

**No. 10**  
**STATE OF MICHIGAN**  
**Journal of the Senate**  
**98th Legislature**  
**REGULAR SESSION OF 2015**

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Senate Chamber, Lansing, Thursday, February 5, 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—present  
Johnson—excused  
Jones—present  
Knezek—present  
Knollenberg—present  
Kowall—present  
MacGregor—present  
Marleau—present  
Meekhof—present  
Nofs—present  
O'Brien—present

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

Father Thomas Page of Saint Jude Parish of Grand Rapids offered the following invocation:

O Great Spirit, whose voice I hear in the winds and whose breath gives life to all the world: Hear me! I am small and weak, and I need Your strength and wisdom. Make me wise that I may learn the things You have taught my people. Let me hear the lessons You have hidden in every leaf and rock. I seek strength, not to be greater than another, but to fight my greatest enemy—myself. Make me always ready to come to You with clean hands and straight eyes, so when life fades as the fading sunset, my spirit may come to You without shame.

Make me an instrument of Your peace. Where there is hatred, let me sow love; where there is injury, pardon; where there is discord, harmony; where there is error, truth; where there is doubt, faith; where there is despair, hope; where there is darkness, light; and where there is sadness, joy. Amen.

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

### Motions and Communications

Senator Kowall moved that Senator Casperson be temporarily excused from today's session.  
The motion prevailed.

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

Senator Hood moved that Senator Bieda be temporarily excused from today's session.  
The motion prevailed.

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

The following communication was received and read:

Office of the Senate Majority Leader

January 29, 2015

Pursuant to Section 229(1) of Public Act 252 of 2014, I hereby announce the appointment of Senators to the Michigan Works! workgroup on job readiness programs and TANF funding for the 98th Legislature:

Senator MacGregor

Senator Stamas

Senator Young

If you have any questions regarding this matter, please do not hesitate to contact me.

Sincerely,  
Arlan Meekhof  
30th Senate District  
Senate Majority Leader

The communication was referred to the Secretary for record.

The following communication was received:

Department of Treasury

February 3, 2015

Please find attached the divestment report to the Legislature for the 2014 calendar year. This report is required by the Divestment from Terror Act, MCL 129.291 *et seq.* and the divestment mandates of the Public Employee Retirement System Investment Act (MCL 38.1133c and MCL 38.1133d). The Acts require the State Treasurer file a publically available report to the Legislature each year on progress made under the Acts. This e-mail and the attached report represent the State Treasurer's compliance with this reporting mandate.

If you have any questions, please contact Amanda York Ellis Jenkins at (517) 335-9286 or [jenkinsa5@michigan.gov](mailto:jenkinsa5@michigan.gov).

Cathy Murray, Paralegal  
Bureau of Investments

The communication was referred to the Secretary for record.

The Secretary announced that the following bills and joint resolution were printed and filed on Wednesday February 4, and are available at the Michigan Legislature website:

<b>Senate Bill Nos.</b>	<b>73</b>	<b>74</b>	<b>75</b>	<b>76</b>	<b>77</b>	<b>78</b>	<b>79</b>	<b>80</b>						
<b>Senate Joint Resolution</b>		<b>G</b>												
<b>House Bill Nos.</b>	<b>4125</b>	<b>4126</b>	<b>4127</b>	<b>4128</b>	<b>4129</b>	<b>4130</b>	<b>4131</b>	<b>4132</b>	<b>4133</b>	<b>4134</b>	<b>4135</b>	<b>4136</b>		

Senator Bieda entered the Senate Chamber.

### General Orders

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

The motion prevailed, and the President, Lieutenant Governor Calley, designated Senator Warren 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 with a substitute therefor, the following bill:

**Senate Bill No. 28, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending sections 50 and 50b (MCL 750.50 and 750.50b), section 50 as amended by 2007 PA 152 and section 50b as amended by 2008 PA 339.

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. 29, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending sections 16b, 34, 40, 46, and 49 of chapter XVII (MCL 777.16b, 777.34, 777.40, 777.46, and 777.49), section 16b as amended by 2008 PA 562, section 34 as added by 1998 PA 317, section 40 as amended by 2014 PA 350, section 46 as amended by 1999 PA 227, and section 49 as amended by 2002 PA 137.

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

1. Amend page 7, following line 15, by inserting:

"Enacting section 1. This amendatory act takes effect April 1, 2016." and renumbering the remaining enacting section.

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.

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

By unanimous consent the Senate proceeded to the order of

### Introduction and Referral of Bills

Senators Brandenburg, Jones, Horn, Hansen, Hildenbrand, Robertson, Proos, Nofs, MacGregor and Zorn introduced

**Senate Bill No. 81, 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.

Senators MacGregor, Proos, Brandenburg, Nofs, Hansen, Robertson and Shirkey introduced

**Senate Bill No. 82, entitled**

A bill to amend 1937 PA 94, entitled "Use tax act," by amending section 2b (MCL 205.92b), as amended by 2008 PA 439.

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

Senators Proos, MacGregor, Brandenburg, Nofs, Hansen, Robertson and Shirkey introduced

**Senate Bill No. 83, entitled**

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 1a (MCL 205.51a), as amended by 2008 PA 438.

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

Senators Colbeck, Jones, Shirkey, Brandenburg, Horn, Green, Marleau, Zorn, Emmons, Pavlov, Proos, Knollenberg, MacGregor, Hansen, Robertson, Hildenbrand, Casperson, Booher, Schmidt and Nofs introduced

**Senate Bill No. 84, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," (MCL 257.1 to 257.923) by adding section 811z. The bill was read a first and second time by title and referred to the Committee on Transportation.

**Committee Reports**

The Committee on Outdoor Recreation and Tourism reported

**Senate Bill No. 54, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 40104, 40112, and 48703a (MCL 324.40104, 324.40112, and 324.48703a), section 40104 as added by 1995 PA 57, section 40112 as amended by 1996 PA 316, and section 48703a as amended by 2014 PA 281.

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.

Goeff Hansen  
Chairperson

To Report Out:

Yeas: Senators Hansen, Zorn, Schmidt, Green and Johnson

Nays: None

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

The Committee on Outdoor Recreation and Tourism reported

**Senate Bill No. 55, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 40111c (MCL 324.40111c), as added by 2008 PA 301.

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.

Goeff Hansen  
Chairperson

To Report Out:

Yeas: Senators Hansen, Zorn, Schmidt, Green and Johnson

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 Outdoor Recreation and Tourism submitted the following:

Meeting held on Wednesday, February 4, 2015, at 12:30 p.m., Room 100, Farnum Building

Present: Senators Hansen (C), Zorn, Schmidt, Green and Johnson

**Scheduled Meetings**

**Appropriations -**

**Subcommittees -**

**Agriculture and Rural Development** - Tuesdays, February 17, March 10, March 17, and March 24, 3:00 p.m., Rooms 402 and 403, Capitol Building (373-2768)

**Community Health** - Tuesday, February 10, 2:30 p.m., Rooms 402 and 403, Capitol Building (373-2768)

**Corrections** - Thursdays, February 19, March 5, and March 26, 9:00 a.m., Room 405, Capitol Building; February 26, March 12, and March 19, 9:00 a.m., Senate Hearing Room, Ground Floor, Boji Tower (373-2768)

**Higher Education** - Thursday, February 19, 1:30 p.m., Central Michigan University, Park Library, 250 West Preston Street, Mount Pleasant; Tuesday, February 24, 11:30 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building; and Monday, March 2, 1:30 p.m., Ferris State University, University Center, Room 203, 805 Campus Drive, Big Rapids (373-2768)

**Judiciary** - Wednesdays, February 18, February 25, March 4, March 11, March 18, and March 25, 1:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

**K-12, School Aid, Education** - Wednesday, February 18, 8:30 a.m., Room 405, Capitol Building; Wednesdays, February 25, March 4, March 11, March 18, and March 25, 8:30 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

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

**Judiciary** - Tuesday, February 10, 3:00 p.m., Room 110, Farnum Building (373-1721)

**Local Government** - Tuesday, February 10, 12:30 p.m., Room 100, Farnum Building (373-5323)

Senator Kowall moved that the Senate adjourn.  
The motion prevailed, the time being 10:13 a.m.

The President, Lieutenant Governor Calley, declared the Senate adjourned until Tuesday, February 10, 2015, at 10:00 a.m.

JEFFREY F. COBB  
Secretary of the Senate

