

**No. 103**  
**STATE OF MICHIGAN**  
**Journal of the Senate**  
**98th Legislature**  
**REGULAR SESSION OF 2015**

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Senate Chamber, Lansing, Tuesday, November 10, 2015.

10:00 a.m.

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

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

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

Hopgood—present  
Horn—present  
Hune—present  
Johnson—present  
Jones—present  
Knezek—present  
Knollenberg—present  
Kowall—present  
MacGregor—present  
Marleau—present  
Meekhof—present  
Nofs—excused  
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 Dan Smith of Jibson Immanuel Baptist Church of Ravenna offered the following invocation:

Dear God, we thank You for this great country. It is the best government ever established in the history of mankind. We thank You, God, for the blessings of freedom and prosperity that You have richly bestowed upon us.

We thank You for this beautiful state of Michigan. What a wonderful state You have given to us. We thank You, God, for these State Senators You have allowed to be elected to this position of authority and leadership. We honor and respect them here today.

We ask You, God, to bless these Senators with wisdom that only comes from You. As they draft legislation, send it to committees, and vote on the Senate floor, bless them and the process to form laws that will be beneficial to the citizens of the state. Where there is a difference of opinion, help each Senator to reach across the aisle and find common ground and resolution. Bless them so that the final bill will be one that will help our quality of life to be better in this great state. Most of all, help them to draft legislation that will be pleasing to You, O God. Thank You, and will You please bless the men and women here today.

We pray this in the name of our Lord and Savior Jesus Christ. Amen.

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

**Motions and Communications**

Senator Booher entered the Senate Chamber.

Senator Kowall moved that Senators Casperson, Green, Jones and Knollenberg be temporarily excused from today’s session.

The motion prevailed.

Senator Kowall moved that Senator Nofs be excused from today’s session.

The motion prevailed.

Senator Hood moved that Senators Johnson and Young be temporarily excused from today’s session.

The motion prevailed.

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

The Secretary announced the enrollment printing and presentation to the Governor on Monday, November 9, for his approval the following bills:

- Enrolled Senate Bill No. 244 at 10:54 a.m.**
- Enrolled Senate Bill No. 245 at 10:56 a.m.**
- Enrolled Senate Bill No. 246 at 10:58 a.m.**
- Enrolled Senate Bill No. 414 at 11:00 a.m.**

The Secretary announced that the following bills were printed and filed on Thursday, November 5, and are available at the Michigan Legislature website:

|                         |             |             |             |             |             |             |             |             |             |             |             |             |             |             |
|-------------------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|
| <b>Senate Bill Nos.</b> | <b>596</b>  | <b>597</b>  | <b>598</b>  | <b>599</b>  | <b>600</b>  | <b>601</b>  | <b>602</b>  | <b>603</b>  | <b>604</b>  | <b>605</b>  | <b>606</b>  | <b>607</b>  |             |             |
| <b>House Bill Nos.</b>  | <b>5046</b> | <b>5047</b> | <b>5048</b> | <b>5049</b> | <b>5050</b> | <b>5051</b> | <b>5052</b> | <b>5053</b> | <b>5054</b> | <b>5055</b> | <b>5056</b> | <b>5057</b> | <b>5058</b> | <b>5059</b> |
|                         | <b>5060</b> | <b>5061</b> | <b>5062</b> |             |             |             |             |             |             |             |             |             |             |             |

The Secretary announced that the following bills were printed and filed on Friday, November 6, and are available at the Michigan Legislature website:

- House Bill Nos. 5063 5064 5065**

**Recess**

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

The motion prevailed, the time being 10:04 a.m.

11:52 a.m.

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

During the recess, Senators Jones, Green, Knollenberg, Young, Casperson and Johnson entered the Senate Chamber.

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

### Messages from the Governor

The following message from the Governor was received:

Date: November 5, 2015  
Time: 9:46 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 103 (Public Act No. 173), 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 sections 1249 and 1249a (MCL 380.1249 and 380.1249a), section 1249 as amended by 2014 PA 257 and section 1249a as added by 2011 PA 102, and by adding sections 1249b, 1531j, and 1531k.

(Filed with the Secretary of State on November 5, 2015, at 10:15 a.m.)

Respectfully,  
Rick Snyder  
Governor

The following message from the Governor was received on November 5, 2015, and read:

EXECUTIVE ORDER  
No. 2015-14

**Rescission of Executive Order 2015-12**

**Creation of  
Pipeline Safety Advisory Board**

**Michigan Department of Environmental Quality**

WHEREAS, Section 1 of Article V of the Michigan Constitution of 1963 vests the executive power of the state of Michigan in the Governor; and

WHEREAS, Section 2 of Article V of the Michigan Constitution of 1963 empowers the Governor to make changes in the organization of the Executive Branch or in the assignment of functions among its units that he considers necessary for efficient administration; and

WHEREAS, it is important that the state of Michigan ensure that oil and gas development and transportation is balanced with protecting public health, safety, and natural resources; and

WHEREAS, the state of Michigan recognizes the importance of oil and gas development, transportation, and use in the state's economy; and

WHEREAS, state government leaders undertook an extensive review of the nexus between energy transmission and environmental protection with formation of the Michigan Petroleum Pipeline Task Force; and

WHEREAS, a key finding of the task force was that effective coordination of state and local resources — including stakeholders in conservation and environment, oil and gas development, and transportation, and other state agencies dealing with energy production and transportation — is needed to provide necessary transparency and to implement other task force recommendations; and

WHEREAS, establishment of a Pipeline Safety Advisory Board within the Michigan Department of Environmental Quality will advise and assist in the implementation of matters relating to hazardous liquid and gas pipeline safety, routing, construction, operation and maintenance, and provide recommendations for statutory, contractual, or procedural changes to improve the safety of pipelines in this state; and

WHEREAS, this amended Order is a replacement of Executive Order 2015-12;

NOW, THEREFORE, I, Richard D. Snyder, Governor of the state of Michigan, by virtue of the power and authority vested in the Governor by the Michigan Constitution of 1963 and Michigan law, order the following:

### **I. CREATION OF THE PIPELINE SAFETY ADVISORY BOARD**

A. The Pipeline Safety Advisory Board (the “Board”) is created as an advisory body to the Governor within the Michigan Department of Environmental Quality (the “Department”).

B. The Board shall consist of the following 16 members who shall serve a term expiring on December 31, 2018.

- The director of the Department of Environmental Quality, or his/her designee from within the Department of Environmental Quality;
- The Attorney General, or his/her designee from within the Department of Attorney General;
- The director of the Department of Natural Resources, or his/her designee from within the Department of Natural Resources;
- The director of the Michigan State Police, or his/her designee from within the Department of State Police;
- The executive director of the Michigan Agency for Energy, or his/her designee from within the Michigan Agency for Energy;
- The chairperson of the Public Service Commission, or his/her designee from within the Public Service Commission;
- An individual representing federal response and recovery agencies, or his/her designee from within that federal response and recovery agency, who shall be appointed by the Governor;
- An individual representing an environmental group who shall be appointed by the Governor;
- An individual who is an elected official of a tribal government located within Michigan that is recognized by and eligible to receive services from the United States Bureau of Indian Affairs who shall be appointed by the Governor;
- An individual representing a statewide conservation group who shall be appointed by the Governor;
- An individual representing pipeline operators who shall be appointed by the Governor;
- An individual representing the oil and gas industry who shall be appointed by the Governor;
- An individual representing public universities who shall be appointed by the Governor;
- An individual representing the hospitality and tourism industry who shall be appointed by the Governor;
- A technical consultant with experience in pipeline operations and safety who shall be appointed by the Governor; and
- An individual representing the public who shall be appointed by the Governor.

C. A vacancy on the Board occurring other than by expiration of the term designated in section I.B. shall be filled in the same manner as the original appointment for the balance of the unexpired term.

### **II. CHARGE TO THE BOARD**

A. The Board shall act in an advisory capacity to the Governor and shall do all of the following:

1. Review and make recommendations for statutory, regulatory, and contractual implementation of the Michigan Petroleum Pipeline Task Force Report.
2. Identify areas of best practice in pipeline safety and siting across the United States that could be implemented in Michigan.
3. Review and make recommendations on state policies and procedures regarding emergency response and planning for pipelines.
4. Review and make recommendations on state policies and procedures regarding pipeline siting.
5. Review information submitted to the state in response to the Michigan Petroleum Pipeline Task Force Report.
6. Provide recommendations to increase transparency and public engagement on pipelines.

B. As directed by the Department Director, Department staff shall assist the Board with establishment of policies and procedures regarding the use of grants and other funds.

C. The Board shall provide other information or advice as requested by the Governor or the Department.

### **III. OPERATIONS OF THE BOARD**

A. The Board shall be staffed and assisted by personnel from the Department as directed by the Department Director. Any budgeting, procurement, and related management functions of the Board shall be performed under the direction and supervision of the Department Director.

- B. The Governor shall designate the Chairperson(s) of the Board.
- C. The Board may select from among its members a Vice Chairperson.
- D. The Board may select from among its members a Secretary. Board staff shall assist the Secretary with recordkeeping responsibilities.
- E. The Board may create committees and advisory panels from among its members to assist in policymaking recommendations.
- F. A majority of the members of the Board serving constitutes a quorum for the transaction of the board's business. The Board shall act in making its recommendations by a majority vote of its serving members.
- G. The Board shall adopt procedures consistent with Michigan law and this Order governing its organization and operations, and may establish committees and request public participation on advisory panels as the board deems necessary. The Board may adopt, reject, or modify any recommendations proposed by committees or advisory panels.
- H. The Board shall meet at the call of the Chairperson and as may be provided in procedures adopted by the Board.
- I. In developing recommendations, the Board may, as appropriate, make inquiries, studies, investigations, hold hearings, and receive comments from the public. The Board may consult with outside experts in order to perform its duties, including, but not limited to, experts in the private sector, organized labor, government agencies, and at institutions of higher education.
- J. Members of the Board shall serve without compensation but may receive reimbursement for necessary travel and expenses according to relevant statutes and the rules and procedures of the Michigan Civil Service Commission and the Department of Technology, Management and Budget, subject to available funding.
- K. The Board may hire or retain contractors, sub-contractors, advisors, consultants, and agents, and may make and enter into contracts necessary or incidental to the exercise of the powers of the board and the performance of its duties as the Department Director deems advisable and necessary, in accordance with this Order, and the relevant statutes, rules, and procedures of the Michigan Civil Service Commission and the Department of Technology, Management and Budget.
- L. The Board may accept donations of labor, services, or other things of value from any public or private agency or person. Any donations shall be expended in accordance with applicable laws, rules, and procedures.
- M. Members of the Board shall refer all legal, legislative, and media contacts to the Department.

#### IV. MISCELLANEOUS

- A. All departments, committees, commissioners, or officers of this state or of any political subdivision of this state may give to the Board, or to any member or representative of the Board, any necessary assistance required by the Board or any member or representative of the Board, in the performance of the duties of the Board so far as is compatible with its, his, or her duties.
- B. Any suit, action, or other proceeding lawfully commenced by, against, or before any entity affected by this Order shall not abate by reason of the taking effect of this Order.
- C. The invalidity of any portion of this Order shall not affect the validity of the remainder of the Order.
- D. A member of the Pipeline Safety Advisory Board appointed and serving under section I.B. of Executive Order 2015-12 shall continue under this Order as a member of the Pipeline Safety Advisory Board. Any and all actions taken by the Pipeline Safety Advisory Board created in Executive Order 2015-12 are ratified and shall carry forward as though taken under this Order.
- E. The Board shall dissolve on December 31, 2018, at the expiration of the term of office of Board members provided in Section I.B.
- F. Executive Order 2015-12 is rescinded.  
This Executive Order shall become effective upon filing.

[SEAL]

Given under my hand and the Great Seal of the state of Michigan this 5th day of November, in the Year of our Lord Two Thousand Fifteen.

Richard D. Snyder  
Governor

By the Governor:  
Ruth A. Johnson  
Secretary of State

The executive order was referred to the Committee on Government Operations.

The following messages from the Governor were received and read:

November 4, 2015

I respectfully submit to the Senate the following appointment to office:

**Michigan Community Service Commission**

Michael J. Hill of 10580 South Fritz Road, Maple City, Michigan 49664, county of Leelanau, representing the Superintendent of Public Instruction, succeeding himself, is reappointed for a term expiring October 1, 2018.

November 5, 2015

I respectfully submit to the Senate the following appointment to office:

**Michigan State Capitol Commission**

Travis W. Weber of 13 Division Street S., Apt. 101, Grand Rapids, Michigan 49503, county of Kent, a representative of the Governor, succeeding Sally Durfee, is appointed for a term commencing November 14, 2015, and expiring at the pleasure of the Governor.

November 5, 2015

I respectfully submit to the Senate the following appointment to office:

**Pipeline Safety Advisory Board**

Homer Austin Mandoka of 530 South Street, Bronson, Michigan 49028, county of Branch, representing an individual who is an elected official of a tribal government located within Michigan that is recognized by and eligible to receive services from the United States Bureau of Indian Affairs, is appointed for a term expiring December 31, 2018.

Sincerely,  
Rick Snyder  
Governor

The appointments were referred to the Committee on Government Operations.

By unanimous consent the Senate returned to the order of

**Motions and Communications**

Senator Kowall moved that rule 3.311 be suspended to permit reconsideration of the vote by which the substitute to the following bill, now on the order of Third Reading of Bills, was adopted:

**House Bill No. 4173**

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

Senator Kowall moved to reconsider the vote by which the substitute (S-2) was adopted by the Committee of the Whole.

The motion prevailed.

Senator Kowall moved that the bill be referred to the Committee of the Whole and placed on the order of General Orders.

The motion prevailed.

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:

**Senate Bill No. 13**

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

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 Proos as Chairperson.

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

**House Bill No. 4248, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 13 (MCL 750.13); and to repeal acts and parts of acts.

**House Bill No. 4249, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by repealing sections 546, 547, 548, 549, 550, and 551 (MCL 750.546, 750.547, 750.548, 750.549, 750.550, and 750.551).

**House Bill No. 4250, entitled**

A bill to repeal 1935 PA 140, entitled "An act to prohibit endurance contests known as walkathons and similar endurance contests; to prescribe a penalty for the violation thereof, and to repeal Act No. 65 of the Public Acts of 1933," (MCL 752.161 to 752.162).

**House Bill No. 4501, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending sections 12m and 16e of chapter XVII (MCL 777.12m and 777.16e), section 12m as amended by 2005 PA 54 and section 16e as added by 1998 PA 317.

**House Bill No. 4709, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 347 (MCL 750.347).

**House Bill No. 4710, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 74206 (MCL 324.74206), as added by 1995 PA 58.

**House Bill No. 4711, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 5 of chapter IX (MCL 769.5); and to repeal acts and parts of acts.

**Senate Bill No. 492, entitled**

A bill to amend 1974 PA 269, entitled "Franchise investment law," (MCL 445.1501 to 445.1546) by adding section 4b.

**Senate Bill No. 493, entitled**

A bill to amend 1969 PA 317, entitled "Worker's disability compensation act of 1969," (MCL 418.101 to 418.941) by adding section 120.

**Senate Bill No. 518, entitled**

A bill to amend 1982 PA 294, entitled "Friend of the court act," by amending section 2 (MCL 552.502), as amended by 2009 PA 233.

**Senate Bill No. 519, entitled**

A bill to amend 1971 PA 174, entitled "Office of child support act," by amending section 3 (MCL 400.233), as amended by 2014 PA 381.

**Senate Bill No. 520, entitled**

A bill to amend 1982 PA 295, entitled "Support and parenting time enforcement act," by amending section 2 (MCL 552.602), as amended by 2014 PA 373.

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 amendments, the following bill:

**Senate Bill No. 110, entitled**

A bill to amend 1973 PA 139, entitled "An act to provide forms of county government; to provide for county managers and county executives and to prescribe their powers and duties; to abolish certain departments, boards, commissions, and authorities; to provide for transfer of certain powers and functions; to prescribe powers of a board of county commissioners and elected officials; to provide organization of administrative functions; to transfer property; to retain ordinances and laws not inconsistent with this act; to provide methods for abolition of a unified form of county government; and to prescribe penalties and provide remedies," by amending section 9 (MCL 45.559), as amended by 2003 PA 281.

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

1. Amend page 3, line 23, after "**BY**" by striking out "**JULY 1, 2015**," and inserting "**APRIL 1, 2016**,".
2. Amend page 4, line 3, by striking out all of enacting section 1.

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. 279, entitled**

A bill to amend 1980 PA 300, entitled "The public school employees retirement act of 1979," by amending section 71 (MCL 38.1371), as amended by 1996 PA 268.

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. 280, entitled**

A bill to amend 1947 PA 336, entitled "An act to prohibit strikes by certain public employees; to provide review from disciplinary action with respect thereto; to provide for the mediation of grievances and the holding of elections; to declare and protect the rights and privileges of public employees; to require certain provisions in collective bargaining agreements; to prescribe means of enforcement and penalties for the violation of the provisions of this act; and to make appropriations," by amending section 10 (MCL 423.210), as amended by 2014 PA 414.

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:  
**House Bill No. 4159, 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 5o (MCL 28.425o), as amended by 2014 PA 206.

Substitute (S-5).

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. 331, entitled**

A bill to amend 1986 PA 119, entitled "An act to regulate the business of buying or receiving used motor vehicle parts; to prescribe the powers and duties of certain state and local officers; and to provide penalties," by amending sections 1, 2, and 4 (MCL 257.1351, 257.1352, and 257.1354), and by adding section 2a.

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 amendment, the following bill:  
**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.

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

1. Amend page 4, following line 13, by inserting:

"Enacting section 1. This amendatory act takes effect 90 days after the date it is enacted into law."

The Senate agreed to the amendment 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. 513, entitled**

A bill to amend 2001 PA 142, entitled "Michigan memorial highway act," (MCL 250.1001 to 250.2080) by adding section 3a.



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. 4173, entitled**

A bill to amend 1993 PA 330, entitled "State real estate transfer tax act," by amending sections 3 and 6 (MCL 207.523 and 207.526), as amended by 2008 PA 473.

Substitute (S-2).

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

1. Amend page 4, line 9, after "a" by striking out the balance of the line and inserting "**SPOUSE OR MARRIED COUPLE**".

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 amendments, the following bill:

**Senate Bill No. 368, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 30 (MCL 206.30), as amended by 2012 PA 597.

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

1. Amend page 16, line 20, after "both" by striking out "the husband and wife" and inserting "**SPOUSES**".

2. Amend page 17, line 16, after "both" by striking out the balance of the line through "wife" on line 17 and inserting "**SPOUSES**".

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 amendment, the following bill:

**Senate Bill No. 517, entitled**

A bill to make uniform the laws relating to support enforcement; and to repeal acts and parts of acts.

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

1. Amend page 25, line 21, after "relationship" by striking out "of husband and wife" and inserting "between spouses".

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

By unanimous consent the Senate returned to the order of

**Motions and Communications**

Senator Kowall moved that rule 2.106 be suspended to allow committees to meet during Senate session.

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

**Recess**

Senator Kowall moved that the Senate recess until 2:00 p.m.

The motion prevailed, the time being 12:14 p.m.

The Senate reconvened at the expiration of the recess and was called to order by the Assistant President pro tempore, Senator O'Brien.

**Recess**

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

The motion prevailed, the time being 2:01 p.m.

The Senate was called to order by the Assistant President pro tempore, Senator O'Brien.

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:

After 20 years of service, Assistant Sergeant at Arms Dan Jones is retiring to pursue his lifelong passion as a tai chi instructor. Over the course of many years, Dan has been building a successful private tai chi instruction business that has grown to a level requiring him to travel and devote his full time and attention. Dan will be moving to Virginia but will continue to travel for his business, providing instruction in other states and countries such as Singapore, England, and Switzerland.

Dan came to the Senate in 1995, after working as a Lansing police officer, private detective, and executive protection officer for Michigan National Bank. The Senate has been the beneficiary of Dan's many years of experience, and his talent, skills, and abilities will be missed.

We sincerely thank Dan for his years of service to the Michigan Senate and wish him well in his new endeavor.

**Third Reading of Bills**

Senator Kowall moved that the rules be suspended and that the following bills, now on the order of Third Reading of Bills, be placed on their immediate passage at the head of the Third Reading of Bills calendar:

**Senate Bill No. 110**

**Senate Bill No. 279**

**Senate Bill No. 280**

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

The following bill was read a third time:

**Senate Bill No. 110, entitled**

A bill to amend 1973 PA 139, entitled "An act to provide forms of county government; to provide for county managers and county executives and to prescribe their powers and duties; to abolish certain departments, boards, commissions, and authorities; to provide for transfer of certain powers and functions; to prescribe powers of a board of county commissioners and elected officials; to provide organization of administrative functions; to transfer property; to retain ordinances and laws not inconsistent with this act; to provide methods for abolition of a unified form of county government; and to prescribe penalties and provide remedies," by amending section 9 (MCL 45.559), as amended by 2003 PA 281.

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. 502**

**Yeas—25**

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

**Nays—11**

|         |         |         |        |
|---------|---------|---------|--------|
| Ananich | Hertel  | Johnson | Warren |
| Bieda   | Hood    | Knezek  | Young  |
| Gregory | Hopgood | Rocca   |        |

**Excused—1**

Nofs

**Not Voting—1**

Smith

In The Chair: O'Brien

The Senate agreed to the title of the bill.

**Protests**

Senators Gregory, Young, Hertel, Ananich, Hood, Johnson and Bieda, under their constitutional right of protest (Art. 4, Sec. 18), protested against the passage of Senate Bill No. 110.

Senators Gregory and Bieda moved that the statements they made during the discussion of the bill be printed as their reasons for voting "no."

The motion prevailed.

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

I would like to begin with a quote: "Individual rights are not subject to a public vote; a majority has no right to vote away the rights of the minority; the political function of rights is precisely to protect minorities from oppression by majorities (and the smallest majority on earth is the individual)." Ayn Rand.

Colleagues, I rise to speak against Senate Bill No. 110 and, more importantly, to stand in support of Oakland County voters from both sides of the aisle who are sick and tired of this body interfering with their democratic rights. What about the voice of Oakland County voters?

This legislation would change the elections of the Oakland County executive to nonpresidential election years. As both a resident and an elected official of Oakland County, I just don't understand why the Senate majority doesn't trust the voters of Oakland County to make decisions on our own. I say to you, let the Oakland County Board of Commissioners put the question to the voters.

As most of you know, there are four county executives in this state—Bay County, Oakland, Macomb, and Wayne. Bay County and Oakland have the same election cycle which is when the most voters are at the polls. This is when most elections should be held. Why is there a need for change without a vote of the people? There is no logical or legitimate reason for this change. It is purely political.

On behalf of our democracy and the people of Oakland County, I strongly oppose this legislation, and I urge all of you to do the same.

Senator Bieda's statement is as follows:

This is such a patently political bill and something this body often does at the end of the night. I do give you credit for taking it up in the middle of the day. It is just a bad idea. It is usurping the rights of the voters of this state with total disregard for local control. This is really almost criminal, and I urge a "no" vote.

The following bill was read a third time:

**Senate Bill No. 279, entitled**

A bill to amend 1980 PA 300, entitled "The public school employees retirement act of 1979," by amending section 71 (MCL 38.1371), as amended by 1996 PA 268.

The question being on the passage of the bill,

Senator Hood moved that Senator Smith be temporarily excused from the balance of today's session.

The motion prevailed.

Senator Knezek offered the following amendment:

1. Amend page 7, following line 4, by inserting:

“Enacting section 2. The legislature shall annually appropriate sufficient funds from the state general fund to the state school aid fund created in section 11 of article IX of the state constitution of 1963 to fully compensate for any additional unfunded actuarial accrued liability contributions from the state school aid fund under section 41 resulting from the enactment of this amendatory act.”.

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. 503**

**Yeas—12**

|         |         |         |        |
|---------|---------|---------|--------|
| Ananich | Hertel  | Johnson | Rocca  |
| Bieda   | Hood    | Jones   | Warren |
| Gregory | Hopgood | Knezek  | Young  |

**Nays—24**

|             |             |           |             |
|-------------|-------------|-----------|-------------|
| Booher      | Hansen      | MacGregor | Robertson   |
| Brandenburg | Hildenbrand | Marleau   | Schmidt     |
| Casperson   | Horn        | Meekhof   | Schuitmaker |
| Colbeck     | Hune        | O’Brien   | Shirkey     |
| Emmons      | Knollenberg | Pavlov    | Stamas      |
| Green       | Kowall      | Proos     | Zorn        |

**Excused—2**

|      |       |
|------|-------|
| Nofs | Smith |
|------|-------|

**Not Voting—0**

In The Chair: O’Brien

Senator Smith entered the Senate Chamber.

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. 504**

**Yeas—25**

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

**Nays—12**

|         |         |         |        |
|---------|---------|---------|--------|
| Ananich | Hertel  | Johnson | Smith  |
| Bieda   | Hood    | Knezek  | Warren |
| Gregory | Hopgood | Rocca   | Young  |

**Excused—1**

Nofs

**Not Voting—0**

In The Chair: O’Brien

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 280, entitled**

A bill to amend 1947 PA 336, entitled “An act to prohibit strikes by certain public employees; to provide review from disciplinary action with respect thereto; to provide for the mediation of grievances and the holding of elections; to declare and protect the rights and privileges of public employees; to require certain provisions in collective bargaining agreements; to prescribe means of enforcement and penalties for the violation of the provisions of this act; and to make appropriations,” by amending section 10 (MCL 423.210), as amended by 2014 PA 414.

The question being on the passage of the bill,

Senator Knezek offered the following amendment:

1. Amend page 3, following line 2, by inserting:

“(G) **SUBDIVISION (F) DOES NOT APPLY TO:**

(i) **RELEASE TIME FOR ACTIVITIES GERMANE TO COLLECTIVE BARGAINING, CONTRACT ADMINISTRATION, GRIEVANCE ADJUSTMENT, OR ANY OTHER DUTIES OF AN EXCLUSIVE BARGAINING REPRESENTATIVE.**

(ii) **RELEASE TIME FOR JOINT LABOR-MANAGEMENT ACTIVITIES DESIGNED TO ADDRESS WORKPLACE ISSUES.**

(iii) **RELEASE TIME FOR PROVIDING INFORMATION CONCERNING LEGISLATION TO MEMBERS OF THE MICHIGAN LEGISLATURE OR THEIR STAFF.”.**

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. 505**

**Yeas—17**

|           |         |         |        |
|-----------|---------|---------|--------|
| Ananich   | Hertel  | Jones   | Smith  |
| Bieda     | Hood    | Knezek  | Warren |
| Casperson | Hopgood | O’Brien | Young  |
| Gregory   | Johnson | Rocca   | Zorn   |
| Hansen    |         |         |        |

**Nays—20**

|             |             |           |           |
|-------------|-------------|-----------|-----------|
| Booher      | Hildenbrand | MacGregor | Robertson |
| Brandenburg | Horn        | Marleau   | Schmidt   |

Colbeck  
Emmons  
Green

Hune  
Knollenberg  
Kowall

Meekhof  
Pavlov  
Proos

Schuitmaker  
Shirkey  
Stamas

**Excused—1**

Nofs

**Not Voting—0**

In The Chair: O'Brien

Senator Hertel offered the following amendment:

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

**“(E) THE CHANGES MADE BY THE AMENDATORY ACT THAT ADDED THIS SECTION DO NOT APPLY IF THEY VIOLATE FEDERAL STATUTE.”.**

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. 506**

**Yeas—16**

Ananich  
Bieda  
Casperson  
Gregory

Hertel  
Hood  
Hopgood  
Johnson

Jones  
Knezek  
O'Brien  
Rocca

Smith  
Warren  
Young  
Zorn

**Nays—21**

Booher  
Brandenburg  
Colbeck  
Emmons  
Green  
Hansen

Hildenbrand  
Horn  
Hune  
Knollenberg  
Kowall

MacGregor  
Marleau  
Meekhof  
Pavlov  
Proos

Robertson  
Schmidt  
Schuitmaker  
Shirkey  
Stamas

**Excused—1**

Nofs

**Not Voting—0**

In The Chair: O'Brien

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. 507****Yeas—20**

|             |             |           |             |
|-------------|-------------|-----------|-------------|
| Booher      | Hansen      | MacGregor | Robertson   |
| Brandenburg | Hildenbrand | Marleau   | Schmidt     |
| Colbeck     | Hune        | Meekhof   | Schuitmaker |
| Emmons      | Knollenberg | Pavlov    | Shirkey     |
| Green       | Kowall      | Proos     | Stamas      |

**Nays—17**

|           |         |         |        |
|-----------|---------|---------|--------|
| Ananich   | Hood    | Jones   | Smith  |
| Bieda     | Hopgood | Knezek  | Warren |
| Casperson | Horn    | O'Brien | Young  |
| Gregory   | Johnson | Rocca   | Zorn   |
| Hertel    |         |         |        |

**Excused—1**

Nofs

**Not Voting—0**

In The Chair: O'Brien

The Senate agreed to the title of the bill.

**Protests**

Senators Gregory, Johnson, Bieda, Knezek, Ananich, Young, Hood and Hertel, under their constitutional right of protest (Art. 4, Sec. 18), protested against the passage of Senate Bill No. 280.

Senators Gregory, Bieda, Knezek, Ananich and Hood moved that the statements they made during the discussion of the bill be printed as their reasons for voting "no."

The motion prevailed.

Senator Gregory's statement, in which Senator Johnson concurred, is as follows:

The reason I am voting "no" on this bill is because in a former life, I was a union president and vice president. We would negotiate when the employer would agree that the representatives in the building could conduct union business during work hours. What this bill would do is eliminate that. I wonder if people have really thought through the entire process and what this will really mean.

If an employee comes in and perhaps has had too much to drink, the employer calls that employee in but can no longer call the union steward in because he is no longer being paid. So as long as the employer is paying them, they have control over the union steward and can say we need you to sit in on this hearing before we suspend this person. Without the employer making any payments to the union, the union officer will now be able to say he won't lose any of his time representing, and you will have to wait for someone from the union. This could be at the end of the shift or even the next day.

This bill will hurt more than just unions; it will hurt management and school districts. If you cannot call a union representative in to represent a teacher, you will create more of a problem. That is what this bill will do, create more problems than it will help to resolve. To me, this is really going to create something where the Legislature will have to come back and revisit this at some point because schools don't have anyone to address these issues.

For these reasons and many more, I will be voting "no," and I urge you to do the same.

Senator Bieda's statement is as follows:

I am also standing in opposition of this bill. Some of you don't know that in my life as an attorney, I at one time was the director of labor relations for a major municipality. I did that for about three years. I negotiated a lot of contracts on the management side. I see the value of the system that we have right now. Collective bargaining is a collaborative process. It is meant to make better public sector working conditions.

There is also a management component to this that I don't think the sponsor—he has a very shortsighted approach on this bill—fully appreciates the fact that having union representatives help work with management on issues that may arise in the workplace and will alleviate a lot of different problems. Some may look at it as the black and white of union versus management, but it is a little bit more complex than that. There are some very good advantages to having the existing system for allowing this. I think collective bargaining is a very important process and so is local control which this bill undermines drastically.

I think that it's something from my experience working on the management side in doing labor relations, that there was a very valuable process to have that ability to have union members represent, not only in negotiations, but in all the other issues that come up in the workplace.

For that reason, I urge my colleagues to take a very thoughtful approach on this bill, and consider it in a little bit broader context than you may be looking at it in. I would certainly appreciate it, and I think it would be a smart move to vote "no" on this bill at this time.

Senator Knezek's statement, in which Senators Ananich and Young concurred, is as follows:

You know, we are all entitled to our own opinions in this chamber, but unfortunately, we are not entitled to our own facts. I want to speak just briefly about the facts of Senate Bill No. 280 and what it does. Let's look at the employees affected by this bill. They continue to go on leave without the accrual of any pension credits during their leave, and those costs get shifted to the School Aid Fund because the salaries would be removed from the pension system. So we are stranding these costs currently remitted to the system by outside organizations. The stranding of that payroll, according to the nonpartisan Senate Fiscal Agency—not the majority party or the minority party—the costs of this bill results in a \$900,000 hit to the School Aid Fund. That cost will remain as long as the payroll is stranded and until the unfunded accrued liabilities in the pension system are eliminated.

This bill, in essence, forces issues like contract negotiations, grievance hearings, and more to take place after normal working hours or even on the weekends. It would require the public employer to pay management officials an overtime salary just to attend those meetings that no longer occur during business hours, because the union officials are prohibited by this bill to attend at those very times. So not only are we taking a \$900,000 hit to the fund, we are looking to damage the integrity of labor organizations in the state, and we are looking to increase the wages we are trying to pay to management officials.

The facts behind Senate Bill No. 280 are that it is a solution in search of a problem. Union organizations already reimburse the public employers for salaries paid to union officials applicable to the time taken out of their workday to conduct union business on behalf of their organizations. There is no additional cost to the public employers as a result of our current way of conducting business. There is a reason labor organizations and business organizations alike oppose Senate Bill No. 280. This bill changes that so union officials cannot take time during the workday for these meetings. They want to force it to be at a time inconvenient to them and the people of Michigan.

I ask my colleagues to think very carefully before voting on this legislation because it is, again, a solution in search of a problem.

Senator Ananich's statement is as follows:

I think we all need to put facts where they are and put this basically to brass tacks. This is nothing more than another bill in a long line of bills attacking collective bargaining. That's all it is; that's all it ever was. To say this is some sort of savings to taxpayers, grievances will still be grieved, and now they will be grieved after hours. Taxpayers will have to cover the bill for the management side. The unions will still cover their side. What you are doing is putting more burden, as my colleague said earlier, on the taxpayers and more burden on management. This has nothing to do with saving money. This is nothing more than a long line of vindictive practices going after labor unions.

Senator Hood's statement is as follows:

The first question I ask to the body is: How many of you have worked in a union shop? If you haven't, you don't know what you're talking about. I have worked in a union shop, and I have been in situations where there has been a safety issue in which the employer was telling me to go inside where an automated robot works and was demanding me to go in there, in an unsafe environment where I was not trained to go into that environment. This happens all the time. The only course of action that I had to keep me from having to be forced to go into that area was I had the opportunity to call my representative, my committee person, to come over and represent me and prove to the company that I did not have to go in there, because I wasn't a skilled, trained operator. I was not licensed to go into that area, but they still wanted me to go into that area.



To me, this can be considered a safety issue. All of you want to go home safely. You want to leave here and go home and be safe, but so do those employees. They want to go home and be safe. They want to go home from that job without missing an arm, a leg, a finger, or being permanently damaged by what could happen by this legislation being put through. It's just common sense, folks, protecting people. That is our job here as legislators to protect people and not put them in harm's way. This bill will put them in harm's way.

Senator Hertel's statement is as follows:

To be clear, the bill that just passed is an attack on workers and our collective bargaining rights and is an unfunded mandate to our schools and local government. Maybe more importantly, this bill is also in conflict with federal law that puts hundreds of millions of dollars of federal transit funds at risk.

The Federal Transit Administration is governed by 49 USC Chapter 53. Section 5333 of this federal law sets out collective bargaining requirements for agencies that receive federal transit funds. Colloquially known as 13(c) language, it states that public transit agencies must certify that they will protect the continuation of collective bargaining rights and abide by provisions that uphold the protection of individual employees against a worsening of their positions related to employment. This section is reprinted in its entirety.

There is a risk that the enactment of Senate Bill No. 280 would jeopardize the ability of the U.S. Department of Labor to certify that 13(c) protections are being followed. In that case, Michigan public transit agencies would be at risk of losing millions of dollars in federal transit funds. To get an idea of the severity of that risk, this is a list of items you just put at risk: In Detroit, the Department of Transportation stands to lose \$50,806,000; Suburban Mobility Authority, which is over in Macomb, \$48392,000; Capital Area Transit Authority, which is in my district, \$6,300,000; in Grand Rapids, Kent County, \$15,807,000; Kalamazoo, \$2,100,000; Jackson, \$1.2 million; and Battle Creek, \$1.6 million.

The labor protections afforded by Section 13(c) allow changes in pay and benefits so long as those changes are made through collective bargaining. This was not collective bargaining. When the Legislature unilaterally mandates changes in pay, benefits, or pensions, such a change is contrary to the 13(c) requirements. Mandating those changes in a manner that disregards collective bargaining means the transit agencies would not be able to continue collective bargaining rights of their employees as required by Section 13(c). Without the Department of Labor's certification of continued bargaining rights, the Federal Transit Administration is not permitted to provide further transit funding.

The Department of Labor has held that substantially limiting the scope of collective bargaining rights over mandatory and/or traditional subjects of bargaining violates Section 13(c) and thus precludes certification by the Department of Labor.

Federal labor policy defines the substantive meaning of the collective bargaining rights that must be continued for purposes of Section 13(c). Moreover, it is well-established under federal labor law that paid time to union officials for performance of union duties is a mandatory subject of bargaining rights under the National Labor Relations Act.

Put it bluntly, prohibiting collective bargaining agreements that allow for a public transit employer to pay for union leave time for transit employees would threaten continued federal transit funding. So congratulations to all of you in the room who voted for this when we lose over \$116 million in transit money next year. Let your constituents know you voted "yes."

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

The motion prevailed.

Senator Knollenberg's statement is as follows:

Senate Bill No. 280 is about keeping money in the classroom. This bill will prohibit the practice of taxpayer leave time by public employers. Union leave time is still allowed, but taxpayers shouldn't foot the bill for union work, and this legislation will put a stop to this practice. Every dollar is precious, and every dollar spent on union activity is a dollar taken away from the classroom.

### Recess

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

The motion prevailed, the time being 2:55 p.m.

4:04 p.m.

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

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

After some time spent therein, the Committee arose; and the President pro tempore, Senator Schuitmaker, having resumed the Chair, the Committee reported back to the Senate, favorably and with a substitute therefor, the following bill:

**Senate Bill No. 552, entitled**

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

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 rules be suspended and that the following bills, now on the order of Third Reading of Bills, be placed on their immediate passage at the head of the Third Reading of Bills calendar:

**Senate Bill No. 552**

**Senate Bill No. 492**

**Senate Bill No. 493**

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

The following bill was read a third time:

**Senate Bill No. 552, entitled**

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

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. 508**

**Yeas—23**

|             |             |           |             |
|-------------|-------------|-----------|-------------|
| Booher      | Hertel      | Kowall    | Robertson   |
| Brandenburg | Hildenbrand | MacGregor | Schmidt     |
| Casperson   | Horn        | Marleau   | Schuitmaker |
| Emmons      | Hune        | Meekhof   | Stamas      |
| Gregory     | Knezek      | O'Brien   | Zorn        |
| Hansen      | Knollenberg | Proos     |             |

**Nays—12**

|         |         |        |        |
|---------|---------|--------|--------|
| Ananich | Hood    | Jones  | Smith  |
| Bieda   | Hopgood | Pavlov | Warren |
| Colbeck | Johnson | Rocca  | Young  |

**Excused—1**

**Not Voting—2**

Green Shirkey

In The Chair: Schuitmaker

Senator Kowall moved to reconsider the vote by which the bill was passed.  
The motion prevailed, a majority of the members serving voting therefor.  
The question being on the passage of the bill,  
The bill was passed, a majority of the members serving voting therefor, as follows:

**Roll Call No. 509**

**Yeas—25**

|             |             |           |             |
|-------------|-------------|-----------|-------------|
| Booher      | Hertel      | Kowall    | Robertson   |
| Brandenburg | Hildenbrand | MacGregor | Schmidt     |
| Casperson   | Horn        | Marleau   | Schuitmaker |
| Emmons      | Hune        | Meekhof   | Shirkey     |
| Green       | Knezek      | O'Brien   | Stamas      |
| Gregory     | Knollenberg | Proos     | Zorn        |
| Hansen      |             |           |             |

**Nays—12**

|         |         |        |        |
|---------|---------|--------|--------|
| Ananich | Hood    | Jones  | Smith  |
| Bieda   | Hopgood | Pavlov | Warren |
| Colbeck | Johnson | Rocca  | Young  |

**Excused—1**

Nofs

**Not Voting—0**

In The Chair: Schuitmaker

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 492, entitled**

A bill to amend 1974 PA 269, entitled “Franchise investment law,” (MCL 445.1501 to 445.1546) by adding section 4b.

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. 510**

**Yeas—27**

|             |             |         |             |
|-------------|-------------|---------|-------------|
| Booher      | Hildenbrand | Marleau | Schmidt     |
| Brandenburg | Horn        | Meekhof | Schuitmaker |

|           |             |           |         |
|-----------|-------------|-----------|---------|
| Casperson | Hune        | O'Brien   | Shirkey |
| Colbeck   | Jones       | Pavlov    | Smith   |
| Emmons    | Knollenberg | Proos     | Stamas  |
| Green     | Kowall      | Robertson | Zorn    |
| Hansen    | MacGregor   | Rocca     |         |

**Nays—10**

|         |         |         |        |
|---------|---------|---------|--------|
| Ananich | Hertel  | Johnson | Warren |
| Bieda   | Hood    | Knezek  | Young  |
| Gregory | Hopgood |         |        |

**Excused—1**

Nofs

**Not Voting—0**

In The Chair: Schuitmaker

The Senate agreed to the title of the bill.

**Protest**

Senator Young, under his constitutional right of protest (Art. 4, Sec. 18), protested against the passage of Senate Bill No. 492 and moved that the statement he made during the discussion of the bill be printed as his reasons for voting "no." The motion prevailed.

Senator Young's statement is as follows:

I just want to say in the city of Detroit, 40 percent of the people are facing water shutoffs, 25 percent are facing foreclosures, 67 percent struggle to pay the bills with two people living in the household, 30 percent don't have access to transportation, and the only thing to make sure that workers in this state get a fair shake is their right to organize and their right to be heard. We are taking that away from them today.

Who are we to do that? Haven't the workers of this state been through enough? Haven't they had their pensions taken enough? Haven't they had their wages taken enough? Haven't they had their houses taken enough? Haven't they had their cars repossessed enough? Haven't they had to just scrape by to make \$1 out of 15 cents enough? When is enough enough?

I say today, right here in this chamber, let this be the day where Republicans and Democrats, liberals and conservatives, came together and said for the greater good enough is enough, and no more union busting for the sake of union busting.

Madam President, I just want to say in conclusion, please, I ask you, I implore you, do not pass this legislation. Our people have been through too much. I have 47 percent of the city that is functionally illiterate. I have auto insurance that is the highest in the country. There are lots of other issues we need to deal with.

Busting the unions, which have provided Social Security, Medicare, wages, workers' rights, and the weekend, should not be on our priority list. We need to get our act together, and stop acting brand-new up here, Madam President. I ask you, please do not pass this legislation.

The following bill was read a third time:

**Senate Bill No. 493, entitled**

A bill to amend 1969 PA 317, entitled "Worker's disability compensation act of 1969," (MCL 418.101 to 418.941) by adding section 120.

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. 511****Yeas—26**

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

**Nays—10**

|         |         |         |        |
|---------|---------|---------|--------|
| Ananich | Hertel  | Johnson | Warren |
| Bieda   | Hood    | Knezek  | Young  |
| Gregory | Hopgood |         |        |

**Excused—1**

Nofs

**Not Voting—1**

Casperson

In The Chair: Schuitmaker

The Senate agreed to the title of the bill.

**Protest**

Senator Hertel, under his constitutional right of protest (Art. 4, Sec. 18), protested against the passage of Senate Bill Nos. 492 and 493 and moved that the statement he made during the discussion of Senate Bill No. 492 be printed as his reasons for voting “no.”

The motion prevailed.

Senator Hertel’s statement is as follows:

Colleagues, I rise to offer my “no” vote explanation on Senate Bill Nos. 492 and 493. My colleagues on the other side of the aisle think we need to clarify the relationship between franchisees and franchisors based on a recent Browning-Ferris ruling by the National Labor Relations Board. However, that specific ruling only applies to joint employers with temporary workers. As a result, this bill is trying to solve a problem that doesn’t even exist.

Let’s take a step back here. The National Labor Relations Act and its enforcement agency, the National Labor Relations Board, already safeguard employees’ rights with regard to collective bargaining and unfair labor practices. They’re highly qualified to address these nuanced labor issues on a case-by-case basis; whereas, this bill attempts to make a sweeping application. Courts agree, they’ve consistently frowned upon states’ patchwork attempts to skirt the National Labor Relations Board, and they surely will do the same for Senate Bill No. 492.

The Legislature should not step over the National Labor Relations Board to shield corporations from their franchise obligations and protect Big Business from the so-called threat of collective bargaining. If you want to amend federal law, you should run for Congress. I know some of us already are. This law is an assault against the authority of the National Labor Relations Board, and I strongly urge you to reject it.

Senator Kowall moved that Senator Casperson be excused from the balance of today's session.  
The motion prevailed.

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 pro tempore, Senator Schuitmaker, 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 4:26 p.m.

4:33 p.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 pro tempore, Senator Schuitmaker resumed the Chair.

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 bills, now on the order of Third Reading of Bills, be placed on their immediate passage:

**House Bill No. 4159**  
**House Bill No. 4173**  
**Senate Bill No. 368**  
**Senate Bill No. 517**  
**Senate Bill No. 518**  
**Senate Bill No. 519**  
**Senate Bill No. 520**

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. 471**  
**House Bill No. 4836**  
**House Bill No. 4159**  
**House Bill No. 4173**  
**Senate Bill No. 368**  
**Senate Bill No. 517**  
**Senate Bill No. 518**  
**Senate Bill No. 519**  
**Senate Bill No. 520**

The motion prevailed.

The following bill was read a third time:

**Senate Bill No. 471, entitled**

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

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. 512****Yeas—36**

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

**Nays—0****Excused—2**

Casperson

Nofs

**Not Voting—0**

In The Chair: Schuitmaker

The Senate agreed to the title of the bill.

The following bill was read a third time:

**House Bill No. 4836, entitled**

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

The 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. 513****Yeas—36**

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

**Nays—0****Excused—2**

Casperson

Nofs

**Not Voting—0**

In The Chair: Schuitmaker

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

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

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

“An act to revise, consolidate, and classify the laws relating to the insurance and surety business; to regulate the incorporation or formation of domestic insurance and surety companies and associations and the admission of foreign and alien companies and associations; to provide their rights, powers, and immunities and to prescribe the conditions on which companies and associations organized, existing, or authorized under this act may exercise their powers; to provide the rights, powers, and immunities and to prescribe the conditions on which other persons, firms, corporations, associations, risk retention groups, and purchasing groups engaged in an insurance or surety business may exercise their powers; to provide for the imposition of a privilege fee on domestic insurance companies and associations and the state accident fund; to provide for the imposition of a tax on the business of foreign and alien companies and associations; to provide for the imposition of a tax on risk retention groups and purchasing groups; to provide for the imposition of a tax on the business of surplus line agents; to provide for the imposition of regulatory fees on certain insurers; to provide for assessment fees on certain health maintenance organizations; to modify tort liability arising out of certain accidents; to provide for limited actions with respect to that modified tort liability and to prescribe certain procedures for maintaining those actions; to require security for losses arising out of certain accidents; to provide for the continued availability and affordability of automobile insurance and homeowners insurance in this state and to facilitate the purchase of that insurance by all residents of this state at fair and reasonable rates; to provide for certain reporting with respect to insurance and with respect to certain claims against uninsured or self-insured persons; to prescribe duties for certain state departments and officers with respect to that reporting; to provide for certain assessments; to establish and continue certain state insurance funds; to modify and clarify the status, rights, powers, duties, and operations of the nonprofit malpractice insurance fund; to provide for the departmental supervision and regulation of the insurance and surety business within this state; to provide for regulation over worker’s compensation self-insurers; to provide for the conservation, rehabilitation, or liquidation of unsound or insolvent insurers; to provide for the protection of policyholders, claimants, and creditors of unsound or insolvent insurers; to provide for associations of insurers to protect policyholders and claimants in the event of insurer insolvencies; to prescribe educational requirements for insurance agents and solicitors; to provide for the regulation of multiple employer welfare arrangements; to create an automobile theft prevention authority to reduce the number of automobile thefts in this state; to prescribe the powers and duties of the automobile theft prevention authority; to provide certain powers and duties upon certain officials, departments, and authorities of this state; to provide for an appropriation; to repeal acts and parts of acts; and to provide penalties for the violation of this act.”

The Senate agreed to the full title.

The following bill was read a third time:

**House Bill No. 4159, 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 5o (MCL 28.425o), as amended by 2015 PA 16.

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. 514**

**Yeas—28**

Bieda  
Booher

Hildenbrand  
Horn

MacGregor  
Marleau

Rocca  
Schmidt



|             |             |           |             |
|-------------|-------------|-----------|-------------|
| Brandenburg | Hune        | Meekhof   | Schuitmaker |
| Colbeck     | Jones       | O'Brien   | Shirkey     |
| Emmons      | Knezek      | Pavlov    | Smith       |
| Green       | Knollenberg | Proos     | Stamas      |
| Hansen      | Kowall      | Robertson | Zorn        |

**Nays—8**

|         |        |         |        |
|---------|--------|---------|--------|
| Ananich | Hertel | Hopgood | Warren |
| Gregory | Hood   | Johnson | Young  |

**Excused—2**

|           |      |
|-----------|------|
| Casperson | Nofs |
|-----------|------|

**Not Voting—0**

In The Chair: Schuitmaker

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

The following bill was read a third time:

**House Bill No. 4173, entitled**

A bill to amend 1993 PA 330, entitled "State real estate transfer tax act," by amending sections 3 and 6 (MCL 207.523 and 207.526), as amended by 2008 PA 473.

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. 515****Yeas—36**

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

**Nays—0****Excused—2**

|           |      |
|-----------|------|
| Casperson | Nofs |
|-----------|------|

**Not Voting—0**

In The Chair: Schuitmaker

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

The recommendation was not concurred in, 2/3 of the members serving not voting therefor.

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

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

The question being on the passage of the bill,

Senator Knezek offered the following amendment:

1. Amend page 7, following line 14, by inserting:

“Enacting section 1. The legislature shall annually appropriate sufficient funds from the state general fund to the state school aid fund created in section 11 of article IX of the state constitution of 1963 to fully compensate for any loss of revenue to the state school aid fund resulting from the enactment of this amendatory act.”.

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. 516**

**Yeas—12**

|         |         |         |        |
|---------|---------|---------|--------|
| Ananich | Hertel  | Johnson | Rocca  |
| Bieda   | Hood    | Jones   | Warren |
| Gregory | Hopgood | Knezek  | Young  |

**Nays—24**

|             |             |           |             |
|-------------|-------------|-----------|-------------|
| Booher      | Hildenbrand | Marleau   | Schmidt     |
| Brandenburg | Horn        | Meekhof   | Schuitmaker |
| Colbeck     | Hune        | O’Brien   | Shirkey     |
| Emmons      | Knollenberg | Pavlov    | Smith       |
| Green       | Kowall      | Proos     | Stamas      |
| Hansen      | MacGregor   | Robertson | Zorn        |

**Excused—2**

|           |      |
|-----------|------|
| Casperson | Nofs |
|-----------|------|

**Not Voting—0**

In The Chair: Schuitmaker

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. 517**

**Yeas—36**

|         |             |             |         |
|---------|-------------|-------------|---------|
| Ananich | Hertel      | Knollenberg | Rocca   |
| Bieda   | Hildenbrand | Kowall      | Schmidt |

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

**Nays—0**

**Excused—2**

Casperson                      Nofs

**Not Voting—0**

In The Chair: Schuitmaker

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

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

“An act to impose a state tax on the transfer of an interest in real property; to provide for the administration of this act; to prescribe the powers and duties of certain state and local officers; to provide for the collection and distribution of the tax; and to prescribe penalties and provide remedies.”.

The Senate agreed to the full title.

The following bill was read a third time:

**Senate Bill No. 368, entitled**

A bill to amend 1967 PA 281, entitled “Income tax act of 1967,” by amending section 30 (MCL 206.30), as amended by 2012 PA 597.

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. 518**

**Yeas—36**

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

**Nays—0**

**Excused—2**

Casperson                                  Nofs

**Not Voting—0**

In The Chair: Schuitmaker

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 517, entitled**

A bill to make uniform the laws relating to support enforcement; 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. 519**

**Yeas—33**

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

**Nays—3**

Colbeck                                  Hune    Schuitmaker

**Excused—2**

Casperson                                  Nofs

**Not Voting—0**

In The Chair: Schuitmaker

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 518, entitled**

A bill to amend 1982 PA 294, entitled “Friend of the court act,” by amending section 2 (MCL 552.502), as amended by 2009 PA 233.

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. 520****Yeas—32**

|             |             |             |         |
|-------------|-------------|-------------|---------|
| Ananich     | Hertel      | Knollenberg | Rocca   |
| Bieda       | Hildenbrand | Kowall      | Schmidt |
| Booher      | Hood        | MacGregor   | Shirkey |
| Brandenburg | Hopgood     | Marleau     | Smith   |
| Emmons      | Horn        | Meekhof     | Stamas  |
| Green       | Johnson     | Pavlov      | Warren  |
| Gregory     | Jones       | Proos       | Young   |
| Hansen      | Knezek      | Robertson   | Zorn    |

**Nays—4**

|         |      |         |             |
|---------|------|---------|-------------|
| Colbeck | Hune | O'Brien | Schuitmaker |
|---------|------|---------|-------------|

**Excused—2**

|           |      |
|-----------|------|
| Casperson | Nofs |
|-----------|------|

**Not Voting—0**

In The Chair: Schuitmaker

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 519, entitled**

A bill to amend 1971 PA 174, entitled "Office of child support act," by amending section 3 (MCL 400.233), as amended by 2014 PA 381.

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. 521****Yeas—31**

|         |             |           |         |
|---------|-------------|-----------|---------|
| Ananich | Hildenbrand | Kowall    | Schmidt |
| Bieda   | Hood        | MacGregor | Shirkey |
| Booher  | Hopgood     | Marleau   | Smith   |
| Emmons  | Horn        | Meekhof   | Stamas  |
| Green   | Johnson     | Pavlov    | Warren  |
| Gregory | Jones       | Proos     | Young   |
| Hansen  | Knezek      | Robertson | Zorn    |
| Hertel  | Knollenberg | Rocca     |         |

**Nays—5**

|             |      |         |             |
|-------------|------|---------|-------------|
| Brandenburg | Hune | O'Brien | Schuitmaker |
| Colbeck     |      |         |             |

**Excused—2**

Casperson

Nofs

**Not Voting—0**

In The Chair: Schuitmaker

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 520, entitled**

A bill to amend 1982 PA 295, entitled "Support and parenting time enforcement act," by amending section 2 (MCL 552.602), as amended by 2014 PA 373.

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. 522**

**Yeas—30**

Ananich

Hood

MacGregor

Schmidt

Bieda

Hopgood

Marleau

Shirkey

Booher

Horn

Meekhof

Smith

Emmons

Johnson

Pavlov

Stamas

Gregory

Jones

Proos

Warren

Hansen

Knezek

Robertson

Young

Hertel

Knollenberg

Rocca

Zorn

Hildenbrand

Kowall

**Nays—6**

Brandenburg

Green

O'Brien

Schuitmaker

Colbeck

Hune

**Excused—2**

Casperson

Nofs

**Not Voting—0**

In The Chair: Schuitmaker

The Senate agreed to the title of the bill.

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**

The motion prevailed.

Senator Kowall offered the following concurrent resolution:

**Senate Concurrent Resolution No. 18.**

A concurrent resolution prescribing the legislative schedule.

Resolved by the Senate (the House of Representatives concurring), That when the Senate adjourns on Tuesday, November 10, 2015, it stands adjourned until Tuesday, December 1, 2015, at 10:00 a.m.; and be it further

Resolved, That when the House of Representatives adjourns on Tuesday, November 10, 2015, it stands adjourned until Tuesday, December 1, 2015, at 1:30 p.m.

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

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

The concurrent resolution was adopted.

**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.

The question being on the adoption of the resolution,

The resolution was adopted.

Senators Warren, Marleau, Booher, Green and Hansen offered the following resolution:

**Senate Resolution No. 115.**

A resolution recognizing November 8-14, 2015, as National Nurse Practitioner Week.

Whereas, There are more than 205,000 licensed nurse practitioners (NPs) in the United States, with 5,500 NPs practicing in the state of Michigan, providing high-quality, cost-effective, patient-centered, and personalized health care for nearly half a century; and

Whereas, NPs have graduate, advanced education—most have master's degrees, and an increasing number have doctorates—beyond their initial registered nurse preparation; and

Whereas, NPs order, perform, and interpret diagnostic tests, diagnose and treat acute and chronic conditions, and prescribe medications and other treatments; and

Whereas, 19 states and the District of Columbia have granted full practice authority to NPs, giving patients more direct access to the primary, acute, and specialty care services that NPs provide; and

Whereas, NPs are truly partners in the health care of their patients, so that in addition to clinical services, NPs focus on health promotion, disease prevention, and health education and counseling, guiding patients to make smarter health and lifestyle choices; and

Whereas, The excellence, safety, and cost-effectiveness of the care provided by NPs is established and well-documented; and

Whereas, The faith and trust that patients have in NP-delivered health care is evidenced by the more than 916 million visits made to NPs annually; and

Whereas, A majority of patients support legislation for greater access to NP services; and

Whereas, NPs provide health care to people of all ages and in diverse health care settings, such as private office practices, hospitals, long-term care facilities, schools, state and local health departments, managed care facilities, and retail-based clinics; and

Whereas, More than 18 percent of NPs practice in rural settings with populations of less than 25,000; and

Whereas, It is documented that patients of NPs are given more personal time and attention than they traditionally receive from other health care providers; now, therefore, be it

Resolved by the Senate, That we hereby recognize November 8-14, 2015, as National Nurse Practitioner Week, in recognition of the many contributions this dedicated group of health care professionals make to the health and well-being of the people in the communities they serve in this great state and throughout the country; and be it further

Resolved, That a copy of this resolution be transmitted to the Governor of the state of Michigan.

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, Brandenburg, Casperson, Kowall and MacGregor were named co-sponsors of the resolution.

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

The motion prevailed.

Senator Warren's statement is as follows:

Thank you, Madam President, for the opportunity to speak to my resolution recognizing November 8-14, 2015, as National Nurse Practitioner Week. There are more than 205,000 licensed nurse practitioners in the United States, with 5,500 nurse practitioners practicing here in the state of Michigan providing high-quality, cost-effective, patient-centered, and personalized health care for our citizens for nearly a century. Importantly, they are true partners in the health care of their patients. In addition to providing clinical services, they focus on health promotion, disease prevention, health education, and counseling, guiding patients to make smarter health and lifestyle choices. Throughout this work, they have earned the faith and trust of patients throughout the country, so much so, that 916 million visits annually are made to nurse practitioners.

As we continue to address a shortage in quality health care providers, nurse practitioners serve people of all ages and in diverse health care settings, such as private office practices, hospitals, long-term care facilities, schools, state and local health departments, managed care facilities, and retail-based clinics.

I think all of us who have family members and friends who are nurses and nurse practitioners know the sacrifices they make to put patients first. I think this resolution is but one small way we can acknowledge them and thank them for their work.

Thank you, colleagues, for the opportunity to speak, and I hope you will join me in naming November 8-14 as Nurse Practitioner Week in the state of Michigan.

Senator Meekhof offered the following resolution:

**Senate Resolution No. 116.**

A resolution honoring Art Van Elslander for his support of Detroit by saving its Thanksgiving Day Parade 25 years ago.

Whereas, The Senate recognizes Art Van Elslander for his outstanding contribution to the state of Michigan for saving Detroit's Thanksgiving Day Parade; and

Whereas, In 1990, with the parade in financial ruin and scheduled for cancellation, Art Van Elslander generously donated \$200,000 to fund the parade; and

Whereas, Art Van Elslander then took an active and continued role in the preservation of this important Michigan tradition. Mr. Van Elslander's continued involvement has ensured that this beloved Michigan institution will continue; and

Whereas, Mr. Van Elslander is the chairman and founder of Art Van Furniture, opening his first store in 1959 at Gratiot Avenue and 10 Mile Road. Art Van Furniture is now the largest independent furniture retailer in the United States; and

Whereas, People across Michigan and the country have enjoyed America's Thanksgiving Day Parade, and due to the efforts of Art Van Elslander, they will do so for generations to come; now, therefore, be it

Resolved by the Senate, That we hereby honor Art Van Elslander for his dedication and generosity to the city of Detroit, the state of Michigan, and America's Thanksgiving Day Parade; and be it further

Resolved, That a copy of this resolution be transmitted to Art Van Elslander at his headquarters in Warren, Michigan.

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.

Senator Casperson offered the following resolution:

**Senate Resolution No. 117.**

A resolution to commemorate November 15, 2015, as Webster L. Marble Day.

Whereas, Webster L. Marble was an early 20th century Upper Peninsula entrepreneur who founded Marble Safety Axe Company in Gladstone, which would become heralded internationally as an outdoor gear powerhouse, outfitting legions of hunters, anglers, campers, and hikers. He is also recognized as the Upper Peninsula's great inventor; and



Whereas, This declaration would coincide with the November 7, 2015, public opening of the Michigan Historical Museum's new yearlong special exhibit – "Inventing the Outdoors" – that looks at the origins of the state's love for outdoor recreation through the life and times of Webster L. Marble. With the exhibit opening happening near the opening day of firearm season in Michigan, a date that is significant to many hunters and outdoor enthusiasts, it is a natural fit to honor Webster Marble on November 15; and

Whereas, Historians recognize that Webster Marble was a genius as an inventor, manufacturer, and one of the Upper Peninsula's most successful business leaders; and

Whereas, Marble marketed his creations across the globe and would eventually own more than 60 patents for outdoor products, including knives and compasses used by Commander Robert Peary in his expeditions, Theodore Roosevelt, and Charles Lindbergh during his first solo transatlantic flight; and

Whereas, Troops in World War I were issued Marble-designed matchboxes, and both the Boy Scouts of America and the Girl Scouts of America adopted Marble's knives as their official knife; and

Whereas, His designs set the standard for the 20th century in the outdoor goods market, outfitting millions of outdoor enthusiasts with Michigan-made products that are still influential today; and

Whereas, Mr. Marble helped advance the evolution of outdoor ethics and marketing that has influenced not only how we relate to the outdoors, but how we position and promote ourselves to the world through Pure Michigan; now, therefore, be it

Resolved by the Senate, That November 15, 2015, be hereby commemorated as Webster L. Marble Day in the state of Michigan; and be it further

Resolved, That a copy of this resolution be transmitted to the Michigan Historical Center.

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

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

The resolution was adopted.

By 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 pro tempore, Senator Schuitmaker, designated Senator Proos as Chairperson.

After some time spent therein, the Committee arose; and the President pro tempore, Senator Schuitmaker, having resumed the Chair, the Committee reported back to the Senate, favorably and with amendments, the following bill:

#### **Senate Bill No. 13, entitled**

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 736c, 782b, 795c, 803, and 804 (MCL 168.736c, 168.782b, 168.795c, 168.803, and 168.804), section 736c as added by 2012 PA 128, section 795c as amended by 1990 PA 109, and section 803 as amended by 2004 PA 92.

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

1. Amend page 4, line 13, after "Sec. 795c." by inserting "(1)".
2. Amend page 4, following line 25, by inserting:

**“(2) FOR THE 2015-2016 FISCAL YEAR, \$1,000,000.00 IS APPROPRIATED FROM THE GENERAL FUND TO THE DEPARTMENT OF STATE TO DO ALL OF THE FOLLOWING:**

**(A) ASSESS THE IMPACT OF ELIMINATING STRAIGHT PARTY TICKET VOTING.**

**(B) ASSIST IN ONGOING COMPLIANCE AND FRAUD PREVENTION IN ELECTIONS.**

**(C) CONDUCT THOROUGH POST-ELECTION AUDITS OF SELECTED PRECINCTS AFTER EACH ELECTION.**

**(D) PROVIDE REMEDIAL FOLLOW-UP WITH LOCAL ELECTION OFFICIALS TO CORRECT ANY ELECTION ERRORS AND TO CORRECT ANY COMPLIANCE ISSUES.**

**(E) AUDIT FILE MAINTENANCE BY LOCAL ELECTION OFFICIALS.**

**(F) PROVIDE EQUIPMENT TO FACILITATE THE INTEGRITY OF THE ELECTION PROCESS.”**

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.

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

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 at the head of the Third Reading of Bills calendar:

**Senate Bill No. 13**

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

The following bill was read a third time:

**Senate Bill No. 13, entitled**

A bill to amend 1954 PA 116, entitled “Michigan election law,” by amending sections 736c, 782b, 795c, 803, and 804 (MCL 168.736c, 168.782b, 168.795c, 168.803, and 168.804), section 736c as added by 2012 PA 128, section 795c as amended by 1990 PA 109, and section 803 as amended by 2004 PA 92.

The question being on the passage of the bill,

Senator Warren offered the following amendment:

1. Amend page 1, following “**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**” by inserting:

“Sec. 509t. (1) Notwithstanding another provision of law to the contrary, a person who is a qualified elector in this state and who registers to vote in a manner consistent with the national voter registration act of 1993 is considered a registered voter under this act.

(2) A person who registers to vote in a jurisdiction in this state by mail shall vote in person and shall provide identification as required under section 303(b) of the help America vote act of 2002, 42 USC 15483, if that person has not previously voted in person in this state. This subsection does not apply to any of the following registered voters:

(a) A person entitled to vote by absentee ballot under the uniformed and overseas citizens absentee voting act.

(b) A person ~~who has~~ **WITH** a disability as defined in section 103 of the persons with disabilities civil rights act, 1976 PA 220, MCL 37.1103. ~~or, for purposes of voting in person only, a person who is 60 years of age or older.~~

(c) A person who is entitled to vote other than in person under any other federal law.

**(D) AS TO THE REQUIREMENT TO VOTE IN PERSON ONLY, ANY OTHER PERSON WHO IS ENTITLED TO VOTE AS AN ABSENT VOTER AS DEFINED UNDER SECTION 758.**

(3) This section does not preclude this state from prosecuting a violation of this act that is also a violation of a federal election or voting rights law.”.

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

Senator Hansen 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. 523**

**Yeas—15**

|             |         |             |        |
|-------------|---------|-------------|--------|
| Ananich     | Gregory | Johnson     | Smith  |
| Bieda       | Hertel  | Knezek      | Warren |
| Brandenburg | Hood    | Rocca       | Young  |
| Emmons      | Hopgood | Schuitmaker |        |

**Nays—21**

|             |             |         |           |
|-------------|-------------|---------|-----------|
| Booher      | Hune        | Marleau | Robertson |
| Colbeck     | Jones       | Meekhof | Schmidt   |
| Green       | Knollenberg | O’Brien | Shirkey   |
| Hansen      | Kowall      | Pavlov  | Stamas    |
| Hildenbrand | MacGregor   | Proos   | Zorn      |
| Horn        |             |         |           |

**Excused—2**

|           |      |
|-----------|------|
| Casperson | Nofs |
|-----------|------|

**Not Voting—0**

In The Chair: Schuitmaker

Senator Bieda offered the following amendment:

1. Amend page 3, following line 4, by inserting:

“Sec. 758. ~~(1) For the purposes of~~ **AS USED IN** this act, “absent voter” means a qualified and registered elector who meets ~~1 or more of the following requirements:~~

~~(a) On account of physical disability, cannot without another’s assistance attend~~ **VOTES WITHOUT ATTENDING** the polls on the day of an election.

~~(b) On account of the tenets of his or her religion, cannot attend the polls on the day of election.~~

~~(c) Cannot attend the polls on the day of an election in the precinct in which he or she resides because of being an election precinct inspector in another precinct.~~

~~(d) Is 60 years of age or older.~~

~~(e) Is absent or expects to be absent from the township or city in which he or she resides during the entire period the polls are open for voting on the day of an election.~~

~~(f) Cannot attend the polls on election day because of being confined in jail awaiting arraignment or trial.~~

~~(2) Subsection (1) does not apply to~~ **ABSENT VOTER DOES NOT INCLUDE** a person who has moved outside of this state, regardless of length of his or her residence outside of this state, and who no longer maintains an actual residence in this state. The storage of personal effects or household goods, the ownership of property that is rented or leased to others, or occasional brief visits to a former domicile in this state while residing outside of this state for most of the year ~~does~~ **DO** not constitute a residence for voting purposes in this state, except for each of the following:

(a) A person described in section 1 of article II of the state constitution of 1963 and statutes enacted under that section.

(b) A person described in section 759a.

Sec. 759. (1) At any time during the 75 days before a primary or special primary, but not later than 2 p.m. of the Saturday immediately before the primary or special primary, an elector who ~~qualifies~~ **WANTS** to vote as an absent voter ~~, as defined in section 758,~~ may apply for an absent voter ballot. The elector shall apply in person or by mail with the clerk of the township, city, or village in which the elector is registered. An application received before a primary or special primary may be for either that primary only, or for that primary and the election that follows.

(2) Except as otherwise provided in subsection (1), at ~~anytime~~ **ANY TIME** during the 75 days before an election, but not later than 2 p.m. of the Saturday before the election, an elector who ~~qualifies~~ **WANTS** to vote as an absent voter ~~, as defined in section 758,~~ may apply for an absent voter ballot. The elector shall apply in person or by mail with the clerk of the township, city, or village in which the voter is registered.

(3) An application for an absent voter ballot under this section may be made in any of the following ways:

(a) By a written request signed by the ~~voter stating the statutory grounds for making the application.~~ **ELECTOR.**

(b) On an absent voter ballot application form provided for that purpose by the clerk of the city, township, or village.

(c) On a federal postcard application.

(4) An applicant for an absent voter ballot shall sign the application. A clerk or assistant clerk shall not deliver an absent voter ballot to an applicant who does not sign the application. A person shall not be in possession of a signed absent voter ballot application except for the applicant; a member of the applicant’s immediate family; a person residing in the applicant’s household; a person whose job normally includes the handling of mail, but only during the course of his or her employment; a registered elector requested by the applicant to return the application; or a clerk, assistant of the clerk, or other authorized election official. A registered elector who is requested by the applicant to return his or her absent voter ballot application shall sign the certificate on the absent voter ballot application.

(5) The clerk of a city, township, or village shall have absent voter ballot application forms available in the clerk’s office at all times and shall furnish an absent voter ballot application form to anyone upon a verbal or written request. The absent voter ballot application shall be in substantially the following form:

“Application for absent voter ballot for:

The primary or special primary election to be held on \_\_\_\_\_ (Date).

The election to be held on \_\_\_\_\_ (Date).

(Check applicable election or elections)

I, \_\_\_\_\_, a United States citizen and a qualified and registered elector of the \_\_\_\_\_ precinct of the township of \_\_\_\_\_ or village of \_\_\_\_\_ or of the \_\_\_\_\_ ward of the city of \_\_\_\_\_, in the county of \_\_\_\_\_ and state of Michigan, apply for an official ballot, or ballots, to be voted by me at the election or elections as requested in this application.

~~The statutory grounds on which I base my request are:~~

I expect to be absent from the community in which I am registered for the entire time the polls are open on election day.

- I am physically unable to attend the polls without the assistance of another.
  - I cannot attend the polls because of the tenets of my religion.
  - I have been appointed an election precinct inspector in a precinct other than the precinct where I reside.
  - I am 60 years of age or older.
  - I cannot attend the polls because I am confined to jail awaiting arraignment or trial.
- (Check applicable reason)

Send absent voter ballot to me at:

.....  
 (Street No. or R.R.)  
 .....  
 (Post Office) (State) (Zip Code)  
 My registered address .....  
 (Street No. or R.R.)  
 .....  
 (Post Office) (State) (Zip Code)

Date.....

I certify that I am a United States citizen and that the statements in this absent voter ballot application are true.

.....  
(Signature)

**WARNING**

You must be a United States citizen to vote. If you are not a United States citizen, you will not be issued an absent voter ballot.

A person making a false statement in this absent voter ballot application is guilty of a misdemeanor. It is a violation of Michigan election law for a person other than those listed in the instructions to return, offer to return, agree to return, or solicit to return your absent voter ballot application to the clerk. An assistant authorized by the clerk who receives absent voter ballot applications at a location other than the clerk's office must have credentials signed by the clerk. Ask to see his or her credentials before entrusting your application with a person claiming to have the clerk's authorization to return your application.

**Certificate of Authorized Registered**

**Elector Returning Absent Voter**

**Ballot Application**

I certify that my name is ....., my address is ....., and my date of birth is ..... ; that I am delivering the absent voter ballot application of ..... at his or her request; that I did not solicit or request to return the application; that I have not made any markings on the application; that I have not altered the application in any way; that I have not influenced the applicant; and that I am aware that a false statement in this certificate is a violation of Michigan election law.

\_\_\_\_\_  
(Date) (Signature)"

(6) The following instructions for an applicant for an absent voter ballot shall be included with each application furnished an applicant:

**INSTRUCTIONS FOR APPLICANTS FOR ABSENT VOTER BALLOTS**

Step 1. After completely filling out the application, sign and date the application in the place designated. Your signature must appear on the application or you will not receive an absent voter ballot.

Step 2. Deliver the application by 1 of the following methods:

- (a) Place the application in an envelope addressed to the appropriate clerk and place the necessary postage upon the return envelope and deposit it in the United States mail or with another public postal service, express mail service, parcel post service, or common carrier.
- (b) Deliver the application personally to the clerk's office, to the clerk, or to an authorized assistant of the clerk.
- (c) In either (a) or (b), a member of the immediate family of the voter including a father-in-law, mother-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law, grandparent, or grandchild or a person residing in the voter's household may mail or deliver the application to the clerk for the applicant.
- (d) If an applicant cannot return the application in any of the above methods, the applicant may select any registered elector to return the application. The person returning the application must sign and return the certificate at the bottom of the application.

(7) A person who prints and distributes absent voter ballot applications shall print on the application the warning, certificate of authorized registered elector returning absent voter ballot application, and instructions required by this section.

(8) A person who makes a false statement in an absent voter ballot application is guilty of a misdemeanor. A person who forges a signature on an absent voter ballot application is guilty of a felony. A person who is not authorized in this act and who both distributes absent voter ballot applications to absent voters and returns those absent voter ballot applications to a clerk or assistant of the clerk is guilty of a misdemeanor.

Sec. 759b. (1) ~~Any~~A registered elector may apply for AN absent voter ballots-BALLOT at any time prior to-BEFORE 4 p.m. on election day if ~~he shall have become physically disabled or shall be absent from the city or township because of sickness or death in the family which~~ AN EVENT has occurred at a time which has-THAT made it impossible to apply for AN absent voter ballots-BALLOT by the statutory deadline. The application shall be called an emergency absent voter BALLOT application.

(2) Emergency absent voter BALLOT applications may be made by letter or on a form **PRESCRIBED BY THE SECRETARY OF STATE AND** provided by the clerk. The application shall set forth that the voter is qualified to vote in the election , ~~stating the statutory reason for applying for an emergency absent voter ballot and that the reason for applying after the statutory deadline~~ AN EVENT occurred at such a time to make it impossible to file an application for AN absent voter ballots-BALLOT by the statutory deadline.

(3) ~~Any~~A person intentionally making a false statement in ~~such~~AN EMERGENCY ABSENT VOTER BALLOT application is guilty of a felony. ~~Any~~A person aiding or abetting ~~any~~ANOTHER person to make a false statement ~~on such~~IN AN EMERGENCY ABSENT VOTER BALLOT application is guilty of a felony.

(4) Upon receipt by the clerk of a valid application for an emergency absent voter ballot, the clerk may deliver the ballots-ABSENT VOTER BALLOT to the applicant in person, through a deputy or an election assistant, or ~~he may deliver them at his~~ OR HER office to a person named by the applicant in the EMERGENCY ABSENT VOTER BALLOT application. The ABSENT voter may return the ballots-ABSENT VOTER BALLOT to the clerk ~~in the sealed envelope provided therefor in any manner. he sees fit.~~ To-HOWEVER, TO be valid, ballots-must be returned-**THE ABSENT VOTER SHALL RETURN THE ABSENT VOTER BALLOT to the clerk IN THE SEALED ENVELOPE PROVIDED FOR THAT REASON AND** in time to be delivered to the polls ~~prior to~~BEFORE 8 p.m. on election day.”.

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

Senator Hansen 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. 524

Yeas—13

|         |         |         |        |
|---------|---------|---------|--------|
| Ananich | Hertel  | Johnson | Smith  |
| Bieda   | Hood    | Knezek  | Warren |
| Gregory | Hopgood | Rocca   | Young  |
| Hansen  |         |         |        |

Nays—23

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

Excused—2

|           |      |
|-----------|------|
| Casperson | Nofs |
|-----------|------|

**Not Voting—0**

In The Chair: Schuitmaker

Senator Warren offered the following amendment:

1. Amend page 1, following “**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**” by inserting:

“Sec. 509o. (1) The secretary of state shall direct and supervise the establishment and maintenance of a statewide qualified voter file. ~~The secretary of state shall establish the technology to implement the qualified voter file on or before January 1, 1997.~~ The qualified voter file shall be ~~IS~~ the official file for the conduct of all elections held in this state on or after January 1, 1998. The secretary of state may direct that all or any part of the city, township, or village registration files shall be used in conjunction with the qualified voter file at the first state primary and election held after the creation of the qualified voter file.

(2) Notwithstanding any other provision of law to the contrary, ~~beginning January 1, 1998,~~ a person who appears to vote in an election and whose name appears in the qualified voter file for that city, township, village, or school district is considered a registered voter of that city, township, village, or school district under this act.

(3) The secretary of state, a designated voter registration agency, or a county, city, township, or village clerk shall not place a name of an individual into the qualified voter file unless that person signs an application as prescribed in section 509r(3). ~~The EXCEPT AS PROVIDED IN SUBSECTION (4),~~ THE secretary of state or a designated voter registration agency shall not allow a person to indicate a different address than the address in either the secretary of state’s or designated voter registration agency’s files to be placed in the qualified voter file.

**(4) NOTWITHSTANDING ANY OTHER PROVISION OF LAW TO THE CONTRARY, AN INDIVIDUAL MAY CHANGE THE RESIDENCE ADDRESS ON HIS OR HER OPERATOR’S OR CHAUFFEUR’S LICENSE ISSUED PURSUANT TO THE MICHIGAN VEHICLE CODE, 1949 PA 300, MCL 257.1 TO 257.923, OR OFFICIAL STATE PERSONAL IDENTIFICATION CARD ISSUED PURSUANT TO 1972 PA 222, MCL 28.291 TO 28.300, WITHOUT CHANGING HIS OR HER ADDRESS FOR PURPOSES OF THE QUALIFIED VOTER FILE OR MAY CHANGE HIS OR HER ADDRESS ON THE QUALIFIED VOTER FILE WITHOUT CHANGING THE RESIDENCE ADDRESS ON HIS OR HER OPERATOR’S OR CHAUFFEUR’S LICENSE ISSUED PURSUANT TO THE MICHIGAN VEHICLE CODE, 1949 PA 300, MCL 257.1 TO 257.923, OR OFFICIAL STATE PERSONAL IDENTIFICATION CARD ISSUED PURSUANT TO 1972 PA 222, MCL 28.291 TO 28.300.”**

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. 525****Yeas—12**

|         |         |         |        |
|---------|---------|---------|--------|
| Ananich | Hertel  | Johnson | Smith  |
| Bieda   | Hood    | Knezek  | Warren |
| Gregory | Hopgood | Rocca   | Young  |

**Nays—24**

|             |             |           |             |
|-------------|-------------|-----------|-------------|
| Booher      | Hildenbrand | MacGregor | Robertson   |
| Brandenburg | Horn        | Marleau   | Schmidt     |
| Colbeck     | Hune        | Meekhof   | Schuitmaker |
| Emmons      | Jones       | O’Brien   | Shirkey     |
| Green       | Knollenberg | Pavlov    | Stamas      |
| Hansen      | Kowall      | Proos     | Zorn        |

**Excused—2**

Casperson

Nofs

**Not Voting—0**

In The Chair: Schuitmaker

Senator Bieda offered the following amendment:

1. Amend page 1, following **“THE PEOPLE OF THE STATE OF MICHIGAN ENACT:”** by inserting:

“Sec. 509v. (1) A person who is not registered to vote at the address where he or she resides may apply to register to vote by submitting an application at any of the following locations:

(a) The office of the clerk of a county or the office of the clerk of the city or township in which the applicant resides, during regular office hours of that clerk.

(b) A department of state office.

(c) A designated voter registration agency when submitting an application, recertification, renewal, or change of address at the voter registration agency.

(2) A person who is not registered to vote at the address where he or she resides may apply for registration by submitting a completed mail registration application. A person may request a mail registration application from and submit the application to any of the following:

(a) The secretary of state.

(b) The clerk of the county, city, or township in which the applicant resides.

(c) A designated voter registration agency.

**(3) NOT LATER THAN JUNE 30, 2015, THE SECRETARY OF STATE SHALL DEVELOP AND IMPLEMENT A SYSTEM TO ALLOW AN APPLICANT TO SUBMIT A VOTER REGISTRATION APPLICATION ELECTRONICALLY ON THE SECRETARY OF STATE’S WEBSITE.**

**(4) BEGINNING JULY 1, 2015, A PERSON WHO IS NOT REGISTERED TO VOTE AT THE ADDRESS WHERE HE OR SHE RESIDES MAY SUBMIT A VOTER REGISTRATION APPLICATION ELECTRONICALLY ON THE SECRETARY OF STATE’S WEBSITE.**

**(5) A PERSON WHO SUBMITS A VOTER REGISTRATION APPLICATION ELECTRONICALLY PURSUANT TO SUBSECTION (4) SHALL DO ALL OF THE FOLLOWING:**

**(A) ATTEST TO THE TRUTH OF THE INFORMATION PROVIDED ON THE VOTER REGISTRATION APPLICATION BY AFFIRMATIVELY ACCEPTING THE INFORMATION AS TRUE.**

**(B) AFFIRMATIVELY ASSENT TO THE USE OF HIS OR HER MOST RECENT DIGITIZED SIGNATURE IF CAPTURED OR REPRODUCED BY THE SECRETARY OF STATE PURSUANT TO SECTION 307 OF THE MICHIGAN VEHICLE CODE, 1949 PA 300, MCL 257.307, OR IF CAPTURED OR REPRODUCED BY THE SECRETARY OF STATE PURSUANT TO 1972 PA 222, MCL 28.291 TO 28.300.**

**(C) SIGN THE VOTER REGISTRATION APPLICATION WITH AN ELECTRONIC SIGNATURE. AS USED IN THIS SUBDIVISION, “ELECTRONIC SIGNATURE” MEANS THAT TERM AS DEFINED IN SECTION 2 OF THE UNIFORM ELECTRONIC TRANSACTIONS ACT, 2000 PA 305, MCL 450.832.**

**(6) IF A PERSON WHO SUBMITS A VOTER REGISTRATION APPLICATION ELECTRONICALLY DOES NOT HAVE AN OFFICIAL STATE IDENTIFICATION CARD ISSUED PURSUANT TO 1972 PA 222, MCL 28.291 TO 28.300, OR AN OPERATOR’S OR CHAUFFEUR’S LICENSE ISSUED PURSUANT TO THE MICHIGAN VEHICLE CODE, 1949 PA 300, MCL 257.1 TO 257.923, THE VOTER REGISTRATION APPLICATION SUBMITTED ELECTRONICALLY BY THAT PERSON SHALL BE CONSIDERED A REGISTRATION BY MAIL AND THAT PERSON SHALL COMPLY WITH THE REQUIREMENTS IN SECTION 509T.**

**(7) THE SECRETARY OF STATE MAY IMPLEMENT ADDITIONAL SECURITY MEASURES TO ENSURE THE ACCURACY AND INTEGRITY OF THE VOTER REGISTRATIONS SUBMITTED ELECTRONICALLY.**

**(8) THE SECRETARY OF STATE SHALL PROMULGATE RULES PURSUANT TO THE ADMINISTRATIVE PROCEDURES ACT OF 1969, 1969 PA 306, MCL 24.201 TO 24.328, TO IMPLEMENT THE PROVISIONS OF SUBSECTIONS (3) TO (7).**

Sec. 509w. (1) The person processing an application submitted in person at a department of state office, a designated voter registration agency, or the office of a county clerk shall do all of the following:

(a) Validate the application in the manner prescribed by the secretary of state.

(b) Issue a receipt to the applicant verifying the acceptance of the application.

**(2) THE PERSON PROCESSING AN APPLICATION SUBMITTED ELECTRONICALLY PURSUANT TO SECTION 509V SHALL DO ALL OF THE FOLLOWING:**

**(A) VALIDATE THE APPLICATION IN THE MANNER PRESCRIBED BY THE SECRETARY OF STATE.**

**(B) ISSUE A RECEIPT TO THE APPLICANT IN THE MANNER PRESCRIBED BY THE SECRETARY OF STATE VERIFYING THE ACCEPTANCE OF THE APPLICATION.**

(3) (2)-Except as otherwise provided in subsection (3)-(4), the department of state office, the designated voter registration agency, or the county clerk shall transmit the application not later than 7 days after receipt of the application to the clerk of the county, city, or township where the applicant resides.

(4) (3)-If an application under subsection (1) OR (2) is made within 7 days before the close of registration for a federal election, the department of state office, the designated voter registration agency, or the county clerk shall transmit the application not later than 1 business day to the clerk of the county, city, or township where the applicant resides.

(5) (4)-If a completed application is transmitted by the secretary of state or a designated voter registration agency to a county clerk, the secretary of state, to the extent funds are appropriated, shall compensate the county clerk for the cost of forwarding the application to the proper city or township clerk of the applicant’s residence from funds appropriated to the secretary of state for that purpose.

Sec. 509x. An application for registration is considered to be received on or before the close of registration ,if 1 of the following requirements is met:

(a) An application is received at a department of state office, a designated voter registration agency, or the office of a county, city, or township clerk on or before the close of registration.

(b) An application is received through the mail that is postmarked on or before the close of registration.

(c) An application is received through the mail on or before the seventh day immediately following the close of registration, if the postmark is missing or is unclear and the application, on its face, is dated by the applicant on or before the close of registration. The clerk shall consider an application received pursuant to this subdivision as received before the close of registration.

**(D) AN APPLICATION IS RECEIVED ELECTRONICALLY PURSUANT TO SECTION 509V ON OR BEFORE THE CLOSE OF REGISTRATION.”.**

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. 526**

**Yeas—12**

|         |         |             |        |
|---------|---------|-------------|--------|
| Ananich | Hertel  | Johnson     | Smith  |
| Bieda   | Hood    | Knezek      | Warren |
| Gregory | Hopgood | Schuitmaker | Young  |

**Nays—24**

|             |             |           |           |
|-------------|-------------|-----------|-----------|
| Booher      | Hildenbrand | MacGregor | Robertson |
| Brandenburg | Horn        | Marleau   | Rocca     |
| Colbeck     | Hune        | Meekhof   | Schmidt   |
| Emmons      | Jones       | O’Brien   | Shirkey   |
| Green       | Knollenberg | Pavlov    | Stamas    |
| Hansen      | Kowall      | Proos     | Zorn      |

**Excused—2**

|           |      |
|-----------|------|
| Casperson | Nofs |
|-----------|------|

**Not Voting—0**



Senator Ananich offered the following amendment:

1. Amend page 1, following **“THE PEOPLE OF THE STATE OF MICHIGAN ENACT:”** by inserting:

~~“Sec. 720. (1) On the day of any AN election, the polls shall be opened OPEN at 7 o'clock in the forenoon, A.M. and shall be continuously open until 8 o'clock in the afternoon and no longer. Every P.M. EACH~~ qualified elector present and in line at the polls at the hour prescribed for the closing thereof ~~TIME~~ shall be allowed to vote.

**(2) FOR EARLY VOTING UNDER SECTION 720A, THE POLLS SHALL BE OPEN FROM 8 A.M. UNTIL 8 P.M. EACH WEEKDAY AND FROM 10 A.M. UNTIL 4 P.M. EACH SATURDAY AND SUNDAY DURING THE EARLY VOTING PERIOD AS PROVIDED IN SECTION 720A. BEFORE EARLY VOTING BEGINS, THE CLERK SHALL POST THE HOURS THAT THE POLLS WILL BE OPEN AT THE CLERK'S OFFICE. THE CLERK SHALL PROVIDE NOTICE TO THE ELECTORS THAT SUBSTANTIALLY COMPLIES WITH THE FORM IN SECTION 653A OF THE DATES AND HOURS THE EARLY VOTING POLLING PLACES WILL BE OPEN.**

**SEC. 720A. (1) EVERY CITY, TOWNSHIP, AND VILLAGE SHALL PROVIDE EARLY VOTING AT 1 OR MORE POLLING PLACES DESIGNATED BY THE CITY, TOWNSHIP, OR VILLAGE CLERK DURING THE PERIOD OF TIME SET FORTH IN THIS SECTION BEFORE AN ELECTION.**

**(2) EARLY VOTING SHALL BEGIN ON THE THIRTIETH DAY BEFORE AN ELECTION AND END ON THE DAY BEFORE THE ELECTION.**

**(3) THE SECRETARY OF STATE SHALL COOPERATE WITH EACH MUNICIPALITY CONDUCTING EARLY VOTING AND PROVIDE TECHNICAL ASSISTANCE TO EACH MUNICIPALITY THAT REQUESTS TECHNICAL ASSISTANCE.**

**(4) EXCEPT AS OTHERWISE PROVIDED, ALL OF THE FOLLOWING PROVISIONS OF THIS ACT APPLY TO EARLY VOTING:**

**(A) ELECTION INSPECTORS.**

**(B) CHALLENGES TO VOTERS.**

**(C) POLL BOOK AND POLL LIST.**

**(D) NOTICES, INSTRUCTIONS, AND PLACARDS.**

**(E) SECURITY OF A VOTING MACHINE OR OTHER VOTING SYSTEM.**

**(F) BALLOT SECURITY, BALLOT CONTAINERS, BALLOT COUNTING, AND BALLOT PRESERVATION.**

**(G) SPOILED BALLOTS.**

**(5) THE POLL BOOK AND POLL LIST FOR EACH PRECINCT SHALL BE MAINTAINED IN ACCORDANCE WITH SECTION 735.**

**(6) EARLY VOTING BALLOTS SHALL BE PROCESSED IN THE SAME MANNER AS BALLOTS CAST ON ELECTION DAY.**

**(7) AS USED IN THIS SECTION, “MUNICIPALITY” MEANS A CITY, TOWNSHIP, OR VILLAGE.**

Sec. 735. (1) At each primary and election, election inspectors shall keep 1 poll book and 1 poll list. An election inspector shall enter in the poll book, in the order in which electors are given ballots, the name of each elector who is given a ballot and immediately after the name, on the same line, shall enter the number of the ballot given to the elector. For an absent voter ballot, when an election inspector removes the ballot from the sealed absent voter envelope, the election inspector shall enter in the poll book the name of the absent voter and the number of the ballot.

**(2) FOR EARLY VOTING UNDER SECTION 720A, THE POLL BOOK SHALL BE DIVIDED BY DATE AND SEPARATE RECORDS SHALL BE MAINTAINED FOR EACH DAY OF EARLY VOTING.**

**(3) (2)** If an elector is issued a provisional ballot, an election inspector shall enter a proper designation in the poll book, including whether the provisional ballot was tabulated in the precinct or was secured for verification after the election.

**(4) (3)** At the completion of the precinct canvass, an election inspector shall record on the certificate provided in the poll book the number of each metal seal used to seal voting equipment and ballot containers. Each member of the board of election inspectors shall sign the certificate.”.

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. 527

Yeas—11

Ananich  
Bieda  
Gregory

Hertel  
Hood  
Hopgood

Johnson  
Knezek  
Smith

Warren  
Young

**Nays—25**

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

**Excused—2**

|           |      |
|-----------|------|
| Casperson | Nofs |
|-----------|------|

**Not Voting—0**

In The Chair: Schuitmaker

Senator Hertel offered the following amendments:

1. Amend page 4, line 13, after "Sec. 795c." by striking out "(1)".
2. Amend page 4, line 25, by striking out all of subsection (2).

The amendments were 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 amendments were not adopted, a majority of the members serving not voting therefor, as follows:

**Roll Call No. 528****Yeas—13**

|         |         |         |        |
|---------|---------|---------|--------|
| Ananich | Hertel  | Johnson | Smith  |
| Bieda   | Hood    | Knezek  | Warren |
| Colbeck | Hopgood | Rocca   | Young  |
| Gregory |         |         |        |

**Nays—23**

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

**Excused—2**

|           |      |
|-----------|------|
| Casperson | Nofs |
|-----------|------|

**Not Voting—0**

In The Chair: Schuitmaker

Senator Young offered the following amendment:

1. Amend page 7, following line 16, by inserting:

“Enacting section 1. This amendatory act does not take effect unless House Bill No. 4927 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 not ordered, 1/5 of the members present not voting therefor.

The question being on the passage of the bill,

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

**Roll Call No. 529****Yeas—23**

|             |             |           |             |
|-------------|-------------|-----------|-------------|
| Booher      | Hildenbrand | Marleau   | Schmidt     |
| Brandenburg | Horn        | Meekhof   | Schuitmaker |
| Colbeck     | Jones       | O’Brien   | Shirkey     |
| Emmons      | Knollenberg | Pavlov    | Stamas      |
| Green       | Kowall      | Proos     | Zorn        |
| Hansen      | MacGregor   | Robertson |             |

**Nays—13**

|         |         |         |        |
|---------|---------|---------|--------|
| Ananich | Hood    | Johnson | Smith  |
| Bieda   | Hopgood | Knezek  | Warren |
| Gregory | Hune    | Rocca   | Young  |
| Hertel  |         |         |        |

**Excused—2**

|           |      |
|-----------|------|
| Casperson | Nofs |
|-----------|------|

**Not Voting—0**

In The Chair: Schuitmaker

The Senate agreed to the title of the bill.

**Protests**

Senators Ananich and Bieda, under their constitutional right of protest (Art. 4, Sec. 18), protested against the passage of Senate Bill No. 13 and moved that the statements they made during the discussion of the bill be printed as their reasons for voting “no.”

The motion prevailed.

Senator Ananich's statement is as follows:

I rise today to encourage a "no" vote on this bill that once again takes options away from Michigan voters. Just yesterday, our state received an embarrassing F from the Center for Public Integrity because we failed to hold ourselves accountable or provide the transparency citizens should expect. Literally one day later, this broken government crams through a bill that does not address any of the pressing needs facing families. You are serving your own self-interest by making it harder to vote. We could be making it easier to vote, but we're not. We could be restoring people's faith that we work for them, but we're not.

If we want our election system to be as bad as our roads, go ahead pass this bill, but don't expect to get a pat on the back from your constituents, because families know that we are not fixing any problems. They think we're just making things worse, and sadly, they are right.

Senator Bieda's statement is as follows:

I'm speaking in opposition to this bill. First of all, it's never been clear to me why we would get rid of it. I mean, simply, it's a solution—if it is a solution—in search of a problem. We have not had problems or difficulties with straight-ticket voting in the state. In fact, every voter I talked to looks at it as a convenience. We have one; there is a CSI report that says we have one of the longest ballots of all the 50 states. That means the average voter may have to vote on 18 or 19 different seats and offices. If a Republican or if they are a Democrat, they think that this may be sort of a partisan issue when we look at it. I think that one of the issues that they are looking at is how do you make it more efficient. In making it more efficient was simply to have straight voting, straight-ticket voting.

You know, if you take a look at why we've had it in the past and why we have it now, one of the historical reasons is the development of the long ballot. In the United States and in Michigan, in particular, we have one of the longest ballots in the world. A lot of nations don't have nearly as many offices that come up, and consequently, voters spend a little bit more time having to fill out those ballots. Another one was the development in the 1850s of the so-called Australian ballot, sometimes called the secretary ballot, where you had government-printed ballots submitted. Those were also long because of the number of offices that voters had an opportunity to speak on.

Your vote is very important. And I do definitely agree with the comments from several colleagues from both sides of the aisle, in which they discuss the integrity of voting and the importance of voting and the fundamental right of voting. But I have to ask them: If you really believe in that, shouldn't it also be efficient? Shouldn't it also be fair?

I mean, there is no really real problem that we are seeking to address with this today other than, I think and I suspect, and I think we can kind of smell it in the air, that some folks think that there is a partisan advantage in going in one sense of voting over another. I find it really appalling that we have a provision in there for an appropriation to make it referendum-proof. We know why that is being done. You know why that is being done. In fact, when the Senator from the 3rd District asked for an explanation of why that was in there—and I hope the record shows this—the response that he got was a proverbial cricket noise. We had no response to that. There is a reason to do this; the only reason to do this is a perceived partisan advantage.

You could put this under the category of how to steal an election, but I don't want to go that far, but it is something that is fundamental and fair, and they think it is fundamentally designed to usurp the voters. Let's remember that twice the voters in this state rejected the elimination of straight-ticket voting, as recently as the 2002 election where voters rejected that. So if you really care about what the voters say, you should vote "no" on this bill.

Senators Hertel, Hood, Young and Knollenberg asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator Hertel's first statement is as follows:

My amendment would strike the \$1 million appropriation from this bill. We all know why it's here. Let's not lie to each other. Let's not lie to the voters of this state. This appropriation is a \$1 million insurance policy against the will of the people. The only reason to add the appropriation to this bill is to go around the voters and make it referendum-proof.

You are afraid of the people you represent and you should be. The people are tired to this partisan ridiculousness in this chamber. We've sat here for seven hours and have done a lot of things to help corporations and the Republican Party, but little to help people. You should be afraid because the people voted to keep straight-party voting twice in this state, in 1964 and 2002.

On this very same day that a tax increase on the hardworking Michiganders was signed by this Governor, it's ridiculous that you would waste \$1 million of taxpayer money to buy an insurance policy against the will of the people. Let's strike this appropriation. Let's not waste hard-earned taxpayer dollars on a tactic that is intended to subvert the voices of the people. I ask you to accept my amendment and to remove the appropriation.

Senator Hood's first statement is as follows:

I applaud the Senator from the 23rd District for putting this amendment up, but I ask the sponsor of the legislation or the previous speaker from the 14th District what is the purpose behind the appropriations.

Senator Hertel's second statement is as follows:

To respond to the good Senator from the 14th District, we have an appropriations process. We all know what it is. We all know when we put money in bills—the media and the people are sitting here watching this. The people in the Gallery, they should all know the only time we put appropriations in a bill is to make sure that it's referendum-proof, because you think that what you're doing is not popular with the people of this state. Let's go through every bill this year and look where we actually put appropriations in. At least be honest with the people.

I don't understand why we would sit up here and try to pretend like we're actually playing some game when the people are the ones who sent us here. It's absolutely ridiculous to put appropriations in bills just to make them referendum-proof. First it was \$5 million; now it's \$1 million. We have an appropriations process. I will go to the Appropriations Committee today and vote for a supplemental for it, but we shouldn't be doing it in this bill, and everyone here knows that. I think people should be ashamed. They should know that this is not the process that the people actually want us to have.

I ask you to support my amendment.

Senator Hood's second statement is as follows:

Speaking of being ashamed, I just asked the question for an explanation on a piece that is before us, and no one has stood up to make that explanation. I thought that this was a place we could have debate among each other, but I guess folks are scared to stand up and explain their legislation. If you want to talk about transparency, then let's be transparent. Let's speak up and answer the questions you have been asked. Don't hide behind the curtain because this isn't the "Wizard of Oz."

So answer the question that I just put before you, and be man or woman enough to do so.

Senator Young's statement is as follows:

Madam President, I rise today to offer an amendment to Senate Bill No. 13. I would like to offer a quote from the illustrious Secretary of State Hillary Clinton: "Voting is the most precious right of every citizen, and we have a moral obligation to ensure the integrity of our voting process." My amendment would tie-bar House Bill No. 4927 to Senate Bill No. 13 and provide automatic voter registration when a Michigander receives their driver's license or personal identification card. This amendment will help alleviate the burden of voter registration and remove some of the barriers that make it harder for Michiganders to vote.

Let's come together and let's be vigilant and safeguard our most precious right, the right of the people to participate and vote in American democracy.

Senator Knollenberg's statement is as follows:

First, before I begin, I would want to make a comment to some previous speakers. We are not in Oz, and Kansas is one of those forty states that doesn't have straight-ticket voting. Let's be clear on that.

First of all, voting is one of our most fundamental rights, and the issue of choosing men and women who will lead our local, state, and federal government should never be taken for granted. Right now, forty states have eliminated straight-ticket voting. If it's good enough and fair enough for them, it should be good enough and will be fair for all Michigan voters.

People can still vote for all Democrats or all Republicans even when a straight-ticket voting option isn't available on a ballot. Let me repeat: People can still vote for all Democrats or all Republicans when a straight-ticket option isn't available. Reformers have done away with political machines and party bosses. We should do away with their broken method of electing candidates with one vote and eliminate straight-ticket voting. It is time that Michigan's election process became more about people, less about political parties, and even less about how long it takes to exercise one of our most fundamental rights.

By unanimous consent the Senate returned to the order of

### **Messages from the House**

#### **Senate Bill No. 274, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 719 (MCL 257.719), as amended by 2012 PA 282.

The House of Representatives has substituted (H-1) the bill.

The House of Representatives has passed the bill as substituted (H-1), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

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

Senator Kowall moved that the rule be suspended.

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

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

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

**Roll Call No. 530****Yeas—36**

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

**Nays—0****Excused—2**

Casperson

Nofs

**Not Voting—0**

In The Chair: Schuitmaker

The Assistant President pro tempore, Senator O'Brien, resumed the Chair.

The question being on concurring in the committee recommendation to give the bill immediate effect, The recommendation was concurred in, 2/3 of the members serving voting therefor. The Senate agreed to the full title. The bill was referred to the Secretary for enrollment printing and presentation to the Governor.

**Senate Bill No. 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.

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

The question being on concurring in the committee recommendation to give the bill immediate effect, The recommendation was concurred in, 2/3 of the members serving voting therefor. The Senate agreed to the full title. The bill was referred to the Secretary for enrollment printing and presentation to the Governor.

**Senate Bill No. 427, entitled**

A bill to amend 1963 PA 17, entitled "An act to relieve certain persons from civil liability when rendering emergency care, when rendering care to persons involved in competitive sports under certain circumstances, or when participating in a mass immunization program approved by the department of public health," by amending sections 1 and 2 (MCL 691.1501 and 691.1502), as amended by 2002 PA 543.

The House of Representatives has passed the bill and ordered that the bill be given immediate effect. The question being on concurring in the committee recommendation to give the bill immediate effect, The recommendation was concurred in, 2/3 of the members serving voting therefor. The bill was referred to the Secretary for enrollment printing and presentation to the Governor.

**Senate Bill No. 516, 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 sections 1, 5b, 8, and 12a (MCL 28.421, 28.425b, 28.428, and 28.432a), section 1 as amended by 2015 PA 25, section 5b as amended by 2015 PA 16, section 8 as amended by 2015 PA 3, and section 12a as amended by 2006 PA 559.

The House of Representatives has substituted (H-1) the bill.

The House of Representatives has passed the bill as substituted (H-1) and ordered that it be given immediate effect.

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

Senator Kowall moved that the rule be suspended.

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

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

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

**Roll Call No. 531**

**Yeas—28**

|             |             |           |             |
|-------------|-------------|-----------|-------------|
| Bieda       | Hildenbrand | MacGregor | Rocca       |
| Booher      | Horn        | Marleau   | Schmidt     |
| Brandenburg | Hune        | Meekhof   | Schuitmaker |
| Colbeck     | Jones       | O’Brien   | Shirkey     |
| Emmons      | Knezek      | Pavlov    | Smith       |
| Green       | Knollenberg | Proos     | Stamas      |
| Hansen      | Kowall      | Robertson | Zorn        |

**Nays—8**

|         |        |         |        |
|---------|--------|---------|--------|
| Ananich | Hertel | Hopgood | Warren |
| Gregory | Hood   | Johnson | Young  |

**Excused—2**

|           |      |
|-----------|------|
| Casperson | Nofs |
|-----------|------|

**Not Voting—0**

In The Chair: O’Brien

The question being on concurring in the committee recommendation to give the bill immediate effect, The recommendation was concurred in, 2/3 of the members serving voting therefor. The bill was referred to the Secretary for enrollment printing and presentation to the Governor.

By unanimous consent the Senate proceeded to the order of

**Introduction and Referral of Bills**

Senator MacGregor introduced

**Senate Bill No. 608, entitled**

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” (MCL 500.100 to 500.8302) by adding section 2212d. The bill was read a first and second time by title and referred to the Committee on Health Policy.

Senator MacGregor introduced  
**Senate Bill No. 609, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding sections 16147 and 21514.

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

Senators O'Brien and Meekhof introduced  
**Senate Bill No. 610, entitled**

A bill to amend 1978 PA 59, entitled "Condominium act," by amending section 67 (MCL 559.167), as amended by 2002 PA 283.

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

Senators Warren, Young, Hertel and Ananich introduced  
**Senate Bill No. 611, entitled**

A bill to repeal 2006 PA 309, entitled "Self-defense act," (MCL 780.971 to 780.974); 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 Judiciary.

Senator Schmidt introduced  
**Senate Bill No. 612, entitled**

A bill to amend 1945 PA 327, entitled "Aeronautics code of the state of Michigan," by amending section 7 (MCL 259.7), as amended by 2002 PA 35.

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

Senator Hansen introduced  
**Senate Bill No. 613, entitled**

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 25 (MCL 205.75), as amended by 2012 PA 226, and by adding section 6c.

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

Senator Schmidt introduced  
**Senate Bill No. 614, entitled**

A bill to amend 1937 PA 94, entitled "Use tax act," by amending section 21 (MCL 205.111), as amended by 2014 PA 80, and by adding section 6c.

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

Senator Schmidt introduced  
**Senate Bill No. 615, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," (MCL 600.101 to 600.9947) by adding section 6094a.

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

Senators Schuitmaker, Hildenbrand and MacGregor introduced  
**Senate Bill No. 616, entitled**

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 12 (MCL 205.62), as amended by 2008 PA 438, and by adding section 4ee.

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

Senators MacGregor, Hildenbrand and Schuitmaker introduced  
**Senate Bill No. 617, entitled**

A bill to amend 1937 PA 94, entitled "Use tax act," by amending section 14b (MCL 205.104b), as amended by 2008 PA 439, and by adding section 4cc.

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



Senators Hildenbrand, Schuitmaker and MacGregor introduced

**Senate Bill No. 618, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending sections 19 and 22 (MCL 211.19 and 211.22), section 19 as amended by 2014 PA 87 and section 22 as amended by 2013 PA 153, and by adding section 9p. The bill was read a first and second time by title and referred to the Committee on Michigan Competitiveness.

Senators Brandenburg, Kowall and Marleau introduced

**Senate Bill No. 619, entitled**

A bill to amend 1980 PA 450, entitled "The tax increment finance authority act," by amending sections 1 and 3 (MCL 125.1801 and 125.1803), section 1 as amended by 2014 PA 38 and section 3 as amended by 2005 PA 14. The bill was read a first and second time by title and referred to the Committee on Finance.

Senators Brandenburg, Kowall and Marleau introduced

**Senate Bill No. 620, entitled**

A bill to amend 1975 PA 197, entitled "An act to provide for the establishment of a downtown development authority; to prescribe its powers and duties; to correct and prevent deterioration in business districts; to encourage historic preservation; to authorize the acquisition and disposal of interests in real and personal property; to authorize the creation and implementation of development plans in the districts; to promote the economic growth of the districts; to create a board; to prescribe its powers and duties; to authorize the levy and collection of taxes; to authorize the issuance of bonds and other evidences of indebtedness; to authorize the use of tax increment financing; to reimburse downtown development authorities for certain losses of tax increment revenues; and to prescribe the powers and duties of certain state officials," by amending sections 1 and 3 (MCL 125.1651 and 125.1653), section 1 as amended by 2013 PA 66 and section 3 as amended by 2005 PA 115.

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

Senators MacGregor, Brandenburg, Kowall, Stamas and Marleau introduced

**Senate Bill No. 621, entitled**

A bill to amend 2005 PA 280, entitled "Corridor improvement authority act," by amending sections 3 and 18 (MCL 125.2873 and 125.2888), section 3 as amended by 2013 PA 68 and section 18 as amended by 2008 PA 44. The bill was read a first and second time by title and referred to the Committee on Finance.

Senators Robertson, Brandenburg, Kowall, Stamas and Marleau introduced

**Senate Bill No. 622, entitled**

A bill to amend 2008 PA 94, entitled "Water resource improvement tax increment finance authority act," by amending sections 3 and 15 (MCL 125.1773 and 125.1785), section 3 as amended by 2013 PA 25. The bill was read a first and second time by title and referred to the Committee on Finance.

Senators Jones, Brandenburg, Kowall, Stamas and Marleau introduced

**Senate Bill No. 623, entitled**

A bill to amend 1986 PA 281, entitled "The local development financing act," by amending sections 2 and 4 (MCL 125.2152 and 125.2154), section 2 as amended by 2013 PA 62 and section 4 as amended by 2012 PA 290. The bill was read a first and second time by title and referred to the Committee on Finance.

Senators Jones, Brandenburg, Kowall, Stamas and Marleau introduced

**Senate Bill No. 624, entitled**

A bill to amend 2004 PA 530, entitled "Historical neighborhood tax increment finance authority act," by amending sections 3 and 17 (MCL 125.2843 and 125.2857), section 3 as amended by 2010 PA 237. The bill was read a first and second time by title and referred to the Committee on Finance.

### Statements

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

The motion prevailed.

Senator Proos' statement is as follows:

I appreciate the opportunity to speak briefly, something that I don't do very often. I know that we have an opportunity today as we head into a Thanksgiving holiday with our families to recite and remember a few of the proclamations that have been made by some of our past Presidents. In particular, I would like to recite from the 41st President of the United States, George H.W. Bush, who made the following proclamation on Thanksgiving Day in 1989—a good year that it was:

“On Thanksgiving Day, we Americans pause as a Nation to give thanks for the freedom and prosperity with which we have been blessed by our Creator. Like the pilgrims who first settled in this land, we offer praise to God for His goodness and generosity and rededicate ourselves to lives of service and virtue in His sight.

This annual observance of Thanksgiving was a cherished American tradition even before our first President, George Washington, issued the first Presidential Thanksgiving proclamation in 1789. In his first Inaugural Address, President Washington observed that ‘No people can be bound to acknowledge and adore the Invisible Hand which conducts the affairs of men more than those of the United States.’ He noted that the American people - blessed with victory in their fight for Independence and with an abundance of crops in their fields - owed God ‘some return of pious gratitude.’ Later, in a confidential note to his close advisor, James Madison, he asked ‘should the sense of the Senate be taken on ... a day of Thanksgiving?’ George Washington thus led the way to a Joint Resolution of Congress requesting the President to set aside ‘a day of public Thanksgiving and Prayer, to be observed by acknowledging with grateful hearts the many and signal Favors of Almighty God.’

Through the eloquent words of President Washington's initial Thanksgiving proclamation - the first under the Constitution - we are reminded of our dependence upon our Heavenly Father and of the debt of gratitude we owe to Him. ‘It is the Duty of all Nations,’ wrote Washington, ‘to acknowledge the Providence of almighty God, to obey his Will, to be grateful for his Benefits, and humbly to implore His Protection and Favor.’

President Washington asked that on Thanksgiving Day the people of the United States:

Unite in rendering unto [God] our sincere and humble Thanks for his kind Care and Protection of the People of this Country previous to their becoming a Nation; for the great degree of Tranquility, Union and Plenty which we have since enjoyed; for the civil and religious Liberty with which we are blessed, and for all the great and various Favors which he hath been pleased to confer upon us.

Two hundred years later, we continue to offer thanks to the Almighty - not only for the material prosperity that our Nation enjoys, but also for the blessings of peace and freedom. Our Nation has no greater treasures than these.

As we pause to acknowledge the kindnesses God has shown to us - and, indeed, His gift of life itself - we do so in a spirit of humility as well as gratitude. When the United States was still a fledgling democracy, President Washington asked the American people to unite in prayer to the ‘great Lord and ruler of Nations,’ in order to:

Beseech him to pardon our national and other Transgressions; to enable us all, whether in public or private Stations, to perform our several and relative Duties properly and punctually; to render our national Government a blessing to all the People, by constantly being a Government of wise, just and constitutional laws, discreetly and faithfully executed and obeyed; to protect and guide all Sovereigns and Nations and to bless them with good Government, peace and Concord.

Today, we, too, pause on Thanksgiving with humble and contrite hearts, mindful of God's mercy and forgiveness and of our continued need for His protection and guidance. On this day, we also remember that one gives praise to God not only through prayers of thanksgiving, but also through obedience to His commandments and service to others, especially those less fortunate than ourselves.

IN WITNESS WHEREOF, I have hereunto set my hand this seventeenth day of November, in the year of our Lord nineteen hundred and eighty-nine, and of the Independence of the United States of America the two hundred and fourteenth.”

That was amended.

Senator Bieda's statement is as follows:

I want to wish everybody a Happy Thanksgiving. Tomorrow is Veterans Day, and I think it's really important that we remember all our veterans. In particular, I know we serve with a number of them in this room, some of our colleagues and many of the staff members. I'd just like my colleagues to join me in wishing them the very best and thanking them for their service to our country and thanking all of our veterans for their service to our country.

### Committee Reports

The Committee on Families, Seniors and Human Services reported

#### **Senate Bill No. 482, entitled**

A bill to amend 1994 PA 203, entitled “Foster care and adoption services act,” by amending sections 2 and 4a (MCL 722.952 and 722.954a), section 2 as amended by 1997 PA 172 and section 4a as amended by 2010 PA 265.

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.

Judith K. Emmons  
Chairperson

To Report Out:

Yeas: Senators Emmons, Pavlov, Jones and Casperson

Nays: None

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

The Committee on Families, Seniors and Human Services reported

**Senate Bill No. 483, entitled**

A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending sections 13a and 18f of chapter XIIA (MCL 712A.13a and 712A.18f), section 13a as amended by 2012 PA 163 and section 18f as amended by 2012 PA 115.

With the recommendation that the bill pass.

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

Judith K. Emmons  
Chairperson

To Report Out:

Yeas: Senators Emmons, Pavlov, Jones and Casperson

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Families, Seniors and Human Services reported

**Senate Bill No. 485, entitled**

A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending sections 13a and 18 of chapter XIIA (MCL 712A.13a and 712A.18), section 13a as amended by 2012 PA 163 and section 18 as amended by 2011 PA 295.

With the recommendation that the bill pass.

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

Judith K. Emmons  
Chairperson

To Report Out:

Yeas: Senators Emmons, Pavlov, Jones and Casperson

Nays: None

The bill was referred to the Committee of the Whole.

#### COMMITTEE ATTENDANCE REPORT

The Committee on Families, Seniors and Human Services submitted the following:

Meeting held on Wednesday, November 4, 2015, at 3:00 p.m., Room 210, Farnum Building

Present: Senators Emmons (C), Pavlov, Jones and Casperson

Excused: Senator Johnson

The Committee on Judiciary reported

**Senate Bill No. 580, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 11b of chapter XVII (MCL 777.11b), as amended by 2015 PA 4.

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, Colbeck and Bieda

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Judiciary reported

**Senate Bill No. 581, entitled**

A bill to amend 1994 PA 295, entitled "Sex offenders registration act," by amending sections 5, 5a, 5b, 7, 8, 33, and 34 (MCL 28.725, 28.725a, 28.725b, 28.727, 28.728, 28.733, and 28.734), sections 5 and 5b as amended by 2011 PA 17, section 5a as amended by 2013 PA 149, section 7 as amended by 2011 PA 18, section 8 as amended by 2013 PA 2, section 33 as added by 2005 PA 127, and section 34 as amended by 2005 PA 322.

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, 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. 4843, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 7403 and 7404 (MCL 333.7403 and 333.7404), as amended by 2012 PA 183.

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, Colbeck and Bieda

Nays: None

The bill was referred to the Committee of the Whole.

#### COMMITTEE ATTENDANCE REPORT

The Committee on Judiciary submitted the following:

Meeting held on Thursday, November 5, 2015, at 9:00 a.m., Room 110, Farnum Building

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

Excused: Senator Rocca

The Committee on Elections and Government Reform reported

**Senate Bill No. 13, entitled**

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 736c, 782b, 795c, 803, and 804 (MCL 168.736c, 168.782b, 168.795c, 168.803, and 168.804), section 736c as added by 2012 PA 128, section 795c as amended by 1990 PA 109, and section 803 as amended by 2004 PA 92.

With the recommendation that the bill pass.

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

David B. Robertson  
Chairperson

To Report Out:

Yeas: Senators Robertson, Colbeck, Emmons and Shirkey

Nays: Senator Hood

The bill was referred to the Committee of the Whole.

#### COMMITTEE ATTENDANCE REPORT

The Committee on Elections and Government Reform submitted the following:

Meeting held on Tuesday, November 10, 2015, at 9:00 a.m., Room 110, Farnum Building

Present: Senators Robertson (C), Colbeck, Emmons, Shirkey and Hood

**Scheduled Meetings**

**Appropriations -**

**Subcommittees -**

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

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

Senator Kowall moved that the Senate adjourn.  
The motion prevailed, the time being 6:21 p.m.

Pursuant to Senate Concurrent Resolution No. 18, the Assistant President pro tempore, Senator O'Brien, declared the Senate adjourned until Tuesday, December 1, 2015, at 10:00 a.m.

JEFFREY F. COBB  
Secretary of the Senate

