

**No. 53**  
**STATE OF MICHIGAN**  
**Journal of the Senate**  
**98th Legislature**  
**REGULAR SESSION OF 2016**

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Senate Chamber, Lansing, Thursday, May 26, 2016.

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  
Stamas—present  
Warren—present  
Young—present  
Zorn—present

Pastor Dave Beetham of Kalamazoo Covenant Church of Kalamazoo offered the following invocation:

O Lord, we come before You today and we thank You for this nation. We thank You for the freedoms that we have. We thank You for the peace that we as a nation feel so often. God, we know that this comes at a heavy price. On this day, we remember those who have fallen; those fathers, those mothers, those sons, and those daughters who have given us our freedom, who fought proudly, and, Lord, those who still fight for us. God, we thank You for them. Lord, we thank You for those families who support them, encourage them, and love them.

Lord, I pray that You be with us today. I pray that You be with this group of leadership. Lord, I pray for our Governor, that You give him wisdom. I pray for these leaders who sit in these chairs day after day leading our state, that You be with them as well, and give them Your great wisdom. God, I pray that You bless this state of Michigan.

I pray in Your holy name. Amen.

### Motions and Communications

Senator Green entered the Senate Chamber.

The following communication was received and read:  
Office of the Senate Majority Leader

May 25, 2016

Pursuant to Joint Rule 3, the House having non-concurred in the Senate substitute (S-1) to HB 5329, the Senate removes Senator Patrick Colbeck and appoints Senator Marty Knollenberg to the conference committee.

Thank you for your prompt consideration of this matter.

Respectfully yours,  
Arlan B. Meekhof  
Senate Majority Leader  
30th Senate 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, May 25:  
**House Bill No. 5230**

The Secretary announced that the following bills were printed and filed on Wednesday, May 25, and are available at the Michigan Legislature website:

|                         |             |             |             |             |             |             |             |             |             |             |
|-------------------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|
| <b>Senate Bill Nos.</b> | <b>991</b>  | <b>992</b>  | <b>993</b>  | <b>994</b>  | <b>995</b>  | <b>996</b>  | <b>997</b>  | <b>998</b>  |             |             |
| <b>House Bill Nos.</b>  | <b>5690</b> | <b>5691</b> | <b>5692</b> | <b>5693</b> | <b>5694</b> | <b>5695</b> | <b>5696</b> | <b>5697</b> | <b>5698</b> | <b>5699</b> |

Senator Kowall moved that Senator Hildenbrand be temporarily excused from today's session.  
The motion prevailed.

Senator Kowall moved that rule 3.902 be suspended to allow the guests of the Senate 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 and Gallery.  
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 10:06 a.m.

10:57 a.m.

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

During the recess, Senator Colbeck presented the 22nd Annual Memorial Day Ceremony “Gone But Not Forgotten” in honor of the military personnel who served during wartime. The ceremony was accompanied by the Michigan Army National Color Guard, Military Funeral Honors Color Guard, Kalamazoo Pipe Band, and Veteran Post Commanders.

Senator O’Brien led the members of the Senate and guests in recital of the *Pledge of Allegiance*.

Senator Colbeck introduced Deborah Drick, former Senate employee and Blue Star Mother, who sang the “National Anthem.”

Senators Colbeck and Gregory acknowledged members of the Michigan Department of Military and Veterans Affairs, House of Representatives who have served in the military, Gold Star family members, and individuals currently and formerly serving in the armed forces.

Senator Colbeck introduced keynote speaker, Lieutenant John A. Clark, U.S. Air Force and Michigan Air National Guard.

Senator Stamas conducted a roll call of the Michigan fallen soldiers since the 2015 Memorial Day Ceremony, and Senators Brandenburg and O’Brien acknowledged them with memorial flags.

Sergeant First Class Timothy W. Szymanski, Michigan Army National Guard, played “Taps.”

The Kalamazoo Pipe Band played “Amazing Grace.”

Senator Knezek presented the display, “Missing Man Table,” which represents and honors missing veterans, or POWs and MIAs.

During the recess, Senator Hildenbrand entered the Senate Chamber.

### Committee Reports

The Committee on Commerce reported

#### **Senate Bill No. 878, entitled**

A bill to amend 1986 PA 32, entitled “Emergency 9-1-1 service enabling act,” by amending section 405 (MCL 484.1405), as amended by 2011 PA 271.

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.

Wayne A. Schmidt  
Chairperson

To Report Out:

Yeas: Senators Schmidt, Kowall, MacGregor, O’Brien and Hertel

Nays: None

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

The Committee on Commerce reported

#### **Senate Bill No. 908, entitled**

A bill to amend 1996 PA 381, entitled “Brownfield redevelopment financing act,” by amending sections 2, 3, 4, 7, 8, 8a, 11, 13, 14, 15, 15a, and 16 (MCL 125.2652, 125.2653, 125.2654, 125.2657, 125.2658, 125.2658a, 125.2661, 125.2663, 125.2664, 125.2665, 125.2665a, and 125.2666), section 2 as amended by 2013 PA 67, section 3 as amended by 2000 PA 145, sections 4, 8, 13, 15, and 16 as amended and section 8a as added by 2012 PA 502, section 7 as amended by 2002 PA 413, and section 15a as amended by 2014 PA 20, and by adding sections 13a and 13b; and to repeal acts and parts of acts.

With the recommendation that the bill pass.

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

Wayne A. Schmidt  
Chairperson

To Report Out:

Yeas: Senators Schmidt, Kowall, MacGregor, O’Brien and Hertel

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Commerce reported

#### **Senate Bill No. 909, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 19511, 19512, and 19513 (MCL 324.19511, 324.19512, and 324.19513), as added by 1995 PA 60.

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

Wayne A. Schmidt  
Chairperson

To Report Out:

Yeas: Senators Schmidt, Kowall, MacGregor, O'Brien and Hertel  
Nays: None  
The bill was referred to the Committee of the Whole.

The Committee on Commerce reported

**Senate Bill No. 910, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 19601, 19607, 19608, and 19608a (MCL 324.19601, 324.19607, 324.19608, and 324.19608a), sections 19601 and 19607 as added by 1998 PA 288, section 19608 as amended by 2012 PA 446, and section 19608a as added by 2003 PA 253, and by adding section 19608b.

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

Wayne A. Schmidt  
Chairperson

To Report Out:

Yeas: Senators Schmidt, Kowall, MacGregor, O'Brien and Hertel  
Nays: None  
The bill was referred to the Committee of the Whole.

The Committee on Commerce reported

**Senate Bill No. 911, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 19508, 19509, and 19510 (MCL 324.19508, 324.19509, and 324.19510), as added by 1995 PA 60.

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

Wayne A. Schmidt  
Chairperson

To Report Out:

Yeas: Senators Schmidt, Kowall, MacGregor, O'Brien and Hertel  
Nays: None  
The bill was referred to the Committee of the Whole.

The Committee on Commerce reported

**Senate Bill No. 912, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 19609, 19610, 19611, and 19612 (MCL 324.19609, 324.19610, 324.19611, and 324.19612), sections 19609, 19610, and 19611 as added by 1998 PA 288 and section 19612 as amended by 2014 PA 115, and by adding section 19610a.

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

Wayne A. Schmidt  
Chairperson

To Report Out:

Yeas: Senators Schmidt, Kowall, MacGregor, O'Brien and Hertel  
Nays: None  
The bill was referred to the Committee of the Whole.

The Committee on Commerce reported

**Senate Bill No. 913, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 20108b (MCL 324.20108b), as amended by 2010 PA 233.

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

Wayne A. Schmidt  
Chairperson

To Report Out:

Yeas: Senators Schmidt, Kowall, MacGregor, O'Brien and Hertel  
Nays: None  
The bill was referred to the Committee of the Whole.

#### COMMITTEE ATTENDANCE REPORT

The Committee on Commerce submitted the following:  
Meeting held on Wednesday, May 25, 2016, at 8:30 a.m., Room 210, Farnum Building  
Present: Senators Schmidt (C), Kowall, MacGregor, O'Brien and Hertel

The Committee on Judiciary reported

**Senate Bill No. 976, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 11b of chapter XVII (MCL 777.11b), as amended by 2015 PA 201.

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 and Colbeck  
Nays: None  
The bill and the substitute recommended by the committee were referred to the Committee of the Whole.

The Committee on Judiciary reported

**House Bill No. 5442, entitled**

A bill to prescribe the public threat alert system as the official response to public threat situations in this state; and to provide for the powers and duties of certain state and local governmental officers and authorities.

With the recommendation that the substitute (S-1) be adopted and that the bill then pass.  
The committee further recommends that the bill be given immediate effect.

Rick Jones  
Chairperson

To Report Out:

Yeas: Senators Jones, Schuitmaker, Rocca, Colbeck and Bieda  
Nays: None  
The bill and the substitute recommended by the committee were referred to the Committee of the Whole.

The Committee on Judiciary reported

**House Bill No. 5567, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 1f of chapter IX (MCL 769.1f), as amended by 2012 PA 331.

With the recommendation that the substitute (S-1) be adopted and that the bill then pass.  
The committee further recommends that the bill be given immediate effect.

Rick Jones  
Chairperson

To Report Out:

Yeas: Senators Jones, Schuitmaker, Rocca, Colbeck and Bieda  
Nays: None  
The bill and the substitute recommended by the committee were referred to the Committee of the Whole.

## COMMITTEE ATTENDANCE REPORT

The Committee on Judiciary submitted the following:

Meeting held on Tuesday, May 24, 2016, at 3:00 p.m., Room 110, Farnum Building

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

The Committee on Michigan Competitiveness reported

**Senate Bill No. 933, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," (MCL 760.1 to 777.69) by adding section 4b to chapter XI.

With the recommendation that the bill pass.

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

Mike Shirkey  
Chairperson

To Report Out:

Yeas: Senators Shirkey, Stamas, Robertson, Proos and Warren

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Michigan Competitiveness reported

**Senate Bill No. 934, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 2 of chapter XI (MCL 771.2), as amended by 2010 PA 351.

With the recommendation that the substitute (S-2) 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, Stamas, Robertson, Proos and Warren

Nays: None

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

The Committee on Michigan Competitiveness reported

**Senate Bill No. 935, entitled**

A bill to create the supervising region incentive program act; to create the supervising region incentive fund; to provide for use of the fund; and to provide for the powers and duties of certain state and local governmental officers and entities.

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

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

Mike Shirkey  
Chairperson

To Report Out:

Yeas: Senators Shirkey, Stamas, Robertson, Proos and Warren

Nays: None

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

The Committee on Michigan Competitiveness reported

**Senate Bill No. 948, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending the chapter heading and sections 3, 4, 5, and 6 of chapter XIA (MCL 771A.3, 771A.4, 771A.5, and 771A.6), as added by 2012 PA 616.

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

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

Mike Shirkey  
Chairperson

To Report Out:

Yeas: Senators Shirkey, Stamas, Robertson, Proos and Warren

Nays: None

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

The Committee on Michigan Competitiveness reported

**Senate Bill No. 949, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," (MCL 600.101 to 600.9947) by adding section 1086.

With the recommendation that the bill pass.

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

Mike Shirkey  
Chairperson

To Report Out:

Yeas: Senators Shirkey, Stamas, Robertson, Proos and Warren

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Michigan Competitiveness reported

**Senate Bill No. 987, entitled**

A bill to amend 2011 PA 142, entitled "Health insurance claims assessment act," by amending section 3 (MCL 550.1733), as amended by 2014 PA 162.

With the recommendation that the bill pass.

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

Mike Shirkey  
Chairperson

To Report Out:

Yeas: Senators Shirkey, Stamas, Robertson, Proos and Warren

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Michigan Competitiveness reported

**Senate Bill No. 988, entitled**

A bill to amend 2000 PA 489, entitled "Michigan trust fund act," by amending sections 2 and 6 (MCL 12.252 and 12.256), section 2 as amended by 2005 PA 232, and by adding section 11.

With the recommendation that the bill pass.

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

Mike Shirkey  
Chairperson

To Report Out:

Yeas: Senators Shirkey, Stamas, Robertson, Proos and Warren

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Michigan Competitiveness reported

**Senate Bill No. 989, entitled**

A bill to amend 1937 PA 94, entitled "Use tax act," by amending sections 3f and 21 (MCL 205.93f and 205.111), section 3f as amended by 2014 PA 161 and section 21 as amended by 2015 PA 263.

With the recommendation that the bill pass.

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

Mike Shirkey  
Chairperson

To Report Out:

Yeas: Senators Shirkey, Stamas, Robertson, Proos and Warren

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Michigan Competitiveness reported

**Senate Bill No. 990, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.713) by adding section 51f.

With the recommendation that the bill pass.

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

Mike Shirkey  
Chairperson

**To Report Out:**

Yeas: Senators Shirkey, Stamas, Robertson, Proos and Warren

Nays: None

The bill was referred to the Committee of the Whole.

**COMMITTEE ATTENDANCE REPORT**

The Committee on Michigan Competitiveness submitted the following:

Meeting held on Wednesday, May 25, 2016, at 8:00 a.m., Senate Hearing Room, Ground Floor, Boji Tower

Present: Senators Shirkey (C), Stamas, Robertson, Proos and Warren

**COMMITTEE ATTENDANCE REPORT**

The Committee on Regulatory Reform submitted the following:

Meeting held on Wednesday, May 25, 2016, at 1:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower

Present: Senators Rocca (C), Jones, Knollenberg, Kowall, MacGregor, Hune, Warren, Hertel and Johnson

**COMMITTEE ATTENDANCE REPORT**

The Committee on Oversight submitted the following:

Meeting held on Thursday, May 26, 2016, at 8:30 a.m., Room 100, Farnum Building

Present: Senators MacGregor (C), Kowall, Stamas, Schuitmaker and Gregory

**Scheduled Meetings**

**Banking and Financial Institutions** - Tuesday, May 31, 2:30 p.m., Room 100, Farnum Building (373-5323)

**Conference Committees -**

**Agriculture and Rural Development (HB 5268)** - Tuesday, May 31, 9:45 a.m., Room 426, Capitol Building (373-8080)

**Corrections (HB 5272)** - Wednesday, June 1, 9:30 a.m., Room 426, Capitol Building (373-8080)

**Education (SB 786)** - Tuesday, May 31, 12:30 p.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building (373-2768)

**Insurance and Financial Services (HB 5306)** - Tuesday, May 31, 9:50 a.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building (373-8080)

**K-12 School Aid (SB 796)** - Tuesday, May 31, 12:00 noon, Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building (373-2768)

**Military and Veterans Affairs (HB 5256)** - Tuesday, May 31, 9:00 a.m., Room 424, Capitol Building (373-8080)

**State Police (HB 5263)** - Tuesday, May 31, 9:30 a.m., Room 424, Capitol Building (373-8080)

**Transportation (HB 5329)** - Tuesday, May 31, 9:30 a.m., Room 426, Capitol Building (373-8080)

**Criminal Justice Policy Commission** - Wednesday, June 1, 9:00 a.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building (373-0212)

**Judiciary** - Tuesday, May 31, 3:00 p.m., Room 110, Farnum Building (373-1721)

**Local Government** - Tuesday, May 31, 12:30 p.m., Room 100, Farnum Building (373-5312)

**Michigan Competitiveness** - Tuesday, May 31, 8:30 a.m., Senate Hearing Room, Ground Floor, Boji Tower (373-5314)

**Senate Fiscal Agency Board of Governors** - Thursday, June 9, 9:30 a.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building (373-2768)

**Veterans, Military Affairs and Homeland Security** - Tuesday, May 31, 12:30 p.m., Room 110, Farnum Building (373-5314)



Senator Kowall moved that the Senate adjourn.  
The motion prevailed, the time being 11:16 a.m.

The President, Lieutenant Governor Calley, declared the Senate adjourned until Tuesday, May 31, 2016, at 10:00 a.m.

JEFFREY F. COBB  
Secretary of the Senate

