

No. 53
STATE OF MICHIGAN
Journal of the Senate
98th Legislature
REGULAR SESSION OF 2015

Senate Chamber, Lansing, Thursday, June 4, 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—present
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—present
Robertson—present
Rocca—present
Schmidt—present
Schuitmaker—present
Shirkey—excused
Smith—present
Stamas—present
Warren—present
Young—present
Zorn—present

Senator Jim Stamas of the 36th District offered the following invocation:

Dear Lord, we humbly come before You today. We ask that You first be with those who are in harm’s way. We ask that You be with each family of the Michigan residents. We ask that You be with each of us today as we continue to do the people’s work. Lord, we continue to take leadership roles and fight for protecting our communities; fight to continue to protect each of those within this great state.

Lord, we humbly ask that You be with each of us. We ask that You be with those who call out Your name. In the name of Jesus Christ, 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 Senators Casperson, Green, Meekhof and Schmidt be temporarily excused from today’s session. The motion prevailed.

Senator Kowall moved that Senator Shirkey be excused from today’s session. The motion prevailed.

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

Senator Bieda moved that Senators Johnson and Hopgood be excused from today’s session. The motion prevailed.

Senators Meekhof, Schmidt, Green and Casperson entered the Senate Chamber.

The following communication was received and read:
Office of the Senate Majority Leader

June 4, 2015

I would like Senate Bill 359 and House Bill 4544 re-referred to the Senate Committee on Finance. 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:
Office of Senator Jim Marleau

June 3, 2015

Per Senate rule, I wish to have my name added as a co-sponsor to Senate Bill 364 and Senate Bill 365 introduced by Senator Tonya Schuitmaker on June 3rd, 2015.

Thank you for your consideration in this matter and please contact my office if any issue were to arise.

Sincerely,
Jim Marleau
Senator 12th District

The communication was referred to the Secretary for record.

The Secretary announced that the following House bills were received in the Senate and filed on Wednesday, June 3:
House Bill Nos. 4226 4596 4597

The Secretary announced that the following bills were printed and filed on Wednesday, June 3, and are available at the Michigan Legislature website:

Senate Bill No. 358
House Bill Nos. 4658 4659 4660 4661 4662 4663 4664 4665 4666 4667 4668 4669 4670 4671
4672 4673 4674 4675 4676 4677

By unanimous consent the Senate proceeded to the order of
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 Knezek 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. 4468, entitled

A bill to amend 1945 PA 327, entitled "Aeronautics code of the state of Michigan," (MCL 259.1 to 259.208) by amending the title, as amended by 2002 PA 90, and by adding chapter VIIA.

Senate Bill No. 321, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 519 and 8139 (MCL 600.519 and 600.8139), section 519 as amended by 2012 PA 38.

Senate Bill No. 336, entitled

A bill to prescribe the blue alert of Michigan as the official response to reports of serious injury or death of a law enforcement officer in certain circumstances; and to provide for the powers and duties of certain state and local governmental officers and entities.

Senate Bill No. 351, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," (MCL 600.101 to 600.9947) by adding section 914.

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. 305, entitled

A bill to prohibit political subdivisions in this state from imposing certain restrictions on the transportation, possession, carrying, sale, transfer, purchase, gift, devise, licensing, registration, or use of knives or components of knives; and to repeal acts and parts of acts.

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. 4245, entitled

A bill to amend 1986 PA 54, entitled "Building officials and inspectors registration act," by amending sections 7, 9, and 12 (MCL 338.2307, 338.2309, and 338.2312), section 9 as amended by 2013 PA 150.

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.

During the Committee of the Whole, Senators Hood and Young entered the Senate Chamber.

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

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

Senate Bill No. 328

The motion prevailed.

The following bill was read a third time:

Senate Bill No. 328, entitled

A bill to amend 1935 PA 59, entitled “An act to provide for the public safety; to create the Michigan state police, and provide for the organization thereof; to transfer thereto the offices, duties and powers of the state fire marshal, the state oil inspector, the department of the Michigan state police as heretofore organized, and the department of public safety; to create the office of commissioner of the Michigan state police; to provide for an acting commissioner and for the appointment of the officers and members of said department; to prescribe their powers, duties, and immunities; to provide the manner of fixing their compensation; to provide for their removal from office; and to repeal Act No. 26 of the Public Acts of 1919, being sections 556 to 562, inclusive, of the Compiled Laws of 1929, and Act No. 123 of the Public Acts of 1921, as amended, being sections 545 to 555, inclusive, of the Compiled Laws of 1929,” by amending section 8 (MCL 28.8).

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. 265

Yeas—35

Ananich	Hansen	Kowall	Rocca
Bieda	Hertel	MacGregor	Schmidt
Booher	Hildenbrand	Marleau	Schuitmaker
Brandenburg	Hood	Meekhof	Smith
Casperson	Horn	Nofs	Stamas
Colbeck	Hune	O’Brien	Warren
Emmons	Jones	Pavlov	Young
Green	Knezek	Proos	Zorn
Gregory	Knollenberg	Robertson	

Nays—0

Excused—3

Hopgood	Johnson	Shirkey
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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 Kowall moved that consideration of the following concurrent resolution be postponed for today:

House Concurrent Resolution No. 3

The motion prevailed.

Senator Hildenbrand offered the following resolution:

Senate Resolution No. 67.

A resolution to commemorate June 8, 2015, as Barbershop Harmony Day.

Whereas, The Society for the Preservation and Encouragement of Barber Shop Quartet Singing in America, Inc. (SPEBSQSA), known now as the Barbershop Harmony Society, was officially organized on April 11, 1938, in Tulsa, Oklahoma; and

Whereas, On June 8, 1940, the Pioneer District, which exclusively covers the state of Michigan, was the Barbershop Harmony Society's first district to formally organize; and

Whereas, What began as a small group has steadily blossomed into the world's largest all-male singing organization, an international organization of men from all stations of life; and

Whereas, The Barbershop Harmony Society is dedicated to the spread of harmony for the enjoyment of all people of the world through organizing and encouraging close-harmony singing groups; and

Whereas, The Barbershop Harmony Society encourages harmony amongst all people of the world through the universal language of music and has actively preserved and presented a distinct style of vocal music that originated in North America. The group is dedicated to sustaining and preserving the American tradition of the barbershop quartet and promotes musical education through music scholarships, charitable foundations, and other means; and

Whereas, Barbershoppers are engaged in laudable civic service and enrichment of our cultural life through the fostering of traditional values in entertainment and community endeavors; now, therefore, be it

Resolved by the Senate, That the members of this legislative body commemorate June 8, 2015, as Barbershop Harmony Day in the state of Michigan.

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.

Senators Booher, Hansen, Kowall, Marleau, Proos, Robertson, Schmidt and Zorn were named co-sponsors of the resolution.

Introduction and Referral of Bills

Senators Nofs, Pavlov, Gregory, Schuitmaker, Knezek, Emmons, Marleau, Jones, Booher, Robertson, Brandenburg and Proos introduced

Senate Bill No. 367, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," (MCL 257.1 to 257.923) by adding section 811jj.

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

Senators Horn, Nofs, Bieda, Gregory, Hansen, Knezek, Marleau, Jones and Zorn introduced

Senate Bill No. 368, 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 Schmidt, Booher, Brandenburg and O'Brien introduced

Senate Bill No. 369, entitled

A bill to amend 1937 PA 94, entitled "Use tax act," by amending section 4o (MCL 205.94o), as amended by 2012 PA 474.

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

Senators Brandenburg, Schmidt, Booher and O'Brien introduced

Senate Bill No. 370, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 4t (MCL 205.54t), as amended by 2010 PA 116.

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

Senator Bieda introduced

Senate Bill No. 371, entitled

A bill to prohibit the sale, purchase, barter, or possession with intent to sell of ivory or rhinoceros horn or products thereof; to authorize the issuance of permits; to provide for the powers and duties of state governmental officers and agencies; to require the seizure of certain items and provide for their disposition; and to provide for penalties and remedies.

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

Senators Zorn, Horn, Hansen, Marleau, Jones, O'Brien, Schmidt, Nofs, Knezek, Hune and Ananich introduced
Senate Bill No. 372, entitled

A bill to amend 1966 PA 291, entitled "Firefighters training council act," by amending section 9 (MCL 29.369), as amended by 2013 PA 166.

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

Senator Young introduced

Senate Bill No. 373, entitled

A bill to amend 2014 PA 138, entitled "Workforce opportunity wage act," by amending section 4d (MCL 408.414d).

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

Senators Hertel, Gregory, Warren and Marleau introduced

Senate Bill No. 374, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 5101 (MCL 333.5101), as amended by 2010 PA 119.

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

Senators MacGregor, Hertel, Gregory, Warren and Marleau introduced

Senate Bill No. 375, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 5111 (MCL 333.5111), as amended by 2010 PA 119.

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

Senators Knezek, Hertel, Gregory, Warren and Marleau introduced

Senate Bill No. 376, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 5117 (MCL 333.5117), as amended by 2010 PA 119.

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

Senators Schmidt, Hertel, Gregory, Warren and Marleau introduced

Senate Bill No. 377, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 5119 (MCL 333.5119), as amended by 2000 PA 209.

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

Senators O'Brien, Hertel, Gregory, Warren and Marleau introduced

Senate Bill No. 378, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 5121 (MCL 333.5121), as added by 1988 PA 491.

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

Senators Warren, Hertel, Gregory and Marleau introduced

Senate Bill No. 379, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 5123 (MCL 333.5123), as amended by 1994 PA 200.

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

Senators Marleau, Hertel, Gregory and Warren introduced

Senate Bill No. 380, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 5127 (MCL 333.5127), as added by 1988 PA 491.

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

Senators Young, Hertel, Gregory, Warren and Marleau introduced

Senate Bill No. 381, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 5129 (MCL 333.5129), as amended by 2014 PA 321.

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

House Bill No. 4226, entitled

A bill to amend 1986 PA 281, entitled "The local development financing act," by amending section 12b (MCL 125.2162b), as added by 2008 PA 104.

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

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

House Bill No. 4596, entitled

A bill to amend 1976 PA 388, entitled "Michigan campaign finance act," by amending section 24 (MCL 169.224), as amended by 1999 PA 237.

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

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

House Bill No. 4597, entitled

A bill to amend 1976 PA 388, entitled "Michigan campaign finance act," by amending section 33 (MCL 169.233), as amended by 2013 PA 252.

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

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

Committee Reports

The Committee on Appropriations reported

Senate Bill No. 358, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 1531 and 1531i (MCL 380.1531 and 380.1531i), section 1531 as amended by 2007 PA 32 and section 1531i as added by 2009 PA 202.

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

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

David S. Hildenbrand
Chairperson

To Report Out:

Yeas: Senators Hildenbrand, MacGregor, Hansen, Stamas, Schuitmaker, Knollenberg, Booher, Shirkey, Proos, Nofs, Green, Marleau, Hopgood, Hertel and Knezek

Nays: None

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

The Committee on Appropriations reported

House Bill No. 4447, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 6237, 6238, 20104, 20106, 20145, 20155, 20161, 20501, 20521, and 20551 (MCL 333.6237, 333.6238, 333.20104, 333.20106, 333.20145, 333.20155, 333.20161, 333.20501, 333.20521, and 333.20551), sections 6237 and 6238 as amended by 2012 PA 501, section 20104 as amended by 2010 PA 381, section 20106 as amended by 2014 PA 449, section 20145 as amended by 2004 PA 469, section 20155 as amended by 2012 PA 322, and section 20161 as amended by 2013 PA 137; and to repeal acts and parts of acts.

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.

David S. Hildenbrand
Chairperson

To Report Out:

Yeas: Senators Hildenbrand, MacGregor, Hansen, Stamas, Schuitmaker, Knollenberg, Booher, Shirkey, Proos, Nofs, Green, Marleau, Gregory, Hopgood, Hertel and Knezek

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 Appropriations submitted the following:

Meeting held on Wednesday, June 3, 2015, at 2:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building

Present: Senators Hildenbrand (C), MacGregor, Hansen, Stamas, Schuitmaker, Knollenberg, Booher, Shirkey, Proos, Nofs, Green, Marleau, Gregory, Hopgood, Hertel, Knezek and Young

Scheduled Meetings

Economic Development and International Investment - Thursday, June 11, 1:30 p.m., Room 210, Farnum Building (373-5312)

Education - Tuesday, June 9, 8:30 a.m., Room 110, Farnum Building (373-5314)

Finance - Tuesday, June 16, 9:00 a.m., Room 210, Farnum Building (373-5312)

Local Government - Tuesday, June 9, 10:30 a.m., Room 100, Farnum Building (373-5323)

Michigan State Capitol Commission - Monday, June 8, 11:00 a.m., Room H-65, Capitol Building (373-0184)

Senate Fiscal Agency Board of Governors - Thursday, June 11, 9:00 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

Senator Kowall moved that the Senate adjourn.

The motion prevailed, the time being 10:26 a.m.

The President, Lieutenant Governor Calley, declared the Senate adjourned until Tuesday, June 9, 2015, at 10:00 a.m.

JEFFREY F. COBB
Secretary of the Senate