

No. 39
STATE OF MICHIGAN
Journal of the Senate
98th Legislature
REGULAR SESSION OF 2015

Senate Chamber, Lansing, Wednesday, April 29, 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—excused
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

Pastor Enoch Olson of Spring Hill Camp of Ludington offered the following invocation:

Almighty God, our Heavenly Father, God of those who put their trust in You, whose power is infinite and wisdom infallible: Gathered here this morning are the committed men and women chosen to direct the affairs of this great state. They now come seeking Your all-wise counsel and guidance for all their deliberations. It is our greatest and noblest pleasure to be acquainted with You and confess that all things come from You, even life itself. We pray for the many in this world who have neither today.

Lord, we acknowledge that it is only because of Your mercies that You have brought us to the dawn of this new day. We do not approach You because we deserve Your notice, but only because of Your faithful forgiveness. We are awed by Your majestic power and glory and drawn to You by Your unfailing love. We say with the writer of old, who is like You, O Lord, among the Gods? Who is like You majestic in holiness, awesome in power, doing wonders? We come to You because our necessities compel us, our humble hearts incite us, Your promises encourage us, Your Spirit invites us, and so here we stand before Your very presence in honor of Your holy name.

We often feel powerless, confessing that when our faith sleeps, our hearts become an unclean thing, the fount of every unclean desire and thought. O Lord, we pray that You would awaken our faith to draw on Your strength until all heaven fills our souls and all impurity is cast out. We carry into this troubled world the weaknesses of our human heart, knowing that without You we can do nothing. So we come to You for the wisdom and strength required for the duties and events of this new day.

Lord, there are hard decisions to be made, budgets to be established, and issues that need consensus. Lord, we are seeking one heart, one soul, and one mind to see and accomplish those things which are right and true. Vain will be our actions unless we give ourselves to the riches of Your grace and the power that takes us beyond the limits of our human abilities to achieve those things which seem impossible.

Lord, order the events of this day that they may neither hinder nor discourage, nor prove to be obstacles to the progress and glory of Your cause. Preserve our understanding from the subtlety of error, our affections from vain passions, our character from the stain of vice, and our profession from every form of evil. Chase away the mist of ignorance so we stumble not in the darkness of our pride.

O Lord, You have given us this great and wonderful nation as our heritage. Bless our country with honest industry, truthful education, and an honorable way of living, and, Father, defend our liberties. When blessed with prosperity, may we feel from You and not find it to be a snare in our walk, but may we bless You for all that You give to us. We are encouraged, Lord, and we pray now that You would engage us in nothing in which we cannot implore Your blessing and which we cannot invite Your inspection. Prosper us, prepare us, Lord, for the tasks of this day, and may the times that we become discouraged, Lord, we pray that You will prepare us for that.

Lord, we live in a very messy world where evil and hatred rule. Teach us that it is only through the power and name of Jesus that we can conquer and heal this great world, because only He has conquered both evil and death. We pray Your kingdom come and Your will be done on earth, as it is in heaven. Teach us how to redeem our time and walk in love toward those whom we serve with. May this day be a happier and blessed one because we live.

Now, as we cross the threshold of this day, we commit ourselves, soul, body, mind, and strength and all our deliberations to Your care and order all our communications according to Your wisdom. May we speak each word as if it be our last and walk our path as if it be our final step.

O Lord, when times are prosperous, let our hearts be thankful. In times of trouble, give us hope and faith to experience the things we believe to be true. May our trust in You, the sovereign God who never falters or fails. May we the people of this great nation never forget that it is You who gives us hope and salvation through Jesus Christ, our Savior and Lord. Blessed be Your name forever. Amen.

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

Motions and Communications

Senators Casperson, Robertson and Smith entered the Senate Chamber.

Senator Kowall moved that Senators Meekhof and Green be temporarily excused from today's session. The motion prevailed.

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

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

The following communications were received:
Department of State

Administrative Rules
Notices of Filing

April 22, 2015

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2014-064-LR (Secretary of State Filing #15-04-08) on this date at 3:52 p.m. for the Department of Licensing and Regulatory Affairs, entitled "Part 6. Fire Exits."

These rules become effective immediately upon filing with the Secretary of State unless adopted under section 33, 44 or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

April 22, 2015

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2014-065-LR (Secretary of State Filing #15-04-09) on this date at 3:52 p.m. for the Department of Licensing and Regulatory Affairs, entitled "Part 50. Telecommunications."

These rules become effective immediately upon filing with the Secretary of State unless adopted under section 33, 44 or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

April 22, 2015

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2014-066-LR (Secretary of State Filing #15-04-10) on this date at 3:52 p.m. for the Department of Licensing and Regulatory Affairs, entitled "Part 55. Explosives and Blasting Agents."

These rules become effective immediately upon filing with the Secretary of State unless adopted under section 33, 44 or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

April 23, 2015

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2014-067-LR (Secretary of State Filing #15-04-11) on this date at 2:40 p.m. for the Department of Licensing and Regulatory Affairs, entitled "Part 56. Storage and Handling of Liquefied Petroleum Gases."

These rules become effective immediately upon filing with the Secretary of State unless adopted under section 33, 44 or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

April 23, 2015

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2014-070-LR (Secretary of State Filing #15-04-12) on this date at 2:40 p.m. for the Department of Licensing and Regulatory Affairs, entitled "Part 78. Storage and Handling of Anhydrous Ammonia."

These rules become effective immediately upon filing with the Secretary of State unless adopted under section 33, 44 or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

Sincerely,
Ruth Johnson
Secretary of State
Robin L. Houston, Departmental Supervisor
Office of the Great Seal

The communications were referred to the Secretary for record.

The Secretary announced that the following bills were printed and filed on Tuesday, April 28, and are available at the Michigan Legislature website:

Senate Bill Nos. 298 299 300 301 302

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

Senators Knollenberg, Marleau, Kowall and Zorn introduced

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

Senators Kowall, Robertson, Horn, Emmons, Bieda, Marleau, Booher and Hildenbrand introduced

Senate Bill No. 304, entitled

A bill to amend 2008 PA 429, entitled "Scrap metal regulatory act," by amending section 6 (MCL 445.426), as added by 2014 PA 99.

The bill was read a first and second time by title and referred to the Committee on Economic Development and International Investment.

Senator Green introduced

Senate Bill No. 305, entitled

A bill to prohibit political subdivisions in this state from imposing certain restrictions on the transportation, possession, carrying, sale, transfer, purchase, gift, devise, licensing, registration, or use of knives or components of knives; and to repeal acts and parts of acts.

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

Senators Green, Robertson, Colbeck, Horn, Hildenbrand, MacGregor, Marleau and Booher introduced

Senate Bill No. 306, entitled

A bill to enter into the compact for a balanced budget.

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

By unanimous consent the Senate returned to the order of

General Orders

Senator Kowall moved that the Senate resolve itself into the Committee of the Whole for consideration of the General Orders calendar.

The motion prevailed, and the President, Lieutenant Governor Calley, designated Senator Proos 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 with a substitute therefor, the following bill:

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.

Substitute (S-2).

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.

During the Committee of the Whole, Senators Meekhof, Johnson and Young entered the Senate Chamber.

Recess

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

The motion prevailed, the time being 10:14 a.m.

10:23 a.m.

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

During the recess, Senator Green entered the Senate Chamber.

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

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

- House Bill No. 4151**
- House Bill No. 4152**
- House Bill No. 4153**
- House Bill No. 4154**
- House Bill No. 4155**
- House Bill No. 4156**
- Senate Bill No. 218**
- House Bill No. 4160**
- House Bill No. 4161**

The motion prevailed.

The following bill was read a third time:

House Bill No. 4151, entitled

A bill to repeal 1959 PA 186, entitled “An act to regulate the use of certain spring, gas or air operated handguns and to provide a penalty for violation of this act,” (MCL 752.891 to 752.892).

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. 111

Yeas—30

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

Nays—7

Bieda	Hood	Johnson	Young
Hertel	Hopgood	Warren	

Excused—1

Gregory

Not Voting—0

In The Chair: President

The question being on concurring in the committee recommendation to give the bill immediate effect,
The recommendation was concurred in, 2/3 of the members serving voting therefor.
The Senate agreed to the title of the bill.

Protests

Senators Bieda and Hood, under their constitutional right of protest (Art. 4, Sec. 18), protested against the passage of House Bill No. 4151.

Senator Bieda moved that the statement he made during the discussion of the bill be printed as his reasons for voting “no.”
The motion prevailed.

Senator Bieda’s statement, in which Senator Hood concurred, is as follows:

I am rising in opposition to this bill. This bill would repeal Public Act No. 186 of 1959, which prohibits a person under 18 years of age from using or possessing any handgun designed and manufactured exclusively for propelling BBs, not exceeding a certain caliber, or a means of spraying gas or air outside of the minor’s home, unless accompanied by an adult. As I was looking at this legislation and looking at some of the events that have happened nationally with children who have been either carrying toy guns or other types of guns that may look like a real gun, it occurred to me that this could very well be a recipe for disaster.

I think the safety of children in this state is paramount. I think this is something that we should take a very hard look at, whether we want to allow a 10-year-old to walk around with a BB gun or an air gun that may look like a real gun. It doesn’t take much imagination to see a circumstance, which we have seen around this country, of children getting shot because a police officer or someone else thought they were holding a real gun.

Again, this is a child safety issue. To paraphrase a movie some of you might remember, *A Christmas Story*, “You’ll shoot your eye out, kid.” I think these are dangerous. I don’t want to see any children lose their eye, and I don’t want to see anyone lose their life. I urge my colleagues to give this careful consideration, and I urge you to vote “no” on House Bill No. 4151.

The following bill was read a third time:

House Bill No. 4152, entitled

A bill to amend 1846 RS 1, entitled “Of the statutes,” by amending section 3t (MCL 8.3t).

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. 112

Yeas—37

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

Nays—0

Excused—1

Not Voting—0

In The Chair: President

The question being on concurring in the committee recommendation to give the bill immediate effect,
The recommendation was concurred in, 2/3 of the members serving voting therefor.
The Senate agreed to the title of the bill.

The following bill was read a third time:

House Bill No. 4153, entitled

A bill to amend 1952 PA 10, entitled “An act to define the duties of any person who discharges a firearm and thereby injures any person; and to prescribe penalties for violations of the provisions of this act,” by amending section 1 (MCL 752.841).

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. 113**Yeas—37**

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

Nays—0**Excused—1**

Gregory

Not Voting—0

In The Chair: President

The question being on concurring in the committee recommendation to give the bill immediate effect,
The recommendation was concurred in, 2/3 of the members serving voting therefor.
The Senate agreed to the title of the bill.

The following bill was read a third time:

House Bill No. 4154, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 40102, 40111, and 43503 (MCL 324.40102, 324.40111, and 324.43503), section 40102 as amended by 2007 PA 48, section 40111 as amended by 2012 PA 340, and section 43503 as amended by 2012 PA 520.

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. 114**Yeas—37**

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

Nays—0**Excused—1**

Gregory

Not Voting—0

In The Chair: President

The question being on concurring in the committee recommendation to give the bill immediate effect,

The recommendation was concurred in, 2/3 of the members serving voting therefor.

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to 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.”.

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 4155, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending sections 222, 226, 227b, 227c, 227d, 237a, and 528a (MCL 750.222, 750.226, 750.227b, 750.227c, 750.227d, 750.237a, and 750.528a), section 222 as amended by 2012 PA 242, section 227b as amended by 1990 PA 321, sections 227c and 227d as added by 1981 PA 103, section 237a as added by 1994 PA 158, and section 528a as added by 1986 PA 113.

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. 115**Yeas—37**

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

Casperson	Hune	Nofs	Smith
Colbeck	Johnson	O'Brien	Stamas
Emmons	Jones	Pavlov	Warren
Green	Knezek	Proos	Young
Hansen	Knollenberg	Robertson	Zorn
Hertel			

Nays—0

Excused—1

Gregory

Not Voting—0

In The Chair: President

The question being on concurring in the committee recommendation to give the bill immediate effect,
The recommendation was concurred in, 2/3 of the members serving voting therefor.

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to revise, consolidate, codify, and add to the statutes relating to crimes; to define crimes and prescribe the penalties and remedies; to provide for restitution under certain circumstances; to provide for the competency of evidence at the trial of persons accused of crime; to provide immunity from prosecution for certain witnesses appearing at criminal trials; to provide for liability for damages; and to repeal certain acts and parts of acts inconsistent with or contravening any of the provisions of this act.”

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 4156, entitled

A bill to amend 1927 PA 372, entitled “An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms, gas ejecting devices, and electro-muscular disruption devices; to prohibit the buying, selling, or carrying of certain firearms, gas ejecting devices, and electro-muscular disruption devices without a license or other authorization; to provide for the forfeiture of firearms and electro-muscular disruption devices under certain circumstances; to provide for penalties and remedies; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; to prohibit certain conduct against individuals who apply for or receive a license to carry a concealed pistol; to make appropriations; to prescribe certain conditions for the appropriations; and to repeal all acts and parts of acts inconsistent with this act,” by amending section 1 (MCL 28.421), as amended by 2015 PA 3.

The question being on the passage of the bill,

Senator Jones offered the following substitute:

Substitute (S-2).

The substitute 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. 116

Yeas—37

Ananich	Hildenbrand	Kowall	Rocca
Bieda	Hood	MacGregor	Schmidt
Booher	Hopgood	Marleau	Schuitmaker

Brandenburg	Horn	Meekhof	Shirkey
Casperson	Hune	Nofs	Smith
Colbeck	Johnson	O'Brien	Stamas
Emmons	Jones	Pavlov	Warren
Green	Knezek	Proos	Young
Hansen	Knollenberg	Robertson	Zorn
Hertel			

Nays—0

Excused—1

Gregory

Not Voting—0

In The Chair: President

The question being on concurring in the committee recommendation to give the bill immediate effect,
The recommendation was concurred in, 2/3 of the members serving voting therefor.

Senator Jones offered to amend the title to read as follows:

A bill to amend 1927 PA 372, entitled "An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms, gas ejecting devices, and electro-muscular disruption devices; to prohibit the buying, selling, or carrying of certain firearms, gas ejecting devices, and electro-muscular disruption devices without a license or other authorization; to provide for the forfeiture of firearms and electro-muscular disruption devices under certain circumstances; to provide for penalties and remedies; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; to prohibit certain conduct against individuals who apply for or receive a license to carry a concealed pistol; to make appropriations; to prescribe certain conditions for the appropriations; and to repeal all acts and parts of acts inconsistent with this act," by amending section 1 (MCL 28.421), as amended by 2015 PA 16.

The amendment to the title was adopted.

The Senate agreed to the title as amended.

The following bill was read a third time:

Senate Bill No. 218, entitled

A bill to amend 2004 PA 46, entitled "Public safety officers benefit act," by amending the title and section 2 (MCL 28.632) and by adding section 4a.

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. 117

Yeas—37

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

Nays—0

Excused—1

Gregory

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

House Bill No. 4160, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending section 234e (MCL 750.234e), as added by 1990 PA 321.

The question being on the passage of the bill,

Senator Bieda offered the following amendment:

1. Amend page 2, line 9, by striking out all of enacting section 2 and inserting:

“Enacting section 2. This amendatory act does not take effect unless all of the following bills of the 98th Legislature are enacted into law:

(a) House Bill No. 4161.

(b) House Bill No. 4261.”.

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

Senator Hood requested the yeas and nays.

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

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

Roll Call No. 118

Yeas—10

Ananich
Bieda
Hertel

Hood
Hopgood
Johnson

Knezek
Smith

Warren
Young

Nays—27

Booher
Brandenburg
Casperson
Colbeck
Emmons
Green
Hansen

Hildenbrand
Horn
Hune
Jones
Knollenberg
Kowall
MacGregor

Marleau
Meekhof
Nofs
O’Brien
Pavlov
Proos
Robertson

Rocca
Schmidt
Schuitmaker
Shirkey
Stamas
Zorn

Excused—1

Gregory

Not Voting—0

In The Chair: President

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

Roll Call No. 119**Yeas—37**

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

Nays—0**Excused—1**

Gregory

Not Voting—0

In The Chair: President

The question being on concurring in the committee recommendation to give the bill immediate effect,
The recommendation was concurred in, 2/3 of the members serving voting therefor.

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to revise, consolidate, codify, and add to the statutes relating to crimes; to define crimes and prescribe the penalties and remedies; to provide for restitution under certain circumstances; to provide for the competency of evidence at the trial of persons accused of crime; to provide immunity from prosecution for certain witnesses appearing at criminal trials; to provide for liability for damages; and to repeal certain acts and parts of acts inconsistent with or contravening any of the provisions of this act.”.

The Senate agreed to the full title.

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 rise to speak to my amendment and urge this body to broaden its conversation on guns. I'm not taking issue with the legislation that is before us today. In fact, I supported these bills when they passed out of committee, and I plan to support them today. However, as we continue to take up these types of bills that reevaluate our state's gun laws, I think that it is critical that we take a hard look at some of the other issues with guns in Michigan and try to balance those individual rights while still protecting the public.

My amendment would tie-bar this legislation to House Bill No. 4261, which is designed to ban carrying guns in schools and keep our children and communities safe. Again, I don't mean to take anything away from the legislation that is here before us, but I do believe that it is important that we do not forget to include this discussion about guns in schools as part of this ongoing debate. Regardless of your stance on guns, I think that we should all be able to agree that the safety of our children should be paramount, and this amendment will properly establish that.

Recently, in Madison Heights, Michigan, and Ann Arbor, we had situations where several individuals were testing Michigan's open-carry laws, and they actually carried guns on school grounds. This has created a quandary for school administrators, public safety advocates, and police. I think that this is something we need to address, and that is why I urge your support for this amendment. I ask my colleagues for their support.

The following bill was read a third time:

House Bill No. 4161, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 222 (MCL 750.222), as amended by 2012 PA 242.

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. 120

Yeas—37

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

Nays—0

Excused—1

Gregory

Not Voting—0

In The Chair: President

The question being on concurring in the committee recommendation to give the bill immediate effect,

The recommendation was concurred in, 2/3 of the members serving voting therefor.

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

"An act to revise, consolidate, codify, and add to the statutes relating to crimes; to define crimes and prescribe the penalties and remedies; to provide for restitution under certain circumstances; to provide for the competency of evidence at the trial of persons accused of crime; to provide immunity from prosecution for certain witnesses appearing at criminal trials; to provide for liability for damages; and to repeal certain acts and parts of acts inconsistent with or contravening any of the provisions of this act."

The Senate agreed to the full title.

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 bring this amendment on this bill to again illustrate some of the issues that we have in this state and a demand from many citizens, school administrators, and police professionals that we address this vague area in our law. Within the last month, we had a situation in Madison Heights, where a rifle-carrying man caused Madison Heights educators to lock down Lamphere High School twice in a week, including one at the noon hour. Even though this man never set his foot on school grounds, there was an issue with reports of this man carrying a gun on school grounds. The Ann Arbor School Board is also demanding a change after a man was openly carrying a handgun into a school concert.

Colleagues, I know that this is a difficult issue for many of you, particularly where your support may come from. I do think that this is an important issue that we need to address. I'm going to withdraw this amendment based on the promise of the chairman of the committee to give this issue a hearing. I think it's really important that we discuss this issue. I would hate to put you both on another record roll call vote against school safety, but I do think that this is an important issue that I would like to discuss. With that, I'm going to withdraw my amendment.

By unanimous consent the Senate proceeded to the order of

Statements

Senators Ananich, Green 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 Ananich's statement is as follows:

Colleagues, I rise today to share some great news with this body on a new investment by General Motors that continues to create jobs and foster automotive advancement in Flint. Kettering University is working with GM to turn a vacant former General Motors manufacturing site into a next-generation auto proving grounds and power train research lab. The General Motors Foundation automotive research area project is expected to be up and running in two years, and the project will put Flint on the cutting edge of fostering talent and automotive innovation. This project is made possible thanks to a generous \$2 million gift from General Motors and another \$2 million from the General Motors Foundation.

More than 300 Kettering students, faculty, and staff, GM officials, and community members attended a press conference yesterday to celebrate the donations and kick off the project. Two of those students got the surprise of a lifetime, as General Motors also used the event to award them each \$100,000 scholarships. This is great news. This is just the latest in a longstanding commitment from General Motors to Flint and Michigan as whole.

General Motors has been one of the cornerstones of Flint and our state's economy since being founded in Flint in 1908. The resurgence has been a key part of our state's economic recovery. There are few places where that is felt stronger than in my district. Since 2010, General Motors has invested more than \$1.4 billion and created 1,766 jobs in Flint. Their continuing investment in a GM truck plant in Flint has made them another anchor employer that has created countless jobs and truly kept our local economy afloat. The Flint area alone is home to over 7,000 General Motors employees.

My city and our state's success is tied to GM's success. Their ability to invest and grow is thanks in large part to the support of this body and our state government as a whole. On behalf of the people of Flint and around Michigan, I want to thank General Motors for their continued investment in my community and in our state.

Senator Green's statement is as follows:

The state lost a great defender of gun rights a few months ago, and I would like to read a special proclamation that I had prepared to honor a great friend:

"LET IT BE KNOWN, That it is with deep gratitude for his selfless service to our nation, his leadership in support of the Second Amendment and his tireless dedication to public safety that we join together to remember and honor Richard 'Dick' Love.

Richard served his nation with distinction in the United States Army from 1953 to 1955 during the Korean War. He answered his nation's call and proudly defended our freedom, our way of life and the freedoms of his fellow man across the globe against the threats of tyranny and oppression. Following his honorable discharge from the Army, he continued to serve his comrades-in-arms and his community as an active member of the Veterans of Foreign Wars.

As a soldier, Richard defended our freedom against threats abroad; as a civilian, he continued to defend that freedom here at home. Over the years, he became instrumental in Second Amendment organizations and legislative efforts, serving as a principled yet soft-spoken grassroots leader and as a trusted advisor to elected officials. Though one to avoid the spotlight, he played a pivotal role in the passage of substantial legislative reforms on behalf of Michigan's gun owners.

A devoted husband, father and grandfather who valued family and community, he dedicated his life to preparing honest, law-abiding citizens to defend themselves against violence. He was a longtime firearms instructor and owner of

The Weaponry Shop, equipping and training countless private citizens and police officers in the lawful, defensive use of firearms. The superior quality of the training he provided was well-known and became a standard by which others were measured.

IN SPECIAL TRIBUTE, Therefore, This document is signed and dedicated to remember and honor Richard ‘Dick’ Love for his life of service, leadership and dedication that touched the lives of so many and that will live on through others for generations to come.”

I would like to ask my colleagues to acknowledge the family of Dick Love; they are residing in the north Gallery.

A moment of silence was observed in memory of Richard “Dick” Love, Second Amendment rights advocate.

Senator Young’s statement is as follows:

Mr. President, the federal RFRA law was implemented after two Native American men were denied employment benefits for taking the drug peyote as part of a religious rite—which is why we need to free the weed, but that is a different conversation for a different day. Native Americans and all U.S. citizens are protected from race discrimination by federal and state civil rights laws. The federal law extended those protections to include religion, but the state-based RFRA laws we are seeing pop up nationwide reverse that. They allow a person or business to use their sincerely-held religious belief as a reason to deny service, housing, employment, et cetera, to any person not already covered by state or federal civil rights laws.

Who in Michigan isn’t already protected by the Elliot-Larsen Civil Rights Act? Lesbian, gay, bisexual, and transgender Michiganders. So while a person cannot legally deny renting a home to an African-American woman or man, they could under this law deny renting a house to a lesbian. My question is, where does it stop? If it is people of the LGBT community today, what’s next? Are they are going to go back to deny African Americans services? Are they going to deny obese people services? Am I going to go into a store and be denied my right to buy a donut because someone thinks I’m obese, and it’s against their religion? I will be damned if I can’t buy a Whopper because it’s against somebody else’s religion. That’s outrageous and absurd.

Mr. President, deep in your heart to places you don’t want to go, you know I’m right about that. Put simply, the RFRA bill introduced is a license to discriminate against LGBT Michiganders. It is not the same as the federal law, although they share a name. The federal law is designed to protect people from persecution. The state-level laws are to protect those who would persecute our LGBT friends, our families, our neighbors, our brother, our sister, and our men and women of the Armed Services.

Mr. President, this discrimination has to stop and it has to stop now. We saw the backlash against Indiana after RFRA was signed into law. It’s well-deserved. This law is the polar opposite of everything this nation stands for. It saddens me to think of Michigan inviting similar discrimination and inequality. I will fight relentlessly to keep this from passing. Mr. President, I say to you today for all of my LGBT community, all my friends, all my brothers and sisters, I say equal rights today, equal rights tomorrow, and equal rights forever. Do not pass this abomination of a RFRA law.

Committee Reports

The Committee on Local Government reported

Senate Bill No. 62, entitled

A bill to amend 1937 PA 103, entitled “An act to prescribe certain conditions relative to the execution of instruments entitled to be recorded in the office of the register of deeds,” by amending section 3 (MCL 565.203).

With the recommendation that the substitute (S-2) be adopted and that the bill then pass.

Dale W. Zorn
Chairperson

To Report Out:

Yeas: Senators Zorn, Proos, Brandenburg, Rocca and Young

Nays: None

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

The Committee on Local Government reported

House Bill No. 4075, entitled

A bill to amend 1895 PA 161, entitled “An act to require county treasurers to furnish transcripts and abstracts of records, and fixing the fees to be paid therefor,” by amending section 1 (MCL 48.101), as amended by 1984 PA 291.

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

Dale W. Zorn
Chairperson

To Report Out:

Yeas: Senators Zorn, Proos, Brandenburg, Rocca 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 Local Government submitted the following:

Meeting held on Tuesday, April 28, 2015, at 12:30 p.m., Room 100, Farnum Building

Present: Senators Zorn (C), Proos, Brandenburg, Rocca and Young

The Committee on Education reported

Senate Bill No. 103, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 1249 and 1249a (MCL 380.1249 and 380.1249a), section 1249 as amended by 2014 PA 257 and section 1249a as added by 2011 PA 102, and by adding sections 1249b and 1531j; and to repeal acts and parts of acts.

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.

Phillip J. Pavlov
Chairperson

To Report Out:

Yeas: Senators Pavlov, Knollenberg, Booher and Colbeck

Nays: Senator Knezek

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

COMMITTEE ATTENDANCE REPORT

The Committee on Education submitted the following:

Meeting held on Tuesday, April 28, 2015, at 12:00 noon, Room 110, Farnum Building

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

Scheduled Meetings**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)

Transportation - Thursday, April 30, 8:30 a.m., Room 210, Farnum Building (373-5323)

Veterans, Military Affairs and Homeland Security - Thursday, April 30, 2:00 p.m., Room 110, Farnum Building (373-5314)

Senator Kowall moved that the Senate adjourn.
The motion prevailed, the time being 11:15 a.m.

The President, Lieutenant Governor Calley, declared the Senate adjourned until Thursday, April 30, 2015, at 10:00 a.m.

JEFFREY F. COBB
Secretary of the Senate

