

No. 8  
STATE OF MICHIGAN  
**Journal of the Senate**  
98th Legislature  
REGULAR SESSION OF 2016

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Senate Chamber, Lansing, Thursday, January 28, 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—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  
Smith—present  
Stamas—present  
Warren—present  
Young—present  
Zorn—present

Senator Michael L. Nofs of the 19th District offered the following invocation:

Dear Lord, we thank You for this day and for the opportunity to do right by the people of our great state. We ask that You guide each and every one of us as we deal with the matters before us. I pray for my colleagues here and in the House, and I ask that You continue to bless us with wisdom, strength, and peace.

Finally, Lord, we ask that You continue to bless our state and all who look to us for leadership. We pray that You protect the members of our armed services, law enforcement, and first responders.

This we pray in the name of Your Son Jesus Christ forever and always. Amen.

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

### Motions and Communications

Senator Kowall moved that Senators Booher, Casperson, Green, Hildenbrand and Robertson be temporarily excused from today's session.

The motion prevailed.

Senator Hood moved that Senators Bieda, Warren and Young be temporarily excused from today's session.

The motion prevailed.

The following communication was received and read:

Office of the Auditor General

January 26, 2016

Enclosed is a copy of the following audit report:

Performance audit report on the Michigan Occupational Safety and Health Administration, Department of Licensing and Regulatory Affairs.

Sincerely,  
Doug Ringer  
Auditor General

The audit report was referred to the Committee on Government Operations.

The following communication was received:

Office of Senator Rebekah Warren

January 27, 2016

I would like to request to be listed as a co-sponsor on Senate Bill 718, as allowed by new Senate Rule 1.110(c).

If you have any questions or need any additional information, please do not hesitate to contact me at (517) 373-2406 or [senrwarren@senate.michigan.gov](mailto:senrwarren@senate.michigan.gov).

Sincerely,  
Rebekah Warren  
State Senator  
18th District

The communication was referred to the Secretary for record.

The Secretary announced that the following House bill was received in the Senate and filed on Wednesday, January 27:

**House Bill No. 4792**

The Secretary announced that the following bills were printed and filed on Wednesday, January 27, and are available at the Michigan Legislature website:

**Senate Bill No. 722**

**House Bill Nos. 5252 5253 5254 5255 5256 5257 5258 5259 5260 5261 5262 5263**

Senator Booher entered the Senate Chamber.

Senator Kowall moved that rule 3.902 be suspended to allow the guests of Senator Meekhof admittance to the Senate floor, including the center aisle.

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

Senator Kowall moved that rule 3.901 be suspended to allow photographs to be taken from the Senate floor. The motion prevailed, a majority of the members serving voting therefor.

### Recess

Senator Kowall moved that the Senate recess subject to the call of the Chair. The motion prevailed, the time being 10:04 a.m.

10:38 a.m.

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

During the recess, Senator Meekhof introduced the Zeeland West High School Varsity Football Team, 2015 MHSAA Division 4 State Champions, and Head Coach John Shillito; and presented them with a Special Tribute. Coach Shillito responded briefly.

During the recess, Senators Green, Hildenbrand, Robertson, Warren, Bieda, Young and Casperson entered the Senate Chamber.

Senator Kowall moved that the rules be suspended and that the following bill, now on Committee Reports, be placed on the General Orders calendar for consideration today:

#### **House Bill No. 5220**

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

### Messages from the Governor

The following message from the Governor was received on January 28, 2016, and read:

#### PROCLAMATION

#### **Request for Extension of Declaration of Emergency**

WHEREAS, on April 25, 2014, the water source in the City of Flint, Michigan, was switched from the Detroit water system to the Flint River. The switch to the new water source resulted in impacts to Flint's water system, particularly in areas with lead service lines or lead plumbing and fixtures in private residences. In these areas, lead leached into the water potentially exposing residents to negative health impacts; and

WHEREAS, from October 1, 2015, to this date, the County of Genesee, City of Flint, the State of Michigan, and the Federal Emergency Management Agency have taken numerous actions to cope with the situation, including but not limited to, switching back to the Detroit water system on October 16th, declaring states of emergency, activating the emergency response and recovery aspects of their emergency operations plans, marshaling and distributing required resources on a city-wide level, and issuing emergency public information and bulletins; and

WHEREAS, it is in the best interest of the state of Michigan to continue to provide resources within the city, and take appropriate measures in response to the public health emergency, to ensure that resources remain sufficient to protect public health, safety and property, and to lessen or avert the threat of more severe and long lasting impacts to the community;

NOW, THEREFORE, I RICHARD D. SNYDER, Governor of the state of Michigan, pursuant to the Constitution of the state of Michigan and the provisions of Act No. 390 of the Public Acts of 1976, as amended, I do hereby request the legislature extend the state of emergency proclaimed on January 5, 2016 and expiring on February 1, 2016 for an additional 73 days, through April 14, 2016, in the County of Genesee and the City of Flint. This 73-day extension coincides with the current Presidential Emergency Declaration.

[SEAL]

Given under my hand and the Great Seal of the state of Michigan this 28th day of January, in the year of our Lord, Two Thousand and Sixteen.

Richard D. Snyder  
Governor

By the Governor:  
Ruth A. Johnson  
Secretary of State

The message was referred to the Secretary for record.

The following message from the Governor was received and read:

January 14, 2016

Please be advised of the following appointment to office:

**State Fire Marshal**

Julie L. Secontine of 220 Grosvenor Street, Rochester Hills, Michigan 48307, county of Oakland, succeeding Michael G. Deprez, for a term commencing February 29, 2016, and expiring at the pleasure of the Governor.

Sincerely,  
Rick Snyder  
Governor

The appointment was 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 Knezek 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. 5023, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 75102 (MCL 324.75102), as amended by 2012 PA 251.

**Senate Bill No. 673, entitled**

A bill to amend 2000 PA 146, entitled "Obsolete property rehabilitation act," by amending section 16 (MCL 125.2796), as amended by 2010 PA 137.

The bills were placed on the order of Third Reading of Bills.

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:

**Senate Bill No. 521, entitled**

A bill to create the Michigan historical commission; and to prescribe its powers and duties.

Substitute (S-1).

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

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:

**Senate Bill No. 522, entitled**

A bill to create the Michigan historical center; to prescribe the authority of the center; to provide for the archives of Michigan and the Michigan historical museum to be under the control and supervision of the center; to provide stewardship for the museum and archival collection of this state; to provide for the management of state and local government records of archival value; to prescribe the powers and duties of certain state and local agencies and officials; and to repeal acts and parts of acts.

Substitute (S-1).

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

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:

**House Bill No. 5220, entitled**

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2016; and to provide for the expenditure of the appropriations.

Substitute (S-1).

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

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

Senator Kowall moved that the rules be suspended and that the following bill, now on the order of Third Reading of Bills, be placed on its immediate passage:

**House Bill No. 5220**

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

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

**House Bill No. 5220**

**Senate Bill No. 219**

**Senate Bill No. 220**

**Senate Bill No. 632**

**Senate Bill No. 633**

**Senate Bill No. 659**

The motion prevailed.

The following bill was read a third time:

**House Bill No. 5220, entitled**

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2016; and to provide for the expenditure of the appropriations.

The question being on the passage of the bill,

Senator Meekhof offered the following amendment:

1. Amend page 7, following line 14, by inserting:

“Sec. 203. The office of the auditor general shall audit the use of the funds appropriated in part 1 and report to the chairs of the senate and house appropriations committees at a minimum of every six months until the funds are expended. All relevant records associated with the funds appropriated in part 1 shall be made available to the office of the auditor general upon request.”.

The amendment was adopted, a majority of the members serving voting therefor.

The question being on the passage of the bill,

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

**Roll Call No. 9**

**Yeas—38**

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

**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.  
The Senate agreed to the title of the bill.

Senator Ananich asked and was granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator Ananich's first statement is as follows:

I plan to withdraw my amendment, but I would like to make a few comments before making that formal request. I would like to first commend the chair of the Appropriations Committee and all of the members for their understanding and foresight in making sure that nutrition, health care, and developmental issues related to lead poisoning are addressed in a better form in the supplemental.

We know that diets and nutrition, especially calcium and iron, can pull the lead out of especially the most vulnerable affected—the children. They have been most dramatically affected by this issue, and I am going to expect and hold accountable the administration to make sure that by early next week we have a more firm understanding of exactly the kind of programs and measures that will be in place in my community to make sure folks most hurt get what they need. We know programs like SNAP, Early On, and many others are the kinds of things that lead to turning a negative developmental issue around cognition into something much more positive.

As I said before, I will make sure that I find out and my colleagues here in the Senate find out exactly how this money will be spent. This is of the utmost importance because this issue that never should have happened must be resolved in the best possible way for all the citizens of this state, most importantly, of course, in my community.

I now formally ask for my amendment to be withdrawn.

Senator Ananich's second statement is as follows:

I rise to offer my support for House Bill No. 5220 as amended. There is one thing I wanted to do before I speak specifically about the bill. I know many of the people in this chamber I have had individual conversations with over this time period that I have been dealing with this issue, and the people of my city have been. I think there are a few things that I want to make sure that I clarify, because there has been a lot of misinformation regarding the problem in my community, and I think that it is important to stress a few certain facts that I think are really important.

Back in March 2014, the city of Flint—prior to that, for close to 40 years received treated water from the Detroit Water and Sewerage Department—they switched over to treating their own water at the Flint plant. The reason I stress this is because Flint water by definition is more corrosive, but it could potentially have been treated if corrosion controls were put in the water, and this problem could most definitely have been avoided. Because we are unaware of how long—because of the lack of corrosion control—that lead was leaching into the water, we have to assume—and this is based on all the medical community and scientists—that it's a population-wide problem.

What that means is that every single person who was ingesting this water for any length of time has some form of lead in their system. We also know that blood tests only test for lead within the last 28 days. Lead has a half-life of 28 days, and anything longer than that will give a false-positive. Unfortunately, because of the length of time that this information was kept secret from people in this chamber, the citizens of my community, and myself, of course, many folks were drinking this on a regular basis. So now, as we see, there are some folks who are testing positive in the last few months. What that means is that after we knew there was a crisis of public health, people were still drinking the water, because they didn't have the information, and they were becoming exposed. That does not mean that during the time period before that, people were not being exposed. What it means is, unfortunately, even after we knew, people didn't have the information and were getting exposed. It's extremely important to stress that because there has been some misinformation out there that there are only a handful of people exposed. We have to assume it is population-wide.

We have to get very aggressive very soon in making sure that we have the developmental, nutritional, and other services that we know provide the kind of relief and help for people in my community. I think that we have to make sure that we hold the administration and everyone accountable, to make sure that we listen to experts and the local medical community to make sure that services like the mobile food bank are offered, and to make sure that services like Early On, Head Start, and other nutrition programs are provided quickly and in an efficient and effective way.

We, obviously, have a number of issues that we have to deal with, whether it's infrastructure, whether it's folks having to pay for water that, obviously, is undrinkable, but the most important thing, I think, right now—and it's being addressed because of the work of the members of the Appropriations Committee and others—is to start to focus on the assessment and the providing of services. This appropriation starts us on the path to do that.

Again, I rise to support House Bill No. 5220, and I appreciate the support from everyone in this chamber if they are willing to give it.

The following bill was read a third time:

**Senate Bill No. 219, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending sections 49, 50, 50b, and 158 (MCL 750.49, 750.50, 750.50b, and 750.158), section 49 as amended by 2006 PA 129, section 50 as amended by 2007 PA 152, and section 50b as amended by 2008 PA 339.

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. 10**

**Yeas—37**

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

**Nays—1**

Meekhof

**Excused—0**

**Not Voting—0**

In The Chair: O'Brien

The Senate agreed to the title of the bill.

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

The motion prevailed.

Senator Bieda's statement is as follows:

I also rise in support of these bills. I would like to commend the chair of the committee, and there were four of us working on this in the House and Senate, a truly bipartisan effort as Democrats and Republicans worked on a package of bills.

The two bills before us today are part of that package that will affect our current ICHAT system. ICHAT is the Michigan Internet Criminal History Access Tool system that allows the search of a person's public criminal history record that is maintained by the Michigan State Police. The bills before us today would allow animal abuse crimes to be reported into Michigan's ICHAT system. Animal shelters and animal control facilities will then be able to check the system prior to adopting out an animal.

Senate Bill No. 220 specifically would add animal abuse offenses to the ICHAT system, as well as allow animal shelters and animal control facilities to check the ICHAT system at no cost. It directs an animal shelter or animal control facility to check the system prior to adopting an animal from its facility.

There is a known correlation between animal abuse and human violence. Oftentimes perpetrators of domestic violence will use threatening or harming an animal as a way to control a human victim. There is a growing problem of animal abuse in our state. Here in Lansing, a beagle was stabbed by a person while it was in its own backyard, and unfortunately, the dog did not survive its injuries. In another horrific case, two brothers stabbed and hung a pit bull from the roof of their house while the public watched.

This bill package will be a step in the right direction in not only protecting Michigan's animals, but also could protect Michigan citizens from human violence in the future. I urge my colleagues to support both Senate Bill Nos. 219 and 220.

The following bill was read a third time:

**Senate Bill No. 220, entitled**

A bill to amend 1935 PA 120, entitled “An act to prescribe a method for the fingerprinting of residents of the state; to provide for the recording and filing of the fingerprints by the central records division of the department of state police; and to impose a fee,” by amending section 3 (MCL 28.273), as amended by 2015 PA 71.

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. 11**

**Yeas—37**

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

**Nays—1**

Meekhof

**Excused—0**

**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. 632, entitled**

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending sections 308, 846, 866, and 867 (MCL 600.308, 600.846, 600.866, and 600.867), section 308 as amended by 2013 PA 164 and section 846 as amended by 1989 PA 70; and to repeal acts and parts of acts.

The question being on the passage of the bill,

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

**Roll Call No. 12**

**Yeas—38**

Ananich	Hertel	Kowall	Rocca
Bieda	Hildenbrand	MacGregor	Schmidt
Booher	Hood	Marleau	Schuitmaker
Brandenburg	Hopgood	Meekhof	Shirkey
Casperson	Horn	Nofs	Smith

Colbeck	Hune	O'Brien	Stamas
Emmons	Johnson	Pavlov	Warren
Green	Jones	Proos	Young
Gregory	Knezek	Robertson	Zorn
Hansen	Knollenberg		

**Nays—0**

**Excused—0**

**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. 633, entitled**

A bill to amend 1998 PA 386, entitled "Estates and protected individuals code," by amending section 1303 (MCL 700.1303), as amended by 2000 PA 54.

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. 13**

**Yeas—38**

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

**Nays—0**

**Excused—0**

**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. 659, entitled**

A bill to amend 2008 PA 525, entitled “Fostering futures scholarship trust fund act,” by amending section 3 (MCL 722.1023), as amended by 2014 PA 530.

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. 14**

**Yeas—38**

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

**Nays—0**

**Excused—0**

**Not Voting—0**

In The Chair: O’Brien

The Senate agreed to the title of the bill.

By unanimous consent the Senate returned to the order of

**Messages from the House**

**Senate Bill No. 303, entitled**

A bill to amend 1937 PA 215, entitled “An act to authorize municipalities to own or control cemetery or burial grounds; to provide for perpetual care and maintenance; to provide for endowment and perpetual care funds; and to permit municipalities to authorize the creation of joint cemetery associations,” by amending section 1 (MCL 128.1), as amended by 1980 PA 366.

The House of Representatives has amended the bill as follows:

1. Amend page 2, line 6, after “**BALANCE**” by inserting “**AND THE EQUITY POSITION DOES NOT CONTAIN MORE THAN 40% IN ANY GIVEN ASSET CATEGORY**”.

2. Amend page 2, line 9, after “**AGENCY**” by inserting “**AT THE TIME OF PURCHASE**”.

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

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. 15****Yeas—38**

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

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

**Senate Bill No. 328, entitled**

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

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

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

**Senate Bill No. 394, entitled**

A bill to amend 1917 PA 167, entitled "Housing law of Michigan," by amending sections 1, 125, and 126 (MCL 125.401, 125.525, and 125.526), sections 1 and 126 as amended by 2008 PA 408.

The House of Representatives has amended the bill as follows:

1. Amend page 8, following line 13, by inserting:

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

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 amendment made to the bill by the House,

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

**Roll Call No. 16****Yeas—38**

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

**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.  
 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. 539, entitled**

A bill to amend 2008 PA 549, entitled "Michigan promise zone authority act," by amending the title and sections 5, 7, 9, 11, 17, and 19 (MCL 390.1665, 390.1667, 390.1669, 390.1671, 390.1677, and 390.1679), sections 5, 7, 11, and 17 as amended by 2013 PA 210, and by adding sections 4 and 4a; and to repeal acts and parts of acts.

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. 17****Yeas—38**

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

**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.  
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. 540, entitled**

A bill to amend 1993 PA 331, entitled "State education tax act," by amending section 5 (MCL 211.905), as amended by 2004 PA 443.

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.

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 Johnson, Young, Bieda, Nofs, Hansen, O'Brien, Booher, Gregory and Knezek offered the following resolution:  
**Senate Resolution No. 137.**

A resolution recognizing February 4, 2016, as Cancer Prevention Day.

Whereas, Cancer is the leading cause of death around the world and has touched the lives of nearly everyone, either directly or indirectly; and

Whereas, This disease is the cause of nearly 1 out of every 4 deaths in the United States, and in Michigan, statistics show nearly 469 out of 100,000 citizens are diagnosed with cancer yearly; and

Whereas, More than 1,600 cancer-related deaths are expected nationwide per day, and in 2010, there were approximately 55,660 new cancer cases in the state of Michigan; and

Whereas, About 1.6 million new cancer cases were estimated to be diagnosed nationwide in 2013, with 580,350 Americans estimated to die of cancer; and

Whereas, It is understood that early detection and prevention of cancer leads to healthier individuals, less heartache, and more cost-effective health care; and

Whereas, The Michigan Legislature recognizes the efforts of the Less Cancer Campaign which works to raise awareness for the reduction of cancer risks; now, therefore, be it

Resolved by the Senate, That the members of this legislative body recognize the devastating effect cancer has on families and seek to expand knowledge, encourage early detection, and work with our friends in the medical and scientific fields to put an end to this deadly disease; and be it further

Resolved, That copies of this resolution be transmitted to the members of the Michigan congressional delegation, the United States Secretary of Health and Human Services, and the President and First Lady of the United States of America.

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 Brandenburg, Colbeck, Hertel, Hildenbrand, Hood, Horn, Jones, Knollenberg, MacGregor, Marleau, Proos, Schmidt, Warren and Zorn were named co-sponsors of the resolution.

Senators Johnson, Young, Colbeck and Gregory offered the following resolution:

**Senate Resolution No. 138.**

A resolution to urge the United States Congress and the President of the United States to enact legislation that would reinstate the separation of commercial and investment banking functions that was in effect under the Glass-Steagall Act.

Whereas, An effective money and banking system is essential to the functioning of the U.S. economy. Such a system must function in the public interest without any bias; and

Whereas, Since 1933, the Federal Banking Act, also referred to as the Glass-Steagall Act, has protected the public interest through the regulation of commercial and investment banking, insurance companies, and securities. Important provisions of the Glass-Steagall Act were repealed in 1999, partially contributing to the greatest speculative bubble and worldwide recession since the Great Depression; and

Whereas, The worldwide recession greatly affected our country's economy and citizens' lives. It left millions of homes in foreclosure and caused the loss of millions of jobs nationwide. The recession also put severe financial strains on states, counties, cities, and other municipalities, exacerbating unemployment and the loss of public services; and

Whereas, The U.S. House of Representatives and U.S. Senate have been making efforts to restore the protections of the Glass-Steagall Act. U.S. Representative Marcy Kaptur has introduced H.R. 381, known as the Return to Prudent Banking Act of 2015, which would revive the separation between commercial banking and the securities business in the manner provided by the Glass-Steagall Act. U.S. Senator Elizabeth Warren, along with Senators John McCain, Maria Cantwell, Angus King, and others have introduced the 21st Century Glass-Steagall Act (S. 1709), which would reduce risk for American taxpayers in the financial system and decrease the likelihood of future financial crises; and

Whereas, The Glass-Steagall Act has widespread national support from prominent economic and business leaders and national publications, including Thomas Hoenig of the Federal Deposit Insurance Corporation, former CEO of Citigroup Sanford Weill, economist Luigi Zingales, the *New York Times*, the *St. Louis Post-Dispatch*, the *Los Angeles Times*, and many others; and

Whereas, Resolutions demanding action to return to Glass-Steagall protections have been introduced in at least 25 states since 2013. In fact, Maine and South Dakota passed resolutions on the matter in both chambers of their legislatures in 2013. Additionally, both the Alabama and Indiana Houses of Representatives adopted resolutions urging action to reinstate Glass-Steagall in the same year; and

Whereas, Overwhelming pressure must be brought to bear on members of the U.S. House of Representatives and U.S. Senate to take action to pass this important legislation; now, therefore, be it

Resolved by the Senate, That we urge the United States Congress and the President of the United States to enact legislation that, in order to prevent American taxpayers from being called upon to fund hundreds of billions of dollars to bail out financial institutions, would reinstate the separation of commercial and investment banking functions that was in effect under the Glass-Steagall Act, prohibiting commercial banks and bank holding companies from investing in stocks, from underwriting securities, and from investing in or acting as guarantors to derivative transactions; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, the members of the Michigan congressional delegation, United States Representative Marcy Kaptur, and United States Senator Elizabeth Warren.

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 question being on the adoption of the resolution,

Senator Kowall moved that the resolution be referred to the Committee on Banking and Financial Institutions.

The motion prevailed.

Senators Hertel and Warren were named co-sponsors of the resolution.

Senators Knezek and O'Brien offered the following resolution:

**Senate Resolution No. 139.**

A resolution to commemorate February 1, 2016, as Blue Star Mother's Day.

Whereas, Blue Star Mothers of America, Inc., is a national organization of mothers whose sons and daughters serve honorably in the nation's armed forces; and

Whereas, Blue Star Mothers of America, Inc., was founded in Flint, Michigan, in 1942; and

Whereas, The purposes and activities of Blue Star Mothers of America, Inc., include all of the following:

- Perpetuating the memory of the men and women who have served our country as members of the armed forces;
- Welcoming home returning veterans;
- Visiting wounded veterans in hospitals and rehabilitation centers;
- Assisting in veterans ceremonies;
- Attending patriotic rallies and meetings;
- Maintaining true allegiance to the government of the United States;
- Upholding the American institutions of freedom, justice, and equal rights;
- Caring for the unsupported mothers who gave their sons and daughters to the service of the nation; and
- Providing moral support for members.

; now, therefore, be it

Resolved by the Senate, That the members of this legislative body commemorate February 1, 2016, as Blue Star Mother's Day in the state of Michigan. We recognize the contributions that Blue Star Mothers of America, Inc., has made to our state and nation.

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 Ananich, Bieda, Booher, Brandenburg, Casperson, Colbeck, Emmons, Green, Gregory, Hansen, Hertel, Hildenbrand, Hood, Hopgood, Horn, Hune, Johnson, Jones, Knollenberg, Kowall, MacGregor, Marleau, Meekhof, Nofs, Pavlov, Proos, Robertson, Rocca, Schmidt, Schuitmaker, Shirkey, Smith, Stamas, Warren, Young and Zorn were named co-sponsors of the resolution.

Senator Meekhof offered the following concurrent resolution:

**Senate Concurrent Resolution No. 23.**

A concurrent resolution to approve an extension of the state of emergency in the county of Genesee and the city of Flint.

Whereas, Since October 1, 2015, the county of Genesee, the city of Flint, the state of Michigan, and the Federal Emergency Management Agency have taken numerous actions to cope with the drinking water situation in the county of Genesee and the city of Flint, including but not limited to, switching back to the Detroit water system on October 16, declaring states of emergency, activating the emergency response and recovery aspects of their emergency operations plans, marshaling and distributing required resources on a city-wide level, and issuing emergency public information and bulletins; and

Whereas, It is in the best interest of the state of Michigan to continue to provide resources within the city, and take appropriate measures in response to the public health emergency, to ensure that resources remain sufficient to protect public health, safety, and property, and to lessen or avert the threat of more severe and long-lasting impacts to the community; and

Whereas, Pursuant to the *Constitution of the State of Michigan of 1963* and section 3 of the Emergency Management Act, 1976 PA 390, MCL 30.403, Governor Snyder requested on January 28, 2016, that the legislature approve an extension of the state of emergency proclaimed on January 5, 2016, and expiring on February 2, 2016, to April 14, 2016, in the county of Genesee and the city of Flint. This 73-day extension coincides with the current Presidential Emergency Declaration; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That we approve Governor Snyder's request for an extension of the state of emergency in the county of Genesee and the city of Flint proclaimed on January 5, 2016, for another 73 days; and be it further

Resolved, That copies of this resolution be transmitted to the Governor.

Pending the order that, under rule 3.204, the concurrent 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 question being on the adoption of the concurrent resolution,

Senator Kowall requested the yeas and nays.

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

The concurrent resolution was adopted, a majority of the members voting therefor, as follows:

**Roll Call No. 18**

**Yeas—38**

Ananich  
Bieda

Hertel  
Hildenbrand

Kowall  
MacGregor

Rocca  
Schmidt

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

**Nays—0**

**Excused—0**

**Not Voting—0**

In The Chair: O'Brien

Senators Bieda, Booher, Brandenburg, Gregory, Hansen, Hertel, Hildenbrand, Horn, Knollenberg, Kowall, MacGregor, Marleau, Nofs, Proos, Schmidt and Warren were named co-sponsors of the concurrent resolution.

### **Introduction and Referral of Bills**

Senators Johnson, Jones, O'Brien, Gregory and Knezek introduced

**Senate Bill No. 723, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," (MCL 760.1 to 777.69) by adding section 12 to chapter III.

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

Senators Jones, Schuitmaker, Bieda, Schmidt and Hansen introduced

**Senate Bill No. 724, entitled**

A bill to amend 1976 PA 399, entitled "Safe drinking water act," (MCL 325.1001 to 325.1023) by adding sections 7a and 7b.

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

Senators Jones, Schuitmaker, Bieda, Schmidt and Hansen introduced

**Senate Bill No. 725, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 5204 (MCL 324.5204), as amended by 2012 PA 511.

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

Senators Jones, Schuitmaker, Bieda, Schmidt and Hansen introduced

**Senate Bill No. 726, entitled**

A bill to amend 1976 PA 399, entitled "Safe drinking water act," by amending section 7 (MCL 325.1007), as amended by 1998 PA 56.

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

**House Bill No. 4792, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 16171 (MCL 333.16171), as amended by 1985 PA 82.

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 Health Policy.

### Committee Reports

The Committee on Appropriations reported

**House Bill No. 5220, entitled**

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2016; and to provide for the expenditure of the 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.

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, January 27, 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 Committee on Government Operations submitted the following:

Meeting held on Tuesday, January 26, 2016, at 3:00 p.m., Rooms 402 and 403, Capitol Building

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

#### COMMITTEE ATTENDANCE REPORT

The Committee on Natural Resources submitted the following:

Meeting held on Wednesday, January 27, 2016, at 12:30 p.m., Room 210, Farnum Building

Present: Senators Casperson (C), Pavlov, Robertson, Stamas and Warren

#### COMMITTEE ATTENDANCE REPORT

The Committee on Insurance submitted the following:

Meeting held on Wednesday, January 27, 2016, at 2:00 p.m., Room 100, Farnum Building

Present: Senators Hune (C), Brandenburg, Schmidt, O'Brien, Horn, Jones and Bieda

Excused: Senators Marleau, Johnson 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)

**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)

**Criminal Justice Policy Commission** - Wednesday, February 3, 9:00 a.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building (373-0212)

**Economic Development and International Investment and House Commerce and Trade** - Tuesday, February 2, 3:30 p.m., Senate Hearing Room, Ground Floor, Boji Tower (373-5323)

**Finance** - Tuesday, February 2, 2:30 p.m., Room 210, Farnum Building (373-5312)

**Health Policy** - Tuesday, February 2, 12:30 p.m., Senate Hearing Room, Ground Floor, Boji Tower (373-1721)

**Judiciary** - Tuesday, February 2, 3:00 p.m., Room 110, Farnum Building (373-1721)

Senator Kowall moved that the Senate adjourn.  
The motion prevailed, the time being 11:33 a.m.

The Assistant President pro tempore, Senator O'Brien, declared the Senate adjourned until Tuesday, February 2, 2016, at 10:00 a.m.

JEFFREY F. COBB  
Secretary of the Senate