

No. 96
STATE OF MICHIGAN
Journal of the Senate
98th Legislature
REGULAR SESSION OF 2015

Senate Chamber, Lansing, Thursday, October 22, 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—excused
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 Tim Berlin of Faith Baptist Church of Warren offered the following invocation:

Heavenly Father, we thank You for the privilege it is to come into Your presence. I thank You for Your servants who have given their lives to make a difference. I pray that You would encourage them. May they see that the service they do today is worth it, especially that which many times goes unnoticed.

Father, I pray that You would encourage their hearts. I pray that You would give them the wisdom they need, and fill them with discernment. I pray that they would be able to navigate through all of the details, and they would be able to know what is best. I pray that You would sustain them with the strength they need, and provide for them the help they may need.

Lord, I thank You for the unsung heroes and their families, who are so willing to sacrifice so they can serve our state and ultimately serve as Your servants. Thank You for each family member. Would You fill them with grace, give them patience when necessary, and encourage their hearts. I pray they would see it's what family does that makes an ultimate difference. May their hearts be encouraged by that. I pray for spouses who go long hours without their spouse, serving here and traveling for many hours campaigning and other things. Please make their marriages strong.

Heavenly Father, please guide today in decisions to be made. May they understand they serve a great God and will give an account, and help them do the best they can. Bless them in an unusual way, encouraging their hearts. Help them to know that there are many of us out here who are so thankful for what they do.

I pray all of this in the name of the One who is above every name. Amen.

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

Motions and Communications

Senators Robertson, Casperson, Shirkey, Emmons, Hood and Hildenbrand 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.

The following communication was received and read:

Office of the Auditor General

October 20, 2015

Enclosed is a copy of the following audit reports:

- Follow-up report on the performance audit of the Office of Professional Preparation Services, Michigan Department of Education.
- Performance audit report of the Bellamy Creek Correctional Facility, Department of Corrections.

Sincerely,
Doug Ringler
Auditor General

The audit reports were referred to the Committee on Government Operations.

The following communications were received:

Department of State

Administrative Rules
Notices of Filing

October 9, 2015

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2013-022-LR (Secretary of State Filing #15-10-04) on this date at 4:07 p.m. for the Department of Licensing and Regulatory Affairs, entitled "Construction Code - Part 5. Residential Code."

These rules take effect 120 days after filing with the Secretary of State.

October 9, 2015

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2013-095-LR (Secretary of State Filing #15-10-05) on this date at 4:07 p.m. for the Department of Licensing and Regulatory Affairs, entitled "Construction Code - Part 10. Michigan Energy Code."

These rules take effect 120 days after filing with the Secretary of State.

October 16, 2015

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2014-023-EQ (Secretary of State Filing #15-10-06) on this date at 4:14 p.m. for the Department of Environmental Quality, entitled "Supplying Water to the Public."

These rules take effect immediately upon filing with the Secretary of State.

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

The communications were referred to the Secretary for record.

The following communication was received:
Office of Senator Steven M. Bieda

October 20, 2015

Per Senate Rule 1.110(c), I am requesting that my name be added immediately as a co-sponsor to Senate Bill 556, which was introduced on October 8, 2015, by Senator Ken Horn and is currently in the Senate Economic Development and International Investment Committee.

If you have any questions, please feel free to contact my office. Thank you.

Sincerely,
Steve Bieda
State Senator
9th District

The communication was referred to the Secretary for record.

The Secretary announced that the following House bills were received in the Senate and filed on Wednesday, October 21:
House Bill Nos. 4817 4818

The Secretary announced that the following bills were printed and filed on Wednesday, October 21, and are available at the Michigan Legislature website:

Senate Bill Nos. 569 570 571 572 573 574 575 576 577
House Bill Nos. 4999 5000 5001 5002 5003 5004 5005 5006

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

Messages from the Governor

The following messages from the Governor were received:

Date: October 19, 2015
Time: 8:47 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 298 (Public Act No. 144), being

An act to amend 1931 PA 328, entitled "An act to revise, consolidate, codify, and add to the statutes relating to crimes; to define crimes and prescribe the penalties and remedies; to provide for restitution under certain circumstances; to provide

for the competency of evidence at the trial of persons accused of crime; to provide immunity from prosecution for certain witnesses appearing at criminal trials; to provide for liability for damages; and to repeal certain acts and parts of acts inconsistent with or contravening any of the provisions of this act," by amending sections 50a and 502c (MCL 750.50a and 750.502c), section 50a as added by 1994 PA 42 and section 502c as amended by 1998 PA 38.

(Filed with the Secretary of State on October 20, 2015, at 4:32 p.m.)

Date: October 19, 2015

Time: 8:57 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 66 (Public Act No. 157), being

An act to amend 1993 PA 23, entitled "An act to provide for the organization and regulation of limited liability companies; to prescribe their duties, rights, powers, immunities, and liabilities; to prescribe the powers and duties of certain state departments and agencies; and to provide for penalties and remedies," by amending section 102 (MCL 450.4102), as amended by 2012 PA 568.

(Filed with the Secretary of State on October 20, 2015, at 4:58 p.m.)

Date: October 19, 2015

Time: 8:59 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 67 (Public Act No. 158), being

An act to amend 1972 PA 284, entitled "An act to provide for the organization and regulation of corporations; to prescribe their duties, rights, powers, immunities and liabilities; to provide for the authorization of foreign corporations within this state; to prescribe the functions of the administrator of this act; to prescribe penalties for violations of this act; and to repeal certain acts and parts of acts," by amending section 109 (MCL 450.1109), as amended by 2012 PA 569.

(Filed with the Secretary of State on October 20, 2015, at 5:00 p.m.)

Date: October 19, 2015

Time: 9:01 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 64 (Public Act No. 155), 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 1104, 20104, 20155, 20155a, 21703, 21734, and 21799a (MCL 333.1104, 333.20104, 333.20155, 333.20155a, 333.21703, 333.21734, and 333.21799a), section 1104 as amended by 2013 PA 268, sections 20104 and 20155 as amended by 2015 PA 104, section 20155a as added by 2012 PA 322, section 21734 as added by 2000 PA 437, and section 21799a as amended by 2004 PA 189.

(Filed with the Secretary of State on October 20, 2015, at 4:54 p.m.)

Date: October 20, 2015

Time: 3:35 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 299 (Public Act No. 145), being

An act to amend 1970 PA 207, entitled "An act to exempt certain dogs from license fees," by amending the title and section 1 (MCL 287.291), the title as amended by 1981 PA 74 and section 1 as amended by 2000 PA 4.

(Filed with the Secretary of State on October 20, 2015, at 4:34 p.m.)

Date: October 20, 2015
Time: 4:01 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 358 (Public Act No. 159), being

An act to amend 1976 PA 451, entitled “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,” by amending section 1531 (MCL 380.1531), as amended by 2007 PA 32.

(Filed with the Secretary of State on October 20, 2015, at 5:02 p.m.)

Date: October 20, 2015
Time: 4:03 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 65 (Public Act No. 156), 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 20109 and 21715 (MCL 333.20109 and 333.21715), section 20109 as amended by 1996 PA 224.

(Filed with the Secretary of State on October 20, 2015, at 4:56 p.m.)

Respectfully,
Rick Snyder
Governor

Messages from the House

Senator Young entered the Senate Chamber.

Senate Bill No. 152, entitled

A bill to amend 2004 PA 403, entitled “Michigan unarmed combat regulatory act,” by amending the title and sections 10, 11, 12, 20, 21, 22, 30, 31, 33, 34, 35, 40, 41, 42, 44, 45, 47, 48, 55, 57, and 58 (MCL 338.3610, 338.3611, 338.3612, 338.3620, 338.3621, 338.3622, 338.3630, 338.3631, 338.3633, 338.3634, 338.3635, 338.3640, 338.3641, 338.3642, 338.3644, 338.3645, 338.3647, 338.3648, 338.3655, 338.3657, and 338.3658), sections 10, 11, 12, 21, 31, 34, 35, 47, 48, 55, 57, and 58 as amended by 2007 PA 196, sections 20 and 33 as amended by 2012 PA 546, and section 22 as amended by 2010 PA 100, and by adding sections 33a, 33b, 33c, 33d, 49, 49a, and 54a; and to repeal acts and parts of acts.

The House of Representatives has amended the bill as follows:

1. Amend page 21, line 2, after “**CERTIFIED**” by inserting a comma and “**OR WAS PREVIOUSLY CERTIFIED,**”.

The House of Representatives has passed the bill as amended, 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 amendment made to the bill by the House,

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

Roll Call No. 454

Yeas—37

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

Nays—0

Excused—1

Hansen

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 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 Hildenbrand 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 bills:

Senate Bill No. 543, 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.

Senate Bill No. 544, entitled

A bill to amend 2008 PA 525, entitled "Fostering futures scholarship trust fund act," by amending section 9 (MCL 722.1029), as amended by 2014 PA 530.

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. 4362, entitled

A bill to amend 1969 PA 317, entitled "Worker's disability compensation act of 1969," by amending section 611 (MCL 418.611), as amended by 1993 PA 198.

Substitute (S-2).

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

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

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.

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. 4134, entitled

A bill to amend 1965 PA 290, entitled "Boiler act of 1965," by amending sections 2 and 13d (MCL 408.752 and 408.763d), as amended by 2013 PA 167.

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.

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. 428

Senate Bill No. 429

House Bill No. 4464

House Bill No. 4465

Senate Bill No. 175

Senate Bill No. 176

Senate Bill No. 357

House Bill No. 4182

The motion prevailed.

The following bill was read a third time:

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.

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. 455**Yeas—37**

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

Nays—0**Excused—1**

Hansen

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. 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.

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. 456**Yeas—37**

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

Nays—0

Excused—1

Hansen

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. 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.

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. 457**Yeas—37**

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

Nays—0**Excused—1**

Hansen

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 raising of additional public revenue by prescribing certain specific taxes, fees, and charges to be paid to the state for the privilege of engaging in certain business activities; to provide, incident to the enforcement thereof, for the issuance of licenses to engage in such occupations; to provide for the ascertainment, assessment and collection thereof; to appropriate the proceeds thereof; and to prescribe penalties for violations of the provisions of this act.”

The Senate agreed to the full title.

The following bill was read a third time:

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 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. 458

Yeas—37

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

Nays—0

Excused—1

Hansen

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 levy, assessment, and collection of a specific excise tax on the storage, use, or consumption in this state of tangible personal property and certain services; to appropriate the proceeds of that tax; to prescribe penalties; and to make appropriations;".

The Senate agreed to the full title.

The following bill was read a third time:

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.

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. 459

Yeas—34

Bieda	Hopgood	Marleau	Schmidt
Booher	Horn	Meekhof	Schuitmaker

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

Nays—3

Ananich	Colbeck	Gregory
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Excused—1

Hansen

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. 176, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending the title and sections 20d, 212, 304, 319, 625k, 625l, and 732a (MCL 257.20d, 257.212, 257.304, 257.319, 257.625k, 257.625l, and 257.732a), the title as amended by 2013 PA 231, section 20d as added by 2008 PA 462, sections 212 and 319 as amended by 2015 PA 11, section 304 as amended by 2013 PA 226, sections 625k and 625l as amended by 2008 PA 461, and section 732a as amended by 2014 PA 250, and by adding section 625q.

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. 460**Yeas—34**

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

Nays—3

Ananich	Colbeck	Gregory
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Excused—1

Hansen

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

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

The motion prevailed.

Senator Schuitmaker’s statement is as follows:

This reform will bring integrity and administration to the ignition interlock program while also improving the safety of our families and loved ones on the roads. Under our current law, those convicted of alcohol-related offenses may be allowed to keep their driving privileges if a breath alcohol ignition interlock device is installed on their vehicle. These devices require breath samples to ensure that drivers have not consumed alcohol before starting a vehicle or while driving.

Individuals convicted in sobriety courts are required to have a photo-capable device installed on their vehicle. These devices take photos when samples are collected to prove that the driver is providing the breath sample. Photo-capable breath alcohol ignition interlock devices are the standard across the country and are part of the National Highway Traffic Safety Administration’s standards.

This package of legislation will ensure that all drivers, not just those convicted in sobriety courts, are in compliance with this standard. I urge a “yes” vote on this legislation to help combat drunk driving and keep our communities safe.

The following bill was read a third time:

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.

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. 461

Yeas—34

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

Nays—3

Ananich

Colbeck

Gregory

Excused—1

Hansen

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. 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.

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. 462**Yeas—30**

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

Nays—7

Ananich	Hertel	Johnson	Warren
Gregory	Hopgood	Smith	

Excused—1

Hansen

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 require certain meetings of certain public bodies to be open to the public; to require notice and the keeping of minutes of meetings; to provide for enforcement; to provide for invalidation of governmental decisions under certain circumstances; to provide penalties; and to repeal certain acts and parts of acts,".

The Senate agreed to the full title.

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 Concurrent Resolution No. 6

Senate Concurrent Resolution No. 8

The motion prevailed.

House Concurrent Resolution No. 14.

A concurrent resolution relative to secondary road patrol funds for counties providing road patrol services to cities and villages.

The question being on the adoption of the concurrent resolution,

The concurrent resolution was adopted.

Senator Hansen was named co-sponsor of the concurrent resolution.

Introduction and Referral of Bills

Senator Booher introduced

Senate Bill No. 578, entitled

A bill to amend 2002 PA 660, entitled "Consumer mortgage protection act," by amending sections 2, 6, and 13 (MCL 445.1632, 445.1636, and 445.1643), section 2 as amended by 2012 PA 443; 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 Banking and Financial Institutions.

House Bill No. 4817, entitled

A bill to establish the Michigan junior achievement 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.

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. 4818, 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.

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.

Committee Reports

The Committee on Judiciary reported

Senate Bill No. 487, entitled

A bill to amend 1953 PA 232, entitled "Corrections code of 1953," (MCL 791.201 to 791.285) by adding section 69b.

With the recommendation that the bill pass.

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

Rick Jones
Chairperson

To Report Out:

Yeas: Senators Jones, Schuitmaker, Rocca and Bieda

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Judiciary reported

Senate Bill No. 488, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 17f of chapter XVII (MCL 777.17f), as amended by 2012 PA 611.

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

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

Rick Jones
Chairperson

To Report Out:

Yeas: Senators Jones, Schuitmaker, Rocca and Bieda

Nays: None

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

The Committee on Judiciary reported

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.

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

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

Rick Jones
Chairperson

To Report Out:

Yeas: Senators Jones, Schuitmaker, Rocca, Colbeck and Bieda

Nays: None

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

The Committee on Judiciary reported

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.

With the recommendation that the bill pass.

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

Rick Jones
Chairperson

To Report Out:

Yeas: Senators Jones, Schuitmaker, Rocca, Colbeck and Bieda

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Judiciary reported

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.

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

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

Rick Jones
Chairperson

To Report Out:

Yeas: Senators Jones, Schuitmaker, Rocca, Colbeck and Bieda

Nays: None

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

The Committee on Judiciary reported

House Bill No. 4535, 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 2a (MCL 28.422a), as amended by 2015 PA 3.

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

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

Rick Jones
Chairperson

To Report Out:

Yeas: Senators Jones, Schuitmaker, Rocca and Colbeck

Nays: None

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

COMMITTEE ATTENDANCE REPORT

The Committee on Judiciary submitted the following:

Meeting held on Tuesday, October 20, 2015, at 3:00 p.m., Room 110, Farnum Building

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

The Committee on Natural Resources reported

Senate Bill No. 363, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 32505 (MCL 324.32505), as added by 1995 PA 59.

With the recommendation that the bill pass.

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

Thomas A. Casperson
Chairperson

To Report Out:

Yeas: Senators Casperson, Pavlov, Robertson and Stamas

Nays: Senator Warren

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Natural Resources submitted the following:

Meeting held on Wednesday, October 21, 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 Appropriations submitted the following:

Meeting held on Wednesday, October 21, 2015, at 2:00 p.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building

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

Excused: Senators Hansen and Gregory

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)

Criminal Justice Policy Commission - Wednesday, November 4, 9:00 a.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building (373-0212)

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)

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 10:39 a.m.

The President, Lieutenant Governor Calley, declared the Senate adjourned until Tuesday, October 27, 2015, at 10:00 a.m.

JEFFREY F. COBB
Secretary of the Senate

