

No. 17  
STATE OF MICHIGAN  
**Journal of the Senate**  
98th Legislature  
REGULAR SESSION OF 2016

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Senate Chamber, Lansing, Thursday, February 18, 2016.

10:00 a.m.

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

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

Ananich—excused  
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  
Smith—present  
Stamas—present  
Warren—present  
Young—present  
Zorn—present

Senator John M. Proos of the 21st District offered the following invocation:

Heavenly Father, we come before You today in this Senate Chamber as men and women humbled by the many blessings that You have bestowed on each of us as Your children. You so richly give when in reality we are Your broken children. Father, in this Lenten season, give us the strength and fortitude to repent and seek Your forgiveness for those times that we have taken Your limitless gifts for granted.

In today's gospel reading from Matthew 7:7-12, You remind us all what Your Son Jesus said to Your disciples: "Ask, and it will be given to you; knock, and the door will be opened to you. For everyone who asks receives, the one who seeks finds, and the one who knocks the door will be opened." Further down, it says, "Do unto others whatever you would have them do to you." This is our opportunity today, Lord, as we pray as one to ask You for the guidance to serve the people of Michigan with the Golden Rule in mind: To do to others as we would have them do to us.

Lord, we ask for Your blessing on the people of Michigan, Your protection for those who are in harm's way, and to continue to bless our great state of Michigan and our United States of America. We pray this through our Lord Jesus Christ, Your Son, who lives and reigns with You in the unity of the Holy Spirit; one God, forever and ever. Amen.

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

### Motions and Communications

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

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

Senator Kowall moved that rule 3.902 be suspended to allow the guests of Senator Jones admittance to the Senate floor.  
The motion prevailed, a majority of the members serving voting therefor.

The following communication was received:

Wayne County Airport Authority

February 12, 2016

Please find enclosed a copy of our 2015 Audited Financial Statements per the requirements of Public Act 90 of 2002. If you have any questions, please contact me at (734) 247-6775.

Sincerely,  
Marge Basrai, CPA, CGMA  
Controller  
Marge.basrai@wcaa.us

The communication was referred to the Secretary for record.

The following communications were received:

Office of Senator Tom Casperson

February 16, 2016

Pursuant to Senate Rule 1.110 I respectfully request that my name be added as a co-sponsor of SB 15.  
Thank you for your attention to this request.

February 16, 2016

Pursuant to Senate Rule 1.110 I respectfully request that my name be removed as a co-sponsor of SB 679.  
Thank you for your attention to this request.

Sincerely,  
Tom Casperson  
State Senator  
38th District

The communications were referred to the Secretary for record.

The Secretary announced that the following bills were printed and filed on Wednesday, February 17, and are available at the Michigan Legislature website:

<b>Senate Bill Nos.</b>	<b>805</b>	<b>806</b>	<b>807</b>	<b>808</b>
<b>House Bill Nos.</b>	<b>5378</b>	<b>5379</b>	<b>5380</b>	

### Messages from the Governor

The following messages from the Governor were received and read:

February 1, 2016

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

**Self-Insurers' Security, Second Injury Fund, Silicosis, Dust Disease, and Logging Industry Compensation Fund Board of Trustees**

Lee Anne L. Fontaine of 2110 Waite Avenue, Kalamazoo, Michigan 49008, county of Kalamazoo, representing the insurance industry, succeeding Michael Reid, is appointed for a term expiring April 30, 2018.

February 8, 2016

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

**State 9-1-1 Committee**

Walter Bawol of 6855 Lakeview Boulevard, Saint Helen, Michigan 48656, county of Roscommon, representing the general public, succeeding Donald Welch, is appointed for a term expiring December 31, 2017.

Yvette Collins of 312 Drive, Lansing, Michigan 48912, county of Ingham, representing commercial mobile radios, succeeding herself, is reappointed for a term expiring December 31, 2017.

February 8, 2016

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

**State Historical Records Advisory Board**

James K. Cameron of 210 Detroit Street, Saline, Michigan 48176, county of Washtenaw, succeeding himself, is reappointed for a term expiring December 31, 2019.

February 8, 2016

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

**Michigan Humanities Council**

Jody Egen of 720 O'Brien Street, Monroe, Michigan 48161, county of Monroe, succeeding herself, is reappointed for a term expiring December 31, 2018.

Miranda C. Krajniak of 311 Cherry Street, Apt. 2, Grand Rapids, Michigan 49503, county of Kent, succeeding herself, is reappointed for a term expiring December 31, 2018.

Margaret F. Stephanak of 10725 Cora Drive, Portage, Michigan 49002, county of Kalamazoo, succeeding Dean Bach, is appointed for a term expiring December 31, 2018.

Steven M. Wilson of 39 Prospect Street, S.E., Grand Rapids, Michigan 49503, county of Kent, succeeding himself, is reappointed for a term expiring December 31, 2018.

February 8, 2016

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

**Michigan Council for Rehabilitation Services**

Elaine Wood of 451 N. Madison Street, Traverse City, Michigan 49684, county of Grand Traverse, representing the Governor's Talent Investment Board, filling a vacancy, is appointed for a term expiring December 31, 2018.

Michael Poyma of 1207 Berkshire Drive, Williamston, Michigan 48895, county of Ingham, representing disability advocacy groups, succeeding himself, is reappointed for a term expiring December 31, 2018.

Anne Riddering of 22536 Brookforest Drive, Novi, Michigan 48375, county of Oakland, representing business, industry, or labor, succeeding herself, is reappointed for a term expiring December 31, 2018.

Brian Sabourin of 4805 Hidden Pines Court, Midland, Michigan 48640, county of Midland, representing the client assistance program described under Section 112 of the Rehabilitation Act of 1973, succeeding himself, is reappointed for a term expiring December 31, 2018.

February 8, 2016

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

**State Survey and Remonumentation Commission**

Roland F. Self of 4375 David Highway, Saranac, Michigan 48881, county of Ionia, representing the general public, succeeding himself, is reappointed for a term expiring October 20, 2019.

February 9, 2016

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

**Michigan Task Force on Physician's Assistants**

Sara J. Basso of 2017 Ponozzo Road, Iron River, Michigan 49935, county of Iron, representing the general public, succeeding herself, is reappointed for a term expiring December 31, 2019.

William C. Palazzolo of 7388 Ridge Line Circle, Dexter, Michigan 48130, county of Washtenaw, representing physician assistants, succeeding himself, is reappointed for a term expiring December 31, 2019.

James D. Rogers of 4612 Arthur Court, Williamsburg, Michigan 49690, county of Grand Traverse, representing the Board of Medicine, succeeding himself, is reappointed for a term expiring December 31, 2019.

February 11, 2016

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

**State Historic Preservation Review Board**

Brian Rebaun of 779 Seminole Drive, Detroit, Michigan 48214, county of Wayne, representing historical architecture, succeeding Ronald Staley, is appointed for a term expiring December 31, 2019.

Grace A. Smith of 200 E. Division Street, Rockford, Michigan 49341, county of Kent, representing historic preservation architecture, succeeding Elisabeth Knibbe, is appointed for a term expiring December 31, 2019.

Sincerely,  
Rick Snyder  
Governor

The appointments were referred to the Committee on Government Operations.

The following message from the Governor was received and read:

February 16, 2016

Please be advised of the following corrected appointment to office. The correction is in **bold** type and was filed with your office on November 16, 2015, and dated October 30, 2015.

**Health Endowment Fund Board**

Cynthia Ann Estrada of 11333 Dunlavy Lane, Whitmore Lake, Michigan 48189, county of Livingston, designee of the Senate **Minority** Leader, succeeding herself, is reappointed for a term expiring October 1, 2019.

Susan Mary Jandernoa of 8805 Olive Shore, West Olive, Michigan 49460, county of Ottawa, designee of the Speaker of the House, succeeding herself, is reappointed for a term expiring October 1, 2019.

Sincerely,  
Rick Snyder  
Governor

The message was referred to the Committee on Government Operations.

The President, Lieutenant Governor Calley, assumed the Chair.

Senators Young, Jones and Hertel asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator Young's statement is as follows:

I have a very sad but also very optimistic announcement. My wonderful, incredible, awesome, tremendous, fabulous, spectacular, brilliant as she is gorgeous, treasure, masterpiece, legislative genius extraordinaire, my Legislative Director Diontrae Hayes is leaving me. Unbelievable. I feel like jumping through the wall and saying, "Where do you think you're going? You're not going anywhere."

We have been through it all. We have been through good times, and we have been through bad times. She has always kept me in the know. She has always told me what she thought. If it was a great idea, she said, "Yeah." If she didn't like it, she said, "It's bad, don't do it." I am so incredibly sad that she is leaving, but at the same time, I am so incredibly excited for Lansing because I know you are going to do great things. I know minds will not be able to comprehend, eyes will not be able to see, mouths will not be able to speak, ears will not be able to hear the wonderful things that Diontrae Hayes has in store for the great people of Lansing.

You have lit up my office. You have expanded my view. You have transformed my entire perception of what government is, and you have made it so much easier for me to be able to serve the people and do my job. Words cannot express what you have contributed to my office. I am so proud of you. I wish you well. This is so incredibly sad, but at the same time, I just want to say that I know that you are destined for great things. Go out there, fight, never give up, never surrender, and always be in the battle. You are destined for nothing but the best. Whatever I can do, please let me know. I am proud of you. Congratulations, I know you're going to do a great job as Lansing Township supervisor. I love you and I will miss you.

Senator Jones' statement is as follows:

Today, along with Senator Hertel, I would like to present Senate Resolution No. 143 to the General Motors Lansing Grand River Assembly Plant for their recent awards and achievements. Accepting this resolution today are Lansing Regional Plant Manager Mike Trevorrow, Lansing Regional Personnel Director Shawn Davis, Local UAW 652 President Mike Green, and Local UAW Chairman Ted Krumm.

In 2013, they achieved North American Car of the Year for the Cadillac ATS; in 2014, they received Motor Trend Car of the Year for the Cadillac CTS Sedan; and in 2016, Motor Trend Car of the Year for the Chevy Camaro—we took it back from Canada. General Motors recently announced that this plant will be adding a third shift and hiring 500 employees to keep up with the demand for the Camaro. This plant, along with the Delta Township plant, makes the finest cars in the world. There is no reason to not buy American.

Please join me in honoring the accomplishments of the Lansing Grand River Assembly Plant and its workers for their commitment to Michigan's legacy as a leader in the automotive industry.

Senator Hertel's statement is as follows:

I want to say to all my colleagues how proud I am that here in Michigan, we make the best cars in the world. We use the best company in the world and, most importantly, the best workers in the world. We should all be proud of what has been accomplished here in Michigan, and most importantly, in Rick's and my districts.

Thank you to all of you.

By unanimous consent the Senate proceeded to the order of

### **Resolutions**

Senator Kowall moved that consideration of the following resolutions be postponed for today:

**House Concurrent Resolution No. 3**

**Senate Resolution No. 76**

**Senate Resolution No. 75**

**Senate Resolution No. 12**

The motion prevailed.

Senators Hildenbrand, Schuitmaker and MacGregor offered the following resolution:

**Senate Resolution No. 145.**

A resolution to designate February 18, 2016, as Conductive Education Day.

Whereas, Conductive education (CE) was developed over sixty years ago in Hungary by Dr. András Pető; and

Whereas, CE is a unique teaching system that maximizes the independence and mobility of children and adults with neuromotor disabilities, such as stroke survivors and those with cerebral palsy, multiple sclerosis, acquired brain injuries, Parkinson's disease, and spina bifida; and

Whereas, CE operates from a core belief in neuroplasticity, the lifelong ability of the brain to reorganize neural pathways based on new experiences, and on the premise that no matter how severe the disability, people can learn and improve when they are motivated; and

Whereas, CE has the potential to make a significant, life-changing impact on the mobility and independence of close to 9 million people in the United States and Canada; and

Whereas, CE helps individuals learn their way to independence; now, therefore, be it

Resolved by the Senate, That the members of this legislative body recognize February 18, 2016, as Conductive Education Day in the state of Michigan. We encourage support for this important program that increases the independence of people with disabilities in our community; and be it further

Resolved, That a copy of this resolution be transmitted to the Association for Conductive Education in North America with our highest esteem.

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 Bieda, Booher, Brandenburg, Emmons, Hansen, Hertel, Knezek, Knollenberg, Marleau and Proos were named co-sponsors of the resolution.

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

The motion prevailed.

Senator Hildenbrand's statement is as follows:

Today I ask for your support of Senate Resolution No. 145, a resolution designating today, February 18, as Conductive Education Day in the state of Michigan. I have a special guest in the east Gallery as well whom I will recognize in a moment.

First, I would like to explain a little bit about conductive education. The Conductive Learning Center in Grand Rapids serves children from birth to age 26 who have motor disorders related to complications from prematurity, cerebral palsy, spina bifida, or brain injury. For these children with motor disorders, even the smallest task like eating, buttoning a shirt, or sitting in a chair can be monumental. The Conductive Learning Center is an amazing place that I have had the opportunity to visit several times throughout the years. They do amazing work. People come from all over the country with their children to take advantage of their great service and programming.

In the east Gallery, with us is Karen Mueller O'Neill, the executive director of the center. Please help me welcome her and thank her for all she and her team do at the Conductive Learning Center in Grand Rapids.

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 Hertel as Chairperson.

After some time spent therein, the Committee arose; and the Assistant President pro tempore, Senator O'Brien, having assumed the Chair, the Committee reported back to the Senate, favorably and without amendment, the following bills:

#### **House Bill No. 4727, entitled**

A bill to amend 1959 PA 259, entitled "Tall structure act," by amending sections 1, 2a, 2d, 6, and 7 (MCL 259.481, 259.482a, 259.482d, 259.486, and 259.487), sections 1, 6, and 7 as amended and sections 2a and 2d as added by 1986 PA 296, and by adding section 2f.

#### **House Bill No. 4888, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 24 (MCL 211.24), as amended by 2012 PA 409.

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 amendments, the following bill:

#### **Senate Bill No. 566, entitled**

A bill to provide protection from civil liability for individuals who take certain actions to prevent harm to minors or animals.

The following are the amendments recommended by the Committee of the Whole:

1. Amend page 2, line 10, after "before" by inserting "or after".
2. Amend page 2, following line 25, by inserting:

"Enacting section 1. This act takes effect 90 days after the date it is enacted into law."

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

By unanimous consent the Senate returned to the order of

### **Messages from the House**

Senator Johnson entered the Senate Chamber.

#### **Senate Bill No. 176, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending the title and sections 20d, 212, 304, 319, 625k, 625l, and 732a (MCL 257.20d, 257.212, 257.304, 257.319, 257.625k, 257.625l, and 257.732a), the title as amended by 2013 PA 231, section 20d as added by 2008 PA 462, sections 212 and 319 as amended by 2015 PA 11, section 304 as amended by 2013 PA 226, sections 625k and 625l as amended by 2008 PA 461, and section 732a as amended by 2014 PA 250, and by adding section 625q.

The House of Representatives has substituted (H-1) the bill.

The House of Representatives has passed the bill as substituted (H-1), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

Pending the order that, under rule 3.202, the bill be laid over one day,  
Senator Kowall moved that the rule be suspended.

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

The question being on concurring in the substitute made to the bill by the House,

The substitute was concurred in, a majority of the members serving voting therefor, as follows:

**Roll Call No. 63****Yeas—35**

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

**Nays—2**

Colbeck	Gregory
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**Excused—1**

Ananich

**Not Voting—0**

In The Chair: O'Brien

The President, Lieutenant Governor Calley, resumed the Chair.

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 full title.

The bill was referred to the Secretary for enrollment printing and presentation to the Governor.

**Senate Bill No. 357, entitled**

A bill to amend 1974 PA 300, entitled "Motor vehicle service and repair act," by amending sections 2 and 10 (MCL 257.1302 and 257.1310), section 2 as amended by 1988 PA 254 and section 10 as amended by 2000 PA 366, and by adding sections 6a and 10a.

The House of Representatives has amended the bill as follows:

1. Amend page 5, line 23, after "(1)" by striking out "AN" and inserting "**SUBJECT TO SUBSECTION (3), AN**".

2. Amend page 6, line 14, by striking out all of subdivision (J) and inserting:

"(J) **BAID SERVICE.**".

3. Amend page 6, following line 19, by inserting:

**“(3) ON APPLICATION, THE DEPARTMENT SHALL ISSUE AN INITIAL SPECIALTY MECHANIC’S CERTIFICATE IN BAIIID SERVICE, WITHOUT EXAMINATION, TO AN INDIVIDUAL WHO HOLDS A VALID SPECIALTY MECHANIC’S CERTIFICATE IN ELECTRICAL SYSTEMS REPAIR ON THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED THIS SUBSECTION.”** and renumbering the remaining subsections.

The House of Representatives has passed the bill as amended, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

Pending the order that, under rule 3.202, the bill be laid over one day,

Senator Kowall moved that the rule be suspended.

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

The question being on concurring in the amendments made to the bill by the House,

The amendments were concurred in, a majority of the members serving voting therefor, as follows:

**Roll Call No. 64**

**Yeas—35**

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

**Nays—2**

Colbeck Gregory

**Excused—1**

Ananich

**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 full title.

The bill was referred to the Secretary for enrollment printing and presentation to the Governor.

**Senate Bill No. 554, entitled**

A bill to amend 1978 PA 368, entitled “Public health code,” (MCL 333.1101 to 333.25211) by adding section 16206.

The House of Representatives has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

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 full title.

The bill was referred to the Secretary for enrollment printing and presentation to the Governor.



**Senate Bill No. 555, entitled**

A bill to amend 1980 PA 299, entitled "Occupational code," by amending section 210 (MCL 339.210).

The House of Representatives has substituted (H-1) the bill.

The House of Representatives has passed the bill as substituted (H-1), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

Pending the order that, under rule 3.202, the bill be laid over one day,

Senator Kowall moved that the rule be suspended.

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

The question being on concurring in the substitute made to the bill by the House,

The substitute was concurred in, a majority of the members serving voting therefor, as follows:

**Roll Call No. 65****Yeas—37**

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

**Nays—0****Excused—1**

Ananich

**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 full title.

The bill was referred to the Secretary for enrollment printing and presentation to the Governor.

**Senate Bill No. 588, entitled**

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

The House of Representatives has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

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 full title.

The bill was referred to the Secretary for enrollment printing and presentation to the Governor.

The Assistant President pro tempore, Senator O'Brien, resumed the Chair.

### Third Reading of Bills

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

**Senate Bill No. 667**

**House Bill No. 4980**

**Senate Bill No. 651**

**Senate Bill No. 652**

**Senate Bill No. 653**

The motion prevailed.

The following bill was read a third time:

**Senate Bill No. 667, entitled**

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 609 (MCL 436.1609), as amended by 2014 PA 353, and by adding sections 609a and 609b.

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. 66

**Yeas—37**

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

**Nays—0**

**Excused—1**

Ananich

**Not Voting—0**

In The Chair: O'Brien

The Senate agreed to the title of the bill.

The following bill was read a third time:

**House Bill No. 4980, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 12f of chapter XVII (MCL 777.12f), as amended by 2014 PA 220.

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. 67****Yeas—37**

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

**Nays—0****Excused—1**

Ananich

**Not Voting—0**

In The Chair: O'Brien

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 codify the laws relating to criminal procedure and to define the jurisdiction, powers, and duties of courts, judges, and other officers of the court under the provisions of this act; to provide laws relative to the rights of persons accused of criminal offenses and ordinance violations; to provide for the arrest of persons charged with or suspected of criminal offenses and ordinance violations; to provide for bail of persons arrested for or accused of criminal offenses and ordinance violations; to provide for the examination of persons accused of criminal offenses; to regulate the procedure relative to grand juries, indictments, informations, and proceedings before trial; to provide for trials of persons complained of or indicted for criminal offenses and ordinance violations and to provide for the procedure in those trials; to provide for judgments and sentences of persons convicted of criminal offenses and ordinance violations; to establish a sentencing commission and to prescribe its powers and duties; to provide for procedure relating to new trials and appeals in criminal and ordinance violation cases; to provide a uniform system of probation throughout this state and the appointment of probation officers; to prescribe the powers, duties, and compensation of probation officers; to provide penalties for the violation of the duties of probation officers; to provide for procedure governing proceedings to prevent crime and proceedings for the discovery of crime; to provide for fees of officers, witnesses, and others in criminal and ordinance violation cases; to set forth miscellaneous provisions as to criminal procedure in certain cases; to provide penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act.”

The Senate agreed to the full title.

The following bill was read a third time:

**Senate Bill No. 651, entitled**

A bill to provide for exemption of certain property from certain taxes; to levy and collect a specific tax upon the owners of certain property; to provide for the disposition of the tax; to prescribe the powers and duties of certain local government officials; and to provide penalties.

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. 68****Yeas—37**

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

**Nays—0****Excused—1**

Ananich

**Not Voting—0**

In The Chair: O'Brien

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 652, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 7jj (MCL 211.7jj[1]), as amended by 2015 PA 107, and by adding section 7vv.

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. 69****Yeas—37**

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

**Nays—0**

**Excused—1**

Ananich

**Not Voting—0**

In The Chair: O'Brien

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 653, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 51108 (MCL 324.51108), as amended by 2014 PA 146.

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. 70****Yeas—37**

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

**Nays—0****Excused—1**

Ananich

**Not Voting—0**

In The Chair: O'Brien

The Senate agreed to the title of the bill.

By unanimous consent the Senate proceeded to the order of

**Introduction and Referral of Bills**

Senators MacGregor, O'Brien, Knezek, Zorn, Gregory, Nofs, Hildenbrand, Green and Emmons introduced

**Senate Bill No. 809, entitled**

A bill to create the office of the Michigan veterans' facility ombudsman; and to prescribe the powers and duties of the office, the ombudsman, the legislative council, and the department of military and veterans affairs.

The bill was read a first and second time by title and referred to the Committee on Veterans, Military Affairs and Homeland Security.

Senators Warren, Gregory, Young, Bieda and Hertel introduced

**Senate Bill No. 810, entitled**

A bill to amend 1927 PA 372, entitled “An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms, gas ejecting devices, and electro-muscular disruption devices; to prohibit the buying, selling, or carrying of certain firearms, gas ejecting devices, and electro-muscular disruption devices without a license or other authorization; to provide for the forfeiture of firearms and electro-muscular disruption devices under certain circumstances; to provide for penalties and remedies; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; to prohibit certain conduct against individuals who apply for or receive a license to carry a concealed pistol; to make appropriations; to prescribe certain conditions for the appropriations; and to repeal all acts and parts of acts inconsistent with this act,” by amending sections 2 and 2a (MCL 28.422 and 28.422a), section 2 as amended by 2015 PA 200 and section 2a as amended by 2016 PA 6.

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

### Statements

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

The motion prevailed.

Senator Young’s statement is as follows:

Madam President, I would like to start with a quote. New York Senator Chuck Schumer has the right attitude when it comes to teachers. He said, “I think teaching should be an exalted profession, not a picked-on profession.” Let’s be clear: Teachers are getting picked on, especially in this state. We have a group of teachers in Detroit working hard under increasingly adverse conditions. Because they have to resort to extreme measures to advocate for their students’ safety, my colleagues on the other side of the aisle have fixated almost exclusively on punitive rather than innovative solutions.

This is all too apparent in the plan the House GOP released yesterday. They say they’re focused on giving kids a quality education and a chance for a better future, but they’re trying to do that by reducing teacher benefits and stripping their First Amendment rights to collectively bargain. Instead of providing a comprehensive facilities plan or addressing the atrocious building conditions that prompted sick-outs, their plan just wants to make it harder to speak up.

I’m not sure how that is going to attract new talent or retain quality teachers, especially given the shortage that Detroit is facing now. I get it that money matters. While fiscal solvency is important and while I think we all want to make sure that districts get paid for quality education without burdening the rest of the state, we can’t simply just focus on the balance sheet. That’s what this plan does. It puts cash over kids. It puts profits over people and it’s wrong. I have teachers in my district who are teaching in schools with black mold, with mushrooms growing out of the floor, and with human fecal matter. Human fecal matter, Madam President, can you imagine that? You are a teacher trying to shape the brightest and smartest young minds, and the basic test of providing an environmentally-safe place for children to learn in is being failed miserably. It is wrong and it has to stop.

This plan will keep the district under state control for another eight years under the guise of fiscal oversight. We all know how well that has worked for the past 15 years. That’s a joke, because it didn’t work out. It sucked and was terrible. Instead of proposing a reliable revenue stream going forward, as my colleague from the 6th District has done, they want to earmark loophole money from the General Fund. That money, I might add, my colleague from the 27th District would like to use to save the people of Flint. We need a plan that listens to teachers, parents, and students, one that tackles wrap-around services, saves reliable transportation to and from school, overcrowding, and provides a foundation for academic excellence. This plan does none of that.

We need to step back from determining academic standards because we can’t just impose a grading system on one school district without imposing them statewide. It is just not fair. The bottom line is that if we don’t put together a comprehensive plan before April, the district will go bankrupt, and everyone will suffer. We need to be responsible, and we need to stop wasting time with outlandish plans.

### Committee Reports

The Committee on Judiciary reported

**House Bill No. 4321, entitled**

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” (MCL 760.1 to 777.69) by adding section 25c. With the recommendation that the bill 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 was referred to the Committee of the Whole.

The Committee on Judiciary reported

**House Bill No. 4353, 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," by amending section 1 (MCL 287.331), as amended by 1997 PA 7, and by adding section 8c.

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.

The Committee on Judiciary reported

**House Bill No. 4355, 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.

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.

The Committee on Judiciary reported

**House Bill No. 4747, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 5821 (MCL 600.5821), as amended by 1988 PA 35.

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, February 16, 2016, at 3:00 p.m., Rooms 402 and 403, Capitol Building

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

The Committee on Health Policy reported

**House Bill No. 4812, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 17702, 17704, and 17755 (MCL 333.17702, 333.17704, and 333.17755), sections 17702 and 17704 as amended by 2014 PA 280.

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.

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, February 16, 2016, at 12:30 p.m., Rooms 402 and 403, Capitol Building

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

The Committee on Banking and Financial Institutions reported

**Senate Bill No. 656, entitled**

A bill to amend 1980 PA 299, entitled "Occupational code," by amending section 901 (MCL 339.901), as amended by 2014 PA 560.

With the recommendation that the bill pass.

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

Darwin L. Booher  
Chairperson

To Report Out:

Yeas: Senators Booher, O'Brien, Nofs, MacGregor, Rocca, Hertel and Young

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Banking and Financial Institutions reported

**Senate Bill No. 657, entitled**

A bill to amend 1981 PA 70, entitled "An act to regulate the collection practices of certain persons; to provide for the powers and duties of certain state agencies; and to provide penalties and civil fines," by amending section 1 (MCL 445.251).

With the recommendation that the bill pass.

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

Darwin L. Booher  
Chairperson

To Report Out:

Yeas: Senators Booher, O'Brien, Nofs, MacGregor, Rocca, Hertel and Young

Nays: None

The bill was referred to the Committee of the Whole.

#### COMMITTEE ATTENDANCE REPORT

The Committee on Banking and Financial Institutions submitted the following:

Meeting held on Tuesday, February 16, 2016, at 2:30 p.m., Room 405, Capitol Building

Present: Senators Booher (C), O'Brien, Nofs, Zorn, MacGregor, Rocca, Hertel and Young

The Committee on Finance reported

**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.



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

Jack M. Brandenburg  
Chairperson

To Report Out:

Yeas: Senators Brandenburg, Robertson, Knollenberg, Casperson, Proos, Bieda and Warren  
Nays: None  
The bill was referred to the Committee of the Whole.

The Committee on Finance reported  
**House Bill No. 4817, entitled**

A bill to establish the Michigan junior achievement fund in the department of treasury; to provide for the distribution of the money from the fund; to prescribe the powers and duties of certain agencies and officials; and to provide for appropriations.

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.

Jack M. Brandenburg  
Chairperson

To Report Out:

Yeas: Senators Brandenburg, Robertson, Knollenberg, Casperson, Proos, Bieda and Warren  
Nays: None  
The bill and the substitute recommended by the committee were referred to the Committee of the Whole.

The Committee on Finance reported  
**House Bill No. 4818, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 435 (MCL 206.435), as amended by 2013 PA 92.

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.

Jack M. Brandenburg  
Chairperson

To Report Out:

Yeas: Senators Brandenburg, Robertson, Knollenberg, Casperson, Proos, Bieda and Warren  
Nays: None  
The bill and the substitute recommended by the committee were referred to the Committee of the Whole.

The Committee on Finance reported  
**House Bill No. 4887, entitled**

A bill to amend 2000 PA 161, entitled "Michigan education savings program act," by amending section 9 (MCL 390.1479), as amended by 2007 PA 153.

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

Jack M. Brandenburg  
Chairperson

To Report Out:

Yeas: Senators Brandenburg, Robertson, Knollenberg, Casperson, Proos, Bieda and Warren  
Nays: None  
The bill was referred to the Committee of the Whole.

#### COMMITTEE ATTENDANCE REPORT

The Committee on Finance submitted the following:

Meeting held on Tuesday, February 16, 2016, at 2:30 p.m., Room 210, Farnum Building

Present: Senators Brandenburg (C), Robertson, Knollenberg, Casperson, Proos, Bieda and Warren

The Committee on Outdoor Recreation and Tourism reported

**Senate Bill No. 672, entitled**

A bill to amend 1998 PA 386, entitled "Estates and protected individuals code," by amending section 5109 (MCL 700.5109), as added by 2011 PA 61.

With the recommendation that the bill pass.

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

Goeffrey M. Hansen  
Chairperson

To Report Out:

Yeas: Senators Hansen, Zorn, Schmidt and Green

Nays: None

The bill was 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 17, 2016, at 12:30 p.m., Room 110, Farnum Building

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

The Committee on Appropriations reported

**Senate Bill No. 729, entitled**

A bill to amend 1851 PA 156, entitled "An act to define the powers and duties of the county boards of commissioners of the several counties, and to confer upon them certain local, administrative and legislative powers; and to prescribe penalties for the violation of the provisions of this act," by amending section 11 (MCL 46.11), as amended by 2012 PA 15.

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, Knezek and Young

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, February 17, 2016, at 2:00 p.m., Harry T. Gast 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

#### COMMITTEE ATTENDANCE REPORT

The Subcommittee on K-12, School Aid, Education submitted the following:

Meeting held on Wednesday, February 17, 2016, at 8:30 a.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building

Present: Senators Hansen (C), Pavlov and Hopgood

#### COMMITTEE ATTENDANCE REPORT

The Subcommittee on Corrections submitted the following:

Meeting held on Wednesday, February 17, 2016, at 12:30 p.m., Room 405, Capitol Building

Present: Senators Proos (C), Knollenberg and Gregory

## COMMITTEE ATTENDANCE REPORT

The Subcommittee on General Government submitted the following:

Meeting held on Thursday, February 18, 2016, at 8:30 a.m., Room 110, Farnum Building

Present: Senators Stamas (C), Nofs, Booher and Young

## COMMITTEE ATTENDANCE REPORT

The Subcommittee on Transportation submitted the following:

Meeting held on Thursday, February 18, 2016, at 9:00 a.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building

Present: Senators Hansen (C), Knollenberg and Young

## Scheduled Meetings

## Appropriations -

## Subcommittees -

**Agriculture and Rural Development** - Tuesdays, February 23, March 1, March 8, March 15, and March 22, 3:00 p.m., Rooms 402 and 403, Capitol Building (373-2768)

**Community Colleges** - Tuesday, February 23, 9:15 a.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building; Friday, March 18, 1:00 p.m., Kirtland Community College, Rooms 251-252, Administration Building, 10775 N. Saint Helen Road, Roscommon; and Wednesday, March 23, 9:00 a.m., Room 100, Farnum Building (373-2768)

**General Government** - Thursdays, February 25 and March 3, 8:30 a.m., Room 100, Farnum Building (373-2768)

**Health and Human Services** - Tuesdays, February 23 and March 1, 2:30 p.m., Senate Hearing Room, Ground Floor, Boji Tower; Thursday, March 3, 1:00 p.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building; Tuesday, March 8, 2:30 p.m., Senate Hearing Room, Ground Floor, Boji Tower; and Thursday, March 10, 1:00 p.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building (373-2768)

**Higher Education and House Higher Education Appropriations Subcommittee** - Thursday, February 25, 1:00 p.m. or later after committees are given leave by the House to meet, House Appropriations Room, 3rd Floor, Capitol Building; Monday, February 29, 1:00 p.m., Curtiss Hall, Conference Rooms B and C, Saginaw Valley State University, 7400 Bay Road, University Center; and Wednesday, March 2, 3:00 p.m. or later after committees are given leave by the House to meet, House Appropriations Room, 3rd Floor, Capitol Building (373-2768)

**State Police and Military Affairs** - Tuesdays, February 23, March 1, March 8, and March 15, 8:30 a.m., Rooms 402 and 403; March 22, 8:30 a.m., Room 405; and May 3, 8:30 a.m., Rooms 402 and 403, Capitol Building (373-2768)

**Transportation** - Thursdays, February 25, March 3, March 10, March 17, and March 24, 9:00 a.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building (373-2768)

**Local Government** - Tuesday, February 23, 12:30 p.m., Room 100, Farnum Building (373-5312)

Senator Kowall moved that the Senate adjourn.

The motion prevailed, the time being 11:02 a.m.

The Assistant President pro tempore, Senator O'Brien, declared the Senate adjourned until Tuesday, February 23, 2016, at 10:00 a.m.

JEFFREY F. COBB  
Secretary of the Senate

