

No. 67
STATE OF MICHIGAN
Journal of the Senate
98th Legislature
REGULAR SESSION OF 2016

Senate Chamber, Lansing, Wednesday, October 19, 2016.

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—present
Horn—present
Hune—present
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
Stamas—present
Warren—present
Young—present
Zorn—present

Pastor Rod Sanderson-Smith of Awakened Heart Ministries of Troy offered the following invocation:

Our Lord and Savior Jesus Christ, we thank You for the grace of a new day. We thank You that the new day reminds us again of the newness we have received in You through Your death on the cross. Lord, thank You that we can look on today with excited expectation as we rest back in Your strength. We thank You for the joy we receive in serving You and for being used as an instrument of Your peace here and around the world. We thank You for a country that creates opportunity and a home for those that come from far places and other continents to enjoy our crystal lakes and lush green forests.

Lord, we pray for wisdom as we navigate the difficult road between open doors and protective processes. We ask that as we discuss and decide that we will emulate Your love.

God, we ask You for protection for all our men and women in uniform here and around the world that stand for the faith, values, and morals we so deeply believe. Help us, Lord, to bring peace wherever we go. Help us, Lord, to be peacemakers as we see in Your earthly life and through Scripture.

We ask You, Lord, to help us in our dialogues and conversations with those that are different from us. Help us to understand beyond our experience and empathize beyond our capabilities.

Lord, we pray for favor on our great state as we discover and discuss opportunities for employment and investments. Lead us, O Lord, in ways that will bring a meal to every Michigander and home for every worker.

Lord, Your Word says that leadership is a high and great calling—one that should not be undertaken lightly. Your Scriptures speak very clearly of the great examine that leaders will face, and so, God, I ask you for this unique gathering here today that when we stand before You, we will not be found wanting. That You, Lord, can say to each and every one of us: “Well done good and faithful servant.”

Finally, Lord, I pray for today, that in its trials and struggle we will always remember that You, being beyond time, have seen today and the outcome. Lord, thank You that we are never alone. Lord, thank You that You are have a divine plan that will prevail. Thank You that You allow us in your unique way to be part of the solution to the world. Help us today to live in humility and yet in awe at the magnitude of making decisions in lockstep with the Creator of the universe.

And then, Lord, at the end of today, help us to rest well, as one that has completed a race, so as to recharge for the much-needed work that lays ahead with a clear heart and conscience that we have served You hard and well and that we can now leave the results in Your hand.

We pray this verse from Galatians 6:9: “Let us not become weary in doing good, for at the proper time, we will reap a harvest if we do not give up.”

We pray this all in the powerful name of Jesus, our Lord and Savior. Amen.

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

Motions and Communications

Senators Emmons and Hopgood entered the Senate Chamber.

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

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

Senator Kowall moved that rule 3.902 be suspended to allow the guests of Senators Meekhof and Shirkey admittance to the Senate floor.

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

Senators Knollenberg, Young, Hood and Johnson entered the Senate Chamber.

The Secretary announced that the following bills were printed and filed on Tuesday, October 18, and are available at the Michigan Legislature website:

**Senate Bill Nos. 1105 1106 1107 1108 1109 1110 1111 1112 1113 1114 1115 1116 1117 1118
1119 1120 1121 1122 1123 1124 1125**

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 Hildenbrand 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. 5639, entitled

A bill to amend 1885 PA 152, entitled “An act to authorize the establishment of facilities for former members of the armed forces of the United States in the state of Michigan; to create funds; and to provide for the promulgation of rules,” (MCL 36.1 to 36.12) by adding section 9.

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 Kowall 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:

House Bill No. 5639

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

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

House Bill No. 5639

Senate Bill No. 732

Senate Bill No. 403

Senate Bill No. 670

House Bill No. 4674

Senate Bill No. 1087

Senate Bill No. 1073

Senate Bill No. 1074

Senate Bill No. 1075

Senate Bill No. 992

The motion prevailed.

The following bill was read a third time:

House Bill No. 5639, entitled

A bill to amend 1885 PA 152, entitled “An act to authorize the establishment of facilities for former members of the armed forces of the United States in the state of Michigan; to create funds; and to provide for the promulgation of rules,” (MCL 36.1 to 36.12) by adding section 9.

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. 542

Yeas—37

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

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.
The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 732, entitled

A bill to amend 1895 PA 1, entitled “An act to provide for the incorporation of Masonic Associations; and to impose certain duties upon the department of commerce,” (MCL 457.221 to 457.227) by adding section 4a.

The question being on the passage of the bill,

Senator Knezek offered the following amendment:

1. Amend page 1, following line 9, by inserting:

“Enacting section 1. The legislature shall annually appropriate sufficient funds from the state general fund to the state school aid fund created in section 11 of article IX of the state constitution of 1963 to fully compensate for any loss of revenue to the state school aid fund resulting from the enactment of this amendatory act.”.

The amendment was not adopted, a majority of the members serving not voting therefor.

Senator Hood requested the yeas and nays.

The yeas and nays were ordered, 1/5 of the members present voting therefor.

The amendment was not adopted, a majority of the members serving not voting therefor, as follows:

Roll Call No. 543**Yeas—15**

Ananich	Hood	Jones	Warren
Bieda	Hopgood	Knezek	Young
Gregory	Horn	O'Brien	Zorn
Hertel	Johnson	Rocca	

Nays—22

Booher	Hansen	Marleau	Robertson
Brandenburg	Hildenbrand	Meekhof	Schmidt
Casperson	Hune	Nofs	Schuitmaker
Colbeck	Knollenberg	Pavlov	Shirkey
Emmons	Kowall	Proos	Stamas
Green	MacGregor		

Excused—0**Not Voting—0**

In The Chair: President

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. 544**Yeas—31**

Ananich	Hood	MacGregor	Rocca
Booher	Hopgood	Marleau	Schmidt
Brandenburg	Horn	Meekhof	Schuitmaker
Casperson	Hune	Nofs	Stamas
Green	Jones	O'Brien	Warren
Hansen	Knezek	Pavlov	Young
Hertel	Knollenberg	Proos	Zorn
Hildenbrand	Kowall	Robertson	

Nays—6

Bieda	Emmons	Johnson	Shirkey
Colbeck	Gregory		

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. 403, entitled

A bill to amend 1969 PA 287, entitled "An act to regulate pet shops, animal control shelters, and animal protection shelters; to establish uniform procedures and minimum requirements for adoption of dogs, cats, and ferrets; and to prescribe penalties and civil fines and to provide remedies," (MCL 287.331 to 287.340) by adding section 8b.

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. 545**Yeas—37**

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

Nays—0**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. 670, entitled

A bill to create a commission to commemorate the centennial of World War I; to prescribe the powers and duties of the commission; and to prescribe the powers and duties of certain state agencies and officials.

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. 546

Yeas—37

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

Nays—0

Excused—0

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

Senators Ananich, Bieda, Casperson, Emmons, Hansen, Hildenbrand, Hood, Hopgood, Horn, Hune, Johnson, Jones, Knollenberg, Kowall, MacGregor, Meekhof, O'Brien, Pavlov, Robertson, Rocca, Schmidt, Shirkey, Stamas and Zorn were named co-sponsors of the bill.

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

The motion prevailed.

Senator Warren's statement is as follows:

Thank you, Mr. President, for the opportunity to address Senate Bill No. 670 which would create a World War I Centennial Commission at the state level. The federal government made this move to create one in 2013 and many states have followed.

If you remember your history lessons, you'll know that the United States entered World War I with a formal declaration of war on April 6, 1917. More than 2 million Americans served in World War I and more than 100,000 lost their lives.

This includes 135,485 Michiganders who served and 14,000 who made the ultimate sacrifice. Now, as the centennial anniversary of American participation in World War I approaches, it is important that we recognize their service.

The commission established by this bill would plan and execute programs to commemorate the centennial. It would encourage both private organizations and state and local governments to organize and participate in memorial and educational activities. These activities would be important learning opportunities, helping all of us to understand how the events of World War I shaped the history of our state and our nation.

In the past, Michigan has established commissions and committees to commemorate important historical events, including, for example, the recent commission on the War of 1812. For too long, World War I has been known as America’s forgotten war, but as this important centennial anniversary approaches, creating this commission is an opportunity to remember the service and sacrifice of Michigan veterans.

I ask for your support of Senate Bill No. 670.

Recess

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

The motion prevailed, the time being 10:32 a.m.

11:00 a.m.

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

The following bill was read a third time:

House Bill No. 4674, entitled

A bill to amend 1974 PA 258, entitled “Mental health code,” by amending sections 100a, 100c, 202, 401, 404, 420, 423, 425, 426, 427, 429, 431, 434, 435, 438, 447, 448, 449, 451, 452, 453, 454, 455, 461, 463, 468, 469a, 472a, 474, 474a, and 475 (MCL 330.1100a, 330.1100c, 330.1202, 330.1401, 330.1404, 330.1420, 330.1423, 330.1425, 330.1426, 330.1427, 330.1429, 330.1431, 330.1434, 330.1435, 330.1438, 330.1447, 330.1448, 330.1449, 330.1451, 330.1452, 330.1453, 330.1454, 330.1455, 330.1461, 330.1463, 330.1468, 330.1469a, 330.1472a, 330.1474, 330.1474a, and 330.1475), section 100a as amended by 2012 PA 500, section 100c as amended by 2015 PA 59, sections 202, 420, 423, 425, 426, 427, 429, 431, 435, 438, 448, 449, 451, 452, 453, 454, 455, 461, 463, and 468 as amended by 1995 PA 290, section 401 as amended by 2004 PA 496, section 434 as amended by 2016 PA 113, section 469a as amended by 2004 PA 497, sections 472a and 475 as amended by 2004 PA 498, and sections 474 and 474a as added by 1996 PA 588, and by adding section 400b; 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. 547

Yeas—37

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

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 or substance use disorder services; to provide for certain charges and fees; to establish civil admission procedures for individuals with mental illness, substance use disorder, or developmental disability; to establish guardianship procedures for individuals with developmental disability; to establish procedures regarding individuals with mental illness, substance use disorder, 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. 1087, entitled

A bill to amend 1972 PA 299, entitled “An act to provide for the assessment, collection and disposition of the costs of regulation of public utilities,” (MCL 460.111 to 460.120) by adding section 5a.

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. 548**Yeas—37**

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

Nays—0**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. 1073, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 43516 and 43523a (MCL 324.43516 and 324.43523a), section 43516 as amended by 2016 PA 36 and section 43523a as added by 2013 PA 108, and by adding section 43526b; 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. 549**Yeas—37**

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

Nays—0**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. 1074, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 43516 and 43525b (MCL 324.43516 and 324.43525b), section 43516 as amended by 2016 PA 36 and section 43525b as added by 2013 PA 108.

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. 550**Yeas—37**

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

Nays—0**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. 1075, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 43516, 43532, 43533, and 43536 (MCL 324.43516, 324.43532, 324.43533, and 324.43536), section 43516 as amended by 2016 PA 36 and sections 43532, 43533, and 43536 as amended by 2013 PA 108.

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. 551

Yeas—37

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

Nays—0

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. 992, entitled

A bill to provide for the operation and regulation of unmanned aircraft systems in this state; to create the unmanned aircraft systems task force; to provide for the powers and duties of state and local governmental officers and entities; and to prohibit conduct related to the operation of unmanned aircraft systems and prescribe penalties.

The question being on the passage of the bill,

Senator Casperson offered the following amendments:

1. Amend page 6, following line 12, by inserting:

“(u) A member who represents county sheriffs, nominated by the president of the Michigan Sheriffs’ Association.

(v) A member who is knowledgeable about the operation of public utilities who represents public utilities in the Upper Peninsula, nominated by the chairman of the public service commission.

(w) A member who is knowledgeable about the operation of public utilities who represents public utilities in the Lower Peninsula, nominated by the chairman of the public service commission.

(x) A member who represents the Mackinac Bridge Authority, nominated by the authority.”.

2. Amend page 7, line 18, after “state.” by inserting “The recommendations must include, but not be limited to, recommendations regarding the protection of public and private property interests and the use of unmanned aircraft systems over public property.”.

The amendments were adopted, a majority of the members serving voting therefor.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

Roll Call No. 552

Yeas—37

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

Nays—0

Excused—0

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

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

The motion prevailed.

Senator Colbeck’s statement is as follows:

As many of you know, before I was a State Senator, I was a practicing aerospace engineer with companies like Boeing and Lockheed. Right here in Michigan, I worked for a company in my current district called AAR Cargo Systems. I began my tenure with AAR as their FAA Certification Engineer. This experience provides me with some unique insights into the FAA certification process. Subsequent to my tenure with AAR, I provided management support for the next generation FAA Air Traffic Control System featuring the deployment of ADS-B technology.

In spite of this significant experience, I do not profess to have all of the answers pertaining to the issues surrounding the regulation of airspace. I do, however, feel pretty confident that I know and understand the key questions that need to be asked on this topic. The answers to these questions on the subject of unmanned aerial vehicle operations have been provided to me and my staff from key stakeholders over the past two years working on similar legislation.

It is clear from these stakeholder discussions that there are three major considerations pertinent to the regulation of airspace: 1) public safety—that should be our first priority, 2) personal property rights, and 3) commerce.

Let’s take the last consideration first: commerce. Both the sponsor of Senate Bill No. 992 and I share a passion for the expansion of commerce, specifically as it relates to the yet-untapped markets applicable to the unmanned aerial vehicle market. Senate Bill No. 992 would address one of the key ingredients necessary for expanded commerce: clear definition of expectations.

Senate Bill No. 992 also addresses key concerns regarding public safety. It specifically addresses operator requirements and itemizes specific activities that would be prohibited by law.

Prior to the adoption of the amendment from the Senator from the 38th District, there was, however, a significant gap in Senate Bill No. 992 on the subject of personal property rights.

My preference to fill this gap would be to pass Senate Bill No. 699. Senate Bill No. 699 provides significant protections for personal property rights of citizens. In the decision for *United States v. Causby*, the Supreme Court ruled that property owners had jurisdiction for the immediate reaches above the grounds of their property. I want to take advantage of this opinion and put it into law. That's in Senate Bill No. 699. The immediate-reach ceiling was defined as 500 feet within Class G, also known as unrestricted airspace. Senate Bill No. 699 lowers this ceiling to 300 feet to preclude interference with helicopter operations.

The important thing to note in context with this legislation is that the industry advocates for Senate Bill No. 992 have told me that they do not want to be restricted in their flight operations. That means they don't want to be restricted to flying unmanned aerial vehicles over public property such as roads. Despite having the technology to do otherwise, they want to be able to fly as the crow flies, directly over our homes. Without the provisions of Senate Bill No. 699, unmanned aerial vehicle operators would not be required to respect personal property rights in the immediate-reach airspace above private property. Without these provisions, our citizens would rightly express concerns about public safety and personal privacy. How are citizens to know whether or not a unmanned aerial vehicle that passes over their house is taking a picture? How do you think citizens will react when they see a unmanned aerial vehicle flying overhead at a high rate of speed? Do you think they might be concerned with their safety?

As citizens become more and more vocal with these concerns, the expanded commercial use of unmanned aerial vehicles sought by myself and the sponsors of Senate Bill No. 992 would actually be adversely impacted as a result of this outcry. In other words, without protection for personal property, Senate Bill No. 992 would effectively discourage the very commercial activity that the bill sponsor is seeking to promote.

My proposed amendment that I had ready would have mitigated this by tie-barring the bill to passage of Senate Bill No. 699, but the amendment that was offered just a moment ago by the good Senator from the 38th District mitigates these concerns to a degree.

In this light, I'm providing my cautious support of this legislation. My caution reflects the fact that the provisions that protect personal property rights do not take effect until a minimum of six months after the passage of this. We need to pass Senate Bill No. 699 to get immediate protection for those rights.

By unanimous consent the Senate returned 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 Hildenbrand 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:

Senate Bill No. 991, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 1 (MCL 205.51), as amended by 2016 PA 8.

Senate Bill No. 983, entitled

A bill to amend 1972 PA 284, entitled "Business corporation act," by amending section 122 (MCL 450.1122), as amended by 2001 PA 57.

Senate Bill No. 984, entitled

A bill to amend 1982 PA 162, entitled "Nonprofit corporation act," by amending section 122 (MCL 450.2122), as amended by 2014 PA 557.

Senate Bill No. 985, entitled

A bill to amend 1982 PA 295, entitled "Support and parenting time enforcement act," by amending section 24a (MCL 552.624a), as amended by 2002 PA 572.

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. 982, entitled

A bill to amend 1998 PA 434, entitled "Uniform fraudulent transfer act," by amending the title and sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, and 13 (MCL 566.31, 566.32, 566.33, 566.34, 566.35, 566.36, 566.37, 566.38, 566.39, 566.40, 566.41, 566.42, and 566.43), section 1 as amended by 2009 PA 44 and section 8 as amended by 2000 PA 362, and by adding sections 14 and 15.

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. 25, entitled

A bill to amend 1987 PA 231, entitled "An act to create a transportation economic development fund in the state treasury; to prescribe the uses of and distributions from this fund; to create the office of economic development and to prescribe its powers and duties; to prescribe the powers and duties of the state transportation department, state transportation commission, and certain other bodies; and to permit the issuance of certain bonds," by amending section 9 (MCL 247.909), as amended by 1993 PA 149.

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. 1049, entitled

A bill to amend 1987 PA 231, entitled "An act to create a transportation economic development fund in the state treasury; to prescribe the uses of and distributions from this fund; to create the office of economic development and to prescribe its powers and duties; to prescribe the powers and duties of the state transportation department, state transportation commission, and certain other bodies; and to permit the issuance of certain bonds," by amending sections 1, 3, 11, 12, 12a, and 13 (MCL 247.901, 247.903, 247.911, 247.912, 247.912a, and 247.913), section 1 as amended by 2010 PA 238, sections 3 and 12 as amended and section 12a as added by 1993 PA 149, and section 11 as amended by 2014 PA 302.

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. 927, entitled

A bill to amend 1979 PA 53, entitled "An act to prohibit access to computers, computer systems, and computer networks for certain fraudulent purposes; to prohibit intentional and unauthorized access, alteration, damage, and destruction of computers, computer systems, computer networks, computer software programs, and data; to prohibit the sending of certain electronic messages; and to prescribe penalties," by amending sections 4 and 7 (MCL 752.794 and 752.797), section 4 as amended by 1996 PA 326 and section 7 as amended by 2000 PA 180.

Substitute (S-3).

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

1. Amend page 5, line 23, after "**OR**" by striking out "**VEHICLE TELEMATICS SERVICES**".

The Senate agreed to the substitute as amended 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. 928, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 17c of chapter XVII (MCL 777.17c), as added by 2002 PA 28.

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.

By unanimous consent the Senate proceeded to the order of
Statements

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

The motion prevailed.

Senator Colbeck's statement is as follows:

Colleagues, I'd like to talk a little bit about social issues and specifically address why do social issues matter?

Politicos often attempt to classify the political issues that we face as either economic or social. These classifications presuppose that there is no significant connection between economic and social issues. They couldn't be more wrong.

Many of you may be familiar with a book written around the time of our founding as a nation called *The Wealth of Nations* by Adam Smith. The book was very influential in the development of our free market economic system as it addresses core concepts like the division of labor, the idea that wages are to be set on the basis of the difficulty of the task, and many other provisions. Were you aware that *The Wealth of Nations* was preceded by another book by Adam Smith called *Theory of Moral Sentiments*? The book described the moral judgments that drove financial decisions.

A more contemporary way of looking at this connection that I would like to share is often shared by former Ohio Congressman Bob McEwen. He frames the discussion in context of first-party, second-party, and third-party transactions.

A first-party transaction is when you purchase a service for your personal benefit with your personal funds. Quality and cost are both drivers in your purchase decision. A second-party transaction is when you purchase a service for somebody else using your funds, like a birthday gift. Cost is the primary driver while quality simply needs to pass the sniff test. There's a reason why a lot of re-gifting goes on with our friends and family. A third-party transaction is when you purchase a service for someone else using someone else's funds. Cost and quality are not principal concerns in your purchase decision. In order to achieve a prosperous society, it would seem that we need more first-party and less third-party transactions. Why is this a matter of concern for this body?

All government transactions are third-party transactions. Third-party transactions are only useful, effective, and efficient when we have moral and virtuous public servants in government. These transactions are only effective when we love our neighbors as ourselves. Is it any wonder why the cost of government continues to increase while the quality of service provided decreases?

The fact of the matter is that social issues are just as important as economic issues. Our nation, our state, our communities will not achieve economic prosperity without a moral citizenry and commensurate moral representation in government. John Adams once famously observed that, "Our Constitution was made only for a moral and religious people. It is wholly inadequate to the government of any other."

In light of the morals of many who currently serve in elected office, I believe that you will see why I am such a staunch advocate of limited government. We all took an oath to support this Constitution. It is my belief that in order to effectively honor this oath and support our Constitution, we need to promote the need for morality and religion in our society and in the way that we conduct our lives.

An amazing step towards that end occurred two weeks ago while this body was not in session. It wasn't covered by major media markets in the state or even Gongwer News Service in Lansing, but it was an amazing event nonetheless. Over 8,000 people of faith journeyed from across the state to the steps of the Capitol to hear from Franklin Graham as part of his Decision America tour. His message was very simple: pray, vote, and engage.

It is my hope that each of us will do just that: pray, vote, and engage. The continued economic prosperity of our nation depends on it.

Committee Reports

The Committee on Education reported
Senate Resolution No. 214.

A resolution to urge the President and Congress of the United States to curb and clarify the role and authority of the U.S. Department of Education as it relates to the "supplement not supplant" provisions in the Every Student Succeeds Act.

(For text of resolution, see Senate Journal No. 66, p. 1635.)

With the recommendation that the resolution be adopted.

Phillip J. Pavlov
 Chairperson

To Report Out:

Yeas: Senators Pavlov, Booher, Colbeck and Knezek

Nays: None

The resolution was placed on the order of Resolutions.

The Committee on Education reported

Senate Bill No. 1046, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1321 (MCL 380.1321), as amended by 2008 PA 1.

With the recommendation that the bill pass.

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

Phillip J. Pavlov
Chairperson

To Report Out:

Yeas: Senators Pavlov, Booher and Colbeck

Nays: Senator Knezek

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Education submitted the following:

Meeting held on Tuesday, October 18, 2016, at 12:00 noon, Room 110, Farnum Building

Present: Senators Pavlov (C), Booher, Colbeck and Knezek

Excused: Senator Knollenberg

The Committee on Health Policy reported

Senate Bill No. 805, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 17744b (MCL 333.17744b), as added by 2014 PA 311.

With the recommendation that the bill pass.

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

Mike Shirkey
Chairperson

To Report Out:

Yeas: Senators Shirkey, Hune, O'Brien, Marleau, Jones, Stamas, Robertson, Hertel, Knezek and Hopgood

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Health Policy reported

Senate Bill No. 806, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 5 and 1178 (MCL 380.5 and 380.1178), section 5 as amended by 2011 PA 232 and section 1178 as amended by 2013 PA 187, and by adding section 1179b.

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.

Mike Shirkey
Chairperson

To Report Out:

Yeas: Senators Shirkey, Hune, O'Brien, Marleau, Jones, Stamas, Robertson, Hertel, Knezek and Hopgood

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 Health Policy submitted the following:

Meeting held on Tuesday, October 18, 2016, at 12:30 p.m., Senate Hearing Room, Ground Floor, Boji Tower

Present: Senators Shirkey (C), Hune, O'Brien, Marleau, Jones, Stamas, Robertson, Hertel, Knezek and Hopgood

The Committee on Government Operations reported

Senate Bill No. 1117, entitled

A bill to amend 1956 PA 40, entitled "The drain code of 1956," by amending sections 21, 21a, and 464 (MCL 280.21, 280.21a, and 280.464), section 21 as amended by 2007 PA 51 and section 21a as added and section 464 as amended by 1989 PA 134.

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.

Arlan B. Meekhof
Chairperson

To Report Out:

Yeas: Senators Meekhof, Hansen, Kowall, Ananich and Hood

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 Government Operations submitted the following:

Meeting held on Tuesday, October 18, 2016, at 2:00 p.m., Rooms 402 and 403, Capitol Building

Present: Senators Meekhof (C), Hansen, Kowall, Ananich and Hood

COMMITTEE ATTENDANCE REPORT

The Subcommittee on State Police and Military Affairs submitted the following:

Joint meeting held on Monday, October 17, 2016, at 1:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower

Present: Senators Nofs (C), Colbeck and Knezek

COMMITTEE ATTENDANCE REPORT

The Committee on Veterans, Military Affairs and Homeland Security submitted the following:

Joint Meeting held on Monday, October 17, 2016, at 1:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower

Present: Senators O'Brien (C), Emmons, Zorn, Colbeck and Knezek

Scheduled Meetings

Local Government - Thursday, October 20, 12:30 p.m., Room 100, Farnum Building (373-5312)

Transportation - Thursday, October 20, 8:00 a.m., Room 210, Farnum Building (373-5312)

Senator Kowall moved that the Senate adjourn.

The motion prevailed, the time being 11:38 a.m.

The President, Lieutenant Governor Calley, declared the Senate adjourned until Thursday, October 20, 2016, at 10:00 a.m.

JEFFREY F. COBB
Secretary of the Senate