

No. 87
STATE OF MICHIGAN
Journal of the Senate
98th Legislature
REGULAR SESSION OF 2015

Senate Chamber, Lansing, Thursday, October 1, 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—excused
Booher—present
Brandenburg—present
Casperson—present
Colbeck—present
Emmons—present
Green—present
Gregory—present
Hansen—excused
Hertel—present
Hildenbrand—present
Hood—present

Hopgood—excused
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 John M. Proos of the 21st District offered the following invocation:

Lord Jesus, we come to You today with humble and contrite hearts and ask that You bless this chamber, its members, and visitors with Your abundant grace. Lord, we thank You for the many blessings that You have bestowed upon each of us, Your children, and we raise our voices together in praise of Your abundant love.

On this, the feast day of St. Therese of Lisieux, we read in Your blessed and holy word from Matthew 8, where You state: “Thus says the Lord, unless you turn and become like children, you will not enter the kingdom of heaven.” In Your infinite power, O Lord, we ask that You give each of us the simplicity of children so that we may come to You with humility, free from that which binds us on earth, so that we may see Your truth and Your kingdom.

Further, Lord, we ask that You be with the men and women of the armed forces all over the world as they are indeed in harm’s way. Protect them, provide for their safety, and we humbly ask that You give their families the comfort and security of Your loving care.

Bless the people of the state of Michigan and in this body as we seek to glorify Your name, Jesus Christ, today and every day. Amen.

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

Motions and Communications

Senators Green, Zorn, Knezek and Johnson entered the Senate Chamber.

Senator Kowall moved that Senator Hansen be 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 Hood moved that Senators Bieda and Hopgood be excused from today’s session.
The motion prevailed.

Senator Kowall moved that rule 3.902 be suspended to allow his guests and the guests of Senators Meekhof and Nofs admittance to the Senate floor.

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

The Secretary announced that pursuant to Rule 2.109 of the Standing Rules of the Senate, the following expense reports have been filed with the Senate Business Office for the quarter from April 1, 2015 through June 30, 2015, and are available in the Senate Business Office during business hours for public inspection:

Committee

Agriculture
Appropriations
Banking and Financial Institutions
Commerce
Economic Development and International Investment
Education
Elections and Government Reform
Energy and Technology
Families, Seniors and Human Services
Finance
Government Operations
Health Policy
Insurance
Judiciary
Local Government
Michigan Competitiveness
Natural Resources

Chairperson

Senator Joe Hune
Senator Dave Hildenbrand
Senator Darwin Booher
Senator Wayne Schmidt
Senator Ken Horn
Senator Phil Pavlov
Senator David Robertson
Senator Mike Nofs
Senator Judy Emmons
Senator Jack Brandenburg
Senator Arlan Meekhof
Senator Mike Shirkey
Senator Joe Hune
Senator Rick Jones
Senator Dale Zorn
Senator Mike Shirkey
Senator Tom Casperson

Outdoor Recreation and Tourism
 Regulatory Reform
 Transportation
 Veterans, Military Affairs and Homeland Security

Senator Goeff Hansen
 Senator Tory Rocca
 Senator Tom Casperson
 Senator Margaret O'Brien

The Senate Business Office submitted, pursuant to Senate Rule 1.208, the following report on out-of-state travel by members on legislative business for the quarter ending September 30, 2015:

Senator Ken Horn	July 10-13	CSG Midwestern Legislative Conference Bismarck, ND	\$1,215.28
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The Secretary announced that the following bills were printed and filed on Wednesday, September 30, and are available at the Michigan Legislature website:

Senate Bill Nos.	517	518	519	520	521	522	523	524	525	526	527	528	529	530
	531	532	533	534	535	536								
House Bill Nos.	4907	4908	4909	4910	4911	4912	4913	4914	4915	4916	4917	4918	4919	4920
	4921	4922	4923	4924										

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.

10:37 a.m.

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

During the recess, Senator Young entered the Senate Chamber.

Senator Kowall moved that the rules be suspended and that the following bill, now on Committee Reports, be placed on the General Orders calendar for consideration today:

House Bill No. 4102

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

Messages from the Governor

The following messages from the Governor were received:

Date: September 30, 2015
 Time: 9:50 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 62 (Public Act No. 131), being

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

(Filed with the Secretary of State on September 30, 2015, at 2:42 p.m.)

Date: September 30, 2015
 Time: 9:52 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 281 (Public Act No. 132), being

An act to amend 1961 PA 236, entitled “An act to revise and consolidate the statutes relating to the organization and jurisdiction of the courts of this state; the powers and duties of the courts, and of the judges and other officers of the courts; the forms and attributes of civil claims and actions; the time within which civil actions and proceedings may be

brought in the courts; pleading, evidence, practice, and procedure in civil and criminal actions and proceedings in the courts; to provide for the powers and duties of certain state governmental officers and entities; to provide remedies and penalties for the violation of certain provisions of this act; to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act; and to repeal acts and parts of acts," by amending section 8322 (MCL 600.8322), as amended by 2005 PA 326.

(Filed with the Secretary of State on September 30, 2015, at 2:44 p.m.)

Date: September 30, 2015

Time: 9:56 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 468 (Public Act No. 133), being

An act to amend 1978 PA 368, entitled "An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to provide for the levy of taxes against certain health facilities or agencies; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for the implementation of federal law; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to provide for an appropriation and supplements; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates," by amending sections 17739a, 17739b, 17739c, and 17748a (MCL 333.17739a, 333.17739b, 333.17739c, and 333.17748a), sections 17739a, 17739b, and 17739c as added by 2014 PA 285 and section 17748a as added by 2014 PA 280.

(Filed with the Secretary of State on September 30, 2015, at 2:46 p.m.)

Respectfully,
Rick Snyder
Governor

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

The motion prevailed.

Senate Resolution No. 84.

A resolution of tribute offered to honor Greg White upon the completion of his term on the Michigan Public Service Commission.

The question being on the adoption of the resolution,

The resolution was adopted.

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.

Senator Nofs asked and was granted unanimous consent to make a statement and moved that the statement be printed in the Journal.

The motion prevailed.

Senator Nofs' statement is as follows:

Today it is my privilege to offer this resolution and say a few words about a man I've had the pleasure of working with for a number of years, former Public Service Commissioner Greg White. With Greg today is his lovely wife Junru and his former executive advisor at the commission, Pat Poli.

I first got to know Greg when I took over as chairman of the House Energy and Technology Committee, and he served as the legislative liaison for the commission. As a new chairman of a major policy committee, I was trying to get up to speed on the many issues facing the committee, and Greg was a wealth of information. As legislators, we know how valuable it is to have good relations and be able to get good information from our state agencies. I found Greg to be a straight shooter, always looking to help find a solution. I came to rely on his advice and counsel regarding matters related to the commission, as well as energy, especially nuclear energy, which is one of his areas of expertise.

Throughout his governmental career, Greg has served the state of Michigan and its residents with distinction. He has served on and provided expert testimony before a variety of federal commissions, boards, and agencies, as well as representing Michigan before Congress on matters of energy and telecommunications policy. His experience and expertise have now made him a sought-after consultant on these issues.

As a commissioner, Greg took his role seriously in protecting the interests of the citizens of Michigan and the integrity of the regulatory process, which I greatly appreciate. Commissioners are entrusted with a great deal of authority and discretion in carrying out Michigan statutes, and I think Greg was always mindful of that and very judicious in his approach.

So, Mr. President, in honor of the completion of his term on the Michigan Public Service Commission, I want to personally thank Greg for his service, counsel, and friendship over these many years. I would ask my colleagues to join me in supporting Senate Resolution No. 84.

Senator O'Brien offered the following resolution:

Senate Resolution No. 98.

A resolution designating October 3, 2015, as Buy Nearby Get Caught Blue-Handed Day.

Whereas, Buy Nearby is an ongoing, year-round campaign launched by the Michigan Retailers Association to benefit businesses, local communities, and residents across Michigan; and

Whereas, The campaign is intended to serve as a personal call to action, a symbol of pride and celebration, a rallying cry across Michigan, and an economic driver for our state and local communities; and

Whereas, Buy Nearby wants to bring a Pure Michigan type of feeling to shopping in Michigan and get shoppers committed to buying nearby in Michigan; and

Whereas, Retailing is responsible for 850,000 jobs in Michigan. If shoppers commit to buying nearby in Michigan, we can create more local jobs through increased local purchases; and

Whereas, If Michigan consumers chose to support retail businesses in Michigan by always buying nearby rather than from remote sellers, Michigan in 2015 would gain more than 74,000 additional jobs and \$9 billion in additional economic activity, including \$2.5 billion in additional wages the new workers would earn; and

Whereas, Each purchase made when someone buys nearby in Michigan keeps more money within Michigan communities, which improves the vitality of Michigan's local economies and their quality of life and directly supports our communities, our schools, and our infrastructure; and

Whereas, Buy Nearby seeks to build upon and strengthen existing shop-local groups by expanding and elevating the Buy Nearby in Michigan movement to a statewide campaign; and

Whereas, The year-round Buy Nearby campaign has designated October 3, 2015, as Get Caught Blue-Handed Day, a day to celebrate local retail businesses and their importance and to encourage consumers to get caught buying nearby; and

Whereas, Communities and retailers are encouraged to offer special events and other promotions to encourage local shopping and stimulate Michigan's economy on Get Caught Blue-Handed Day; and

Whereas, Buy Nearby will inspire shoppers to participate in the excitement of Get Caught Blue-Handed Day, which will demonstrate that buying nearby can be fun and rewarding to local communities and consumers; now, therefore, be it

Resolved by the Senate, That October 3, 2015, be hereby designated as Buy Nearby Get Caught Blue-Handed Day in the state of Michigan; and be it further

Resolved, That the people of the state of Michigan are encouraged to buy nearby on this day and every day.

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 Booher, Brandenburg, Gregory, Hildenbrand, Jones, Kowall, MacGregor, Proos, Schmidt, Warren and Zorn were named co-sponsors of the resolution.

Senate Concurrent Resolution No. 16.

A concurrent resolution of tribute offered as a memorial for Harry T. Gast, former member of the House of Representatives and the Senate.

(For text of resolution, see Senate Journal No. 86, p. 1547.)

The House of Representatives has adopted the concurrent resolution and the entire membership were named co-sponsors.

The concurrent resolution was referred to the Secretary for record.

Introduction and Referral of Bills

Senators Jones and Booher introduced

Senate Bill No. 537, entitled

A bill to amend 1973 PA 186, entitled "Tax tribunal act," by amending sections 21, 22, 25, 32, 34, 35a, 47, 49, 51, and 62 (MCL 205.721, 205.722, 205.725, 205.732, 205.734, 205.735a, 205.747, 205.749, 205.751, and 205.762), section 22 as amended by 2008 PA 127, sections 32 and 35a as amended and section 47 as added by 2008 PA 125, section 34 as amended by 1980 PA 437, section 49 as amended by 2008 PA 126, and section 62 as amended by 2008 PA 128.

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

Senators Brandenburg, Smith, Proos, MacGregor, Marleau and Bieda introduced

Senate Bill No. 538, entitled

A bill to amend 1995 PA 29, entitled "Uniform unclaimed property act," by amending sections 2, 30, and 31 (MCL 567.222, 567.250, and 567.251), section 2 as amended by 2008 PA 208, section 30 as amended by 2012 PA 292, and section 31 as amended by 2013 PA 148, and by adding sections 4a and 31b.

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

Senators Hansen, Ananich, Casperson, Booher, Emmons, Young, Johnson, Hertel, Nofs, Marleau, Knezek, Gregory and Proos introduced

Senate Bill No. 539, entitled

A bill to amend 2008 PA 549, entitled "Michigan promise zone authority act," by amending the title and sections 5, 7, 9, 11, 17, and 19 (MCL 390.1665, 390.1667, 390.1669, 390.1671, 390.1677, and 390.1679), sections 5, 7, 11, and 17 as amended by 2013 PA 210, and by adding sections 4 and 4a; and to repeal acts and parts of acts.

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

Senators Ananich, Hansen, Casperson, Booher, Emmons, Young, Johnson, Hertel, Nofs, Marleau, Gregory, Knezek and Proos introduced

Senate Bill No. 540, entitled

A bill to amend 1993 PA 331, entitled "State education tax act," by amending section 5 (MCL 211.905), as amended by 2004 PA 443.

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

By unanimous consent the Senate returned to the order of

General Orders

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

The motion prevailed, and the President, Lieutenant Governor Calley, designated Senator Proos as Chairperson.

Recess

Senator Kowall moved that the Committee of the Whole recess subject to the call of the Chairperson.

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

10:58 a.m.

The Committee of the Whole was called to order by the Chairperson, Senator Proos.

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 bills:

House Bill No. 4499, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 3815 (MCL 600.3815), as amended by 2014 PA 387.

House Bill No. 4500, entitled

A bill to amend 2004 PA 452, entitled "Identity theft protection act," (MCL 445.61 to 445.79c) by adding section 79d.

House Bill No. 4503, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," (MCL 600.101 to 600.9947) by adding section 4710.

House Bill No. 4506, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 7524b.

House Bill No. 4507, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," (MCL 600.101 to 600.9947) by adding section 3841.

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:

House Bill No. 4504, entitled

A bill to create the uniform forfeiture reporting act; to require certain reports by reporting agencies regarding seized and forfeited property; to prescribe the powers and duties of certain local and state officials; to provide for certain fees and the expenditure of those fees; to require certain audits; to require certain reports by the department of state police; to provide for the withholding of law enforcement funds under certain circumstances; and to repeal acts and parts of acts. 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. 4505, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 7521 (MCL 333.7521), as amended by 2001 PA 236. 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. 4102, entitled

A bill to make, supplement, adjust, and consolidate appropriations for various state departments and agencies, the judicial branch, and the legislative branch for the fiscal year ending September 30, 2016 and other fiscal years; to provide for certain conditions on appropriations; and to provide for the expenditure of the appropriations. Substitute (S-1).

The following are the amendments to the substitute recommended by the Committee of the Whole:

1. Amend page 5, following line 9, by inserting:

**"SEC 152. DEPARTMENT OF ENVIRONMENTAL QUALITY
(1) APPROPRIATION SUMMARY:**

Full-time equated classified positions0.0

GROSS APPROPRIATION	\$	100
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers		0
ADJUSTED GROSS APPROPRIATION	\$	100
Federal revenues:		
Total federal revenues.....		0
Special revenue funds:		
Total local revenues		0
Total private revenues.....		0
Total other state restricted revenues		0
State general fund/general purpose	\$	100
(2) RESOURCE MANAGEMENT DIVISION		
Full-time equated classified positions		0.0
City of Flint emergency water services.....	\$	100
GROSS APPROPRIATION	\$	100
Appropriated from:		
State general fund/general purpose	\$	100”.
2. Amend page 5, line 10, by striking out “152” and inserting “153”.		
3. Amend page 6, following line 8, by inserting:		
“(4) DEPARTMENTWIDE ADMINISTRATION		
Rent and state office facilities	\$	100
GROSS APPROPRIATION	\$	100
Appropriated from:		
State general fund/general purpose	\$	100”

and adjusting the subtotals, totals, and section 201 accordingly.

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.

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

Senator Kowall moved that the rules be suspended and that the following bill, now on the order of Third Reading of Bills, be placed on its immediate passage:

House Bill No. 4102

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

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

House Bill No. 4168

Senate Bill No. 366

Senate Bill No. 458

Senate Bill No. 500

House Bill No. 4102

The motion prevailed.

The following bill was read a third time:

House Bill No. 4168, entitled

A bill to amend 1893 PA 206, entitled “The general property tax act,” by amending section 42a (MCL 211.42a), as amended by 2012 PA 461.

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. 388

Yeas—34

Ananich
Booher

Hood
Horn

Marleau
Meekhof

Schmidt
Schuitmaker

Brandenburg	Hune	Nofs	Shirkey
Casperson	Johnson	O'Brien	Smith
Emmons	Jones	Pavlov	Stamas
Green	Knezek	Proos	Warren
Gregory	Knollenberg	Robertson	Young
Hertel	Kowall	Rocca	Zorn
Hildenbrand	MacGregor		

Nays—1

Colbeck

Excused—3

Bieda

Hansen

Hopgood

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. 366, entitled

A bill to regulate the solicitation of certain deeds; to prescribe the powers and duties of certain state agencies and officials; and to provide remedies.

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. 389**Yeas—35**

Ananich	Hildenbrand	MacGregor	Schmidt
Booher	Hood	Marleau	Schuitmaker
Brandenburg	Horn	Meekhof	Shirkey
Casperson	Hune	Nofs	Smith
Colbeck	Johnson	O'Brien	Stamas
Emmons	Jones	Pavlov	Warren

Green
Gregory
Hertel

Knezek
Knollenberg
Kowall

Proos
Robertson
Rocca

Young
Zorn

Nays—0

Excused—3

Bieda

Hansen

Hopgood

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. 458, entitled

A bill to amend 1939 PA 288, entitled “Probate code of 1939,” by amending section 51 of chapter X (MCL 710.51), as amended by 1996 PA 409.

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. 390

Yeas—34

Ananich
Booher
Brandenburg
Casperson
Emmons
Green
Gregory
Hertel
Hildenbrand

Hood
Horn
Hune
Johnson
Jones
Knezek
Knollenberg
Kowall
MacGregor

Marleau
Meekhof
Nofs
O’Brien
Pavlov
Proos
Robertson
Rocca

Schmidt
Schuitmaker
Shirkey
Smith
Stamas
Warren
Young
Zorn

Nays—1

Colbeck

Excused—3

Bieda

Hansen

Hopgood

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. 500, entitled

A bill to amend 1936 (Ex Sess) PA 1, entitled "Michigan employment security act," by amending section 44 (MCL 421.44), as amended by 2011 PA 269.

The question being on the passage of the bill,

Senator Hood offered the following amendment:

1. Amend page 7, following line 19, by inserting:

"Enacting section 1. This amendatory act does not take effect unless Senate Bill No. 525 of the 98th Legislature is enacted into law."

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

Senator Hood requested the yeas and nays.

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

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

Roll Call No. 391

Yeas—10

Ananich
Gregory
Hertel

Hood
Johnson
Knezek

Rocca
Smith

Warren
Young

Nays—25

Booher
Brandenburg
Casperson
Colbeck
Emmons
Green
Hildenbrand

Horn
Hune
Jones
Knollenberg
Kowall
MacGregor

Marleau
Meekhof
Nofs
O'Brien
Pavlov
Proos

Robertson
Schmidt
Schuitmaker
Shirkey
Stamas
Zorn

Excused—3

Bieda

Hansen

Hopgood

Not Voting—0

In The Chair: President

Senator Warren offered the following amendment:

1. Amend page 7, following line 19, by inserting:

"Enacting section 1. This amendatory act does not take effect unless House Bill No. 4655 of the 98th Legislature is enacted into law."

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

Senator Hood requested the yeas and nays.

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

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

Roll Call No. 392

Yeas—10

Ananich
Gregory
Hertel

Hood
Johnson
Knezek

Rocca
Smith

Warren
Young

Nays—25

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

Excused—3

Bieda	Hansen	Hopgood
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Not Voting—0

In The Chair: President

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

Roll Call No. 393**Yeas—26**

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

Nays—9

Ananich	Hood	Knezek	Warren
Gregory	Johnson	Smith	Young
Hertel			

Excused—3

Bieda	Hansen	Hopgood
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Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

Protests

Senators Warren, Hertel, Hood, Ananich, Young, Gregory and Johnson, under their constitutional right of protest (Art. 4, Sec. 18), protested against the passage of Senate Bill No. 500.

Senator Warren moved that the statement she made during the discussion of the bill be printed as her reasons for voting “no.”

The motion prevailed.

Senator Warren’s statement, in which Senators Hertel, Hood, Ananich, Young, Gregory and Johnson concurred, is as follows:

I rise to give my “no” vote explanation on Senate Bill No. 500. Colleagues, Section 421.2 of the Michigan Employment Security Act outlines the Legislature’s declaration of public policy when the unemployment law was first enacted in 1936. This policy statement says that the use of unemployment reserves is, and I quote, “for the benefit of persons unemployed through no fault of their own, thus maintaining purchasing power and limiting the serious social consequences of relief assistance, is for the public good, and the general welfare of the people of this state.”

A reminder of what unemployment insurance was created for and who it is supposed to help: It is supposed to be for the people who through no fault of their own have lost their employment. That is not what Senate Bill No. 500 does. Senate Bill No. 500 gives an ongoing additional tax break to employers in their unemployment insurance tax, while we have heard other colleagues in this chamber say today it’s been over 13 years since those receiving unemployment have received any kind of increase in the benefits that they have received. That means that those who are unemployed—a single mother with two children is receiving less than 80 percent of the federal poverty line. It’s hardly enough to feed her children and keep her mortgage payment or rent covered while she looks for another job.

Our trust fund, those of us who have served in this chamber for awhile, which many of us have, we know that the unemployment trust fund got into some trouble. We had to borrow money from the federal government. We have been fighting to rebuild the reserves in this fund. The fact that we are standing here in this chamber with a healthy reserve in the unemployment trust fund that is over \$2.5 billion now is a testament to the hard work that we have done in policy to make sure that it is sound.

But if the trust fund is sound, let’s take this opportunity to change the lives of those who are struggling with unemployment. Let’s give them just a little bit more. We’re not going to make them rich, but let’s make sure that they can pay their rent, pay their mortgage, feed their kids, do what they need to do, and pay for gas to go to job interviews while they’re looking for that next job. Our employers have received a lot of tax breaks in the last little while and certainly in this program. Instead of cementing another long-term cut for our employers, let’s help the people who need it the most.

I’m voting “no” on Senate Bill No. 500, and I encourage you to think long and hard, and hopefully, colleagues, you will do the same.

Senator Hood asked and was granted unanimous consent to make a statement and moved that the statement be printed in the Journal.

The motion prevailed.

Senator Hood’s statement is as follows:

My amendment tie-bars Senate Bill No. 500 to Senate Bill No. 525, which raises the maximum weekly unemployment benefit rate from \$362 per week to \$471 and indexes it to inflation. Additionally, my amendment restores the maximum time frame for unemployment benefits from 20 to 26 weeks. Michigan is one of only eight states that offer less than 26 weeks of unemployment benefits. This is due to a number of cuts made in 2012 to the state’s unemployment insurance program that were attributed to the UI Trust Fund being insolvent.

We also saw changes in 2012 that included more stringent eligibility requirements and awarded the state with the ability to collect restitution on overpayments. Those changes also gave employers—not the employed—a tax break when the UI Trust Fund hit a healthy level.

While I believe that the goal of adjusting taxable wages based on a healthy trust fund was well-intentioned, I didn’t support it in 2012, and I don’t support it now. If you’d rather give employers the tax breaks, then the least you can do is ensure that those unemployed by no fault of their own have benefits they can, at a minimum, survive on, as well as be given adequate time to find gainful employment.

Considering the fact that it’s been 13 years since we last adjusted the maximum weekly benefit and there have been so many other slashes to the program, I think my amendment is perfectly reasonable. I ask for your support of this amendment.

The following bill was read a third time:

House Bill No. 4102, entitled

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal years ending September 30, 2015 and September 30, 2016; to provide for the expenditure of the appropriations; 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. 394**Yeas—30**

Ananich	Hood	Marleau	Schmidt
Booher	Horn	Meekhof	Shirkey
Brandenburg	Johnson	Nofs	Smith
Casperson	Jones	O'Brien	Stamas
Green	Knezek	Proos	Warren
Gregory	Knollenberg	Robertson	Young
Hertel	Kowall	Rocca	Zorn
Hildenbrand	MacGregor		

Nays—5

Colbeck	Hune	Pavlov	Schuitmaker
Emmons			

Excused—3

Bieda	Hansen	Hopgood
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Not Voting—0

In The Chair: President

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

By unanimous consent the Senate proceeded to the order of

Statements

Senator Meekhof asked and was granted unanimous consent to make a statement and moved that the statement be printed in the Journal.

The motion prevailed.

Senator Meekhof's statement is as follows:

As you know, we are very fortunate here in the state of Michigan. Our beautiful state is surrounded by freshwater of five Great Lakes. In fact, I have a T-shirt company in my district that prints one saying: "Four of the Five Great Lakes Prefer Michigan." We have 20 percent of the world's freshwater, and each and every one of us here in this chamber has experienced the benefits of our Great Lakes and the waterways at one time or another. As many of you know, I am an avid kayaker and fisherman, and some of my favorite memories with my family have a lake setting in the background. Just as precious as the memories and activities are the industries that rely on our freshwater. Fishing and tourism are large parts of our economy.

Governor Engler spent billions of dollars in Michigan to fish and enjoy the bounty of our Great Lakes and inland lakes and waterways. Michigan's recreational fishery has an annual economic value of more than \$2 billion and supports more than 15,000 jobs statewide. Michigan commercial fishing operations pump millions of dollars into our economy. While other states have ties to the Great Lakes, Michigan is identified by the unique topography created as a result of these bodies of water. Any threat to our lakes and waterways impacts people all across our state and could have a dramatic impact on our

economy. While we can all work to protect the Great Lakes, our legislative authority is sometimes limited when it comes to regulating the impact of outside factors on our environment.

Today I would like to take a moment to draw your attention to the continued threat of invasive species to our state. Specifically, I am concerned about the Asian carp. I know many of you share my great concern that this fish will become a permanent and destructive presence in the Great Lakes. The Asian carp is not a new threat, but it may soon be a bigger problem for Michigan if Congress and the President do not take action to protect the Great Lakes from this creature.

Recently, it has been reported that the Asian carp have made their way into Lake Erie, and specimens are now being tested to determine whether or not these fish are reproducing in the lake. Limited action by the federal government may have failed to protect our lakes, our economy, and our state from this unwanted invasive species. My colleagues and I are limited as to the reach of our intervention on this issue. As such, I implore the President and Congress to take swift action to address the threat of Asian carp.

This fish was first introduced in the United States in the 1960s. I think over 50 years is plenty of time to craft and implement an effective strategy to protect the Great Lakes from potential destruction.

Committee Reports

The Committee on Regulatory Reform reported

Senate Bill No. 303, entitled

A bill to amend 1937 PA 215, entitled "An act to authorize municipalities to own or control cemetery or burial grounds; to provide for perpetual care and maintenance; to provide for endowment and perpetual care funds; and to permit municipalities to authorize the creation of joint cemetery associations," by amending section 1 (MCL 128.1), as amended by 1980 PA 366.

With the recommendation that the bill pass.

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

Tory Rocca
Chairperson

To Report Out:

Yeas: Senators Rocca, Jones, Knollenberg, Kowall, Marleau, Hune, Warren, Hertel and Johnson

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Regulatory Reform reported

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.

With the recommendation that the bill be referred to the Committee on Judiciary.

Tory Rocca
Chairperson

To Report Out:

Yeas: Senators Rocca, Knollenberg, Kowall, Hune, Warren, Hertel and Johnson

Nays: None

The bill was referred to the Committee on Judiciary.

The Committee on Regulatory Reform reported

Senate Bill No. 372, entitled

A bill to amend 1966 PA 291, entitled "Firefighters training council act," by amending section 9 (MCL 29.369), as amended by 2013 PA 166.

With the recommendation that the bill pass.

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

Tory Rocca
Chairperson

To Report Out:

Yeas: Senators Rocca, Jones, Knollenberg, Kowall, Marleau, Hune, Warren, Hertel and Johnson

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Regulatory Reform reported

House Bill No. 4263, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 16336, 17901, 17905, and 17906 (MCL 333.16336, 333.17901, 333.17905, and 333.17906), as added by 2006 PA 54.

With the recommendation that the bill pass.

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

Tory Rocca
Chairperson

To Report Out:

Yeas: Senators Rocca, Jones, Knollenberg, Kowall, Marleau, Hune, Warren, Hertel and Johnson

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Regulatory Reform submitted the following:

Meeting held on Wednesday, September 30, 2015, at 1:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower

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

The Committee on Outdoor Recreation and Tourism reported

Senate Bill No. 446, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 40111a (MCL 324.40111a), as amended by 2009 PA 199.

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.

Goeffrey M. Hansen
Chairperson

To Report Out:

Yeas: Senators Hansen, Zorn, Schmidt, Green and Johnson

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 Outdoor Recreation and Tourism submitted the following:

Meeting held on Wednesday, September 30, 2015, at 12:30 p.m., Room 110, Farnum Building

Present: Senators Hansen (C), Zorn, Schmidt, Green and Johnson

The Committee on Appropriations reported

House Bill No. 4102, entitled

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

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.

David S. Hildenbrand
Chairperson

To Report Out:

Yeas: Senators Hildenbrand, MacGregor, Hansen, Stamas, Knollenberg, Booher, Shirkey, Proos, Nofs, Green, Marleau, Gregory, Hertel, Knezek and Young

Nays: None

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

COMMITTEE ATTENDANCE REPORT

The Committee on Appropriations submitted the following:

Meeting held on Tuesday, September 29, 2015, at 2:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building

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

Excused: Senator Hopgood

COMMITTEE ATTENDANCE REPORT

The Committee on Appropriations submitted the following:

Meeting held on Wednesday, September 30, 2015, at 11:00 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building

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

Excused: Senators Shirkey and Hopgood

COMMITTEE ATTENDANCE REPORT

The Committee on Natural Resources submitted the following:

Meeting held on Wednesday, September 30, 2015, at 12:30 p.m., Room 210, Farnum Building

Present: Senators Casperson (C), Pavlov, Robertson, Stamas and Warren

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

K-12, School Aid, Education - Wednesday, October 14, 8:30 a.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building (373-2768)

State Police and Military Affairs - Tuesday, October 6, 8:30 a.m., Rooms 402 and 403, Capitol Building (373-2768)

Criminal Justice Policy Commission - Wednesday, October 7, 9:00 a.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building (373-0212)

Education - Wednesday, October 7, 8:30 a.m., Room 110, Farnum Building (373-5314)

Finance - Tuesday, October 6, 2:30 p.m., Room 210, Farnum Building (373-5323)

Judiciary - Tuesday, October 6, 3:00 p.m., Room 110, Farnum Building (373-1721)

Senator Kowall moved that the Senate adjourn.

The motion prevailed, the time being 11:30 a.m.

The President, Lieutenant Governor Calley, declared the Senate adjourned until Tuesday, October 6, 2015, at 10:00 a.m.

JEFFREY F. COBB
Secretary of the Senate

