

No. 40
STATE OF MICHIGAN
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REGULAR SESSION OF 2015

Senate Chamber, Lansing, Thursday, April 30, 2015.

10:00 a.m.

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

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

Ananich—present
Bieda—present
Booher—present
Brandenburg—present
Casperson—present
Colbeck—present
Emmons—present
Green—present
Gregory—present
Hansen—present
Hertel—present
Hildenbrand—present
Hood—present

Hopgood—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

David Pendley of Midland offered the following invocation:

Heavenly Father, this morning, we first and foremost want to thank You for who You are and who You have made us to be. God, we ask that what You have entrusted us with, that we would seek Your will in all things. Father, this morning, we also ask that You bless our time together and the decisions that are made.

We come to You and ask that You care for all of those who serve in our military, police force, and the firemen and especially that You would bless families.

We ask these things in Jesus' name. Amen.

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

Motions and Communications

Senators Johnson, Hansen, Green, Knezek and Hood entered the Senate Chamber.

Senator Kowall moved that Senators Meekhof, Brandenburg, Knollenberg and Hune be temporarily excused from today's session.

The motion prevailed.

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

The motion prevailed.

Senator Kowall moved that rule 3.902 be suspended to allow the guests of Senator Emmons 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.

The Secretary announced that the following House bills were received in the Senate and filed on Wednesday, April 29:

House Bill Nos. 4102 4115 4363 4364 4381 4382 4383 4384 4397 4398 4399 4400 4439

The Secretary announced that the following bills and joint resolution were printed and filed on Wednesday, April 29, and are available at the Michigan Legislature website:

House Bill Nos. 4520 4521 4522 4523 4524 4525 4526 4527 4528 4529 4530 4531 4532

House Joint Resolution P

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.

10:30 a.m.

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

During the recess, Senator Emmons introduced the Central Michigan University Men's Basketball Team, Mid-American Conference Champions; Coach Keno Davis, Senior Associate Athletic Director Brad Wachler, Assistant Coach Kyle Gerdman, Assistant Coach Kevin Gemble, and Director of Basketball Operations D.J. Massini; and presented them with a Special Tribute.

During the recess, Senator Emmons introduced the Central Michigan University Women's Field Hockey Team, Mid-American Conference Champions; Head Coach Molly Polowshi, Assistant Coach Earl Morais, Graduate Assistant Emily Girasol, and Sports Administrator Bengy Wilber; and presented them with a Special Tribute.

During the recess, Senator Emmons introduced the Central Michigan University Women's Gymnastics Team, Mid-American Conference Champions; Head Coach Terry Olrich, Assistant Coach Vince Smurro, and Associate Head Coach Christine MacDonald; and presented them with a Special Tribute.

During the recess, Senators Knollenberg, Bieda, Meekhof, Young, Smith, Hune and Brandenburg entered the Senate Chamber.

Senators Pavlov, Bieda and Knezek asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator Pavlov's statement is as follows:

I would like to welcome a very special group of athletes in the east Gallery, the Richmond High School Boys Wrestling Team, to the Senate today. The team recently won the MHSAA Division 3 State Championship. This 2015 state championship marks the seventh for the Richmond wrestling program. I want to extend congratulations to Brandon Day, as he was named Coach of the Year, as well as Dennis Skatzka for being named Assistant Coach of the Year. I am very proud of their accomplishments and the sense of pride that they have brought to the community.

I would like to introduce the members of the team. First, the 10 seniors: Jordan Adams, Connor Behem, Adam Boyd, Anthony Hinojosa, Brady Lafore, Xavier Nuckles, Austin Pawlak, Devin Skatzka, Austin Vannatter, and Derek Wyatt. The four juniors: Graham Barton, Zack Roberts, Cody Keller, and Aaron Kilburn. The seven sophomores: August Aiken, Hunter Bergeon, Roy Costello, Keenan Mrad, Nathan Ostaszewski, Gary Resk, and Owen Vannatter. And 10 freshmen: Dominic Bastian, Jacob Hatcher, Jeff James, David Kaltz, Nick Matthes, Tyler Marino, Colton McKiernan, Alex Roberts, Sam Toia, and Alex Ziza.

Please help me welcome the Richmond High School Wrestling Team.

Senator Bieda's statement is as follows:

I would like to have the body's attention as we give a fond farewell and big thank you to Marc Olshove, who has been an intern in my office and member of the General Services staff as a courier since September 2013. Many of you may know that Marc is my constituent who hails from Warren.

Marc came to Lansing following his graduation from Warren Woods Tower High School in 2010 to follow his strong interest in public service. While he worked in my office and in General Services, he attended Lansing Community College, where he worked on his core curriculum classes. He has decided to further his interest in public policy by attending Wayne State University this fall and is pursuing a Bachelor of Public Affairs degree.

Marc has been a devoted employee who is always cheerful, helpful, and well-liked. As he closes the door on his time in the Senate, let us give him a hand to acknowledge his contributions and all of his hard work during his time in the Senate.

Senator Knezek's statement is as follows:

Today, I have to unfortunately say good-bye to a member of my staff. I know that oftentimes we stand up and talk about the good times and memories we have had with a staff member. Today, that is true for me and even more difficult because he is not only a good staff member, but also a very good friend of mine. My deputy chief of staff, Shane Henson, will have his last day working for the Michigan Senate tomorrow. He is leaving to work on a congressional campaign—onto bigger and better things. Obviously, we are very proud of him for that.

Shane and I go back to college where we met at the University of Michigan-Dearborn. The first time we both ran for Student Government in college was together. Our relationship and friendship has continued since then until he worked as the communications director for my campaign for the State Senate.

I will attempt to give you an idea of Shane and his personality. He is incredibly smart. With regard to presidential history and American history, he knows it all and can rattle it off at the drop of a hat. He is also a free spirit. He likes to go off on adventures. Midway through my campaign for the State Senate, Shane came in and told me that he had been given a job working on a crab boat in Alaska, and he got up and left. He was gone for a month. Then one day I received a call and he told me he got a job in Alaska and he was going to stay. I told him I was really hoping he would come back to work on my campaign. About two days later, he called me again to tell me the job fell through, and he was coming back to Michigan. The very next day, as I was sitting at my kitchen table working on the campaign, I looked out the front door, and his white Impala pulled up. He got out of the car, walked in, and sat in the same chair he did a month prior. He got right back to work as if nothing had happened. So he has earned the nickname around the office "Yukon Cornelius." Again, his sense of adventure and free spirit is something that I am jealous of.

While I am so happy and excited that he is moving on to bigger and better things, it certainly is a tremendous loss for the 5th District and personally for me. It is a loss to lose the friendship, guidance, and mentorship from someone I have relied on so heavily.

If my colleagues could stand and join me in thanking Mr. Henson for his service, I would appreciate it.

Messages from the Governor

The following messages from the Governor were received:

Date: April 29, 2015

Time: 11:56 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 18 (Public Act No. 18), being

An act to amend 1994 PA 451, entitled “An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to protect the people’s right to hunt and fish; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, assessments, and donations; to provide certain appropriations; to prescribe penalties and provide remedies; and to repeal acts and parts of acts,” (MCL 324.101 to 324.90106) by adding section 2120a.

(Filed with the Secretary of State on April 29, 2015, at 2:38 p.m.)

Date: April 29, 2015

Time: 11:58 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 19 (Public Act No. 19), being

An act to amend 1893 PA 206, entitled “An act to provide for the assessment of rights and interests, including leasehold interests, in property and the levy and collection of taxes on property, and for the collection of taxes levied; making those taxes a lien on the property taxed, establishing and continuing the lien, providing for the sale or forfeiture and conveyance of property delinquent for taxes, and for the inspection and disposition of lands bid off to the state and not redeemed or purchased; to provide for the establishment of a delinquent tax revolving fund and the borrowing of money by counties and the issuance of notes; to define and limit the jurisdiction of the courts in proceedings in connection with property delinquent for taxes; to limit the time within which actions may be brought; to prescribe certain limitations with respect to rates of taxation; to prescribe certain powers and duties of certain officers, departments, agencies, and political subdivisions of this state; to provide for certain reimbursements of certain expenses incurred by units of local government; to provide penalties for the violation of this act; and to repeal acts and parts of acts,” by amending section 27a (MCL 211.27a), as amended by 2014 PA 535.

(Filed with the Secretary of State on April 29, 2015, at 2:40 p.m.)

Respectfully,
Rick Snyder
Governor

The following messages from the Governor were received and read:

April 25, 2015

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

Michigan Aeronautics Commission

J. David VanderVeen of 5479 Bristol Parke Drive, Clarkston, Michigan 48348, county of Oakland, succeeding himself, is reappointed for a term expiring May 27, 2019.

Peter Jay Kamarainen of 109 Oakwood Street, Grand Ledge, Michigan 48837, county of Eaton, succeeding himself, is reappointed for a term expiring May 27, 2019.

April 28, 2015

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

Advisory Council on Deaf, Deafblind and Hard of Hearing

Sarah Ann Liming of 2325 Heights Avenue, Lansing, Michigan 48912, county of Ingham, representing deaf or hard of hearing persons, succeeding Mel Whalen, is appointed for a term expiring January 18, 2016.

Katlyn M. Maviglia of 509 Franklin Street, Dundee, Michigan 48131, county of Monroe, representing deaf or hard of hearing, succeeding Freida Morrison, is appointed for a term expiring January 18, 2018.

April 28, 2015

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

Michigan Historical Commission

Brian James Egen of 720 O'Brien Street, Monroe, Michigan 48161, county of Monroe, representing the general public, succeeding himself, is reappointed for a term expiring May 21, 2019.

April 29, 2015

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

Advisory Board for the Michigan Intelligence Operations Center for Homeland Security

Thomas Reich of 1822 Winchester Way, Eaton Rapids, Michigan 48827, county of Eaton, representing local sheriffs' departments, succeeding Tilman Crutchfield, is appointed for a term expiring April 11, 2019.

Michael A. Bruggeman of 4448 Harold Drive, Troy, Michigan 48085, county of Oakland, representing residents of the state, succeeding himself, is reappointed for a term expiring April 11, 2019.

April 29, 2015

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

Michigan Film Office Advisory Council

Jennifer Fischer of 1250 W. Long Lake Road, Bloomfield Hills, Michigan 48302, county of Oakland, nominee of the Speaker of the House, succeeding Marc Prey, is appointed for a term expiring September 30, 2018.

April 29, 2015

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

Governor's Traffic Safety Advisory Commission

Lawrence B. Hummel of 8632 S. Mt. Hope Road, Carson City, Michigan 48811, county of Montcalm, representing local units of government, succeeding himself, is reappointed for a term expiring May 27, 2018.

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 President, Lieutenant Governor Calley, designated Senator MacGregor as Chairperson.

After some time spent therein, the Committee arose; and the President, Lieutenant Governor Calley, having resumed the Chair, the Committee reported back to the Senate, favorably and without amendment, the following bill:

House Bill No. 4038, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 5718 (MCL 600.5718). The bill 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. 4054, entitled

A bill to amend 1987 PA 96, entitled "The mobile home commission act," by amending sections 2, 4, 16, 17, 43, and 48 (MCL 125.2302, 125.2304, 125.2316, 125.2317, 125.2343, and 125.2348), section 2 as amended by 2012 PA 588, sections 4, 16, and 17 as amended by 2006 PA 328, and section 43 as added by 1988 PA 337, and by adding sections 48b and 50.

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 following bill be placed at the head of the Third Reading of Bills calendar:

Senate Bill No. 271

The motion prevailed.

The following bill was read a third time:

Senate Bill No. 271, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," (MCL 436.1101 to 436.2303) by adding section 1014.

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. 121

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: President

The Senate agreed to the title of the bill.

By unanimous consent the Senate proceeded to the order of

Resolutions

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

Senate Concurrent Resolution No. 9

The motion prevailed.

Senators Hopgood, Hood, Nofs, Knezek, Proos, Knollenberg, Green, Marleau and Emmons offered the following resolution:
Senate Resolution No. 45.

A resolution commemorating May 2015 as Asian Pacific American Heritage Month.

Whereas, The state of Michigan is fortunate to be home to more than 300,000 residents of Asian and Pacific Island descent; and

Whereas, Asian Pacific Americans comprise one of the fastest-growing populations in both the state and the nation; in fact, the largest-growing population in Michigan, according to the 2010 U.S. Census; and

Whereas, The Asian and Pacific Island regions are tremendously diverse; with more than thirty countries, sixteen major ethnic groups, nine languages, and numerous belief systems bringing their culture to Michigan; and

Whereas, Citizens of Asian and Pacific Island descent, in each generation—from the laborers who connected our coasts one and a half centuries ago to the patriots who fought overseas while their families were interned at home—these patriotic Americans have enhanced our culture, quality of life, and economic vitality through leadership, commitments to knowledge and advancement, and dedication to their communities; and

Whereas, The state of Michigan and the United States of America have been enriched by the contributions of Asian Pacific Americans in all facets of life, including the arts, sciences, business, education, and philanthropy. Michigan has recognized the contribution Asian Pacific Americans and other immigrants make to our economy with the establishment of the Michigan Office for New Americans; and

Whereas, The culture and contributions of our Asian and Pacific Island residents will continue to grow in significance as more Asian Pacific Americans choose to make Michigan their home and as our economy becomes increasingly intertwined with the economies throughout Asia; and

Whereas, Asian Pacific Americans, through advocating issues of justice and equality, continue to break down the barriers of discrimination, indifference, and intolerance, thereby opening doors for all Asian Pacific Americans; and

Whereas, Asian Pacific American residents are proudly served in Michigan by many dedicated organizations, including the Asian Pacific American Affairs Commission, Asian Pacific American Chamber of Commerce, Council of Asian Pacific Americans, Asian American Citizens for Justice, Asian Center Southeast Michigan and West Michigan, West Michigan Asian Pacific American Association, APIA-Vote Michigan, and Michigan Asian Pacific American Bar Association; and

Whereas, The state of Michigan takes pride in its cultural diversity and welcomes the opportunity to honor our Asian Pacific American residents for their lasting, expanding imprint upon our state; now, therefore, be it

Resolved by the Senate, That the members of this legislative body commemorate May 2015 as Asian Pacific American Heritage Month in the state of Michigan. We encourage all citizens to celebrate the individual and collective contributions of Asian Pacific Americans to this state and to this country.

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, Gregory, Hansen, Hertel, Hildenbrand, Kowall, Schmidt and Warren were named co-sponsors of the resolution.

Senator Hune offered the following resolution:

Senate Resolution No. 46.

A resolution to designate May 4-8, 2015, as InfantSEE® Week in the state of Michigan.

Whereas, The most critical stages of vision development occur in the first year of a child's life; and

Whereas, Undetected eye and vision problems can lead to permanent vision impairment or loss of life; and

Whereas, 1 in 10 children is at risk from undiagnosed eye and vision problems, and 1 in 30 children will be affected by amblyopia—a leading cause of vision loss in people younger than 45 years old; and

Whereas, Undetected vision problems can contribute to a decrease in a child's quality of life, and may lead to developmental and behavioral difficulties which impede classroom learning, as well as increase the costs to society; and

Whereas, Early detection of vision problems is the best way to treat and prevent permanent vision impairment; and

Whereas, Member optometrists of the American Optometric Association and The Vision Care Institute of Johnson & Johnson Vision Care, Inc., have partnered to create InfantSEE®, a public health program to provide a one-time, no-cost eye assessment for infants six to twelve months old; now, therefore, be it

Resolved by the Senate, That the members of this legislative body hereby designate the week of May 4-8, 2015, as InfantSEE® Week in the state of Michigan. Our aim is to promote awareness of children's vision care; and be it further

Resolved, That copies of this resolution be transmitted to the Michigan Optometric Association with our highest esteem.

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

Senator Kowall moved that the rule be suspended.

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

The resolution was adopted.

Senators Bieda, Booher, Brandenburg, Emmons, Gregory, Hansen, Hertel, Hildenbrand, Hopgood, Knollenberg, Kowall, Marleau, Nofs, Schmidt, Warren and Zorn were named co-sponsors of the resolution.

Senators Shirkey, Schmidt, Casperson, Colbeck, Proos, Robertson, MacGregor, Emmons, Hildenbrand, Hune, Booher, Pavlov, Zorn, Schuitmaker, Stamas and Kowall offered the following concurrent resolution:

Senate Concurrent Resolution No. 12.

A concurrent resolution to urge the United States Supreme Court to recognize its limited historic role in a federal system and to urge the states to become proactive in defending their sovereignty against federal overreach.

Whereas, The Founders of our republic established a federalist system, characterized by a clear division of powers defined by a written constitution, whereby the powers of the general government were clearly limited and the existing, retained powers of the states clearly established; and

Whereas, The powers of the federal government were explained by James Madison in Federalist No. 45 to be “few and defined” and touching mainly on international issues of “war, peace, negotiation, and foreign commerce.” In contrast, the powers “which are to remain in the State governments are numerous and indefinite” and pertain to domestic affairs which “will extend to all the objects which, in the ordinary course of affairs, concern the lives, liberties, and properties of the people, and the internal order, improvement, and prosperity of the State”; and

Whereas, A majority of the states, in ratifying the U.S. Constitution from 1787 to 1790, demanded that the proposed constitution be amended to clearly define the existing, retained powers of the states. The new federal government responded by proposing to the states the Bill of Rights which recognized the existing, retained powers of the states and provided strict limitations on the powers of the new federal government; and

Whereas, The Tenth Amendment to the U.S. Constitution was adopted to ensure that the balance of power between the federal government and state governments remained in perpetuity; and

Whereas, This arrangement of federalism best meets the needs of the states which often vary in customs and values and which are in a position to best understand the needs and desires of their own citizens. Altering wrongs on the part of government is much more easily accomplished at the state level than at the federal level; and

Whereas, Nothing has changed in the U.S. Constitution since the adoption of the Bill of Rights which would alter that balance of power between the federal government and the states; and

Whereas, Generations after the Fourteenth Amendment was ratified, the United States Supreme Court began to embrace novel legal doctrines, most notably the Incorporation Doctrine which, contrary to prior court precedent, redefines the Fourteenth Amendment to be a constitutional watershed, one which makes every state and local law or custom subject to federal oversight, thereby proclaiming unto itself an authority never granted to it by the people. Beginning in the mid-1900s, the courts began to use the Fourteenth Amendment as a pretext for subsuming the long existing powers of the states, shaping society according to their own philosophies, and in the process, destroying federalism and rendering the Tenth Amendment all but meaningless; and

Whereas, A court which recognizes no proper boundary to its own power, particularly the boundaries established by the Tenth Amendment to the U.S. Constitution, has great potential for precipitating irreparable harm to the republic, as illustrated by the 1857 *Dred Scott v. Sandford* decision and as stated by President Abraham Lincoln in his first inaugural address, referring to that infamous case, “...if the policy of the government upon vital questions affecting the whole people is to be irrevocably fixed by decisions of the Supreme Court the instant they are made...the people will have ceased to be their own rulers, having to that extent practically resigned their government into the hands of that eminent tribunal...”; and

Whereas, Among a free people, living in a democratic, constitutional republic, it is a grave injury to democracy itself that a single judge or court could, simply by decree, set aside or overturn the expressed will of the entire people; and

Whereas, It is the responsibility of the states to defend the powers they retained under the U.S. Constitution. Chief Justice John Roberts wrote in *NFIB v. Sebelius*, “In the typical case we look to the States to defend their prerogatives by adopting ‘the simple expedient of not yielding’ to federal blandishments when they do not want to embrace the federal policies as their own... The States are separate and independent sovereigns. Sometimes they have to act like it.”; and

Whereas, This resolution is part of our sworn duty to defend both the Michigan Constitution and the U.S. Constitution. Every state legislator from the state of Michigan swears an oath that he or she will support these constitutions; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That we urge the United States Supreme Court to recognize its limited historic role in a federal system in which powers are separated among the branches of government and, most importantly, between the federal government and the state governments, and to recognize that it is the right of the individual states under the Tenth Amendment to determine certain domestic state issues; and be it further

Resolved, That we urge our fellow states to proactively defend their sovereignty from federal overreach; and be it further

Resolved, That copies of this resolution be transmitted to the Justices of the United States Supreme Court, 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, and the legislatures of the other forty-nine states.

Pursuant to rule 3.204, the concurrent resolution was referred to the Committee on Government Operations.

Senators Brandenburg, Green, Hansen, Knollenberg, Marleau and Nofs were named co-sponsors of the concurrent resolution.

Introduction and Referral of Bills

Senators Young and Knezek introduced

Senate Bill No. 307, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 15a of chapter XVII (MCL 777.15a), as added by 2002 PA 206.

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

Senators Young, Knezek, Hood, Johnson and Ananich introduced

Senate Bill No. 308, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," (MCL 257.1 to 257.923) by adding section 811bb. The bill was read a first and second time by title and referred to the Committee on Transportation.

Senators Stamas, Schmidt, Ananich and Brandenburg introduced

Senate Bill No. 309, entitled

A bill to amend 1978 PA 59, entitled "Condominium act," by amending section 66 (MCL 559.166), as amended by 1983 PA 113.

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

Senators Colbeck, Nofs, Knollenberg, Zorn, Knezek, Proos, Green, O'Brien and Robertson introduced

Senate Bill No. 310, entitled

A bill to prohibit an employer from discriminating against, disciplining, or discharging an employee who is absent from work to respond to an emergency as a civil air patrol volunteer; and to provide remedies for a violation of this act.

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

Senators Hopgood, Gregory, Smith, Hertel, Bieda, Young and Hood introduced

Senate Bill No. 311, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 502, 503, 503c, 504a, 522, 523, 523c, 525, 528, 552, 553, 553c, 557, 1311d, 1311e, and 1311h (MCL 380.502, 380.503, 380.503c, 380.504a, 380.522, 380.523, 380.523c, 380.525, 380.528, 380.552, 380.553, 380.553c, 380.557, 380.1311d, 380.1311e, and 380.1311h), sections 502, 503, 522, 523, 528, and 553 as amended and sections 503c, 523c, and 553c as added by 2011 PA 277, section 504a as amended and section 525 as added by 2003 PA 179, section 552 as amended by 2012 PA 129, section 557 as added and section 1311e as amended by 2009 PA 205, section 1311d as added by 1999 PA 23, and section 1311h as amended by 2012 PA 620.

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

Senators Ananich, Young, Hopgood and Hood introduced

Senate Bill No. 312, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 507, 528, 561, and 1311i (MCL 380.507, 380.528, 380.561, and 380.1311i), sections 507, 528, and 561 as amended by 2011 PA 277 and section 1311i as added by 1999 PA 23.

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

House Bill No. 4102, entitled

A bill to make, supplement, adjust, and consolidate appropriations for various state departments and agencies, the judicial branch, and the legislative branch for the fiscal year ending September 30, 2016 and other fiscal years; to provide for certain conditions on appropriations; and to provide for the expenditure of the appropriations.

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 Appropriations.

House Bill No. 4363, entitled

A bill to amend 1984 PA 192, entitled "Forbes mechanical contractors act," by amending section 10 (MCL 338.980), as amended by 2012 PA 312.

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 Appropriations.

House Bill No. 4364, entitled

A bill to amend 2002 PA 733, entitled "State plumbing act," by amending section 31 (MCL 338.3541), as amended by 2012 PA 311.

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 Appropriations.

House Bill No. 4381, entitled

A bill to amend 1979 PA 152, entitled "State license fee act," by amending sections 13, 17, 21, 25, 27, 29, 31, 37, 38, and 43 (MCL 338.2213, 338.2217, 338.2221, 338.2225, 338.2227, 338.2229, 338.2231, 338.2237, 338.2238, and 338.2243), sections 13, 17, 21, 25, 27, 29, 31, 37, and 38 as amended by 2012 PA 308 and section 43 as amended by 2013 PA 78.

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 Appropriations.

House Bill No. 4382, entitled

A bill to amend 1956 PA 217, entitled "Electrical administrative act," by amending section 3 (MCL 338.883), as amended by 2012 PA 313.

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 Appropriations.

House Bill No. 4383, entitled

A bill to amend 1986 PA 54, entitled "Building officials and inspectors registration act," by amending section 13 (MCL 338.2313), as amended by 2012 PA 314.

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 Appropriations.

House Bill No. 4384, entitled

A bill to amend 1982 PA 162, entitled "Nonprofit corporation act," by amending section 1060 (MCL 450.3060), as amended by 2014 PA 557.

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 Appropriations.

Statements

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

The motion prevailed.

Senator Bieda's statement is as follows:

Forty years ago today marked the official end of the Vietnam War. As I talk with veterans in my district and with the several who serve in this chamber, I think it would be worthwhile for us to take a moment not only to thank those who served in the Vietnam War, but also to remember the 58,220 U.S. casualties in that conflict. So could we please thank those veterans with us today.

A moment of silence was observed in memory of those who lost their lives in the Vietnam War and all other wars.

Senator Hood's statement is as follows:

I rise today to recognize a young man, and I will start by reading something that was printed in the paper about a young man by the name of Calvin Peete:

"Calvin Peete, who taught himself how to play golf at 24 and became the most successful black player on the PGA Tour before the arrival of Tiger Woods, died Wednesday morning, the PGA Tour said. He was 71. Peete won 12 times on the PGA tour, mainly on the strength of his uncanny accuracy off the tee. Peete led the PGA Tour in driving accuracy for 10 straight years in 1981, and he captured the Vardon Trophy over Jack Nicklaus in 1984. He also played on two Ryder Cup Tours.

"Born July 18, 1943, in Detroit, Peete used to pick beans and corn in the fields in Florida to make money for his family. He eventually financed a station wagon from which he sold vegetables and other goods to migrants. He wasn't interested in golf, even at the prodding of friends. Peete had spent enough time in the hot sun.

"According to a 1983 profile in *The New York Times*, Peete became interested when he saw how much money golfers were making. He first took up the game in Rochester, New York, when he was 24. Within six months he was breaking 80, and a year later he was breaking par.

"Even more remarkable is that Peete had a left arm he couldn't fully extend. He had fallen from a tree and broken his elbow as a kid, and it was never properly set. That didn't keep him from developing a repeatable swing that always seemed to find the fairway.

“Peete became the fourth black player to win on the PGA Tour, joining pioneers like Pete Brown, Charlie Sifford and Lee Elder.

“Four years after finally earning a card, he won the Greater Milwaukee Open in 1979 by five shots over Lee Trevino, Victor Regalado and Jim Simons. He finished 27th on the money list that year and cracked the \$100,000 (\$122,481) mark for the first time.

“Peete won four times in 1982, tied for the most titles on the PGA Tour that year with Tom Watson and Craig Stadler. He won the Vardon Trophy for the lowest stroke average in 1984, and his biggest victory was a year later when he captured The Players Championship.”

The PGA commissioner said Peete will always be remembered as a great champion and an individual who constantly gave back to the game. He will be dearly missed.

I stand before us today to recognize Mr. Peete and his family from Detroit. He was a pioneer for African Americans on the PGA Tour and an example for all of us who have had difficulties and injuries and hurdles to overcome in life. I just wanted to recognize the passing of Mr. Peete.

Senator Young’s statement is as follows:

I would like to begin with a quote: “Our lives begin to end when we become silent about the things that matter.” Martin Luther King, Jr. Mr. President, black lives matter: Eric Gardner, Michael Brown, Freddie Gray, Terrance Kellom, Walter Scott, Tamir Rice, and now in Michigan, even though he is still alive, Floyd Dent.

Over and over again this happens. Law enforcement officers use deadly force in situations that seemingly don’t call for it. Black men die. Communities respond with rage and with anger. It’s the only way they know how to after decades of feeling oppressed and harassed by the police who are supposed to protect them.

I understand that being a police officer is a very difficult job. A majority of police officers are hardworking and honest American heroes. They are trying to do a dangerous job and get home to their wives or significant others. They are just thinking to themselves, “How am I going to make it with this crappy pay, and even worse, crappy benefits, to do this incredibly dangerous job?” I understand that. I also understand that the officers who engage in this behavior are not represented by the police department.

But, Mr. President, when wrongs like this are committed, they have to be addressed through the legal system, and these men deserve justice. This is not right and it cannot stand. We have a responsibility to give the people we represent every opportunity to feel safe in their communities. We need people to feel like people are protecting them, instead of looking for them and out to get them. We all have failed.

I will be introducing two pieces of legislation that I hope will be a first step in giving our communities confidence in their law enforcement again. It’s also to let the communities know that the majority of our police officers are hardworking, honest, and good American people.

In one bill, we create a pilot program for body cameras to be worn by police. While most of our men and women in uniform operate ethically, it’s those who violate public trust that benefit from doing so away from the eyes of justice. Even in high profile cases that have been caught on video, we cannot get accurate representation of what happened without recording the incidents from the point of view of the officer. Body cameras would change that.

The second bill would require investigations of officer-involved deaths to be conducted by outside law enforcement agencies. We need to ensure an impartial review of such incidents. Even the perception of an unfair review can devastate a community and its relationship with law enforcement. We can do better to repair and maintain that relationship by ending internal investigations of officer-involved deaths.

This legislation comes at a time of great emotional upheaval. But it is common-sense legislation that already has bipartisan support. For those officers carrying out their duties with honor, to be serving under the shadow of unethical officers is unfair. For communities and people who feel the system is stacked against them, giving them tools to get at the truth and assert their rights is empowering and healing.

Simply, colleagues, if we want to see change, we need to change something. I hope you will join me in supporting these bills, our police officers, and our communities.

Committee Reports

The Committee on Judiciary reported

Senate Bill No. 251, entitled

A bill to amend 1939 PA 288, entitled “Probate code of 1939,” by amending section 11 of chapter XIIA (MCL 712A.11), as amended by 1996 PA 409, and by adding section 2f to chapter XIIA.

With the recommendation that the substitute (S-1) be adopted and that the bill then pass.

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

Rick Jones
Chairperson

To Report Out:

Yeas: Senators Jones, Schuitmaker, Rocca, Colbeck and Bieda

Nays: None

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

The Committee on Judiciary reported

Senate Bill No. 270, entitled

A bill to amend 1998 PA 386, entitled "Estates and protected individuals code," (MCL 700.1101 to 700.8206) by adding sections 5301b and 5402a.

With the recommendation that the bill pass.

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

Rick Jones
Chairperson

To Report Out:

Yeas: Senators Jones, Schuitmaker, Rocca, Colbeck and Bieda

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Judiciary reported

Senate Bill No. 281, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 8322 (MCL 600.8322), as amended by 2005 PA 326.

With the recommendation that the bill pass.

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

Rick Jones
Chairperson

To Report Out:

Yeas: Senators Jones, Schuitmaker, Rocca, Colbeck and Bieda

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Judiciary submitted the following:

Meeting held on Tuesday, April 28, 2015, at 3:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower

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

The Committee on Health Policy reported

Senate Bill No. 68, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 2701, 5119, 16125, 16161, 16163, 16216, 16231, 16231a, 16315, 16327, 17201, 17210, 17211, 17212, 17221, 17607, 17708, 17745, 17820, 17822, 18301, and 20201 (MCL 333.2701, 333.5119, 333.16125, 333.16161, 333.16163, 333.16216, 333.16231, 333.16231a, 333.16315, 333.16327, 333.17201, 333.17210, 333.17211, 333.17212, 333.17221, 333.17607, 333.17708, 333.17745, 333.17820, 333.17822, 333.18301, and 333.20201), section 2701 as amended by 2014 PA 172, section 5119 as amended by 2000 PA 209, sections 16125 and 16161 as amended by 1989 PA 202, section 16163 as amended by 2002 PA 643, section 16216 as amended by 2014 PA 98, section 16231 as amended by 2014 PA 95, sections 16231a and 16315 as amended by 2013 PA 268, section 16327 as amended by 2009 PA 216, sections 17211 and 17221 as amended by 2006 PA 409, section 17212 as added by 1996 PA 355, section 17607 as added by 2008 PA 524, section 17708 as amended by 2012 PA 209, section 17745 as amended by 2014 PA 311, section 17820 as amended by 2014 PA 260, section 17822 as amended by 2005 PA 281, section 18301 as amended by 2008 PA 523, and section 20201 as amended by 2011 PA 210, and by adding sections 17202, 17210a, 17211a, 17214, and 17221a.

With the recommendation that the substitute (S-3) be adopted and that the bill then pass.

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

Mike Shirkey
Chairperson

To Report Out:

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

Nays: None

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

COMMITTEE ATTENDANCE REPORT

The Committee on Health Policy submitted the following:

Meeting held on Tuesday, April 28, 2015, at 12:30 p.m., Senate Hearing Room, Ground Floor, Boji Tower

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

Excused: Senator Knezek

Scheduled Meetings

Administrative Rules - Wednesday, May 6, 9:30 a.m., Room 426, Capitol Building (373-5773)

Appropriations -**Subcommittees -**

Agriculture and Rural Development and House Agriculture and Rural Development Appropriations Subcommittee - Monday, May 4, 10:00 a.m., Press Room, Hazel Park Raceway, 1650 East 10 Mile Road, Hazel Park (373-2768)

K-12, School Aid, Education and House School Aid Appropriations Subcommittee - Wednesday, June 3, 8:30 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

Finance - Tuesday, May 5, 2:30 p.m., Room 210, Farnum Building (373-5312)

Michigan Law Revision Commission - Wednesday, May 13, 11:30 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 11:05 a.m.

The President, Lieutenant Governor Calley, declared the Senate adjourned until Tuesday, May 5, 2015, at 10:00 a.m.

JEFFREY F. COBB
Secretary of the Senate

