

No. 95
STATE OF MICHIGAN
Journal of the Senate
98th Legislature
REGULAR SESSION OF 2015

Senate Chamber, Lansing, Wednesday, October 21, 2015.

10:00 a.m.

The Senate was called to order by the President pro tempore, Senator Tonya Schuitmaker.

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

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

Hopgood—present
Horn—present
Hune—present
Johnson—present
Jones—present
Knezek—present
Knollenberg—present
Kowall—present
MacGregor—present
Marleau—present
Meekhof—present
Nofs—present
O'Brien—present

Pavlov—present
Proos—present
Robertson—present
Rocca—present
Schmidt—present
Schuitmaker—present
Shirkey—present
Smith—present
Stamas—present
Warren—present
Young—present
Zorn—present

Pastor Jeffrey Hawkins of Prince of Peace Missionary Baptist Church of Flint offered the following invocation:

Creator and Sustainer of life, we come to You as humbly as we know how, taking the time to first thank You for this great United States of America and even this great state of Michigan in which we reside. Our prayer is that You continue to bless these elected and appointed officials as laws and decisions are being made to better the quality of life for the constituents whom they serve. We pray that all things would be done decently and in order. It is our prayer that any malice or selfishness is set aside and that all may come together for the common cause—the people they serve.

We come praying for Your guidance and Your infinite wisdom in all decision making, in the order in which things should be kept, and the cohesive bond that is needed to assure the best outcome for the people. We come believing that no weapon formed against us in mind, body, or soul shall prosper, and by standing together, we are even more invincible than standing alone.

I come praying personally for the health and welfare of each elected and appointed official, whether it be in mind or body, that You will bless them. If anything is ailing them, I pray You will heal them. I pray their minds be renewed, not only for the benefit of the people of this great state, but for themselves as well as their families. I pray that You will keep them in Your care and use them for Your glory.

Now as I end this prayer, I offer up sincere gratitude for this land of opportunity, the democracy in which it is run, the constituents who reside here, and those who have been put in place to help keep the order and be gatekeepers even for the least of these.

Now unto Him who is able to keep us from falling and to present us faultless before the presence of His glory with exceeding joy, to the only wise God, our Savior, glory and majesty, dominion and power, both now and forever. Amen.

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

Motions and Communications

Senator Ananich entered the Senate Chamber.

Senator Kowall moved that Senator 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.

Senator Kowall moved that rule 3.902 be suspended to allow the guests of Senator Zorn admittance to the Senate floor.
The motion prevailed, a majority of the members serving voting therefor.

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

The Secretary announced that the following House bills were received in the Senate and filed on Tuesday, October 20:
House Bill Nos. 4577 4674 4677 4796

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.

10:11 a.m.

The Senate was called to order by the President pro tempore, Senator Schuitmaker.

During the recess, Senator Zorn introduced Kim Pearce and Megan Noland of Monroe and presented them with Senate Resolution No. 94, commemorating October as Dysautonomia Awareness Month.

During the recess, Senator Hansen entered the Senate Chamber.

Messages from the House**Senate Bill No. 22, entitled**

A bill to amend 1986 PA 182, entitled "State police retirement act of 1986," (MCL 38.1601 to 38.1648) by amending the title and by adding section 40c.

The House of Representatives has substituted (H-2) the bill.

The House of Representatives has passed the bill as substituted (H-2), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

Pending the order that, under rule 3.202, the bill be laid over one day,

Senator Kowall moved that the rule be suspended.

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

The question being on concurring in the substitute made to the bill by the House,

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

Roll Call No. 448**Yeas—37**

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

Nays—0**Excused—1**

Young

Not Voting—0

In The Chair: Schuitmaker

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. 336, entitled

A bill to prescribe the blue alert of Michigan as the official response to reports of serious injury or death of a law enforcement officer in certain circumstances; and to provide for the powers and duties of certain state and local governmental officers and entities.

The House of Representatives has substituted (H-2) the bill.

The House of Representatives has passed the bill as substituted (H-2) and ordered that it be given immediate effect.

Pending the order that, under rule 3.202, the bill be laid over one day,
 Senator Kowall moved that the rule be suspended.
 The motion prevailed, a majority of the members serving voting therefor.
 The question being on concurring in the substitute made to the bill by the House,
 The substitute was concurred in, a majority of the members serving voting therefor, as follows:

Roll Call No. 449**Yeas—37**

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

Nays—0**Excused—1**

Young

Not Voting—0

In The Chair: Schuitmaker

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.

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 pro tempore, Senator Schuitmaker, designated Senator Knollenberg as Chairperson.

After some time spent therein, the Committee arose; and the President pro tempore, Senator Schuitmaker, having resumed the Chair, the Committee reported back to the Senate, favorably and without amendment, the following bills:

Senate Bill No. 428, entitled

A bill to establish the American Red Cross Michigan fund in the department of treasury; to provide for the distribution of the money from the fund; to prescribe the powers and duties of certain agencies and officials; and to provide for appropriations.

House Bill No. 4464, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 4g (MCL 205.54g), as amended by 2013 PA 211.

House Bill No. 4465, entitled

A bill to amend 1937 PA 94, entitled "Use tax act," by amending section 4d (MCL 205.94d), as amended by 2008 PA 439. The bills were placed on the order of Third Reading of Bills.

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

Senate Bill No. 429, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 435 (MCL 206.435), as amended by 2013 PA 92.

Substitute (S-1).

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

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

Senate Bill No. 175, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 12f of chapter XVII (MCL 777.12f), as amended by 2014 PA 220.

Substitute (S-1).

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

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

Senate Bill No. 176, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 20d, 212, 304, 319, 625k, and 625l (MCL 257.20d, 257.212, 257.304, 257.319, 257.625k, and 257.625l), section 20d as added by 2008 PA 462, section 212 as amended by 2002 PA 534, section 304 as amended by 2013 PA 226, section 319 as amended by 2012 PA 306, and sections 625k and 625l as amended by 2008 PA 461.

Substitute (S-1).

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

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

Senate Bill No. 357, entitled

A bill to amend 1974 PA 300, entitled "Motor vehicle service and repair act," by amending sections 2 and 10 (MCL 257.1302 and 257.1310), section 2 as amended by 1988 PA 254 and section 10 as amended by 2000 PA 366, and by adding sections 6a and 10a.

Substitute (S-1).

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

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

House Bill No. 4182, entitled

A bill to amend 1976 PA 267, entitled "Open meetings act," by amending section 3 (MCL 15.263), as amended by 1988 PA 278.

Substitute (S-1).

The following is the amendment to the substitute recommended by the Committee of the Whole:

1. Amend page 2, line 13, after "DUTY." by inserting "**THE REQUIREMENT TO BE PHYSICALLY PRESENT TO CAST A VOTE MAY BE WAIVED BY THE ELECTIVE BODY FOR 1 MEETING EACH YEAR FOR EACH MEMBER IF ALL OF THE FOLLOWING CONDITIONS ARE MET:**

(A) THE VOTE IS CAST THROUGH A VIDEO CONFERENCE SYSTEM.

(B) THE ABSENCE IS FOR GOOD CAUSE, SUCH AS A SERIOUS ILLNESS OF THE MEMBER OR HIS OR HER FAMILY MEMBER OR THE DEATH OF A FAMILY MEMBER."

The Senate agreed to the substitute as amended 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, Senator Young entered the Senate Chamber.

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

House Concurrent Resolution No. 14

Senate Concurrent Resolution No. 6

Senate Concurrent Resolution No. 8

The motion prevailed.

Senators Warren, Jones, Hopgood, Bieda, Smith, Schuitmaker and Booher offered the following resolution:

Senate Resolution No. 107.

A resolution to urge the Governor to reject the request by the city of Waukesha, Wisconsin, to divert water from the Great Lakes.

Whereas, Ten years ago, the eight states and two Canadian provinces that call the Great Lakes home came to a historic agreement to protect Great Lakes water. The Great Lakes-St. Lawrence River Basin Sustainable Water Resources Agreement, signed by the governors and premiers in 2005, and the Great Lakes-St. Lawrence River Basin Water Resources Compact, fully ratified by the eight states and the U.S. Congress in 2008, prohibit new or increased water diversions out of the Great Lakes basin; and

Whereas, The compact and agreement provide a narrow exception to the prohibition on diversions for communities outside the Great Lakes basin, but within counties that lie partially within the basin. Communities within these straddling counties may request a diversion. The request must meet strict standards and criteria, undergo regional review by the Great Lakes-St. Lawrence River Water Resources Regional Body, and for diversions originating in the United States, be unanimously approved by the Great Lakes-St. Lawrence River Basin Water Resources Council, comprised of the eight Great Lakes governors; and

Whereas, The city of Waukesha, Wisconsin, is the first community to apply for an exception since the compact was adopted. Currently, the Wisconsin Department of Natural Resources is finalizing its technical review and environmental impact statement, which recommended that Waukesha be granted an exception. The state of Wisconsin is expected to forward Waukesha's application for review and approval by the regional body and the council by the end of 2015; and

Whereas, It is the responsibility of the eight Great Lakes states and two Great Lakes provinces to ensure that any new or increased diversion from the Great Lakes meets the high standards set forth in the agreement and compact. While the city of Waukesha is within its rights to request an exception to the prohibition on diversions and the city clearly has a radium issue in its drinking water that needs to be addressed, it has not met these high standards; and

Whereas, The city of Waukesha has failed to demonstrate that there is no reasonable water supply alternative within the basin in which it is located, as required by the agreement and compact. The city has not strived to address its radium water problems through other treatment methods as dozens of other communities have; and

Whereas, The city of Waukesha has not limited its request to quantities considered reasonable for the purposes for which it is proposed, as required by the agreement and compact. The city of Waukesha's application currently calls for water not only for its community, but for surrounding communities as well that are not experiencing widespread radium problems. The city is requesting a diversion to provide water to an expanded service area of approximately 37 square miles, about 17 square miles larger than the current service area. The city's request for an average of 10.1 million gallons per day (mgd) is about 40 percent more water than is currently used (6.5 mgd) and about 25 percent more water than the projected needs of the current service area (8.2 mgd). The expanded service area gives the appearance that the Waukesha request is more about addressing the water utility's desire for growth and less about addressing a drinking water problem; and

Whereas, The city of Waukesha has not fully incorporated environmentally sound and economically feasible water conservation measures to minimize the water needed, as required by the agreement and compact. There are no conservation standards in place for the areas in the expanded service area outside the city of Waukesha, and the conservation methods proposed are inadequate; now, therefore, be it

Resolved by the Senate, That we urge the Governor to reject the request by the city of Waukesha, Wisconsin, to divert water from the Great Lakes; and be it further

Resolved, That copies of this resolution be transmitted to the Governor of Michigan; the governors of Illinois, Indiana, Minnesota, New York, Ohio, Pennsylvania, and Wisconsin; and the premiers of Ontario and Québec.

Pending the order that, under rule 3.204, the resolution be referred to the Committee on Government Operations, Senator Kowall moved that the rule be suspended.

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

The question being on the adoption of the resolution,
Senator Kowall moved that the resolution be referred to the Committee on Natural Resources.
The motion prevailed.
Senators Kowall, Marleau, Rocca and Schmidt were named co-sponsors of the resolution.

Senators Stamas, Booher, Marleau, Brandenburg, Proos, Robertson, Emmons, Schmidt and Horn offered the following resolution:

Senate Resolution No. 108.

A resolution to commemorate October 18-24, 2015, as Chemistry Week.

Whereas, It is important to recognize the significant contributions the business of chemistry makes to the well-being of Michigan and its citizens; and

Whereas, National Chemistry Week is a community-based annual event that unites industry, businesses, schools, and individuals in communicating the importance of chemistry to our quality of life; and

Whereas, Each year, the American Chemical Society, through this effort, reaches millions of people with positive messages about the contributions of chemistry to their daily lives; and

Whereas, It is the one time during the year that chemists, regardless of their backgrounds, unite with the common goal of spreading the word that chemistry is good for our economy, our health, and our well-being; and

Whereas, The theme for National Chemistry Week 2015 is "Chemistry Colors Our World!" exploring the chemistry of dyes, pigments, and light; and

Whereas, This encourages chemists and chemistry enthusiasts to build awareness of chemistry at the local level. Local sectors, businesses, schools, and individuals are invited to organize or participate in events in their communities with a mutual goal to promote the value of chemistry in everyday life; and

Whereas, In Michigan, 96 percent of all manufactured goods are directly touched by the business of chemistry, making this industry an essential part of every facet of our state's economy; and

Whereas, Chemistry companies in Michigan directly employ over 28,300 people and indirectly contribute 91,350 jobs to the economy of the state. For every chemistry industry job in Michigan, an additional 3.2 jobs are created within the state; and

Whereas, The Michigan Chemistry Council and its member companies are working to improve and strengthen our communities; and

Whereas, Michigan's chemistry businesses are developing products and applications that are vital to the modern world; and

Whereas, The Michigan Chemistry Council and the American Chemical Society believe National Chemistry Week is an opportunity for government to join forces with chemistry businesses and the citizens of Michigan to ensure a prosperous and sustainable future; now, therefore, be it

Resolved by the Senate, That the members of this legislative body commemorate October 18-24, 2015, as Chemistry Week in the state of Michigan. We call the attention of all our citizens to this observance with the theme "Chemistry Colors Our World!"

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

Senator Kowall moved that the rule be suspended.

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

The resolution was adopted.

Senators Bieda, Hansen, Hopgood, Kowall, MacGregor and Zorn were named co-sponsors of the resolution.

Senators Warren, Jones, Hopgood, Bieda, Smith, Schuitmaker and Booher offered the following concurrent resolution:

Senate Concurrent Resolution No. 17.

A concurrent resolution to urge the Governor to reject the request by the city of Waukesha, Wisconsin, to divert water from the Great Lakes.

Whereas, Ten years ago, the eight states and two Canadian provinces that call the Great Lakes home came to a historic agreement to protect Great Lakes water. The Great Lakes-St. Lawrence River Basin Sustainable Water Resources Agreement, signed by the governors and premiers in 2005, and the Great Lakes-St. Lawrence River Basin Water Resources Compact, fully ratified by the eight states and the U.S. Congress in 2008, prohibit new or increased water diversions out of the Great Lakes basin; and

Whereas, The compact and agreement provide a narrow exception to the prohibition on diversions for communities outside the Great Lakes basin, but within counties that lie partially within the basin. Communities within these straddling counties may request a diversion. The request must meet strict standards and criteria, undergo regional review by the Great Lakes-St. Lawrence River Water Resources Regional Body, and for diversions originating in the United States, be unanimously approved by the Great Lakes-St. Lawrence River Basin Water Resources Council, comprised of the eight Great Lakes governors; and

Whereas, The city of Waukesha, Wisconsin, is the first community to apply for an exception since the compact was adopted. Currently, the Wisconsin Department of Natural Resources is finalizing its technical review and environmental impact statement, which recommended that Waukesha be granted an exception. The state of Wisconsin is expected to forward Waukesha’s application for review and approval by the regional body and the council by the end of 2015; and

Whereas, It is the responsibility of the eight Great Lakes states and two Great Lakes provinces to ensure that any new or increased diversion from the Great Lakes meets the high standards set forth in the agreement and compact. While the city of Waukesha is within its rights to request an exception to the prohibition on diversions and the city clearly has a radium issue in its drinking water that needs to be addressed, it has not met these high standards; and

Whereas, The city of Waukesha has failed to demonstrate that there is no reasonable water supply alternative within the basin in which it is located, as required by the agreement and compact. The city has not strived to address its radium water problems through other treatment methods as dozens of other communities have; and

Whereas, The city of Waukesha has not limited its request to quantities considered reasonable for the purposes for which it is proposed, as required by the agreement and compact. The city of Waukesha’s application currently calls for water not only for its community, but for surrounding communities as well that are not experiencing widespread radium problems. The city is requesting a diversion to provide water to an expanded service area of approximately 37 square miles, about 17 square miles larger than the current service area. The city’s request for an average of 10.1 million gallons per day (mgd) is about 40 percent more water than is currently used (6.5 mgd) and about 25 percent more water than the projected needs of the current service area (8.2 mgd). The expanded service area gives the appearance that the Waukesha request is more about addressing the water utility’s desire for growth and less about addressing a drinking water problem; and

Whereas, The city of Waukesha has not fully incorporated environmentally sound and economically feasible water conservation measures to minimize the water needed, as required by the agreement and compact. There are no conservation standards in place for the areas in the expanded service area outside the city of Waukesha, and the conservation methods proposed are inadequate; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That we urge the Governor to reject the request by the city of Waukesha, Wisconsin, to divert water from the Great Lakes; and be it further

Resolved, That copies of this resolution be transmitted to the Governor of Michigan; the governors of Illinois, Indiana, Minnesota, New York, Ohio, Pennsylvania, and Wisconsin; and the premiers of Ontario and Québec.

Pending the order that, under rule 3.204, the concurrent resolution be referred to the Committee on Government Operations, Senator Kowall moved that the rule be suspended.

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

The question being on the adoption of the concurrent resolution,

Senator Kowall moved that the concurrent resolution be referred to the Committee on Natural Resources.

The motion prevailed.

Senators Horn, Kowall, Marleau, Rocca and Schmidt were named co-sponsors of the concurrent resolution.

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. 326

Senate Bill No. 421

Senate Bill No. 422

House Bill No. 4286

The motion prevailed.

The following bill was read a third time:

Senate Bill No. 326, entitled

A bill to designate an official airplane of the state of Michigan.

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. 450

Yeas—38

Ananich
Bieda

Hertel
Hildenbrand

Kowall
MacGregor

Rocca
Schmidt

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

Nays—0

Excused—0

Not Voting—0

In The Chair: Schuitmaker

The Senate agreed to the title of the bill.

Senators Hertel, Hildenbrand, Hopgood, Hune, Meekhof, O'Brien, Rocca and Stamas were named co-sponsors of the bill.

Senators Colbeck and Warren 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:

The good Senator from the 18th District stole my lines here. It isn't often that we are on the same page regarding legislation here, but this is a prime example. Actually, it's a prime example of how it brought people on different sides of a lot of issues on the same page back during World War II. Whenever you talk about the concept of the Rosies and their work out at the Willow Run bomber plant, it brings a smile to the faces of people wearing blue collars, white collars, of all different races, and of all different persuasions. Everybody came together to work together for a common goal.

As an aerospace engineer and a big World War II history buff, this is near and dear to my heart, but it's also near and dear to the hearts of many World War II veterans who know what an endearing mark that the B-24 has had on their lives. I strongly encourage support of this bill. This is a prime example of how in Detroit we are known as the automotive manufacturing capital of the world, but back during World War II, we were known as the Arsenal of Democracy. There's no better emblem of that Arsenal of Democracy, that can-do spirit, and that manufacturing know-how here in Michigan than the B-24.

I urge my colleagues to support this legislation and look forward to a few B-24s coming back here to Michigan.

Senator Warren's statement is as follows:

If you think about the enduring images of World War II and America's manufacturing might, you might picture American flyboys and Rosie the Riveter. So I am standing in front of you today asking you to help me honor that heritage, that manufacturing might and know-how that started right here in Michigan.

Senate Bill No. 326 would name the B-24 Liberator Michigan's official state aircraft. The B-24 Liberator played an essential role in the Allies' victory in World War II and was built at the time in the largest factory, a Ford factory in Willow Run, under one roof. Forty thousand employees worked together under one roof to build this aircraft. At the height of their production, a Liberator rolled off the assembly line every 55 minutes. There were two other plants in the U.S. making Liberators at the time, and they only put out one per day. We were putting out one per hour right here in Michigan.

So we are trying to make a statement about the importance of our history. We are trying to remind people about Michigan's manufacturing might. At the Willow Run plant, the site where the Ford plant existed and created these Liberators, we want to create a new museum, a National Museum of Aviation and Technology at Historic Willow Run. We want to do this as a symbol and way to honor that history.

So these American flyboys, who did everything it took to win World War II for us, flew these bombers because they had great range. Compared to other aircraft, they had a sleeker design, could go farther, go faster, and they flew 226,775 sorties, which means they came out of positions of defense to go and make sure we won that critical war. While many of our men

were fighting in Europe, Italy, and Asia, the women picked up where they left off in the factories making sure they were full of workers building these bombers to help us win the war effort. The official Rosie the Riveter, Rose Will Monroe, actually worked at the Willow Run Ford plant in the 18th District that I represent.

So, colleagues, I hope that you will join me today in passing this bill sending the message that the B-24 Liberator and the strong manufacturing and technology know-how that defines us as Michiganders and Americans will move forward. It doesn't happen very often, Madam President, that the good Senator from the 7th District and I stand together to tell you that something is important to both of us. We don't agree on a lot, but this is something we have worked on together, hand in hand, to move forward, and I appreciate his support. We are both asking for your support today.

The following bill was read a third time:

Senate Bill No. 421, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 653 (MCL 257.653).

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. 451

Yeas—36

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

Nays—2

Colbeck	Shirkey
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Excused—0

Not Voting—0

In The Chair: Schuitmaker

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 422, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 12g of chapter XVII (MCL 777.12g), as amended by 2008 PA 467.

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. 452

Yeas—36

Ananich	Hertel	Knollenberg	Robertson
Bieda	Hildenbrand	Kowall	Rocca

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

Nays—2

Colbeck	Shirkey
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Excused—0

Not Voting—0

In The Chair: Schuitmaker

The Senate agreed to the title of the bill.

The following bill was read a third time:

House Bill No. 4286, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 13p of chapter XVII (MCL 777.13p), as amended by 2010 PA 317.

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. 453

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: Schuitmaker

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, and codify the laws relating to criminal procedure and to define the jurisdiction, powers, and duties of courts, judges, and other officers of the court under the provisions of this act; to provide laws relative to the rights of persons accused of criminal offenses and ordinance violations; to provide for the arrest of persons charged with or suspected of criminal offenses and ordinance violations; to provide for bail of persons arrested for or accused of criminal offenses and ordinance violations; to provide for the examination of persons accused of criminal offenses; to regulate the procedure relative to grand juries, indictments, informations, and proceedings before trial; to provide for trials of persons complained of or indicted for criminal offenses and ordinance violations and to provide for the procedure in those trials; to provide for judgments and sentences of persons convicted of criminal offenses and ordinance violations; to establish a sentencing commission and to prescribe its powers and duties; to provide for procedure relating to new trials and appeals in criminal and ordinance violation cases; to provide a uniform system of probation throughout this state and the appointment of probation officers; to prescribe the powers, duties, and compensation of probation officers; to provide penalties for the violation of the duties of probation officers; to provide for procedure governing proceedings to prevent crime and proceedings for the discovery of crime; to provide for fees of officers, witnesses, and others in criminal and ordinance violation cases; to set forth miscellaneous provisions as to criminal procedure in certain cases; to provide penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act.”

The Senate agreed to the full title.

By unanimous consent the Senate proceeded to the order of

Introduction and Referral of Bills

Senator O'Brien introduced

Senate Bill No. 572, entitled

A bill to amend 1893 PA 206, entitled “The general property tax act,” by amending section 7d (MCL 211.7d), as amended by 2012 PA 66.

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

Senators Emmons, Colbeck, Jones, Shirkey, Booher, Brandenburg, Zorn, Robertson, Pavlov, Marleau, Hune and Proos introduced

Senate Bill No. 573, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 20115 (MCL 333.20115), as amended by 2012 PA 499.

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

Senators Warren, Hopgood, Bieda, Smith, Hune, Young, Knezek, Johnson, Gregory and Hood introduced

Senate Bill No. 574, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” (MCL 333.1101 to 333.25211) by adding section 21525.

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

Senators Colbeck, Emmons, Jones, Shirkey, Booher, Brandenburg, Zorn, Robertson, Pavlov, Marleau, Hune and Proos introduced

Senate Bill No. 575, entitled

A bill to amend 2002 PA 360, entitled “An act to revise the priority of allocation of funds for certain programs and services administered by the department of community health; and to prescribe the powers and duties of certain state agencies and departments,” by amending the title and section 1 (MCL 333.1091).

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

Senators Knollenberg, Proos and Jones introduced

Senate Bill No. 576, entitled

A bill to amend 1975 PA 46, entitled “An act to create the office of the legislative corrections ombudsman; to prescribe the powers and duties of the office, the ombudsman, the legislative council, and the department of corrections; and to

provide remedies from administrative acts,” by amending sections 5 and 9 (MCL 4.355 and 4.359), section 5 as amended by 2010 PA 287 and section 9 as amended by 1995 PA 197.

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

Senator Booher introduced

Senate Bill No. 577, entitled

A bill to amend 1972 PA 230, entitled “Stille-DeRossett-Hale single state construction code act,” by amending section 10 (MCL 125.1510), as amended by 2013 PA 125.

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

House Bill No. 4577, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending section 312f (MCL 257.312f), as amended by 2015 PA 11.

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

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

House Bill No. 4674, entitled

A bill to amend 1974 PA 258, entitled “Mental health code,” by amending sections 100a, 100c, 202, 401, 404, 420, 422, 423, 425, 426, 427, 429, 431, 434, 435, 447, 448, 449, 451, 452, 453, 454, 455, 461, 463, 468, 469a, 472a, 474, 474a, and 475 (MCL 330.1100a, 330.1100c, 330.1202, 330.1401, 330.1404, 330.1420, 330.1422, 330.1423, 330.1425, 330.1426, 330.1427, 330.1429, 330.1431, 330.1434, 330.1435, 330.1447, 330.1448, 330.1449, 330.1451, 330.1452, 330.1453, 330.1454, 330.1455, 330.1461, 330.1463, 330.1468, 330.1469a, 330.1472a, 330.1474, 330.1474a, and 330.1475), section 100a as amended by 2012 PA 500, section 100c as amended by 2015 PA 59, sections 202, 420, 423, 425, 426, 427, 429, 431, 434, 435, 448, 449, 451, 452, 453, 454, 455, 461, 463, and 468 as amended by 1995 PA 290, section 401 as amended by 2004 PA 496, section 422 as amended by 2004 PA 317, section 469a as amended by 2004 PA 497, sections 472a and 475 as amended by 2004 PA 498, and sections 474 and 474a as added by 1996 PA 588, and by adding section 400b; and to repeal acts and parts of acts.

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

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

House Bill No. 4677, entitled

A bill to amend 1893 PA 206, entitled “The general property tax act,” by amending section 27a (MCL 211.27a), as amended by 2015 PA 19.

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

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

House Bill No. 4796, entitled

A bill to amend 1955 PA 133, entitled “An act to provide for the granting of military leaves and providing re-employment protection for officers and enlisted men of the military or naval forces of the state or of the United States,” by amending sections 2 and 3 (MCL 32.272 and 32.273), section 3 as amended by 2008 PA 106.

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

The bill was read a first and second time by title and referred to the Committee on Veterans, Military Affairs and Homeland Security.

Committee Reports

The Committee on Education reported

Senate Bill No. 510, entitled

A bill to prohibit the disclosure or use of certain information.

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.

Phillip J. Pavlov
Chairperson

To Report Out:

Yeas: Senators Pavlov, Knollenberg, Booher, Colbeck and Knezek

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 Education submitted the following:

Meeting held on Tuesday, October 20, 2015, at 12:00 noon, Room 110, Farnum Building

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

The Committee on Health Policy reported

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.

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, Hune, O'Brien, Marleau, Jones, Stamas, Robertson, Hertel, Knezek and Hopgood

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Health Policy submitted the following:

Meeting held on Tuesday, October 20, 2015, at 12:30 p.m., Room 110, Farnum Building

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

The Committee on Local Government reported

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.

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.

Dale W. Zorn

Chairperson

To Report Out:

Yeas: Senators Zorn, Proos, Brandenburg 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. 4212, entitled

A bill to amend 1851 PA 156, entitled "An act to define the powers and duties of the county boards of commissioners of the several counties, and to confer upon them certain local, administrative and legislative powers; and to prescribe penalties for the violation of the provisions of this act," by amending section 11 (MCL 46.11), as amended by 2012 PA 15.

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.

Dale W. Zorn

Chairperson

To Report Out:

Yeas: Senators Zorn, Brandenburg, Rocca and Young

Nays: Senator Proos

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. 4215, entitled

A bill to amend 1909 PA 283, entitled "An act to revise, consolidate, and add to the laws relating to the establishment, opening, discontinuing, vacating, closing, altering, improvement, maintenance, and use of the public highways and private roads; the condemnation of property and gravel therefor; the building, repairing and preservation of bridges; maintaining public access to waterways under certain conditions; setting and protecting shade trees, drainage, and cutting weeds and brush within this state; providing for the election or appointment and defining the powers, duties, and compensation of state, county, township, and district highway officials; and to prescribe penalties and provide remedies," by amending section 6 of chapter IV (MCL 224.6), as amended by 2012 PA 14.

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.

Dale W. Zorn
Chairperson

To Report Out:

Yeas: Senators Zorn, Brandenburg, Rocca and Young

Nays: Senator Proos

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, October 20, 2015, at 12:30 p.m., Room 100, Farnum Building

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

Scheduled Meetings

Commerce, Economic Development and International Investment, and Transportation - Monday, November 2, 10:15 a.m., Lake Superior State University, Cisler Center, Superior Room, 650 West Easterday Avenue, Sault Ste. Marie (373-5312)

Economic Development and International Investment - Thursday, October 22, 1:30 p.m., Room 210, Farnum Building (373-5323)

Economic Development and International Investment, Transportation, and Commerce - Monday, November 2, 10:15 a.m., Lake Superior State University, Cisler Center, Superior Room, 650 West Easterday Avenue, Sault Ste. Marie (373-5312)

Elections and Government Reform - Thursday, October 22, 9:00 a.m., Room 210, Farnum Building (373-1721)

Finance - Tuesday, October 27, 2:30 p.m., Room 210, Farnum Building (373-5312)

Transportation, Commerce, and Economic Development and International Investment - Monday, November 2, 10:15 a.m., Lake Superior State University, Cisler Center, Superior Room, 650 West Easterday Avenue, Sault Ste. Marie (373-5312)

Senator Kowall moved that the Senate adjourn.

The motion prevailed, the time being 10:51 a.m.

The President pro tempore, Senator Schuitmaker, declared the Senate adjourned until Thursday, October 22, 2015, at 10:00 a.m.

JEFFREY F. COBB
Secretary of the Senate

