (C), Hildenbrand, Meekhof, Whitmer and Hunter

Scheduled Meetings

Administrative Rules - Wednesday, June 4, 8:15 a.m., Senate Hearing Room, Ground Floor, Boji Tower (373-5773)

Appropriations - Wednesday, June 4, 2:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-1760)

Subcommittee -

K-12, School Aid, Education and House School Aid Appropriations Subcommittee - Thursday, June 5, 9:00 a.m., House Appropriations Room, 3rd Floor, Capitol Building (373-2768)

Banking and Financial Institutions - Thursday, June 5, 1:30 p.m., Room 100, Farnum Building (373-5314)

Conference Committees -

Agriculture and Rural Development (SB 760) - Thursday, June 5, 8:30 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

Corrections (SB 764) - Thursday, June 5, 3:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

Environmental Quality (SB 766) - Thursday, June 5, 2:15 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

General Government (SB 767) - Thursday, June 5, 4:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

Higher Education (SB 768) - Thursday, June 5, 9:30 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

Judiciary (SB 771) - Thursday, June 5, 3:15 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

Military and Veterans Affairs (SB 773) - Thursday, June 5, 8:45 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

Natural Resources (SB 774) - Thursday, June 5, 2:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

State Police (SB 776) - Thursday, June 5, 9:00 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

Transportation (SB 777) - Thursday, June 5, 3:30 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

Education - Wednesday, June 4, 12:00 noon, Senate Hearing Room, Ground Floor, Boji Tower (373-5314)

Families, Seniors and Human Services - Wednesday, June 4, 3:00 p.m., Room 210, Farnum Building (373-5323)

Finance - Wednesday, June 4, 12:30 p.m., Room 210, Farnum Building (373-5307)

Local Government and Elections - Wednesday, June 4, 3:00 p.m., Room 100, Farnum Building (373-5314)

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

Natural Resources, Environment and Great Lakes - Thursday, June 5, 8:30 a.m., Room 210, Farnum Building (373-5312)

Reforms, Restructuring and Reinventing - Wednesday, June 4, 8:30 a.m., Rooms 402 and 403, Capitol Building (373-5323)

Regulatory Reform - Thursday, June 5, 1:00 p.m., Room 210, Farnum Building (373-5307)

Senator Meekhof moved that the Senate adjourn.
The motion prevailed, the time being 5:12 p.m.

The President, Lieutenant Governor Calley, declared the Senate adjourned until Wednesday, June 4, 2014, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate