

No. 3
STATE OF MICHIGAN
Journal of the Senate
98th Legislature
REGULAR SESSION OF 2015

Senate Chamber, Lansing, Wednesday, January 21, 2015.

10:00 a.m.

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

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

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

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

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

Reverend Joe Basso of Felch Mountain Bible Chapel of Felch offered the following invocation:

Almighty God, who has revealed Yourself through Your prophets, through Your word, and ultimately through Your Son Jesus: It is to You that I address my prayer and to You alone, for only You can answer and only You can aid Your people.

I have been asked to pray before this honorable Senate made up of men and women elected to lead the state of Michigan, to govern its affairs, and to prosper its endeavors. Although they have been elected, we remember that it is You who appoints leaders, and it is You who removes leaders from office. Therefore, they will be held accountable by You for the quality of their leadership. We also remember that You have given government as a servant of God for the good of its people and the punishment of evil. It is for this government that I pray—for the leaders of this Senate; for the men and women of diverse backgrounds and beliefs.

In the coming season, these halls will sound of the life of government. There will be long hours of deliberation, moments of heated debate, private and public discussion, and intense disagreement. But in all of this activity, I ask that You would give them the wisdom to know and do what is good, civility in the face of opposition, humility to think of others before themselves, a desire to pursue and defend truth, and in all things integrity. In so doing, may You grant that this government of the state of Michigan would demonstrate to our nation unity in diversity.

Finally, we turn our attention to the people of this state. Through the wisdom of this Senate, may You truly bring good to every man, woman, and child; to all of our communities, large and small; to our businesses; and to our schools. May the legacy of this Senate bring blessing upon our children's children.

I thank You, Lord, for giving us the freedom of self-governance in the form of democracy. May You guard our hearts that we may guard its liberty. Help us not to forget You. In Christ's name, Amen.

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

Motions and Communications

Senators Schuitmaker and Marleau entered the Senate Chamber.

Senator Kowall moved that Senators Brandenburg and Hune be excused from today's session.
The motion prevailed.

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

Senator Hood moved that Senators Hopgood and Smith be excused from today's session.
The motion prevailed.

The Secretary announced that the following bill was printed and filed on Tuesday, January 20, and is available at the Michigan Legislature website:

Senate Bill No. 12

Recess

Senator Kowall moved that the Senate recess subject to the call of the Chair.
The motion prevailed, the time being 10:06 a.m.

11:24 a.m.

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

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

Messages from the Governor

The following messages from the Governor were received and read:

January 12, 2015

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

Michigan Community Service Commission

Lorna G. Utley of 531 Renaud Road, Grosse Pointe Woods, Michigan 48236, county of Wayne, representing individuals with expertise in the educational, training, and development needs of youth, particularly disadvantaged youth, succeeding Megan Russell Johnson, is appointed for a term expiring October 1, 2016.

Christine A. Lanning of 109 Bridgewood Lane, Battle Creek, Michigan 49015, county of Calhoun, representing Native American tribes, succeeding Larry Romanelli, is appointed for a term expiring October 1, 2017.

Maria W. Holmes of 11824 Harbor Lane, Belleville, Michigan 48111, county of Wayne, representing business, succeeding Larry Williamson, is appointed for a term expiring October 1, 2017.

Nancy E. Lamb of 1311 Kirkland Drive, Midland, Michigan 48640, county of Midland, representing business, succeeding Donna Niester, is appointed for a term expiring October 1, 2017.

Dayne A. Walling of 806 Kensington Avenue, Flint, Michigan 48503, county of Genesee, representing national service programs, succeeding Marsha Smith, is appointed for a term expiring October 1, 2017.

Michael J. Lavoie of 1555 Tanahill Drive, Bloomfield Hills, Michigan 48034, county of Oakland, representing business, succeeding himself, is reappointed for a term expiring October 1, 2017.

Judith Watson Olson of 437 N. River Drive, Gwinn, Michigan 49841, county of Marquette, representing individuals with expertise in the educational, training, and development needs of youth, particularly disadvantaged youth, succeeding herself, is reappointed for a term expiring October 1, 2017.

Fred M. Mester of 210 South Berkshire, Bloomfield Hills, Michigan 48302, county of Oakland, representing individuals with expertise in the educational, training, and development needs of youth, particularly disadvantaged youth, succeeding himself, is reappointed for a term expiring October 1, 2017.

January 12, 2015

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

Chair - Committee on Juvenile Justice

Mary Beth Kelly of 8145 Saint James Drive, Grosse Ile, Michigan 48138, county of Wayne, is appointed for a term expiring at the pleasure of the Governor.

Committee on Juvenile Justice

Mary Beth Kelly of 8145 Saint James Drive, Grosse Ile, Michigan 48138, county of Wayne, representing law enforcement and juvenile justice agencies, which may include state or local police, the local sheriff's department, juvenile and family court judges, prosecutors, counsel for children and youth, and probation, succeeding Jeffrey Fink, is appointed for a term expiring December 31, 2017.

Terri L. Gilbert of 4383 Chad Court, Ann Arbor, Michigan 48103, county of Washtenaw, representing law enforcement and juvenile justice agencies, which may include state or local police, the local sheriff's department, juvenile and family court judges, prosecutors, counsel for children and youth, and probation, succeeding Barbara Donaldson, is appointed for a term expiring December 31, 2017.

Thomas J. Weichel of 6365 N. US Highway 23, Spruce, Michigan 48762, county of Alcona, representing representatives of public agencies concerned with delinquency prevention or treatment, such as welfare, social services, mental health, education, special education, recreation, and youth service, succeeding Edward Roth, is appointed for a term expiring December 31, 2017.

Bob Higgins of 6537 Robinswood Drive, Portage, Michigan 49024, county of Kalamazoo, representing youth workers involved with programs that are alternatives to incarceration, including programs providing organized recreation activities, succeeding Richard Wood, is appointed for a term expiring December 31, 2017.

Melissa S. Baldwin of 3917 E. Stage Road, Ionia, Michigan 48846, county of Ionia, representing persons who have been or are currently involved in a juvenile justice program, succeeding herself, is reappointed for a term expiring December 31, 2017.

John W. Broad of 194 Charlevoix Drive, Grosse Pointe Farms, Michigan 48236, county of Wayne, representing persons with special experience and competence in addressing problems related to school violence and vandalism and alternatives to suspension and expulsion, succeeding himself, is reappointed for a term expiring December 31, 2017.

Lawrence E. Emig of 436 W. Osceola Avenue, Reed City, Michigan 49667, county of Osceola, representing locally elected officials in general purpose local government, succeeding himself, is reappointed for a term expiring December 31, 2017.

Amanda L. Good of 16159 Rosemont Street, Detroit, Michigan 48219, county of Wayne, representing representatives of private nonprofit organizations, succeeding herself, is reappointed for a term expiring December 31, 2017.

Nancy Becker Bennett of 3558 Hyacinth Street, Okemos, Michigan 48864, county of Ingham, representing representatives of law enforcement and juvenile justice agencies, which may include state or local police, the local sheriff's department, juvenile and family court judges, prosecutors, counsel for children and youth, and probation workers, succeeding herself, is reappointed for a term expiring December 31, 2017.

Sandra K. Metcalf of 17154 Lincoln Street, Grand Haven, Michigan 48417, county of Ottawa, representing law enforcement and juvenile justice agencies, which may include state or local police, the local sheriff's department, juvenile and family court judges, prosecutors, counsel for children and youth, and probation workers, succeeding herself, is reappointed for a term expiring December 31, 2017.

Joseph P. Ryan of 1408 Wells Drive, Ann Arbor, Michigan 48104, county of Washtenaw, representing persons with special experience and competence in addressing problems related to learning disabilities, emotional difficulties, child abuse and neglect, and youth violence, succeeding himself, is reappointed for a term expiring December 31, 2017.

Jordan M. Scott of 1440 Leonard Street, Muskegon, Michigan 49442, county of Muskegon, representing members who have been or are currently under the jurisdiction of the juvenile justice system and under the age of 24, succeeding himself, is reappointed for a term expiring December 31, 2017.

Kenyatta A. Stephens of 34369 Ramble Hills Drive, Farmington Hills, Michigan 48331, county of Oakland, representing volunteers who work with delinquents or potential delinquents, succeeding herself, is reappointed for a term expiring December 31, 2017.

Austin Schmidt of 2502 Stobbe Street, Saginaw, Michigan 48602, county of Saginaw, representing members who have been or are currently under the jurisdiction of the juvenile justice system and are under the age of 24 at the time of appointment, succeeding himself, is reappointed for a term expiring December 31, 2017.

January 20, 2015

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

Michigan Strategic Fund Board of Directors

Steven Arwood of 5665 S. Forrest Road, St. Johns, Michigan 48879, county of Clinton, is appointed to serve as Chairperson of the MSF Board of Directors and President of the Michigan Strategic Fund, succeeding Michael Finney, for a term expiring at the pleasure of the Governor.

Sincerely,
Rick Snyder
Governor

The appointments were referred to the Committee on Government Operations.

Resolutions

Senator Meekhof offered the following resolution:

Senate Resolution No. 4.

A resolution to amend the Standing Rules of the Senate.

Resolved by the Senate, That Rule 2.103 of the Standing Rules of the Senate be hereby amended to read as follows:

“2.103 STANDING COMMITTEES

The standing committees of the Senate shall be:

- Agriculture (5 members)
- Appropriations (17 members)
- Banking and Financial Institutions (7-8 members)
- Commerce (5 members)
- Economic Development (7 members)
- Education (5 members)
- Elections and Government Reform (5 members)
- Energy and Technology (10 members)
- Families, Seniors and Human Services (5 members)
- Finance (7 members)
- Government Operations (5 members)
- Health Policy (10 members)
- Insurance (9 members)
- Judiciary (5 members)
- Local Government (5 members)
- Michigan Competitiveness (5 members)
- Natural Resources (5 members)

Outdoor Recreation and Tourism (5 members)

Regulatory Reform (9 members)

Transportation (5 members)

Veterans, Military Affairs and Homeland Security (5 members)

Statutory standing committees:

Administrative Rules (5 members) (see MCL 24.235)

Legislative Council (6 members and 3 alternates) (see MCL 4.1103)

Legislative Retirement Board of Trustees (2 members) (see MCL 38.1026)

Michigan Capitol Committee (4 members) (see MCL 4.1701)".

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

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

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

Senators Booher, Kowall, MacGregor and Zorn were named co-sponsors of the resolution.

By unanimous consent the Senate returned to the order of

Motions and Communications

The Secretary announced that the Majority Leader has made the appointment of the following standing committee:
Banking and Financial Institutions - Senator Rocca as a member.

The standing committee appointment was approved, a majority of the members serving voting therefor.

The following communications were received and read:

Office of the Auditor General

January 16, 2015

Enclosed is a copy of the following audit report:

Performance audit of Community Health Automated Medicaid Processing System (CHAMPS) Claims Edits, Department of Community Health and Department of Technology, Management, and Budget.

January 16, 2015

Enclosed is a copy of the following audit report:

Performance audit of the Motor Vehicle Title and Registration Process, Department of State.

Sincerely,

Doug Ringler

Auditor General

The audit reports were referred to the Committee on Government Operations.

Introduction and Referral of Bills

Senators Jones, Horn and Booher introduced

Senate Joint Resolution D, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 11 of article IX, to require that all local school districts receive the same amount of total state and local per pupil revenue for school operating purposes.

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

Senators Nofs and Casperson introduced

Senate Bill No. 21, entitled

A bill to amend 1986 PA 182, entitled "State police retirement act of 1986," by amending section 40a (MCL 38.1640a), as amended by 1996 PA 201.

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

Senators Casperson and Nofs introduced

Senate Bill No. 22, entitled

A bill to amend 1986 PA 182, entitled "State police retirement act of 1986," (MCL 38.1601 to 38.1648) by adding section 40c.

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

Senators Jones, Hune, Colbeck, Rocca, Robertson and Zorn introduced

Senate Bill No. 23, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 30 (MCL 206.30), as amended by 2012 PA 597.

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

Senators Nofs, Knezek, Hertel, Marleau, Hansen, Kowall, Rocca, Casperson, Jones, Emmons, Hildenbrand, Proos, Horn, Robertson, Schuitmaker and Schmidt introduced

Senate Bill No. 24, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 7cc (MCL 211.7cc), as amended by 2014 PA 40.

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

Committee Reports

The Committee on Judiciary reported

Senate Bill No. 12, entitled

A bill to amend 1943 PA 240, entitled "State employees' retirement act," by amending section 68c (MCL 38.68c), as amended by 2013 PA 112.

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.

Rick Jones
Chairperson

To Report Out:

Yeas: Senators Jones, Schuitmaker, Rocca, Colbeck 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 Judiciary submitted the following:

Meeting held on Tuesday, January 20, 2015, at 3:00 p.m., Room 110, Farnum Building

Present: Senators Jones (C), Schuitmaker, Rocca, Colbeck and Bieda

Scheduled Meetings

Appropriations -

Subcommittees -

Agriculture and Rural Development - Tuesdays, February 17, March 10, March 17, and March 24, 3:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower (373-2768)

State Police and Military Affairs - Thursdays, January 29 (CANCELED), February 19 (CANCELED), February 26 (CANCELED), March 5 (CANCELED), March 12 (CANCELED), and March 26 (CANCELED), 1:00 p.m.; Tuesdays, February 3, February 17, February 24, March 3, March 10, and March 24, 8:30 a.m., Rooms 402 and 403, Capitol Building (373-2768)

Senator Kowall moved that the Senate adjourn.
The motion prevailed, the time being 11:29 a.m.

The President, Lieutenant Governor Calley, declared the Senate adjourned until Thursday, January 22, 2015, at 10:00 a.m.

JEFFREY F. COBB
Secretary of the Senate

