

No. 35
STATE OF MICHIGAN
Journal of the Senate
98th Legislature
REGULAR SESSION OF 2016

Senate Chamber, Lansing, Thursday, April 14, 2016.

10:00 a.m.

The Senate was called to order by the Assistant President pro tempore, Senator Margaret E. O'Brien.

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

Dr. Douglas Jackson of Community Baptist Church of Saginaw offered the following invocation:

Heavenly Father, we are so thankful for the freedom we enjoy in the United States of America. Father, we are thankful for the great state of Michigan. Heavenly Father, I pray that You would continue to be with the Senate. I pray, Father, that You would bless them. Thank You for these Senators and their staffs. Father, I pray that You would give them the character, the wisdom, and the forbearance that they need as they serve the people of Michigan.

I pray now, Father, that You would help them this day as they are involved in many different issues. Give them a good day where they find common ground as they discuss and debate. As they vote on different issues, strengthen them, heavenly Father. I thank You for them.

I pray that You would bless their families, protect them, and Father, I pray that You would encourage their hearts as they serve in Jesus' name. Amen.

The Assistant President pro tempore, Senator O'Brien, led the members of the Senate in recital of the *Pledge of Allegiance*.

Motions and Communications

Senators Emmons, Green and Schmidt entered the Senate Chamber.

Senator Kowall moved that Senators Casperson, Hansen, Pavlov and Robertson be temporarily excused from today's session.

The motion prevailed.

Senator Hood moved that Senator Ananich 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 Warren admittance to the Senate floor.

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

Senators Hansen, Ananich, Casperson and Pavlov entered the Senate Chamber.

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

The motion prevailed.

Senator Meekhof's statement is as follows:

As we work diligently to serve our constituents, we have many people who work with us and for us and for the people of the state of Michigan. One of these people is Leta Howard. She will be leaving us as she is retiring, so it is my opportunity to honor her today. We all appreciate the staffs we have, but I want to pay special attention to this retirement. I will read just a little of a Special Tribute for her:

“LET IT BE KNOWN, It is with great pleasure that we extend our highest praise to Mrs. Leta Howard in acknowledgment of the excellent job she has done during her 20-year career in the Michigan Senate. A caring and concerned employee, Leta exemplifies a truly selfless spirit. Her experience, enthusiasm, and dedication to the Michigan Senate will be greatly missed following her retirement.

A native of Jackson, Mrs. Howard began her career in the Michigan Senate many years ago as an intern to former Senator Phil Hoffman. Her outstanding work ethic led to a full-time position with Senator Hoffman's office. From there, Leta took her legislative expertise to the office of former Senator Bev Hammerstrom and then to the office of former Senator Alan Sanborn, until she was ultimately brought into the Senate Committee Clerks' office by former Senate Majority Leader Randy Richardville. Although elections had a way of moving her from office to office, Leta has stayed with the Michigan Senate for over two decades. Her unyielding commitment, dedication, and positive attitude will be greatly missed around the Capitol.

Mrs. Howard's retirement provides a wonderful opportunity to recognize a selfless individual whose countless efforts have made a positive difference in the Michigan Senate. An exemplary staffer for over 20 years, Leta has helped calm many agitated colleagues and constituents with her patience, kind words, or delicious homemade baked goods. This is a most appropriate time for us to acknowledge Leta's many contributions and to let her know of our deep sadness that we will no longer be the happy recipients of Caramel-Leta's.

Retirement will open a new chapter in Mrs. Howard's life, as she and her husband Dave plan to head South and enjoy the warmer winters the sunny state of Florida has to offer. Surrounded by palm trees, pools, and golf carts, the Howards will be living the dream at the Villages. While Florida has much to offer, their summers will be filled with frequent visits back to Michigan to enjoy friends and family at the cabin in Wellston.

IN SPECIAL TRIBUTE, Therefore, this document is signed and dedicated to commend and congratulate Mrs. Leta Howard for her exceptional career with the Michigan Senate. May Leta and her family know of our sincerest appreciation and admiration as we send her South with our warmest wishes for happiness on her retirement."

The Secretary announced that the following House bills were received in the Senate and filed on Wednesday, April 13:
House Bill Nos. 4580 5464

The Secretary announced that the following bills were printed and filed on Wednesday, April 13, and are available at the Michigan Legislature website:

Senate Bill Nos. 878 879 880 881 882
House Bill Nos. 5545 5546 5547 5548 5549 5550 5551 5552 5553 5554 5555 5556 5557 5558 5559

Messages from the Governor

Senator Robertson entered the Senate Chamber.

The following messages from the Governor were received and read:

March 30, 2016

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

Chair - 21st Century Infrastructure Commission

Evan Weiner of 27235 Ovid Court, Franklin, Michigan 48025, county of Oakland, is appointed for a term expiring at the pleasure of the Governor.

21st Century Infrastructure Commission

Janice Beecher of 5555 Star Flower Drive, Haslett, Michigan 48840, county of Ingham, is appointed for a term expiring at the pleasure of the Governor.

Roger Blake of 1197 Harvard Drive, Berkley, Michigan 48072, county of Oakland, is appointed for a term expiring at the pleasure of the Governor.

Robert J. Daddow of 5875 Wellwood Drive, Rochester, Michigan 48306, county of Oakland, is appointed for a term expiring at the pleasure of the Governor.

Eric R. DeLong of 27 Library Street, N.E., #402, Grand Rapids, Michigan 49503, county of Kent, is appointed for a term expiring at the pleasure of the Governor.

Carl L. English of 32425 Bingham Road, Bingham Farms, Michigan 48025, county of Oakland, is appointed for a term expiring at the pleasure of the Governor.

Sue Foune of P.O. Box 35682, 52nd Avenue, Paw Paw, Michigan 49079, county of Van Buren, is appointed for a term expiring at the pleasure of the Governor.

Joi Harris of 6357 Charles Drive, West Bloomfield, Michigan 48322, county of Oakland, is appointed for a term expiring at the pleasure of the Governor.

Robert G. Leach of 2913 Parkview Drive, Marquette, Michigan 49855, county of Marquette, is appointed for a term expiring at the pleasure of the Governor.

Michael A. Nystrom of 634 Applegate Lane, East Lansing, Michigan 48823, county of Ingham, is appointed for a term expiring at the pleasure of the Governor.

Evan Pratt of 1626 Harbal Drive, Ann Arbor, Michigan 48105, county of Washtenaw, is appointed for a term expiring at the pleasure of the Governor.

Albert D. Rothwell of 5527 Great Hawk Circle, Ann Arbor, Michigan 48105, county of Washtenaw, is appointed for a term expiring at the pleasure of the Governor.

Brian Steglitz of 400 Mark Hannah Place, Ann Arbor, Michigan 48103, county of Washtenaw, is appointed for a term expiring at the pleasure of the Governor.

Helen J. Taylor of 4621 Ottawa Lane, Okemos, Michigan 48864, county of Ingham, is appointed for a term expiring at the pleasure of the Governor.

Louis J. Taylor of 4631 Hamlet Drive South, Saginaw, Michigan 48603, county of Saginaw, is appointed for a term expiring at the pleasure of the Governor.

Evan Weiner of 27235 Ovid Court, Franklin, Michigan 48025, county of Oakland, is appointed for a term expiring at the pleasure of the Governor.

April 7, 2016

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

Certificate of Need Commission

Denise Brooks-Williams of 19225 Parkside Street, Detroit, Michigan 48221, county of Wayne, a Democrat, representing hospitals, succeeding herself, is reappointed for a term expiring January 1, 2019.

James B. Falahee of 7463 Cottage Oaks Drive, Portage, Michigan 49024, county of Kalamazoo, a Republican, representing hospitals, succeeding himself, is reappointed for a term expiring January 1, 2019.

April 7, 2016

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

Hispanic/Latino Commission of Michigan

Jeremiah Hernandez of 506 S. DeWitt Drive, DeWitt, Michigan 48820, county of Clinton, succeeding himself, is reappointed for a term expiring December 10, 2018.

April 7, 2016

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

Michigan Indigent Defense Commission

Frank D. Eaman of 26716 York Road, Huntington Woods, Michigan 48070, county of Oakland, representing members submitted by the Criminal Defense Attorneys of Michigan, succeeding himself, is reappointed for a term expiring April 1, 2020.

Brandy Y. Robinson of 4031 Fullerton Avenue, Detroit, Michigan 48238, county of Wayne, representing those whose primary mission or purpose is to advocate for minority interests, succeeding herself, is reappointed for a term expiring April 1, 2020.

John A. Shea of 13787 Waterloo Road, Chelsea, Michigan 48118, county of Washtenaw, representing members submitted by the Criminal Defense Attorneys of Michigan, succeeding himself, is reappointed for a term expiring April 1, 2020.

William W. Swor of 1504 Huntington Boulevard, Grosse Pointe Woods, Michigan 48236, county of Wayne, representing members submitted by the Criminal Defense Attorneys of Michigan, succeeding himself, is reappointed for a term expiring April 1, 2020.

April 7, 2016

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

Michigan Task Force on Physician's Assistants

Lara M. Davis of 1350 McCully Lane, Fenton, Michigan 48430, county of Genesee, representing physician's assistants, succeeding April Adado, is appointed for a term expiring December 31, 2019.

Megan Dietrich of 1507 Roseland Avenue, Royal Oak, Michigan 48073, county of Oakland, representing physician's assistants, succeeding Joel Kutz, is appointed for a term expiring December 31, 2019.

Maryam Komejan of 184 West 37th Street, Holland, Michigan 49423, county of Allegan, representing the general public, succeeding Lisa Hadden, is appointed for a term expiring December 31, 2019.

April 7, 2016

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

Chair - Committee on the Purchase of Goods and Services from Community Rehabilitation Organizations

Todd Culver of 5599 Wood Valley Drive, Haslett, Michigan 48840, county of Ingham, representing statewide nonprofit concerned with community rehabilitation organizations, succeeding himself, is reappointed for a term expiring at the pleasure of the Governor.

Committee on the Purchase of Goods and Services from Community Rehabilitation Organizations

Justin Caine of 2326 Alpha Street, Lansing, Michigan 48910, county of Ingham, representing members-at-large, succeeding himself, is reappointed for a term expiring March 31, 2018.

Meelad A. Ellis of 4347 Blackberry Lane, Lansing, Michigan 48917, county of Eaton, representing members-at-large, succeeding himself, is reappointed for a term expiring March 31, 2018.

Karsten K. Bekemeier of 2399 Kings Cross, East Lansing, Michigan 48823, county of Ingham, representing the Michigan Rehabilitation Services, succeeding himself, is reappointed for a term expiring March 31, 2018.

Genevieve Hayes of 1923 Bonnieview Drive, Royal Oak, Michigan 48073, county of Oakland, representing purchasing division of the department, succeeding herself, is reappointed for a term expiring March 31, 2018.

Todd Culver of 5599 Wood Valley Drive, Haslett, Michigan 48840, county of Ingham, representing statewide nonprofit concerned with community rehabilitation organizations, succeeding himself, is reappointed for a term expiring March 31, 2018.

April 7, 2016

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

State of Michigan Retirement Board

David H. Sawyer of 821 Pinecrest Avenue, S.E., Grand Rapids, Michigan 49506, county of Kent, representing one member or retiree of the Judges' Retirement System, succeeding Diane D'Agostini, is appointed for a term expiring December 31, 2017.

April 7, 2016

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

Michigan Wildlife Council

Edgar Roy of 7140 Logan Lane, Traverse City, Michigan 49686, county of Grand Traverse, representing individuals who have purchased hunting or fishing licenses in this state on a regular basis at least once during each of the last three years, succeeding Alan Taylor, is appointed for a term expiring March 31, 2020.

James H. Hammill of 235 Soderena Road, Crystal Falls, Michigan 49920, county of Iron, representing individuals who have purchased hunting or fishing licenses in this state on a regular basis at least once during each of the last three years and a resident of the Upper Peninsula, succeeding himself, is reappointed for a term expiring March 31, 2020.

Sincerely,
Rick Snyder
Governor

The appointments were referred to the Committee on Government Operations.

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 Assistant President pro tempore, Senator O'Brien, designated Senator Stamas as Chairperson.

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

House Bill No. 4660, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 3515 (MCL 500.3515), as amended by 2005 PA 306.

House Bill No. 4661, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by repealing section 2477d (MCL 500.2477d).

House Bill No. 4662, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by repealing section 2409c (MCL 500.2409c).

House Bill No. 4663, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 2213b (MCL 500.2213b), as amended by 2013 PA 5.

House Bill No. 4664, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by repealing sections 2409 and 2409a (MCL 500.2409 and 500.2409a).

House Bill No. 4665, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by repealing sections 2477, 2477a, 2477b, and 2477c (MCL 500.2477, 500.2477a, 500.2477b, and 500.2477c).

House Bill No. 4666, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 16243 (MCL 333.16243), as amended by 1993 PA 79.

House Bill No. 4667, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by repealing section 2409b (MCL 500.2409b).

House Bill No. 4668, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 803 (MCL 436.1803). The bills were placed on the order of Third Reading of Bills.

By unanimous consent the Senate returned to the order of

Messages from the House**Senate Bill No. 508, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 145e. 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. 509, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 145f. 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.

Third Reading of Bills

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

House Bill No. 4476

House Bill No. 4477

House Bill No. 4478

House Bill No. 4479

House Bill No. 4480

House Bill No. 4481

House Bill No. 4788

The motion prevailed.

The following bill was read a third time:

House Bill No. 4476, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," (MCL 600.101 to 600.9947) by adding section 1035. 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. 167**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: 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 and consolidate the statutes relating to the organization and jurisdiction of the courts of this state; the powers and duties of the courts, and of the judges and other officers of the courts; the forms and attributes of civil claims and actions; the time within which civil actions and proceedings may be brought in the courts; pleading, evidence, practice, and procedure in civil and criminal actions and proceedings in the courts; to provide for the powers and duties of certain state governmental officers and entities; to provide remedies and penalties for the violation of certain provisions of this act; to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act; and to repeal acts and parts of acts.”.

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 4477, entitled

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending sections 227 and 316 (MCL 600.227 and 600.316).

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. 168**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: 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 and consolidate the statutes relating to the organization and jurisdiction of the courts of this state; the powers and duties of the courts, and of the judges and other officers of the courts; the forms and attributes of civil claims and actions; the time within which civil actions and proceedings may be brought in the courts; pleading, evidence, practice, and procedure in civil and criminal actions and proceedings in the courts; to provide for the powers and duties of certain state governmental officers and entities; to provide remedies and penalties for the violation of certain provisions of this act; to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act; and to repeal acts and parts of acts.”

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 4478, entitled

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending section 2950 (MCL 600.2950), as amended by 2001 PA 200.

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. 169

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: 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 and consolidate the statutes relating to the organization and jurisdiction of the courts of this state; the powers and duties of the courts, and of the judges and other officers of the courts; the forms and attributes of civil claims and actions; the time within which civil actions and proceedings may be brought in the courts; pleading, evidence, practice, and procedure in civil and criminal actions and proceedings in the courts; to provide for the powers and duties of certain state governmental officers and entities; to provide remedies and penalties for the violation of certain provisions of this act; to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act; and to repeal acts and parts of acts.”.

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 4479, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending section 81 (MCL 750.81), as amended by 2012 PA 366.

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. 170

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: 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, codify, and add to the statutes relating to crimes; to define crimes and prescribe the penalties and remedies; to provide for restitution under certain circumstances; to provide for the competency of evidence at the trial of persons accused of crime; to provide immunity from prosecution for certain witnesses appearing at criminal trials; to provide for liability for damages; and to repeal certain 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:

House Bill No. 4480, entitled

A bill to amend 1970 PA 91, entitled “Child custody act of 1970,” by amending section 3 (MCL 722.23), as amended by 1993 PA 259.

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. 171

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: 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 declare the inherent rights of minor children; to establish rights and duties to their custody, support, and parenting time in disputed actions; to establish rights and duties to provide support for a child after the child reaches the age of majority under certain circumstances; to provide for certain procedure and appeals; and to repeal certain acts and parts of acts.”.

The Senate agreed to the full title.

The President, Lieutenant Governor Calley, assumed the Chair.

The following bill was read a third time:

House Bill No. 4481, entitled

A bill to amend 1970 PA 91, entitled “Child custody act of 1970,” by amending sections 5 and 7a (MCL 722.25 and 722.27a), section 5 as amended by 1993 PA 259 and section 7a as amended by 2015 PA 50.

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. 172

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 declare the inherent rights of minor children; to establish rights and duties to their custody, support, and parenting time in disputed actions; to establish rights and duties to provide support for a child after the child reaches the age of majority under certain circumstances; to provide for certain procedure and appeals; and to repeal certain acts and parts of acts.”.

The Senate agreed to the full title.

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

The following bill was read a third time:

House Bill No. 4788, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 16d of chapter XVII (MCL 777.16d), as amended by 2012 PA 365.

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. 173

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: 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.

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

The motion prevailed.

Senators Warren, Horn and Schmidt offered the following resolution:

Senate Resolution No. 162.

A resolution recognizing April 17-23, 2016, as Michigan Venture Capital and Angel Investment Week.

Whereas, The Great Lakes region is one of the fastest-growing venture capital investment areas in the nation, and Michigan is leading the way; and

Whereas, The efforts of Michigan-based venture capital firms and national firms with offices in Michigan have caused Michigan to be among the top performers in the national venture capital and angel investing community, bucking national trends toward declining venture capital activity; and

Whereas, Over the last ten years, the number of companies receiving investment from venture capital firms has grown by over 125 percent in Michigan, which is more than ten times the national average; and

Whereas, The total venture capital available for new investment from firms headquartered or with an office in Michigan has increased by more than 165 percent over the past five years; and

Whereas, Michigan has seen more than 75 percent growth in the total venture capital under management in the last five years, with more than \$2.21 billion under management by firms headquartered in Michigan and more than \$3 billion under management by national firms with an office in Michigan; and

Whereas, Michigan-based venture capital firms are a conduit for bringing money from outside institutions to Michigan businesses, with more than 70 percent of money under management by Michigan-based venture capital firms coming from institutions outside of our state; and

Whereas, The demand for venture capital funding continues to climb, creating a need for more venture capital firms to locate here and more capital to be raised by firms already dedicated to investing in the state; and

Whereas, Since the Michigan Venture Capital Association (MVCA) was founded in 2002, it has become a catalyst for building a strong, diverse, and vibrant entrepreneurial and investment community in Michigan; and

Whereas, The MVCA is comprised of nearly 260 venture capitalists, angel investors, economic development organizations, higher education institutions, and industry service providers, all working together to build our state's economy; and

Whereas, The efforts of Michigan-based venture capital firms will cause more start-up companies to be funded, grow, and permanently locate in Michigan; now, therefore, be it

Resolved by the Senate, That we hereby recognize April 17-23, 2016, as Michigan Venture Capital and Angel Investment Week, in recognition of these firms' commitment to funding the brilliance and talent that resides in Michigan entrepreneurs and making Michigan the state where companies come to grow; and be it further

Resolved, That a copy of this resolution be transmitted to the Governor of the state of Michigan.

Pending the order that, under rule 3.204, the resolution be referred to the Committee on Government Operations,

Senator Kowall moved that the rule be suspended.

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

The resolution was adopted.

Senators Bieda, Booher, Hansen, Kowall and Proos were named co-sponsors of the resolution.

Senator Schmidt offered the following resolution:

Senate Resolution No. 163.

A resolution to commemorate May 2016 as Community Action Agency Month.

Whereas, Citizens with limited income continue to need opportunities to improve their lives and their living conditions, thus ensuring that all citizens are able to live in dignity; and

Whereas, Michigan and the entire United States must continue to promote economic security by providing support and opportunities for all citizens in need of assistance; and

Whereas, Community action agencies were established into law in 1964 under President Lyndon Johnson in effort to aid in the War on Poverty, making 2016 the fifty-second year of community action in the United States; and

Whereas, The month of May has been designated by the United States Congress as National Community Action Month; and

Whereas, Michigan's 29 community action agencies are the only community-based organizations providing full wrap-around, locally-directed services in all 83 counties in the state; and

Whereas, In 2015, Michigan community action agencies served 201,864 Michigan residents by providing early childhood education, Head Start, senior services, affordable housing, food assistance, energy assistance, financial literacy classes, and job training programs, among other services; and

Whereas, Additionally, 6,440 children improved their health and physical development through early childhood programs; 25,066 residents received assistance on tax preparation and refunds; 45,567 seniors maintained independent living situations; and 233,566 connections were made with other necessary assistance service providers and programs; and

Whereas, Community action agencies, in cooperation with the Michigan Department of Health and Human Services, have successfully administered weatherization assistance program funds which have supported energy-efficiency improvements; and

Whereas, Michigan's community action agencies have leveraged their federal allocation of the Community Services Block Grant and other federal, state, local, and private sources of funding to foster more than \$438 million in economic activity statewide in 2015; now, therefore, be it

Resolved by the Senate, That the members of this legislative body commemorate May 2016 as Community Action Agency Month in the state of Michigan; and be it further

Resolved, That a copy of this resolution be transmitted to the Michigan Community Action Agency Association.

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, Hansen, Kowall, Proos and Zorn were named co-sponsors of the resolution.

Senate Concurrent Resolution No. 28.

A concurrent resolution to approve an extension of the state of emergency in the county of Genesee and the city of Flint. (For text of resolution, see Senate Journal No. 34, p. 489.)

The House of Representatives has adopted the concurrent resolution.

The concurrent resolution was referred to the Secretary for record.

By unanimous consent the Senate proceeded to the order of
Statements

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

The motion prevailed.

Senator Knezek's statement is as follows:

You know, I've been the guy who's had to run out and buy tampons for a girlfriend. Maybe some of you have been in the same position. You're standing there at the counter at CVS with a \$4.99 box of tampons and a \$5.00 bill expecting to get a penny back. But instead, you end up having to search your pockets for spare change. Why? Because Michigan still subjects menstrual products to government sales and use taxes. It's ridiculous.

You're not taxed for your prescriptions, which are medically-necessary items, but if you need menstrual products because you're bleeding every month, you have to pay additional tax. That seems medically necessary to me. As much as we don't like to admit it, we do live in an unequal society; one where women's concerns and women's health are often not given the same priority as men's. Because Michigan's tax code was largely created by men, tampons and other menstrual products have been classified as optional, as luxury items. I doubt you'd find one woman who'd classify having a period as a luxury.

More than 50 percent of the population in Michigan depends on pads and tampons every month to live comfortably and hygienically. That's a problem for many low-income individuals, especially those who are homeless or displaced. We don't make it easy to get help either. Government assistance, like WIC, cannot be used to purchase feminine hygiene products. You can't use a health savings account to expense them either.

So when low-income individuals don't have either of those options available, they're forced to make tough choices; choices that mean going without, staying home, wearing a product for too long, or using unsanitary materials to get through their cycle. Imagine trying to manage your day at work or in school when you have your period, and you don't have the proper products on hand. The reality is that most of us have never had to deal with it. So let's make it easier. This may seem like a small amount of money to dwell on, but when you have to pay for these products every month for almost 40 years, those costs add up.

I believe it's time to eliminate the sales and use tax on feminine hygiene products. It's not the full solution for Michigan women, but it's a step in the right direction. We must remember, for many Michiganders, every penny counts. Colleagues, I encourage you to update the tax code, and end the unfair taxation on feminine hygiene products.

By unanimous consent the Senate returned to the order of
Introduction and Referral of Bills

Senator Hildenbrand introduced

Senate Bill No. 883, entitled

A bill to amend 1984 PA 431, entitled "The management and budget act," (MCL 18.1101 to 18.1594) by adding sections 360 and 360a.

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

Senator Hansen introduced

Senate Bill No. 884, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending section 109 (MCL 400.109), as amended by 2012 PA 48.

The bill was read a first and second time by title and referred to the Committee on Families, Seniors and Human Services.

Senators MacGregor, Hertel, Knollenberg and Horn introduced

Senate Bill No. 885, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 545 (MCL 436.1545), as added by 2010 PA 213.

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

Senator Casperson introduced

Senate Bill No. 886, entitled

A bill to amend 1969 PA 306, entitled "Administrative procedures act of 1969," by amending sections 71, 72, 80, 87, and 115 (MCL 24.271, 24.272, 24.280, 24.287, and 24.315), section 71 as amended by 1984 PA 28, section 80 as amended by 1984 PA 196, and section 115 as amended by 1996 PA 489.

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

Senators Nofs and Schmidt introduced

Senate Bill No. 887, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 3107b (MCL 500.3107b), as amended by 2014 PA 263.

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

Senators Nofs and Schmidt introduced

Senate Bill No. 888, entitled

A bill to amend 1969 PA 317, entitled "Worker's disability compensation act of 1969," by amending section 315 (MCL 418.315), as amended by 2014 PA 264.

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

Senators Kowall, Hertel, Warren, Johnson and Knollenberg introduced

Senate Bill No. 889, entitled

A bill to create the lawful Internet gaming act; to require the licensing and certification of persons to engage in Internet gaming; to create the division of Internet gaming; to provide for the powers and duties of the division of Internet gaming and other state governmental officers and entities; to impose fees; to impose a tax on the conduct of Internet gaming; to create the Internet gaming fund; to prohibit certain acts in relation to applications for licenses and certification and in relation to Internet gaming and to prescribe penalties for those violations; to require the promulgation of rules; and to provide remedies.

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

Senators Kowall, Hertel, Warren, Johnson and Knollenberg introduced

Senate Bill No. 890, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 310c.

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

Senators Booher, Horn and Zorn introduced

Senate Bill No. 891, entitled

A bill to amend 2008 PA 551, entitled "Uniform securities act (2002)," by amending section 202a (MCL 451.2202a), as added by 2013 PA 264.

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

Senators Booher, Horn and Zorn introduced

Senate Bill No. 892, entitled

A bill to amend 1965 PA 314, entitled "Public employee retirement system investment act," by amending section 12d (MCL 38.1132d), as amended by 2014 PA 545, and by adding section 19c.

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

Senators Schmidt, Booher, Horn and Zorn introduced

Senate Bill No. 893, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending sections 4 and 623 (MCL 206.4 and 206.623), section 4 as amended by 2011 PA 38 and section 623 as amended by 2014 PA 13.

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

Senators MacGregor, Booher, Horn and Zorn introduced

Senate Bill No. 894, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending sections 30 and 623 (MCL 206.30 and 206.623), section 30 as amended by 2015 PA 161 and section 623 as amended by 2014 PA 13.

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

House Bill No. 4580, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 9f (MCL 211.9f), as amended by 2015 PA 119.

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

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

House Bill No. 5464, entitled

A bill to amend 2003 PA 1, entitled "An act to provide for the audit and examination of this state and state funds; to provide for the audit and examination of the books and accounts of all branches, departments, offices, boards, commissions, agencies, authorities, and institutions of this state; to prescribe powers and duties of certain state officers and employees; to provide for access to certain records; to provide for the subpoena of witnesses and production of documents and records; to prescribe penalties; and to provide for the administration of this act," by amending section 1 (MCL 13.101).

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

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

Committee Reports

The Committee on Judiciary reported

Senate Bill No. 866, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 11701, 12102, 16901, 44501, and 82101 (MCL 324.11701, 324.12102, 324.16901, 324.44501, and 324.82101), section 11701 as amended by 2005 PA 199, section 12102 as amended by 2015 PA 224, section 16901 as amended by 2014 PA 543, section 44501 as amended by 2012 PA 294, and section 82101 as amended by 2014 PA 404.

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 and Bieda

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Judiciary reported

Senate Bill No. 867, entitled

A bill to amend 1996 PA 195, entitled "Police officer's and fire fighter's survivor tuition grant act," by amending section 2 (MCL 390.1242), as amended by 2012 PA 470.

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 and Bieda

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Judiciary reported

Senate Bill No. 868, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 2950 and 2950a (MCL 600.2950 and 600.2950a), section 2950 as amended by 2001 PA 200 and section 2950a as amended by 2010 PA 19.

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 and Bieda

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Judiciary reported

Senate Bill No. 869, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 528a (MCL 750.528a), as amended by 2015 PA 26.

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 and Bieda

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Judiciary reported

House Bill No. 4793, entitled

A bill to amend 1974 PA 258, entitled "Mental health code," by amending section 434 (MCL 330.1434), as amended by 1995 PA 290.

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 and Bieda

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Judiciary submitted the following:

Meeting held on Tuesday, April 12, 2016, at 3:00 p.m., Room 110, Farnum Building

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

Excused: Senator Colbeck

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Licensing and Regulatory Affairs submitted the following:

Meeting held on Wednesday, April 13, 2016, at 12:00 noon, Room 100, Farnum Building

Present: Senators Knollenberg (C), Marleau and Young

COMMITTEE ATTENDANCE REPORT

The Committee on Families, Seniors and Human Services submitted the following:

Meeting held on Wednesday, April 13, 2016, at 3:00 p.m., Room 210, Farnum Building

Present: Senators Emmons (C), Pavlov, Jones and Casperson

Excused: Senator Johnson

Scheduled Meetings**Appropriations -****Subcommittee -****State Police and Military Affairs - Tuesday, May 3, 8:30 a.m., Rooms 402 and 403, Capitol Building (373-2768)**

Education - Tuesday, April 19, 8:30 a.m. and 12:00 noon, Room 110, Farnum Building (373-5314)

Insurance - Wednesday, April 20, 2:00 p.m., Room 100, Farnum Building (373-5312)

State Drug Treatment Court Advisory Committee - Tuesday, April 19, 10:00 a.m., Legislative Council Conference Room, 3rd Floor, Boji Tower (373-0212)

Senator Kowall moved that the Senate adjourn.
The motion prevailed, the time being 11:00 a.m.

The Assistant President pro tempore, Senator O'Brien, declared the Senate adjourned until Tuesday, April 19, 2016, at 10:00 a.m.

JEFFREY F. COBB
Secretary of the Senate