

No. 101
STATE OF MICHIGAN
Journal of the Senate
98th Legislature
REGULAR SESSION OF 2015

Senate Chamber, Lansing, Wednesday, November 4, 2015.

10:00 a.m.

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

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

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

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

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

Pastor Jeff Bader of Cass River Bible Church of Mayville offered the following invocation:

Father, we give You thanks for this day. Lord, we thank You for these men and women who serve our state making decisions each and every day seeking to better the state of Michigan. Thank You for the work that goes on in this room, behind the scenes, throughout the city, and throughout the state.

Lord, we ask that You would give wisdom and knowledge to these men and women who are seeking to follow Your plan to take this state where You want it to go. We thank You for their willingness to serve in this job for so many days, giving of themselves to make a difference for each and every one of us.

Lord, we thank You for our Governor, Lieutenant Governor, and all of those seeking to pass laws and govern our state. May You bless them today, and may each one receive a blessing, even if it is just a smile, handshake, or affirming word. Let them know that they are appreciated and that their work does not go in vain.

Lord, take us where You want us to go, and we will give You the thanks and honor this 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 and Jones entered the Senate Chamber.

Senator Kowall moved that Senators Booher, Knollenberg and MacGregor be temporarily excused from today's session. The motion prevailed.

Senator Hood moved that Senators Johnson, Knezek and Young be temporarily excused from today's session. The motion prevailed.

Senators Booher, Knezek, Knollenberg and MacGregor entered the Senate Chamber.

The following communication was received and read:
Office of the Auditor General

October 30, 2015

Enclosed is a copy of the following audit report:

Report on internal control, compliance, and other matters of Self-Insurers' Security Fund, Workers' Compensation Agency Funds Administration, Department of Licensing and Regulatory Affairs for the calendar year ended December 31, 2014.

Sincerely,
Doug Ringler
Auditor General

The audit report was referred to the Committee on Government Operations.

Recess

Senator Kowall moved that the Senate recess subject to the call of the Chair. The motion prevailed, the time being 10:07 a.m.

10:32 a.m.

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

During the recess, Senators Johnson and Young entered the Senate Chamber.

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 Nofs as Chairperson.

After some time spent therein, the Committee arose; and the President, Lieutenant Governor Calley, having resumed the Chair, the Committee reported back to the Senate, favorably and without amendment, the following bill:

Senate Bill No. 571, entitled

A bill to amend 1976 PA 388, entitled "Michigan campaign finance act," by amending sections 3, 6, and 55 (MCL 169.203, 169.206, and 169.255), section 3 as amended by 2012 PA 273 and sections 6 and 55 as amended by 2013 PA 252. The bill 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:

Senate Bill No. 571

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:

Senate Bill No. 503

Senate Bill No. 529

Senate Bill No. 530

Senate Bill No. 33

House Bill No. 4562

Senate Bill No. 510

Senate Bill No. 556

Senate Bill No. 571

The motion prevailed.

The following bill was read a third time:

Senate Bill No. 503, entitled

A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending sections 3, 7, 13, 15, and 25 of chapter XIIB (MCL 712B.3, 712B.7, 712B.13, 712B.15, and 712B.25), as added by 2012 PA 565.

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. 482

Yeas—38

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

Nays—0

Excused—0

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 529, entitled

A bill to amend 2008 PA 260, entitled “Guardianship assistance act,” by amending sections 2, 3, 4, 5a, 5b, 6, 7, 8, and 9 (MCL 722.872, 722.873, 722.874, 722.875a, 722.875b, 722.876, 722.877, 722.878, and 722.879), sections 2, 3, 4, and 9 as amended and sections 5a and 5b as added by 2009 PA 15 and section 6 as amended by 2011 PA 229, and by adding section 5c.

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. 483

Yeas—38

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

Nays—0

Excused—0

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 530, entitled

A bill to amend 1939 PA 288, entitled “Probate code of 1939,” by amending section 13a of chapter XIII (MCL 712A.13a), as amended by 2012 PA 163.

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. 484

Yeas—38

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

Nays—0

Excused—0

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 33, entitled

A bill to amend 1976 PA 451, entitled “The revised school code,” (MCL 380.1 to 380.1852) by adding section 1136.

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. 485

Yeas—38

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

Nays—0

Excused—0

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

House Bill No. 4562, entitled

A bill to amend 2001 PA 142, entitled “Michigan memorial highway act,” (MCL 250.1001 to 250.2080) by adding section 24a.

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. 486**Yeas—38**

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

Nays—0**Excused—0****Not Voting—0**

In The Chair: President

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

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

“An act to consolidate prior acts naming certain Michigan highways; to provide for the naming of certain highways; to prescribe certain duties of the state transportation department; and to repeal acts and parts of acts and certain resolutions.”.

The Senate agreed to the full title.

The following bill was read a third time:

Senate Bill No. 510, entitled

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

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. 487**Yeas—38**

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

Nays—0

Excused—0

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 556, entitled

A bill to amend 2005 PA 210, entitled “Commercial rehabilitation act,” by amending section 16 (MCL 207.856).

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. 488

Yeas—38

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

Nays—0

Excused—0

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 571, entitled

A bill to amend 1976 PA 388, entitled “Michigan campaign finance act,” by amending sections 3, 6, and 55 (MCL 169.203, 169.206, and 169.255), section 3 as amended by 2012 PA 273 and sections 6 and 55 as amended by 2013 PA 252.

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. 489

Yeas—38

Ananich	Hertel	Kowall	Rocca
Bieda	Hildenbrand	MacGregor	Schmidt

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

Nays—0

Excused—0

Not Voting—0

In The Chair: President

Senator Kowall moved that the bill be given immediate effect.
The motion prevailed, 2/3 of the members serving voting therefor.
The Senate agreed to the title of the bill.

By unanimous consent the Senate returned to the order of
Messages from the Governor

The following messages from the Governor were received:

Date: November 3, 2015
Time: 8:22 a.m.

To the President of the Senate:

Sir—I have this day approved and signed
Enrolled Senate Bill No. 336 (Public Act No. 167), being

An act 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.

(Filed with the Secretary of State on November 3, 2015, at 11:00 a.m.)

Date: November 3, 2015
Time: 8:24 a.m.

To the President of the Senate:

Sir—I have this day approved and signed
Enrolled Senate Bill No. 22 (Public Act No. 168), being

An act to amend 1986 PA 182, entitled “An act to provide for the Michigan department of state police retirement system; to create certain reserves and certain funds for this retirement system; to provide for the creation of a retirement board within the department of management and budget; to prescribe the powers and duties of the retirement board; to prescribe the powers and duties of the department of state police, the department of management and budget, and certain state officers; and to repeal certain acts and parts of acts,” (MCL 38.1601 to 38.1648) by amending the title and by adding section 40c.

(Filed with the Secretary of State on November 3, 2015, at 11:02 a.m.)

Date: November 3, 2015
Time: 8:26 a.m.

To the President of the Senate:

Sir—I have this day approved and signed
Enrolled Senate Bill No. 195 (Public Act No. 169), 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 section 17748 (MCL 333.17748), as amended by 2014 PA 413.

(Filed with the Secretary of State on November 3, 2015, at 11:04 a.m.)

Date: November 3, 2015

Time: 8:28 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 309 (Public Act No. 170), being

An act to amend 1978 PA 59, entitled “An act relative to condominiums and condominium projects; to prescribe powers and duties of the administrator; to provide certain protections for certain tenants, senior citizens, and persons with disabilities relating to conversion condominium projects; to provide for escrow arrangements; to provide an exemption from certain property tax increases; to impose duties on certain state departments; to prescribe remedies and penalties; and to repeal acts and parts of acts,” by amending section 66 (MCL 559.166), as amended by 1983 PA 113.

(Filed with the Secretary of State on November 3, 2015, at 11:06 a.m.)

Respectfully,
Rick Snyder
Governor

Messages from the House

Senate Bill No. 414, entitled

A bill to amend 1967 PA 281, entitled “An act to meet deficiencies in state funds by providing for the imposition, levy, computation, collection, assessment, reporting, payment, and enforcement by lien and otherwise of taxes on or measured by net income and on certain commercial, business, and financial activities; to prescribe the manner and time of making reports and paying the taxes, and the functions of public officers and others as to the taxes; to permit the inspection of the records of taxpayers; to provide for interest and penalties on unpaid taxes; to provide exemptions, credits and refunds of the taxes; to prescribe penalties for the violation of this act; to provide an appropriation; and to repeal acts and parts of acts,” by amending section 51 (MCL 206.51), as amended by 2012 PA 223.

The House of Representatives has concurred in the Senate substitute (S-4) to the House substitute (H-3).

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

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 Nofs 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 11:01 a.m.

11:09 a.m.

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

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. 4390, entitled

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

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.

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.

House Bill No. 4039, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending sections 78f and 78i (MCL 211.78f and 211.78i), section 78f as amended by 2003 PA 263 and section 78i as amended by 2006 PA 611, and by adding section 78s. The 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. 491, entitled

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

Substitute (S-3).

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

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

House Bill No. 4059, entitled

A bill to amend 1980 PA 300, entitled "The public school employees retirement act of 1979," by amending section 61 (MCL 38.1361), as amended by 2012 PA 464.

Substitute (S-7).

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

1. Amend page 5, line 9, after "subsection" by inserting "(3)."

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.

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

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.

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. 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.

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. 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.

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 amendments, the following bill:

House Bill No. 4904, entitled

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

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

1. Amend page 5, following line 7, by inserting:

"Sec. 841. (1) The board of state canvassers shall canvass the returns and determine the result of all elections for electors of president and ~~vice-president~~ **VICE PRESIDENT** of the United States, state officers, United States senators, representatives in congress, circuit judges, state senators and representatives elected by a district that is located in more than 1 county, and other officers as required by law. The board of state canvassers shall also determine the result of an election on a proposed amendment to the constitution or on any other ballot question that has been submitted, pursuant to law, to the qualified and registered electors of this state at large for ratification or rejection. **THE BOARD OF STATE CANVASSERS SHALL CANVASS THE RETURNS AND DETERMINE THE RESULT OF AN ELECTION ON A BALLOT QUESTION SUBMITTED TO THE QUALIFIED AND REGISTERED ELECTORS OF MORE THAN 1 COUNTY UNDER THE REGIONAL TRANSIT AUTHORITY ACT, 2012 PA 387, MCL 124.541 TO 124.558.** Upon making the determination, the board of state canvassers shall immediately prepare a certificate of determination and deliver the properly certified certificate of determination to the secretary of state.

(2) Upon receipt of a properly certified certificate of determination from a board of county canvassers pursuant to section 826, the board of state canvassers, at its next meeting, shall record the results of the county canvass contained in the certificate."

2. Amend page 5, line 10, after "1." by striking out "This" and inserting "Section 646a of the Michigan election law, 1954 PA 116, MCL 168.646a, as amended by this".

3. Amend page 5, line 14, after "that" by inserting "section 646a of the Michigan election law, 1954 PA 116, MCL 168.646a, as amended by".

The Senate agreed to the amendments recommended by the Committee of the Whole, and the bill as amended 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. 177, entitled

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

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. 178, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending sections 2108 and 2406 (MCL 500.2108 and 500.2406), section 2406 as amended by 1993 PA 200, and by adding chapter 17.

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.

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

The motion prevailed.

Senate Resolution No. 111.

A resolution to urge the U.S. Department of Defense to approve the Ambit Foundation request for use of facilities at the Selfridge Air National Guard Base to establish a Veterans Care Transition Center.

The question being on the adoption of the resolution,

The resolution was adopted.

Senator Zorn was named co-sponsor of the resolution.

Senator O'Brien offered the following resolution:

Senate Resolution No. 113.

A resolution to commemorate November 13, 2015, as World Pancreatic Cancer Day.

Whereas, The health, safety, and welfare of the residents of Michigan are enhanced as a direct result of increased awareness about pancreatic cancer and research into early detection, causes, and effective treatments; and

Whereas, In 2015, an estimated 48,960 people will be diagnosed with pancreatic cancer in the United States, and 40,560 will die from the disease; and

Whereas, Pancreatic cancer is one of the deadliest cancers and is currently the fourth leading cause of cancer death in the United States and is projected to become the second leading cause by 2020; and

Whereas Pancreatic cancer is the only major cancer with a five-year relative survival rate in the single digits at just 7 percent; and

Whereas, When symptoms of pancreatic cancer present themselves, it is generally late stage. Seventy-two percent of pancreatic cancer patients die within the first year of their diagnosis, while 93 percent of pancreatic cancer patients die within the first five years; and

Whereas, It is estimated in Michigan that 1,750 people will be diagnosed with pancreatic cancer in 2015, resulting in 1,480 deaths. The Michigan Department of Health and Human Services recorded 1,338 deaths related to pancreatic cancer in 2012 and 1,444 in 2013; and

Whereas, Pancreatic cancer is the seventh most common cause of cancer-related deaths in men and women across the world, and there will be an estimated 367,000 new pancreatic cancer cases diagnosed globally in 2015; and

Whereas, Health professionals and health advocates across the country have joined together to sponsor activities for public education about pancreatic cancer; and

Whereas, World Pancreatic Cancer Day helps educate communities about pancreatic cancer and increases the awareness that surrounds it. The importance of education and knowledge about the disease cannot be overstated and contributes to the ability to lead a healthy, balanced, and productive life; and

Whereas, The Michigan Legislature is strongly dedicated to preserving the health of the residents of this state and supports the fight against pancreatic cancer; now, therefore, be it

Resolved by the Senate, That the members of this legislative body commemorate November 13, 2015, as World Pancreatic Cancer Day in order to increase public awareness and to promote treatment and recovery.

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, Booher, Brandenburg, Gregory, Hansen, Hertel, Hildenbrand, Knollenberg, MacGregor, Proos, Robertson, Schmidt, Schuitmaker and Warren were named co-sponsors of the resolution.

Introduction and Referral of Bills

Senators Knezek, O'Brien, Booher, Green, Schmidt, Gregory and Stamas introduced

Senate Bill No. 596, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," (MCL 257.1 to 257.923) by adding section 803s. The bill was read a first and second time by title and referred to the Committee on Transportation.

Senator Schuitmaker introduced

Senate Bill No. 597, entitled

A bill relating to certain trusts; to provide for the powers and procedures of the court that has jurisdiction of certain trusts; to provide for the validity and effect of certain transfers and contracts that relate to certain trusts; to provide remedies; and to provide procedures to facilitate enforcement of certain trusts.

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

Senator Schuitmaker introduced

Senate Bill No. 598, entitled

A bill to amend 1998 PA 434, entitled "Uniform fraudulent transfer act," by amending sections 1, 4, and 9 (MCL 566.31, 566.34, and 566.39), section 1 as amended by 2009 PA 44.

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

Senators MacGregor, Zorn, Hertel and Booher introduced

Senate Bill No. 599, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 2567 (MCL 600.2567), as amended by 2004 PA 538.

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

Senators MacGregor, Hertel, Zorn and Booher introduced

Senate Bill No. 600, entitled

A bill to amend 1937 PA 146, entitled "An act to establish, protect and enforce by lien the rights of laborers, contractors, sub-contractors and material men and other persons furnishing labor, tools, or materials, or other things of value, for the drilling, boring, torpedoing, acidizing, completing, operating or repairing of any oil or gas well, or the constructing or repairing of any oil or gas pipe line, oil or gas derrick, or oil tank," by amending section 4 (MCL 570.254).

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

Senators Zorn, MacGregor, Hertel and Booher introduced

Senate Bill No. 601, entitled

A bill to amend 1983 PA 102, entitled "Uniform federal lien registration act," by amending section 6 (MCL 211.666).

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

Senators Zorn, MacGregor, Hertel and Booher introduced

Senate Bill No. 602, entitled

A bill to amend 1968 PA 203, entitled "State tax lien registration act," by amending section 5 (MCL 211.685).

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

Senators Booher, MacGregor, Zorn and Hertel introduced

Senate Bill No. 603, entitled

A bill to amend 1936 (Ex Sess) PA 1, entitled "Michigan employment security act," by amending section 15 (MCL 421.15), as amended by 2011 PA 269.

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

Senators Hertel, MacGregor, Zorn and Booher introduced

Senate Bill No. 604, entitled

A bill to amend 1962 PA 174, entitled "Uniform commercial code," by amending section 9525 (MCL 440.9525), as amended by 2004 PA 212.

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

Senators Hertel, Smith, Gregory, Hune and Hood introduced

Senate Bill No. 605, entitled

A bill to make, supplement, and adjust appropriations for the department of health and human services for the fiscal year ending September 30, 2016; and to provide for the expenditure of the appropriations.

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

Statements

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

The motion prevailed.

Senator Colbeck's statement is as follows:

Colleagues, I would like to read the text of the proclamation that was put together by the Continental Congress on November 1, 1777, denoting a national Thanksgiving Day Proclamation, and this is printed in the *Journals of Congress*:

"Forasmuch as it is the indispensable duty of all men to adore the superintending providence of Almighty God; to acknowledge with gratitude their obligation to him for benefits received, and to implore such farther blessings as they stand in need of; and it having pleased him in his abundant mercy not only to continue to us the innumerable bounties of his common providence, but also smile upon us in the prosecution of a just and necessary war, for the defense and establishment of our unalienable rights and liberties; particularly in that he hath been pleased in so great a measure to prosper the means used for the support of our troops and to crown our arms with most signal success:

It is therefore recommended to the legislative or executive powers of these United States, to set apart Thursday, the 18th day of December next, for solemn thanksgiving and praise; that with one heart and one voice the good people may express the grateful feelings of their hearts, and consecrate themselves to the service of their divine benefactor; and that together with their sincere acknowledgments and offerings, they may join the penitent confession of their manifold sins, whereby they had forfeited every favor, and their humble and earnest supplication that it may please God, through the merits of Jesus Christ, mercifully to forgive and blot them out of remembrance; that it may please him graciously to afford his blessings on the governments of these states respectively, and prosper the public council of the whole; to inspire our commanders both by land and sea, and all under them, with that wisdom and fortitude which may render them fit instruments, under the providence of Almighty God, to secure for these United States the greatest of all blessings, independence and peace; that it may please him to prosper the trade and manufactures of the people and the labor of the husbandman, that our land may yield its increase; to take schools and seminaries of education, so necessary for cultivating the principles of true liberty, virtue and piety, under his nurturing hand, and to prosper the means of religion for the promotion and enlargement of that kingdom which consisteth in righteousness, peace and joy in the Holy Ghost.

And it is further recommended, that servile labor, and such recreation as, though at other times innocent, may be unbecoming the purpose of this appointment, be omitted on so solemn an occasion."

Committee Reports

The Committee on Economic Development and International Investment reported

Senate Resolution No. 105.

A resolution to encourage the President and Congress of the United States and the U.S. Office of Management and Budget to support plans to upgrade the Soo Locks at Sault Ste. Marie, Michigan, and approve the U.S. Army Corps of Engineers' request to fund preparation of an Economic Reevaluation Report.

(For text of resolution, see Senate Journal No. 90, p. 1614.)

With the recommendation that the resolution be adopted.

Kenneth B. Horn
Chairperson

To Report Out:

Yeas: Senators Horn, Schmidt, Stamas, Warren and Bieda

Nays: None

The resolution was placed on the order of Resolutions.

COMMITTEE ATTENDANCE REPORT

The Committee on Economic Development and International Investment submitted the following:

Joint meeting held on Monday, November 2, 2015, at 10:15 a.m., Lake Superior State University, Cisler Center, Superior Room, 650 West Easterday Avenue, Sault Ste. Marie

Present: Senators Horn (C), Schmidt, Stamas, Warren and Bieda

Excused: Senators Brandenburg and Emmons

COMMITTEE ATTENDANCE REPORT

The Committee on Education submitted the following:

Meeting held on Wednesday, November 4, 2015, at 8:30 a.m., Room 110, Farnum Building

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

COMMITTEE ATTENDANCE REPORT

The Committee on Government Operations submitted the following:

Meeting held on Wednesday, November 4, 2015, at 8:30 a.m., Rooms 402 and 403, Capitol Building

Present: Senators Meekhof (C), Hansen, Kowall, Ananich and Hood

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

Corrections and House Corrections Appropriations Subcommittee - Thursdays, November 5 (CANCELED) and November 12, 8:00 a.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building (373-2768)

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

Judiciary - Thursday, November 5, 9:00 a.m., Room 110, Farnum Building (373-1721)

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

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

Transportation - Thursday, November 5, 8:30 a.m., Room 210, Farnum Building (373-5312)

Senator Kowall moved that the Senate adjourn.

The motion prevailed, the time being 11:26 a.m.

The President, Lieutenant Governor Calley, declared the Senate adjourned until Thursday, November 5, 2015, at 10:00 a.m.

JEFFREY F. COBB
Secretary of the Senate

