

No. 102
STATE OF MICHIGAN
Journal of the Senate
98th Legislature
REGULAR SESSION OF 2015

Senate Chamber, Lansing, Thursday, November 5, 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

Senator Vincent Gregory of the 11th District offered the following invocation:

Father God, we come to You in prayer, thanking You for this day and also thanking You for this legislative body that has gathered today to make laws that will help and not harm Your people and will uplift and not cause spirits to be downtrodden.

Father, it is no coincidence that the men and women who make up this Senate have been chosen for this time and this moment to lead. We realize, Father, that You have made us all uniquely and distinctively different in the ways that we think and process information. Therefore, we ask that we come together agreeing to think only in terms of what will be best for our people.

We also realize that all things happen according to Your perfect plan, although we sometimes don't understand what that plan is or where that plan will ultimately lead us. Father, it is with sincerity and humility that we pray for Your guidance in all decisions we make, knowing that all things will work out for good according to Your perfect plan.

We ask this and all things in Your mighty name. Amen.

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

Motions and Communications

Senator Green entered the Senate Chamber.

Senator Kowall moved that Senators Brandenburg, Nofs, O'Brien, Pavlov and Hansen be temporarily excused from today's session.

The motion prevailed.

Senator Hood moved that Senator Young be temporarily excused from today's session.

The motion prevailed.

Senators Young, O'Brien, Hansen and Pavlov entered the Senate Chamber.

The Secretary announced that the following bills were printed and filed on Wednesday, November 4, and are available at the Michigan Legislature website:

Senate Bill Nos.	592	593	594	595
House Bill Nos.	5041	5042	5043	5044 5045

Recess

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

The motion prevailed, the time being 10:05 a.m.

10:10 a.m.

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

By unanimous consent the Senate proceeded to the order of

Resolutions

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

House Concurrent Resolution No. 3

Senate Resolution No. 76

Senate Resolution No. 75

Senate Resolution No. 105

The motion prevailed.

Senator Meekhof offered the following resolution:

Senate Resolution No. 114.

A resolution of tribute offered as a memorial for Robert VanderLaan, former member of the Senate.

Whereas, It is with great sorrow that we learned of the passing of Robert VanderLaan, a member of this legislative body from 1963 to 1982. He will be remembered as a statesman, a successful businessman, and a true gentleman; and

Whereas, Robert VanderLaan was born in Dutton, Michigan, and spent nearly his entire life in western Michigan. He attended the one-room Smith School and Grand Rapids Christian High School before earning degrees at both Calvin College and the University of Michigan; and

Whereas, Robert VanderLaan had a lifelong passion for politics. He began his career as a political science teacher. At the same time, he worked his way up from the grassroots and was identified as a rising star in the Michigan Republican Party. He was a delegate to every Republican state convention beginning in 1952 and served as Paris Township (now city of Kentwood) trustee, clerk, and supervisor. In 1962, he was elected to the State Senate, defeating a long-serving incumbent. He served his constituents in the Thirty-first District with distinction for twenty years, as Senate Majority Leader from 1970 to 1974, and as Senate Minority Leader from 1979 to 1982; and

Whereas, Robert VanderLaan was a leader in the state legislature throughout some challenging and formative times. Serving with integrity and putting his Dutch work ethic into practice, Robert VanderLaan's leadership skills were evident as he formed coalitions, forged compromises, developed solutions to complex problems, and worked effectively with members from both sides of the aisle. He demonstrated grace under pressure and steady leadership, working with Governors Romney and Milliken through two recessions when the state economy was faltering and unemployment was rising. As Majority Leader, Robert VanderLaan was able to guide legislation through a Senate evenly divided along party lines; and

Whereas, Robert VanderLaan was extremely active crafting legislation and engaging in dialogue with colleagues. He sponsored legislation on campaign reform, raising the minimum wage, and allowing public school buses to transport students to private schools. He also supported the controversial establishment of the state's first income tax. He served on the committees on Senate Administration and Rules, State and Veterans' Affairs, Finance, the Legislative Council, and as chairman of the committees on Labor and Senate Business. He also was involved with and held office in many government leadership organizations, including the National Conference of State Legislative Leaders, the State Legislative Leaders Foundation, and the Executive Committee of the Council of State Governments; and

Whereas, Following his time in the Michigan Senate, Robert VanderLaan remained a fixture in state politics. He united in bipartisan partnership with former Speaker of the House Bobby Crim and founded one of Lansing's best known lobbying firms, Governmental Consultant Services, Inc. He served as chairman of the company for twelve years; and

Whereas, Today, we honor the memory of Robert VanderLaan, an accomplished public servant whose legacy of leadership will long continue to enrich our state; now, therefore, be it

Resolved by the Senate, That we offer this expression of our highest tribute to honor the memory of Robert VanderLaan, a member of this legislative body from 1963 to 1982; and be it further

Resolved, That copies of this resolution be transmitted to the VanderLaan family as evidence of our lasting esteem for his memory.

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 by a unanimous standing vote of the Senate.

Senator Kowall moved that rule 3.204 be suspended to name the entire membership of the Senate and the Lieutenant Governor as co-sponsors of the resolution.

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

A moment of silence was observed in memory of former Senate Majority Leader Robert VanderLaan.

By unanimous consent the Senate returned to the order of

Messages from the House

Senator Nofs entered the Senate Chamber.

Senate Bill No. 213, entitled

A bill to amend 1974 PA 154, entitled "Michigan occupational safety and health act," by amending section 61 (MCL 408.1061), as amended by 1996 PA 437.

The House of Representatives has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

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

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

The Senate agreed to the full title.

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

Senate Bill No. 225, 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 2 (MCL 28.422), as amended by 2015 PA 37.

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

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

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

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

Senator Brandenburg entered the Senate Chamber.

Senate Bill No. 226, 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 4.

The House of Representatives has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

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

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

The Senate agreed to the full title.

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

Senate Bill No. 349, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending sections 78b and 78c (MCL 211.78b and 211.78c), as amended by 2003 PA 263.

The House of Representatives has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

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

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

The Senate agreed to the full title.

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

Senate Bill No. 369, entitled

A bill to amend 1937 PA 94, entitled "Use tax act," by amending section 4o (MCL 205.94o), as amended by 2012 PA 474.

The House of Representatives has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

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

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

The Senate agreed to the full title.

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

Senate Bill No. 370, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 4t (MCL 205.54t), as amended by 2010 PA 116.

The House of Representatives has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

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

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

The Senate agreed to the full title.

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

By unanimous consent the Senate proceeded to the order of
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 O'Brien 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. 4836, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 1204f (MCL 500.1204f), as added by 2006 PA 442, and by adding section 3908 and chapter 39A.

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:

Senate Bill No. 471, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 8123 and 8134 (MCL 600.8123 and 600.8134), section 8123 as amended by 2014 PA 58 and section 8134 as amended by 2014 PA 60.

Substitute (S-3).

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 bills be placed at the head of the Third Reading of Bills calendar:

Senate Bill No. 491
House Bill No. 4390
Senate Bill No. 444
Senate Bill No. 394
Senate Bill No. 558
Senate Bill No. 559
Senate Bill No. 560
House Bill No. 4904
House Bill No. 4039
Senate Bill No. 177
Senate Bill No. 178

The motion prevailed.

The following bill was read a third time:

Senate Bill No. 491, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 1233b and 1531i (MCL 380.1233b and 380.1531i), section 1233b as amended by 1995 PA 289 and section 1531i as added by 2009 PA 202.

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. 490

Yeas—30

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

Nays—8Ananich
GregoryHertel
HoodHopgood
KnezekWarren
Young**Excused—0****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. 4390, entitled

A bill to amend 1976 PA 451, entitled “The revised school code,” by amending section 1278a (MCL 380.1278a), as amended by 2014 PA 293.

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. 491**Yeas—38**Ananich
Bieda
Booher
Brandenburg
Casperson
Colbeck
Emmons
Green
Gregory
HansenHertel
Hildenbrand
Hood
Hopgood
Horn
Hune
Johnson
Jones
Knezek
KnollenbergKowall
MacGregor
Marleau
Meekhof
Nofs
O’Brien
Pavlov
Proos
RobertsonRocca
Schmidt
Schuitmaker
Shirkey
Smith
Stamas
Warren
Young
Zorn**Nays—0****Excused—0****Not Voting—0**

In The Chair: President

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

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

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

“An act to provide a system of public instruction and elementary and secondary schools; to revise, consolidate, and clarify the laws relating to elementary and secondary education; to provide for the organization, regulation, and maintenance of schools, school districts, public school academies, intermediate school districts, and other public school entities;

to prescribe rights, powers, duties, and privileges of schools, school districts, public school academies, intermediate school districts, and other public school entities; to provide for the regulation of school teachers and certain other school employees; to provide for school elections and to prescribe powers and duties with respect thereto; to provide for the levy and collection of taxes; to provide for the borrowing of money and issuance of bonds and other evidences of indebtedness; to establish a fund and provide for expenditures from that fund; to provide for and prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to provide for licensure of boarding schools; to prescribe penalties; and to repeal acts and parts of acts.”.

The Senate agreed to the full title.

The following bill was read a third time:

Senate Bill No. 444, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” (MCL 333.1101 to 333.25211) by adding part 209A.

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. 492

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.

The following bill was read a third time:

Senate Bill No. 394, entitled

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

The 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. 493

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.

The following bill was read a third time:

Senate Bill No. 558, entitled

A bill to amend 1846 RS 66, entitled "Of estates in dower, by the curtesy, and general provisions concerning real estate," (MCL 558.1 to 558.29) by adding section 30; and to repeal acts and parts of acts.

The question being on the passage of the bill,

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

Roll Call No. 494

Yeas—34

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

Nays—4

Johnson	O'Brien	Warren	Young
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Excused—0

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 559, entitled

A bill to amend 1909 PA 259, entitled “An act to provide that judgments of divorce and judgments of separate maintenance shall make provision in satisfaction of the claims of the wife in the property of the husband and in satisfaction of the claims of the husband and wife in contracts of insurance and annuity upon the life of the husband or wife, and in satisfaction of claims of the husband and wife in or to any pension, annuity, retirement allowance, or accumulated contributions in any pension, annuity, or retirement system, including any rights or contingent rights in and to unvested pension, annuity, or retirement benefits; and to change the tenure of lands owned by husband and wife in case of divorce, and to provide for the disposition or partition of such lands or the proceeds thereof,” by amending section 1 (MCL 552.101), as amended by 2006 PA 288.

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. 495

Yeas—34

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

Nays—4

Johnson	O’Brien	Warren	Young
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Excused—0

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 560, entitled

A bill to amend 1998 PA 386, entitled “Estates and protected individuals code,” by amending sections 1303, 2202, 2205, and 3807 (MCL 700.1303, 700.2202, 700.2205, and 700.3807), sections 1303, 2202, and 2205 as amended by 2000 PA 54 and section 3807 as amended by 2000 PA 177.

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. 496

Yeas—34

Ananich	Hansen	Knollenberg	Robertson
Bieda	Hertel	Kowall	Rocca
Booher	Hildenbrand	MacGregor	Schmidt

Brandenburg	Hood	Marleau	Schuitmaker
Casperson	Hopgood	Meekhof	Shirkey
Colbeck	Horn	Nofs	Smith
Emmons	Hune	Pavlov	Stamas
Green	Jones	Proos	Zorn
Gregory	Knezek		

Nays—4

Johnson	O'Brien	Warren	Young
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Excused—0

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. 4904, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 641 and 646a (MCL 168.641 and 168.646a), section 641 as amended by 2015 PA 101 and section 646a as amended by 2013 PA 253.

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. 497

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 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 Casperson offered to amend the title to read as follows:

A bill to amend 1954 PA 116, entitled “An act to reorganize, consolidate, and add to the election laws; to provide for election officials and prescribe their powers and duties; to prescribe the powers and duties of certain state departments, state agencies, and state and local officials and employees; to provide for the nomination and election of candidates for public office; to provide for the resignation, removal, and recall of certain public officers; to provide for the filling of vacancies in public office; to provide for and regulate primaries and elections; to provide for the purity of elections; to guard against the abuse of the elective franchise; to define violations of this act; to provide appropriations; to prescribe penalties and provide remedies; and to repeal certain acts and all other acts inconsistent with this act,” by amending sections 641, 646a, and 841 (MCL 168.641, 168.646a, and 168.841), section 641 as amended by 2015 PA 101, section 646a as amended by 2013 PA 253, and section 841 as amended by 1995 PA 261.

The amendment to the title was adopted.

The Senate agreed to the title as amended.

The following bill was read a third time:

House Bill No. 4039, entitled

A bill to amend 1893 PA 206, entitled “The general property tax act,” by amending sections 78f and 78i (MCL 211.78f and 211.78i), section 78f as amended by 2003 PA 263 and section 78i as amended by 2006 PA 611, and by adding section 78s.

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. 498

Yeas—37

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	Jones	Pavlov	Warren
Green	Knezek	Proos	Young
Gregory	Knollenberg	Robertson	Zorn
Hansen			

Nays—1

Johnson

Excused—0

Not Voting—0

In The Chair: President

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

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

“An act to 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.”.

The Senate agreed to the full title.

The following bill was read a third time:

Senate Bill No. 177, entitled

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” by amending sections 1301, 1311, 1312, 1315, 1325, 1333, 1341, 1343, 1351, 1355, and 1371 (MCL 500.1301, 500.1311, 500.1312, 500.1315, 500.1325, 500.1333, 500.1341, 500.1343, 500.1351, 500.1355, and 500.1371), sections 1301, 1312, 1315, 1351, and 1371 as amended by 1992 PA 182, section 1311 as amended by 2010 PA 61, section 1325 as amended by 1994 PA 227, section 1341 as amended by 1994 PA 443, and section 1343 as amended by 1995 PA 219, and by adding sections 1325a and 1357.

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. 499

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.

The following bill was read a third time:

Senate Bill No. 178, entitled

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” (MCL 500.100 to 500.8302) by adding chapter 17.

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. 500**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

Introduction and Referral of Bills

Senator Shirkey introduced

Senate Bill No. 606, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 7cc (MCL 211.7cc), as amended by 2014 PA 40.

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

Senator Booher introduced

Senate Bill No. 607, entitled

A bill to amend 2005 PA 244, entitled "Deferred presentment service transactions act," by amending section 2 (MCL 487.2122).

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

By unanimous consent the Senate returned to the order of

Third Reading of Bills

Senator Kowall moved to reconsider the vote by which the following bill was passed:

Senate Bill No. 491, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 1233b and 1531i (MCL 380.1233b and 380.1531i), section 1233b as amended by 1995 PA 289 and section 1531i as added by 2009 PA 202.

The motion prevailed, 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. 501**Yeas—27**

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

Nays—11

Ananich	Hertel	Johnson	Warren
Bieda	Hood	Knezek	Young
Gregory	Hopgood	Rocca	

Excused—0**Not Voting—0**

In The Chair: President

By unanimous consent the Senate proceeded to the order of

Statements

Senators Colbeck and Ananich asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator Colbeck's statement is as follows:

Today, I would like to talk a little bit about something I like to call the government's Swiss Army knife. What if there was a way that state government could fix the roads, repair potholes in healthy Michigan, stretch school dollars, free up more resources for local government, and reform no-fault? How about one that would accelerate job growth? It turns out that one tool does it all. What is that tool? Direct primary care. What is direct primary care? It eliminates the middleman for routine health care services and refocuses health care on the doctor-patient relationship. It provides better care for less money; in fact, over 20 percent less.

Michigan is now seeing rapid growth in direct primary care service providers in the wake of the passage of my bill, Michigan Public Act No. 522 of 2014, to protect these providers from insurance regulations—a very simple bill. Since its passage, an estimated 150 doctors have already adopted the direct primary care business model in the state of Michigan, and more are contacting our office as word spreads. Direct primary care is good for doctors, good for patients, and good for employers seeking quality health care options for their employees.

How could it help fix our government policy potholes? We spend \$334 million per year to provide health insurance for over 51,000 state employees. A 20 percent savings frees up \$133 million per year. We spend \$17 billion per year on Medicaid for over 2.4 million citizens of our 10 million citizens. A 20 percent savings frees up \$3.4 billion per year, of which almost \$1.4 billion comes from state revenue. We spend \$1.25 billion per year on health care costs in education. A 20 percent savings frees up \$250 million per year, or over \$167 per pupil. We spend an estimated \$775 million per year on local government health care. A 20 percent savings frees up \$155 million per year for our communities to hire more policemen and firemen.

Each of us spends \$150 per vehicle per year on no-fault insurance. Health care services are the principal purpose of no-fault insurance. A 20 percent savings should reduce the cost of no-fault insurance by up to \$30 per vehicle per year. A reduction of 20 percent in the liabilities for the current \$18 billion Michigan Catastrophic Claims Association Fund would free up \$3.6 billion for further reductions in insurance premiums.

Last, but not least, Michigan businesses spend an estimated \$31 billion per year on health care. A 20 percent savings frees up \$6.2 billion per year for employers to invest in their employees and help their business achieve a competitive edge over businesses in other states. This would have a tremendous impact on job growth in Michigan. This job growth

would in turn generate additional tax revenue to fill all of the potholes previously cited simply by getting more people back to work.

In short, direct primary care could be used as a Swiss Army knife tool to fix many of the policy issues facing the state of Michigan. As we expand the use of this tool throughout our state, Michigan has an opportunity to be at the center of a free market health care revolution. This revolution will reverse today's trends toward less care and more money to one that provides better care for less money. Now, isn't that a worthy pursuit?

Senator Ananich's statement is as follows:

I rise to speak about my formal request today for the Legislature, this body in particular, to begin comprehensive hearings into the Flint water crisis. Just this morning, we are seeing more headlines about the EPA's warning of additional health risks or lead in the water. Reports like this only highlight that this is an ongoing problem and that the Legislature has a unique role and a responsibility in thoroughly examining what went wrong, what still needs to be fixed, and how to ensure this sort of crisis never happens again.

I appreciate my colleagues recently moving swiftly to dedicate emergency funds required to help switch to a safe water source and address some of the health problems our local doctors are already seeing. But this action just emphasizes that we, as elected officials, have an obligation to make sure that taxpayers' dollars and any additional funds that are likely necessary are used appropriately and effectively. The fact that several reviews have been promised by other entities does not remove the need for us to exercise our oversight rule. It actually highlights the areas in which our investigation would strengthen the process.

For example, each of the other suggested reviews are either agencies investigating themselves or experts who do not have the powers or accountability that elected officials have. We were elected by the people to help ensure their health and safety. That didn't happen. We must go back home and explain to the people how we use the resources they provide us. These groups don't. We can exercise subpoena power to make sure everyone who needs to be asked tough questions are forced to answer them. We can provide a public, transparent look at the issues that none of these approaches are guaranteed to deliver. The Senate hearings taking place before or at the same time as the other reviews, which are not likely to provide findings for several months, could uncover additional information that the bodies would have to consider.

Colleagues, I am truly grateful for your earlier willingness to work with me and my community to begin tackling this problem, but I am concerned that without legislative action, we will not get the complete picture of what went wrong here, what has to happen to right this wrong, and how we eliminate the threat of this happening again or anywhere else. Our work is simply not complete until we fully exercise our obligation to ask the tough questions and enact the right solutions.

I challenge all of us to support this proposal and ensure that not just Flint, but every community and every family in this state has safe drinking water, because every one of us needs to understand that what happened to my community could happen to yours too unless we act.

Committee Reports

The Committee on Appropriations reported

Senate Bill No. 552, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 3101 and 3122 (MCL 324.3101 and 324.3122), section 3101 as amended by 2006 PA 97 and section 3122 as amended by 2015 PA 82.

With the recommendation that the bill pass.

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

David S. Hildenbrand
Chairperson

To Report Out:

Yeas: Senators Hildenbrand, MacGregor, Stamas, Schuitmaker, Knollenberg, Proos, Nofs, Green and Marleau

Nays: Senator Booher

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Appropriations submitted the following:

Meeting held on Wednesday, November 4, 2015, at 2:00 p.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building

Present: Senators Hildenbrand (C), MacGregor, Hansen, Stamas, Schuitmaker, Knollenberg, Booher, Proos, Nofs, Green, Marleau, Gregory, Hopgood, Hertel, Knezek and Young

Excused: Senator Shirkey

COMMITTEE ATTENDANCE REPORT

The Committee on Natural Resources submitted the following:
Meeting held on Wednesday, November 4, 2015, at 12:30 p.m., Room 210, Farnum Building
Present: Senators Casperson (C), Pavlov, Robertson, Stamas and Warren

COMMITTEE ATTENDANCE REPORT

The Committee on Transportation submitted the following:
Meeting held on Thursday, November 5, 2015, at 8:30 a.m., Room 210, Farnum Building
Present: Senators Casperson (C), Horn, Pavlov and Marleau
Excused: Senator Hopgood

Scheduled Meetings**Appropriations -****Subcommittees -**

Corrections and House Corrections Appropriations Subcommittee - Thursday, November 12, 8:00 a.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building (373-2768)

State Police and Military Affairs - Tuesday, December 1, 8:30 a.m., Rooms 402 and 403, Capitol Building (373-2768)

Banking and Financial Institutions - Tuesday, November 10, 2:30 p.m., Room 100, Farnum Building (373-5323)

Education - Tuesday, November 10, 12:00 noon, Room 110, Farnum Building (373-5314)

Health Policy - Tuesday, November 10, 12:30 p.m., Senate Hearing Room, Ground Floor, Boji Tower (373-1721)

Judiciary - Tuesday, November 10, 3:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower (373-1721)

Local Government - Tuesday, November 10, 12:30 p.m., Room 100, Farnum Building (373-5312)

Michigan State Capitol Commission - Monday, November 9, 11:00 a.m., Room H-65, Capitol Building (373-0184)

Senator Kowall moved that the Senate adjourn.
The motion prevailed, the time being 11:19 a.m.

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

JEFFREY F. COBB
Secretary of the Senate