

No. 74
STATE OF MICHIGAN
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REGULAR SESSION OF 2014

Senate Chamber, Lansing, Thursday, November 13, 2014.

10:00 a.m.

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

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

Ananich—present
Anderson—present
Bieda—present
Booher—present
Brandenburg—present
Casperson— present
Caswell—present
Colbeck—present
Emmons—present
Green—present
Gregory—present
Hansen—present
Hildenbrand—present

Hood—present
Hopgood—present
Hune—present
Hunter—present
Jansen—present
Johnson—present
Jones— present
Kahn—present
Kowall—present
Marleau—present
Meekhof—present
Moolenaar—excused
Nofs—present

Pappageorge—present
Pavlov—present
Proos—present
Richardville—present
Robertson—present
Rocca—present
Schuitmaker—present
Smith—present
Walker—present
Warren—present
Whitmer—present
Young—present

Pastor Herbert Harbaugh of Memorial Baptist Church of Sterling Heights offered the following invocation:

Our Heavenly Father, we are gathered together today to thank You for this fine chamber. Thank You for the men and women who have answered the call to public service. We thank You for the great work they have done during this past year.

Lord, we lift them up in prayer as they finish out this session. Please bless the work that remains, and give them wisdom and courage to deal with difficult challenges. Lord, we pray that You would bless their families and watch over and protect them. I pray that You would guide them in the new year they face, continuing to bless our state with good legislation.

Thank you again for this time, Lord, to honor You and bless the Senators. Thank You in Jesus' name. Amen.

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

Motions and Communications

Senators Jones, Robertson and Booher entered the Senate Chamber.

The following communication was received and read:

Office of the Senate Majority Leader

November 13, 2014

Pursuant to Senate Rule 3.203, I am hereby re-referring Senate Bill 1142 from the Senate Committee on Regulatory Reform to the Senate Committee on Education.

Should you have any questions regarding this matter, please do not hesitate to contact me.

Sincerely,
Randy Richardville
Senate Majority Leader

The communication was referred to the Secretary for record.

The Secretary announced that the following House bill was received in the Senate and filed on Wednesday, November 12:

House Bill No. 5230

The Secretary announced that the following House bills were received in the Senate and filed on Thursday, November 13:

House Bill Nos. 5450 5748 5749 5750 5812

Senator Hopgood moved that Senators Johnson and Warren be temporarily excused from today's session.

The motion prevailed.

Senator Meekhof moved that Senators Marleau, Nofs, Schuitmaker and Casperson be temporarily excused from today's session.

The motion prevailed.

Senator Meekhof moved that Senator Moolenaar be excused from today's session.

The motion prevailed.

Senators Johnson, Nofs and Warren entered the Senate Chamber.

Recess

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

The motion prevailed, the time being 10:06 a.m.

11:59 a.m.

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

During the recess, Senators Casperson, Marleau and Schuitmaker entered the Senate Chamber.

Senator Meekhof 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.

Senator Meekhof moved that the Committee on Local Government and Elections be discharged from further consideration of the following bill:

Senate Bill No. 1043, entitled

A bill to amend 1970 PA 74, entitled "Corner recordation act," by amending the title and sections 2, 3, 4, 5, 6, 7, 8, and 14 (MCL 54.202, 54.203, 54.204, 54.205, 54.206, 54.207, 54.208, and 54.210d), sections 2, 3, 6, 7, 8, and 14 as amended by 2000 PA 34, and by adding sections 3a and 3b.

The motion prevailed, a majority of the members serving voting therefor, and the bill was placed on the order of General Orders.

Senator Meekhof moved that the rules be suspended and that the following bill, now on the order of General Orders, be placed on the General Orders calendar for consideration today:

Senate Bill No. 1043

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

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

Senate Bill No. 1105

Senate Bill No. 1100

Senate Bill No. 1131

Senate Bill No. 941

Senate Bill No. 942

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

By unanimous consent the Senate proceeded to the order of

Resolutions

Senator Meekhof moved that consideration of the following resolution be postponed for today:

Senate Resolution No. 34

The motion prevailed.

The question was placed on the adoption of the following resolution consent calendar:

Senate Resolution No. 190

Senate Resolution No. 191

The resolution consent calendar was adopted.

Senators Jansen and Meekhof offered the following resolution:

Senate Resolution No. 190.

A resolution recognizing November 9-15, 2014, as National Nurse Practitioner Week in the state of Michigan.

Whereas, There are more than 192,000 licensed nurse practitioners (NPs) in the United States, with over 5,300 in Michigan, providing high-quality, cost-effective, patient-centered, and personalized health care for nearly half a century; and

Whereas, NPs have advanced, graduate-level education—mostly master's degrees and an increasing number of doctorates—and advanced clinical training beyond their initial registered nurse preparation; and

Whereas, NPs order, perform, and interpret diagnostic tests, diagnose, and treat both acute and chronic conditions, as well as 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 they provide; and

Whereas, NPs are truly partners in the health care of their patients, so that in addition to clinical services, they focus on health promotion, disease prevention, health education and counseling, and 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 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 9-15, 2014, 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.

Senators Anderson, Bieda, Booher, Hansen, Jones, Kowall, Marleau, Pappageorge, Richardville and Warren were named co-sponsors of the resolution.

Senator Moolenaar offered the following resolution:

Senate Resolution No. 191.

A resolution to congratulate the Kirtland's Warbler Recovery Team for their service and commitment to the conservation of the jack pine and Kirtland's warbler.

Whereas, The Kirtland's warbler is one of North America's rarest native birds and is on the Endangered Species List; and

Whereas, The jack pine forest of northern Michigan is the warbler's preferred nesting place; and

Whereas, The rare Kirtland's warbler attracts people from all over the world to bird-watch, benefitting Michigan's economy; and

Whereas, As recently as 1987, the Kirtland's warbler population was fewer than 400. In 2013, the population was approximately 4,000 birds. The population has recovered to a point where it is now considered stable; and

Whereas, The Kirtland's warbler is a conservation-reliant species that requires continual human intervention on its behalf; and

Whereas, The recovery of the Kirtland's warbler population was guided by the Kirtland's Warbler Recovery Team, which is comprised of representatives of government agencies, academia, and stakeholders; and

Whereas, The Kirtland's Warbler Recovery Team has been acknowledged as a model for endangered species recovery; now, therefore, be it

Resolved by the Senate, That we commend and congratulate the Kirtland's Warbler Recovery Team for their service and commitment to the conservation of the jack pine and Kirtland's warbler; and be it further

Resolved, That copies of this resolution be transmitted to the Huron Pines Kirtland's Warbler Initiative, the Michigan Audubon Society, and the National Audubon Society.

Senators Booher, Hansen, Jones, Kowall, Pappageorge, Richardville and Warren were named co-sponsors of the resolution.

Senators Jones, Hune and Whitmer offered the following resolution:

Senate Resolution No. 189.

A resolution requesting the Congress of the United States to prohibit the U.S. Postal Service from closing or consolidating the mail processing and distribution center in Lansing, Michigan.

Whereas, On January 5, 2015, the United States Postal Service plans to close or consolidate the mail processing and distribution center (P&DC) on Collins Road in Lansing; and

Whereas, This plan would severely delay mail delivery; and

Whereas, The delay of mail would negatively affect residents and local businesses and harm the community; and

Whereas, The closure is not in the public's best interest and depends on a degradation of service standards that would result in the virtual elimination of overnight mail delivery throughout the country; and

Whereas, According to 39 USC 101(a), federal law stipulates: "The Postal Service shall have as its basic function the obligation to provide postal services to bind the Nation together through personal, educational, literary, and business correspondence of the people. It shall provide prompt, reliable, and efficient services to patrons to all areas and shall render postal services to all communities."; now, therefore, be it

Resolved by the Senate, That we hereby urge congressional intervention to stop the proposal to close or consolidate the Lansing mail processing and distribution center which will cause the delay of mail and elimination of overnight delivery of first-class mail; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

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

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

The resolution was adopted.

Senators Anderson, Bieda, Booher, Hansen and Kowall were named co-sponsors of the resolution.

Senator Meekhof offered the following concurrent resolution:

Senate Concurrent Resolution No. 25.

A concurrent resolution prescribing the legislative schedule.

Resolved by the Senate (the House of Representatives concurring), That when the Senate adjourns on Thursday, November 13, 2014, it stands adjourned until Tuesday, December 2, 2014, at 10:00 a.m.; and be it further

Resolved, That when the House of Representatives adjourns on Thursday, November 13, 2014, it stands adjourned until Tuesday, December 2, 2014, 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 Meekhof moved that the rule be suspended.

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

The concurrent resolution was adopted.

Recess

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

The motion prevailed, the time being 12:05 p.m.

12:22 p.m.

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

Recess

Senator Meekhof moved that the Senate recess until 1:00 p.m.

The motion prevailed, the time being 12:23 p.m.

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

Recess

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

The motion prevailed, the time being 1:01 p.m.

2:47 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

Motions and Communications

Senator Meekhof moved that the Committee on Transportation be discharged from further consideration of the following bill:

Senate Bill No. 220, entitled

A bill to amend 1951 PA 51, entitled "An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund

of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to promote safe and efficient travel for motor vehicle drivers, bicyclists, pedestrians, and other legal users of roads, streets, and highways; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, local bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts," by amending sections 11 and 11c (MCL 247.661 and 247.661c), section 11 as amended by 2002 PA 639 and section 11c as amended by 2002 PA 498.

The motion prevailed, a majority of the members serving voting therefor, and the bill was placed on the order of General Orders.

Senator Meekhof moved that the Committee on Infrastructure Modernization be discharged from further consideration of the following bill:

House Bill No. 5453, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 719, 724, 907, and 909 (MCL 257.719, 257.724, 257.907, and 257.909), section 719 as amended by 2012 PA 282, section 724 as amended by 2012 PA 498, section 907 as amended by 2013 PA 35, and section 909 as amended by 2000 PA 94.

The motion prevailed, a majority of the members serving voting therefor, and the bill was placed on the order of General Orders.

Senator Meekhof moved that the rules be suspended and that the following bills, now on the order of General Orders, be placed on the General Orders calendar for consideration today:

Senate Bill No. 220

House Bill No. 5453

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

By unanimous consent the Senate proceeded to the order of

Third Reading of Bills

Senator Meekhof moved that the following joint resolution be placed at the head of the Third Reading of Bills calendar:

Senate Joint Resolution A

The motion prevailed.

The following joint resolution was announced:

Senate Joint Resolution A, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 8 of article IX, to increase the sales tax rate and to dedicate that revenue to transportation purposes.

(This joint resolution was not adopted on June 11 and the motion to reconsider the vote postponed. See Senate Journal No. 56, p. 1038.)

The question being on the motion to reconsider the vote by which the joint resolution was not adopted,

The motion prevailed.

The President, Lieutenant Governor Calley, resumed the Chair.

The question being on the adoption of the joint resolution,
The joint resolution was not adopted, 2/3 of the members serving not voting therefor, as follows:

Roll Call No. 657**Yeas—18**

Booher	Green	Kahn	Pappageorge
Brandenburg	Hansen	Kowall	Richardville
Casperson	Hunter	Marleau	Smith
Caswell	Jansen	Nofs	Walker
Emmons	Jones		

Nays—19

Ananich	Hildenbrand	Meekhof	Schuitmaker
Anderson	Hood	Pavlov	Warren
Bieda	Hopgood	Proos	Whitmer
Colbeck	Hune	Robertson	Young
Gregory	Johnson	Rocca	

Excused—1

Moolenaar

Not Voting—0

In The Chair: President

Senator Meekhof moved that rule 3.311 be suspended to permit reconsideration of the vote by which the joint resolution was not adopted.

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

Senator Meekhof moved to reconsider the vote by which the joint resolution was not adopted.

The question being on the motion to reconsider,

Senator Meekhof moved that further consideration of the joint resolution be postponed for today.

The motion prevailed.

Protest

Senator Colbeck, under his constitutional right of protest (Art. 4, Sec. 18), protested against the adoption of Senate Joint Resolution A and moved that the statement he made during the discussion of the joint resolution be printed as his reasons for voting "no."

The motion prevailed.

Senator Colbeck's statement is as follows:

Here we go again. It seems that we were just here in June talking about the same subject, and I am not sure much has changed. We are continuing to focus on revenue and having very little discussion on the other side of the ledger—expenses and how we are spending the money already coming in. I would like to ask the question: What is the cost?

We are talking about the fact that we can raise another billion dollars and change, or so, with the 1 percent increase in sales tax, but people need to recognize that there is a cost associated with this. There is a cost to people who are already struggling to make ends meet. Having an extra tax on anything that they purchase in a sales transaction is not fair. There is also a cost to our economy. Michigan is finally on a comeback trail, and there is nothing that slows down a comeback faster than increasing taxes.

We were elected to represent the best interests of our constituents. We were also elected to make tough decisions that put the best interests of our constituents at the top of our consideration. Now it is true that this will go to a vote of the people. This resolution will require that the people of the state of Michigan vote whether or not to increase our sales tax by another percentage point, but my first four years in office have taught me to be a little bit cynical. I wish that weren't the case, I really do.

Going into the June time frame, we were subject to a lot of advertising that said to just fix the roads. The fact is that there is a lot of money invested in growing the size of our government, but there is very little money available to invest in making sure that our government tightens its belt and respects the pocketbooks of our citizens. So I am concerned that there will be a barrage of advertisements. If you go out into the lobby right now, you will see many lobbyists sitting there anxious for an increase in funding for our roads. Many are doing it for very altruistic reasons, and I would give them the benefit of the doubt. The fact is we need to make sure that we are taking a step back as Senators, and make sure that we are representing the best interests of the folks who are not out in that lobby. Those are the people who just elected us back into office.

My point is that even though this will be on the ballot for consideration, I want to make sure that we have the other side of this issue getting equal air time. We could be subject to another barrage of ads saying we are last in per-capita spending. We don't spend based on the number of bodies, but the cost per mile. When you actually look at the cost-per-mile figure, we spent 27 percent more than the national average in the latest study. If you look at it on a lane-mile perspective, we are still 7 percent more. This tells us that we have an expense problem. We are spending more than the rest of the folks in our country. That could be for a variety of different reasons, but the fact is if we were to put half as much effort as we have looking for ways to increase taxes into looking at ways to decrease spending, we would have a lot more solutions up for consideration.

My challenge to my colleagues is to make sure that in this vote and all the votes we take today to raise taxes, we represent the best interests of our constituents. When we do that, I have found that tax increases should always be the last solution considered instead of the first solution. It is with this understanding that I urge my colleagues to vote "no" on this legislation.

By unanimous consent the Senate proceeded to the order of

General Orders

Senator Meekhof 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 Young as Chairperson.

After some time spent therein, the Committee arose; and the President, Lieutenant Governor Calley, having resumed the Chair, the Committee reported back to the Senate, favorably and with a substitute therefor, the following bill:

Senate Bill No. 220, entitled

A bill to amend 1951 PA 51, entitled "An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to promote safe and efficient travel for motor vehicle drivers, bicyclists, pedestrians, and other legal users of roads, streets, and highways; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, local bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain

specified sources; and to repeal acts and parts of acts,” by amending sections 11 and 11c (MCL 247.661 and 247.661c), section 11 as amended by 2002 PA 639 and section 11c as amended by 2002 PA 498.

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. 5453, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending sections 719, 724, 907, and 909 (MCL 257.719, 257.724, 257.907, and 257.909), section 719 as amended by 2012 PA 282, section 724 as amended by 2012 PA 498, section 907 as amended by 2013 PA 35, and section 909 as amended by 2000 PA 94.

Substitute (S-2).

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

1. Amend page 8, following line 7, by inserting:

“Sec. 722. (1) Except as otherwise provided in this section, the maximum axle load shall not exceed the number of pounds designated in the following provisions that prescribe the distance between axles:

(a) If the axle spacing is 9 feet or more between axles, the maximum axle load shall not exceed 18,000 pounds for vehicles equipped with high pressure pneumatic or balloon tires.

(b) If the axle spacing is less than 9 feet between 2 axles but more than 3-1/2 feet, the maximum axle load shall not exceed 13,000 pounds for high pressure pneumatic or balloon tires.

(c) If the axles are spaced less than 3-1/2 feet apart, the maximum axle load shall not exceed 9,000 pounds per axle.

(d) Subdivisions (a), (b), and (c) shall be known as the normal loading maximum.

(2) When normal loading is in effect, the state transportation department, or a local authority with respect to highways under its jurisdiction, may designate certain highways, or sections of those highways, where bridges and road surfaces are adequate for heavier loading, and revise a designation as needed, on which the maximum tandem axle assembly loading shall not exceed 16,000 pounds for any axle of the assembly, if there is no other axle within 9 feet of any axle of the assembly.

(3) On a legal combination of vehicles, only 1 tandem axle assembly is permitted on the designated highways at the gross permissible weight of 16,000 pounds per axle, if there is no other axle within 9 feet of any axle of the assembly, and if no other tandem axle assembly in the combination of vehicles exceeds a gross weight of 13,000 pounds per axle. On a combination of truck tractor and semitrailer having not more than 5 axles, 2 consecutive tandem axle assemblies are permitted on the designated highways at a gross permissible weight of 16,000 pounds per axle, if there is no other axle within 9 feet of any axle of the assembly.

(4) Notwithstanding subsection (3), on a combination of truck tractor and semitrailer having not more than 5 axles, 2 consecutive sets of tandem axles may carry a gross permissible weight of not to exceed 17,000 pounds on any axle of the tandem axles if there is no other axle within 9 feet of any axle of the tandem axles and if the first and last axles of the consecutive sets of tandem axles are not less than 36 feet apart and the gross vehicle weight does not exceed 80,000 pounds to pick up and deliver agricultural commodities between the national truck network or special designated highways and any other highway. This subsection is not subject to the maximum axle loads of subsections (1), (2), and (3). For purposes of this subsection, a “tandem axle” means 2 axles spaced more than 40 inches but not more than 96 inches apart or 2 axles spaced more than 3-1/2 feet but less than 9 feet apart. This subsection does not apply during that period when reduced maximum loads are in effect under subsection (8).

(5) The seasonal reductions described under subsection (8) to the loading maximums and gross vehicle weight requirement of subsection (12) do not apply to a person hauling agricultural commodities if the person who picks up or delivers the agricultural commodity either from a farm or to a farm notifies the county road commission for roads under its authority not less than 48 hours before the pickup or delivery of the time and location of the pickup or delivery. The county road commission shall issue a permit to the person and charge a fee that does not exceed the administrative costs incurred. The permit shall contain all of the following:

(a) The designated route or routes of travel for the load.

(b) The date and time period requested by the person who picks up or delivers the agricultural commodities during which the load may be delivered or picked up.

(c) A maximum speed limit of travel, if necessary.

(d) Any other specific conditions agreed to between the parties.

(6) The seasonal reductions described under subsection (8) to the loading maximums and gross vehicle weight requirements of subsection (12) do not apply to public utility vehicles under the following circumstances:

(a) For emergency public utility work on restricted roads, as follows:

(i) If required by the county road commission, the public utility or its subcontractor shall notify the county road commission, as soon as practical, of the location of the emergency public utility work and provide a statement that the

vehicles that were used to perform the emergency utility work may have exceeded the loading maximums and gross vehicle weight requirements of subsection (12) as reduced under subsection (8). The notification may be made via facsimile or electronically.

(i) The public utility vehicle travels to and from the site of the emergency public utility work while on a restricted road at a speed not greater than 35 miles per hour.

(b) For nonemergency public utility work on restricted roads, as follows:

(i) If the county road commission requires, the public utility or its subcontractor shall apply to the county road commission annually for a seasonal truck permit for roads under its authority before seasonal weight restrictions are effective. The county road commission shall issue a seasonal truck permit for each public utility vehicle or vehicle configuration the public utility or subcontractor anticipates will be utilized for nonemergency public utility work. The county road commission may charge a fee for a seasonal truck permit that does not exceed the administrative costs incurred for the permit. The seasonal truck permit shall contain all of the following:

(A) The seasonal period requested by the public utility or subcontractor during which the permit is valid.

(B) A unique identification number for the vehicle and any vehicle configuration to be covered on the seasonal truck permit requested by the public utility or subcontractor.

(C) A requirement that travel on restricted roads during weight restrictions will be minimized and only utilized when necessary to perform public utility work using the public utility vehicle or vehicle configuration and that nonrestricted roads shall be used for travel when available and for routine travel.

(D) A requirement that in the case of a subcontractor the permit is only valid while the subcontractor vehicle is being operated in the performance of public utility work.

(E) A requirement that a subcontractor vehicle or vehicle configuration shall display signage on the outside of the vehicle to identify the vehicle as operating on behalf of the public utility.

(ii) If the county road commission requires notification, the county road commission shall provide a notification application for the public utility or its subcontractor to use when requesting access to operate on restricted roads and the public utility or its subcontractor shall provide notification to the county road commission, via facsimile or electronically, not later than 24 hours before the time of the intended travel. A subcontractor using a vehicle on a restricted road shall have a copy of any notification provided to a county road commission in the subcontractor's possession while performing the relevant nonemergency work. Notwithstanding this subsection or an agreement under this subsection, if the county road commission determines that the condition of a particular road under its jurisdiction makes it unusable, the county road commission may deny access to all or any part of that road. The denial shall be made and communicated via facsimile or electronically to the public utility or its subcontractor within 24 hours after receiving notification that the public utility or subcontractors intends to perform nonemergency work that requires use of that road. Any notification that is not disapproved within 24 hours after the notice is received by the county road commission is considered approved.

The notification application required under this subparagraph may include all of the following information:

(A) The address or location of the nonemergency work.

(B) The date or dates of the nonemergency work.

(C) The route to be taken to the nonemergency work site.

(D) The restricted road or roads intended to be traveled upon to the nonemergency work site or sites.

(E) In the case of a subcontractor, the utility on whose behalf the subcontractor is performing services.

(7) The normal size of tires shall be the rated size as published by the manufacturers, and the maximum wheel load permissible for any wheel shall not exceed 700 pounds per inch of width of tire.

(8) Except as provided in this subsection and subsection (9), during the months of March, April, and May in each year, the maximum axle load allowable on concrete pavements or pavements with a concrete base is reduced by 25% from the maximum axle load as specified in this chapter, and the maximum axle loads allowable on all other types of roads during these months are reduced by 35% from the maximum axle loads as specified. The maximum wheel load shall not exceed 525 pounds per inch of tire width on concrete and concrete base or 450 pounds per inch of tire width on all other roads during the period the seasonal road restrictions are in effect. Subject to subsection (5), this subsection does not apply to vehicles transporting agricultural commodities or, subject to subsection (6), public utility vehicles on a highway, road, or street under the jurisdiction of a local road agency. In addition, this subsection does not apply to a vehicle delivering propane fuel to a residence if the vehicle's propane tank is filled to not more than 50% of its capacity and the vehicle is traveling at not more than 35 miles per hour. The state transportation department and each local authority with highways and streets under its jurisdiction to which the seasonal restrictions prescribed under this subsection apply shall post all of the following information on the homepage of its website or, if a local authority does not have a website, then on the website of a statewide road association of which it is a member:

(a) The dates when the seasonal restrictions are in effect.

(b) The names of the highways and streets and portions of highways and streets to which the seasonal restrictions apply.

(9) The state transportation department for roads under its jurisdiction and a county road commission for roads under its jurisdiction may grant exemptions from seasonal weight restrictions for milk on specified routes when requested in

writing. Approval or denial of a request for an exemption shall be given by written notice to the applicant within 30 days after the date of submission of the application. If a request is denied, the written notice shall state the reason for denial and alternate routes for which the permit may be issued. The applicant may appeal to the state transportation commission or the county road commission. These exemptions do not apply on county roads in counties that have negotiated agreements with milk haulers or haulers of other commodities during periods of seasonal load limits before April 14, 1993. This subsection does not limit the ability of these counties to continue to negotiate such agreements.

(10) The state transportation department, or a local authority with respect to highways under its jurisdiction, may suspend the restrictions imposed by this section when and where conditions of the highways or the public health, safety, and welfare warrant suspension, and impose the restricted loading requirements of this section on designated highways at any other time that the conditions of the highway require.

(11) For the purpose of enforcing this act, the gross vehicle weight of a single vehicle and load or a combination of vehicles and loads shall be determined by weighing individual axles or groups of axles, and the total weight on all the axles shall be the gross vehicle weight. In addition, the gross axle weight shall be determined by weighing individual axles or by weighing a group of axles and dividing the gross weight of the group of axles by the number of axles in the group. For purposes of subsection (12), the overall gross weight on a group of 2 or more axles shall be determined by weighing individual axles or several axles, and the total weight of all the axles in the group shall be the overall gross weight of the group.

(12) The loading maximum in this subsection applies to interstate highways, and the state transportation department, or a local authority with respect to highways under its jurisdiction, may designate a highway, or a section of a highway, for the operation of vehicles having a gross vehicle weight of not more than 80,000 pounds that are subject to the following load maximums:

- (a) Twenty thousand pounds on any 1 axle, including all enforcement tolerances.
- (b) A tandem axle weight of 34,000 pounds, including all enforcement tolerances.
- (c) An overall gross weight on a group of 2 or more consecutive axles equaling:

$$W=500[(LN)/(N-1)+12N+36]$$

where W = overall gross weight on a group of 2 or more consecutive axles to the nearest 500 pounds, L = distance in feet between the extreme of a group of 2 or more consecutive axles, and N = number of axles in the group under consideration; except that 2 consecutive sets of tandem axles may carry a gross load of 34,000 pounds each if the first and last axles of the consecutive sets of tandem axles are not less than 36 feet apart. The gross vehicle weight shall not exceed 80,000 pounds including all enforcement tolerances. Except for 5 axle truck tractor, semitrailer combinations having 2 consecutive sets of tandem axles, vehicles having a gross weight in excess of 80,000 pounds or in excess of the vehicle gross weight determined by application of the formula in this subsection are subject to the maximum axle loads of subsections (1), (2), and (3). As used in this subsection, "tandem axle weight" means the total weight transmitted to the road by 2 or more consecutive axles, the centers of which may be included between parallel transverse vertical planes spaced more than 40 inches but not more than 96 inches apart, extending across the full width of the vehicle. Except as otherwise provided in this section, vehicles transporting agricultural commodities shall have weight load maximums as set forth in this subsection.

(13) The axle loading maximums under subsections (1), (2), (3), and (4) are increased by 10% for vehicles transporting **SOLID WASTE OR** agricultural commodities or raw timber, excluding farm equipment and fuel, from the place of harvest or farm storage to the first point of delivery on a road in this state. However, the axle loading maximums as increased under this subsection do not alter the gross vehicle weight restrictions set forth in this act. This subsection does not apply to either of the following:

- (a) A vehicle utilizing an interstate highway.
- (b) A vehicle utilizing a road that is subject to seasonal weight restrictions under subsection (8) during the time that the seasonal weight restrictions are in effect.

(14) As used in this section:

(a) "Agricultural commodities" means those plants and animals useful to human beings produced by agriculture and includes, but is not limited to, forages and sod crops, grains and feed crops, field crops, dairy and dairy products, poultry and poultry products, cervidae, livestock, including breeding and grazing, equine, fish, and other aquacultural products, bees and bee products, berries, herbs, fruits, vegetables, flowers, seeds, grasses, nursery stock, mushrooms, fertilizer, livestock bedding, farming equipment, and fuel for agricultural use. The term does not include trees or lumber.

(b) "Emergency public utility work" means work performed to restore public utility service or to eliminate a danger to the public due to a natural disaster, an act of God, or an emergency situation, whether or not a public official has declared an emergency.

(c) "Farm storage" means any of the following:

(i) An edifice, silo, tank, bin, crib, interstice, or protected enclosed structure, or more than 1 edifice, silo, tank, bin, crib, interstice, or protected enclosed structure located contiguous to each other.

(ii) An open environment used for the purpose of temporarily storing a crop.

(d) "Public utility" means a public utility under the jurisdiction of the public service commission or a transmission company.

(e) "Public utility vehicle" means a vehicle owned or operated by a public utility or operated by a subcontractor on behalf of a public utility.

(F) **"SOLID WASTE" MEANS THAT TERM AS DEFINED IN SECTION 11506 OF THE NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION ACT, 1994 PA 451, MCL 324.11506.**

(G) ~~(F)~~ "Transmission company" means either an affiliated transmission company or an independent transmission company as those terms are defined in section 2 of the electric transmission line certification act, 1995 PA 30, MCL 460.562."

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

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

Senate Bill No. 281, entitled

A bill to amend 1951 PA 51, entitled "An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to promote safe and efficient travel for motor vehicle drivers, bicyclists, pedestrians, and other legal users of roads, streets, and highways; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, local bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts," by amending section 10 (MCL 247.660), as amended by 2007 PA 210, and by adding section 11g.

Substitute (S-1).

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

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

"Sec. 13. (1) The amount distributed to cities and villages shall be returned to the treasurers of the cities and villages in the manner, for the purposes, and under the terms and conditions specified in this section. The amount received by a newly incorporated municipality shall be in place of any other direct distribution of funds from the Michigan transportation fund. The population of a newly incorporated municipality as determined under this section shall be added to the total population of all incorporated cities and villages in the state in computing the amounts to be returned under this section to each municipality in the state. Major street mileage, local street mileage, and equivalent major mileage, if applicable, shall be determined by the department before the next month for which distribution is made following the effective date of incorporation of a newly incorporated municipality.

(2) From the amount available for distribution to cities and villages during each December, an amount equal to 0.7% of the total amount returned to all cities and villages under subsections (3) and (4) during the previous calendar year shall be withheld. The amount withheld shall be used to partially reimburse cities and villages located in counties that are eligible for snow removal funds pursuant to section 12a and that have costs for winter maintenance on major and local streets that are greater than the statewide average. The distributions shall be made annually during February and shall be calculated separately for the major and local street systems but may be paid in a combined warrant. The distribution to a city or village shall be equal to 1/2 of its winter maintenance expenditures after deducting the product of its total earnings under subsections (3) and (4) multiplied by 2 times the average municipal winter maintenance factor. Winter maintenance expenditures shall be determined from the street financial reports for the most current fiscal years ending

before July 1. A city or village that does not submit a street financial report for the fiscal year ending before July 1 by the subsequent December 31 is ineligible for the winter maintenance payment that is to be based on that street financial report. The department shall determine the average municipal winter maintenance factor annually by dividing the total expenditures of all cities and villages on winter maintenance of streets and highways by the total amount earned by all cities and villages under subsections (3) and (4) during the 12 months. If the sum of the distributions to be made under this subsection exceeds the amount withheld, the distributions to each eligible city and village shall be reduced proportionately. If the sum is less than the amount withheld, the balance shall be added to the amount available for distribution under subsections (3) and (4) during the next month. The distributions shall be for use on the major and local street systems respectively and shall be subject to the same provisions as funds returned under subsections (3) and (4).

(3) Seventy-five percent of the remaining amount to be returned to the cities and villages, after deducting the amounts withheld pursuant to subsection (2), shall be returned 60% in the same proportion that the population of each bears to the total population of all cities and villages, and 40% in the same proportion that the equivalent major mileage in each bears to the total equivalent major mileage in all cities and villages. The amount returned under this subsection shall be used by each city and village for the following purposes in the following order of priority:

(a) For the payment of contributions required to be made by a city or village under the provisions of contracts previously entered into under 1941 PA 205, MCL 252.51 to 252.64, that have been previously pledged for the payment of the principal and interest on bonds issued under that act; or for the payment of the principal and interest upon bonds issued by a city or village pursuant to 1952 PA 175, MCL 247.701 to 247.707.

(b) Payment of obligations of the city or village on highway projects undertaken by the city or village jointly with the department.

(c) For the payment of principal and interest upon loans received pursuant to section 11(5), to the extent other funds have not been made available for that payment.

(d) For the preservation, construction, acquisition, and extension of the major street system as defined by this act including the acquisition of a necessary right of way for the system, work incidental to the system, and an appurtenant roadside park or motor parkway, of the city or village and for the payment of the principal and interest on that portion of the city's or village's general obligation bonds that are attributable to the construction or reconstruction of the city's or village's major street system. Not more than 5% per year of the funds returned to a city or village by this subsection shall be expended for the preservation or acquisition of appurtenant roadside parks and motor parkways. Surplus funds may be expended for the development, construction, or repair of off-street parking facilities, the construction or repair of street lighting, and transfer to the local street system under subsection (6).

(e) For capital outlay projects for equipment and buildings, contributions pledged for the payment of loans and for the payment of contractual debt service requirements for the payment of bonds for the purpose of providing funds for capital outlay projects for equipment and buildings necessary to the development and maintenance of the road system so long as amounts allocated under this subdivision are used for transportation purposes.

(4) The remaining amount to be returned to incorporated cities and villages shall be expended in each city or village for the preservation, construction, acquisition, and extension of the local street system of the city or village, including the acquisition of a necessary right of way for the system, work incidental to the system, and subject to subsection (5), for the payment of the principal and interest on the portion of the city's or village's general obligation bonds that are attributable to the construction or reconstruction of the city's or village's local street system. The amount returned under this subsection shall be returned to the cities and villages 60% in the same proportion that the population of each bears to the total population of all incorporated cities and villages in the state, and 40% in the same proportion that the total mileage of the local street system of each bears to the total mileage in the local street systems of all cities and villages of the state. The payment of the principal and interest upon bonds issued by a city or village pursuant to 1952 PA 175, MCL 247.701 to 247.707, and after that payment, the payment of debt service on loans received under section 11(5), shall have priority in the expenditure of money returned under this subsection.

(5) Money distributed to each city and village for the maintenance and preservation of its local street system under this act represents the total responsibility of the state for local street system support. Funds distributed from the Michigan transportation fund shall not be expended for construction purposes on city and village local streets except to the extent matched from local revenues including other money returned to a city or village by the state under the state constitution of 1963 and statutes of the state, from funds that can be raised by taxation in cities and villages for street purposes within the limitations of the state constitution of 1963 and statutes of this state, from special assessments, or from any other source.

(6) Money returned under this section to a city or village shall be expended on the major and local street systems of that city or village. However, the first priority shall be the major street system. Money returned for expenditure on the major street system shall be expended in the priority order provided in subsection (3) except that surplus funds may be transferred for preservation of the local street system. Major street funds transferred for use on the local street system shall not be used for construction but may be used for preservation. A city or village shall not transfer more than 50% of its annual major street funding for the local street system unless it has adopted and is following an asset management

process for its major and local street systems and adopts a resolution with a copy to the department setting forth all of the following:

- (a) A list of the major streets in that city or village.
 - (b) A statement that the city or village is adequately maintaining its major streets.
 - (c) The dollar amount of the transfer.
 - (d) The local streets to be funded with the transfer.
 - (e) A statement that the city or village is following an asset management process for its major and local street systems.
- (7) A city or village that has not adopted an asset management plan shall obtain the concurrence of the department to transfer more than 50% of its major street funding to its local street system. The department may provide for pilot projects that would allow a city or village that has adopted an asset management plan under subsection (6) to combine their local and major street funds into 1 street fund and to submit a single report to the department on the expenditure of funds on the local and major street systems.

(8) Not more than 10% per year of all of the funds returned to a city or village from any source for the purposes of this section may be expended for administrative expenses. A city or village that expends more than 10% for administrative expenses in a year is subject to section 14(5).

(9) In each city and village to which funds are returned under this section, the responsibility for street preservation and the development, construction, or repair of off-street parking facilities and construction or repair of street lighting shall be coordinated by a single administrator to be designated by the governing body who shall be responsible for and shall represent the municipality in transactions with the department pursuant to this act.

(10) Cities and villages may provide for consolidated street administration. A city or a village may enter into an agreement with other cities or villages, the county road commission, or with the state transportation commission for the performance of street or highway work on a road or street within the limits of the city or village or adjacent to the city or village. The agreement may provide for any of the contracting parties to perform the work contemplated by the contracts including services and acquisition of rights of way, by purchase or condemnation in its own name. The agreement may provide for joint participation in the costs if appropriate.

(11) Interest earned on funds returned to a city or a village for purposes provided in this section shall be credited to the appropriate street fund.

(12) In addition to the financial compliance audits required by law, the department may conduct performance audits and make investigations of the disposition of all state funds received by cities and villages for transportation purposes to determine compliance with the terms and conditions of this act. Performance audits shall be conducted according to government auditing standards issued by the United States general accounting office. The department shall develop all performance audit procedures and reporting requirements sufficient to determine whether funds expended under this section were expended in compliance with this act by September 1, 2012 and shall report to the transportation committees of the senate and house of representatives no later than October 1, 2012 on the additional audit procedures and reporting requirements. The audit procedures shall include a review of the road fund balance of the city or village. The cities and villages shall report their road fund balances by fund balance component. The department shall assist cities and villages to ensure that road fund balances are consistently classified and are in compliance with the audit and reporting requirements of this section. The department shall provide notice to cities and villages of the standards to be used for audits under this subsection prior to the fiscal year in which the audit is conducted. The department shall notify cities and villages of any subsequent changes to the standards. Cities and villages shall make available to the department the pertinent records for the audit. Performance audits may be performed at the discretion of the department or upon receiving a request from the speaker of the house of representatives or the senate majority leader.

(13) WITH THE APPROVAL OF THE DIRECTOR OF THE DEPARTMENT, A CITY MAY USE UP TO 20% OF THE AMOUNT RECEIVED BY THAT CITY UNDER THIS SECTION FOR PUBLIC TRANSIT PURPOSES IF MORE THAN 10,000,000 PASSENGERS USED PUBLIC TRANSIT WITHIN THAT CITY DURING THE PREVIOUS FISCAL YEAR.

(14) ~~(13)~~ As used in this section:

(a) "Administrative expenses" means expenses that are not assigned under this section, including, but not limited to, specific road construction or maintenance projects, and are often referred to as general or supportive services. Administrative expenses do not include net equipment expense, net capital outlay, debt service principal and interest, or payments to other state or local offices that are assigned, but not limited to, specific road construction projects or maintenance activities.

(b) "Equivalent major mileage" means the sum of 2 times the state trunk line mileage certified by the department as of March 31 of each year, as being within the boundaries of each city and village having a population of 25,000 or more, plus the major street mileage in each city and village, multiplied by the following factor:

- (i) 1.0 for cities and villages of 2,000 or less population.
- (ii) 1.1 for cities and villages from 2,001 to 10,000 population.
- (iii) 1.2 for cities and villages from 10,001 to 20,000 population.
- (iv) 1.3 for cities and villages from 20,001 to 30,000 population.

- (v) 1.4 for cities and villages from 30,001 to 40,000 population.
- (vi) 1.5 for cities and villages from 40,001 to 50,000 population.
- (vii) 1.6 for cities and villages from 50,001 to 65,000 population.
- (viii) 1.7 for cities and villages from 65,001 to 80,000 population.
- (ix) 1.8 for cities and villages from 80,001 to 95,000 population.
- (x) 1.9 for cities and villages from 95,001 to 160,000 population.
- (xi) 2.0 for cities and villages from 160,001 to 320,000 population.
- (xii) For cities over 320,000 population, a factor of 2.1 increased successively by 0.1 for each 160,000 population increment over 320,000.

(c) "Population" means the population according to the most recent statewide federal census as certified at the beginning of the state fiscal year, except that, if a municipality has been newly incorporated since completion of the census, the population of the municipality for purposes of the distribution of funds before completion of the next census shall be the population as determined by special federal census, if there is a special federal census, and if not, by the population as determined by the official census in connection with the incorporation, if there is such a census and, if not, by a special state census to be taken at the expense of the municipality by the secretary of state pursuant to section 6 of the home rule city act, 1909 PA 279, MCL 117.6."

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

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

Senator Meekhof 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. 281

Senate Bill No. 220

House Bill No. 5453

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

The following bill was read a third time:

Senate Bill No. 281, entitled

A bill to amend 1951 PA 51, entitled "An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to promote safe and efficient travel for motor vehicle drivers, bicyclists, pedestrians, and other legal users of roads, streets, and highways; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, local bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts," by amending section 10 (MCL 247.660), as amended by 2007 PA 210, and by adding section 11g.

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. 658**Yeas—30**

Ananich	Hildenbrand	Kowall	Richardville
Anderson	Hood	Marleau	Schuitmaker
Bieda	Hopgood	Meekhof	Smith
Booher	Hunter	Nofs	Walker
Brandenburg	Jansen	Pappageorge	Warren
Casperson	Johnson	Pavlov	Whitmer
Green	Jones	Proos	Young
Gregory	Kahn		

Nays—6

Caswell	Hansen	Robertson	Rocca
Colbeck	Hune		

Excused—1

Moolenaar

Not Voting—1

Emmons

In The Chair: President

Senator Smith offered to amend the title to read as follows:

A bill to amend 1951 PA 51, entitled “An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to promote safe and efficient travel for motor vehicle drivers, bicyclists, pedestrians, and other legal users of roads, streets, and highways; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, local bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts,” by amending sections 10 and 13 (MCL 247.660 and 247.663), section 10 as amended by 2007 PA 210 and section 13 amended by 2012 PA 298, and by adding section 11g.

The amendment to the title was adopted.

The Senate agreed to the title as amended.

The following bill was read a third time:

Senate Bill No. 220, entitled

A bill to amend 1951 PA 51, entitled "An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to promote safe and efficient travel for motor vehicle drivers, bicyclists, pedestrians, and other legal users of roads, streets, and highways; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, local bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts," by amending sections 11 and 11c (MCL 247.661 and 247.661c), section 11 as amended by 2002 PA 639 and section 11c as amended by 2002 PA 498.

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. 659

Yeas—37

Ananich	Gregory	Jones	Richardville
Anderson	Hansen	Kahn	Robertson
Bieda	Hildenbrand	Kowall	Rocca
Booher	Hood	Marleau	Schuitmaker
Brandenburg	Hopgood	Meekhof	Smith
Casperson	Hune	Nofs	Walker
Caswell	Hunter	Pappageorge	Warren
Colbeck	Jansen	Pavlov	Whitmer
Emmons	Johnson	Proos	Young
Green			

Nays—0

Excused—1

Moolenaar

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

House Bill No. 5453, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 719, 724, 907, and 909 (MCL 257.719, 257.724, 257.907, and 257.909), section 719 as amended by 2012 PA 282, section 724 as amended by 2012 PA 498, section 907 as amended by 2014 PA 303, and section 909 as amended by 2000 PA 94.

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. 660

Yeas—37

Ananich	Gregory	Jones	Richardville
Anderson	Hansen	Kahn	Robertson
Bieda	Hildenbrand	Kowall	Rocca
Booher	Hood	Marleau	Schuitmaker
Brandenburg	Hopgood	Meekhof	Smith
Casperson	Hune	Nofs	Walker
Caswell	Hunter	Pappageorge	Warren
Colbeck	Jansen	Pavlov	Whitmer
Emmons	Johnson	Proos	Young
Green			

Nays—0

Excused—1

Moolenaar

Not Voting—0

In The Chair: President

Senator Meekhof moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

Senator Nofs offered to amend the title to read as follows:

A bill to amend 1949 PA 300, entitled "An act to provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or generally accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways; to create certain funds; to provide penalties and sanctions for a violation of this act; to provide for civil liability of manufacturers, the manufacturers of automated technology, upfitters, owners, and operators of vehicles and service of process on residents and nonresidents; to regulate the introduction and use of certain evidence; to provide for the levy of certain assessments; to provide for the enforcement of this act; to provide for the creation of and to prescribe the powers and duties of certain state and local agencies; to impose liability upon the state or local agencies; to provide appropriations for certain purposes; to repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date," by amending sections 719, 722, 724, 907, and 909 (MCL 257.719, 257.722, 257.724, 257.907, and 257.909), section 719 as amended by 2012 PA 282, section 722 as amended by 2012 PA 522, section 724 as amended by 2012 PA 498, section 907 as amended by 2014 PA 303, and section 909 as amended by 2000 PA 94.

The amendment to the title was adopted.

The Senate agreed to the title as amended.

The following bill was announced:

House Bill No. 5477, entitled

A bill to amend 2000 PA 403, entitled "Motor fuel tax act," by amending sections 2, 3, 6, 8, 14, 122, and 152 (MCL 207.1002, 207.1003, 207.1006, 207.1008, 207.1014, 207.1122, and 207.1152), sections 2 and 122 as amended by 2002 PA 668, section 3 as amended by 2006 PA 277, and section 8 as amended by 2006 PA 268.

(This bill was defeated on June 12 and the motion to reconsider the vote postponed. See Senate Journal No. 57, p. 1511.)

The question being on the motion to reconsider the vote by which the bill was defeated,

The motion prevailed.

The question being on the passage of the bill,

Senator Richardville offered the following substitute:

Substitute (S-13).

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

Senator Meekhof requested the yeas and nays.

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

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

Roll Call No. 661

Yeas—18

Ananich	Hansen	Meekhof	Schuitmaker
Bieda	Hunter	Nofs	Smith
Booher	Kahn	Pappageorge	Walker
Casperson	Kowall	Richardville	Whitmer
Gregory	Marleau		

Nays—14

Anderson	Emmons	Jansen	Proos
Brandenburg	Green	Jones	Robertson
Caswell	Hildenbrand	Pavlov	Rocca
Colbeck	Hune		

Excused—1

Moolenaar

Not Voting—5

Hood	Johnson	Warren	Young
Hopgood			

In The Chair: President

Senator Meekhof moved to reconsider the vote by which the substitute was not adopted.

The question being on the motion to reconsider,

Senator Meekhof moved that further consideration of the bill be postponed temporarily.

The motion prevailed.

By unanimous consent the Senate returned to the order of

Motions and Communications

Senator Meekhof moved that the Committee on Local Government and Elections be discharged from further consideration of the following bill:

Senate Bill No. 1125, entitled

A bill to amend 1937 PA 215, entitled "An act to authorize municipalities to own or control cemetery or burial grounds; to provide for perpetual care and maintenance; and to permit municipalities to authorize the creation of joint cemetery

associations,” by amending the title and section 3 (MCL 128.3), the title as amended and section 3 as added by 1980 PA 366, and by adding section 4.

The motion prevailed, a majority of the members serving voting therefor, and the bill was placed on the order of General Orders.

Senator Meekhof moved that the Committee on Regulatory Reform be discharged from further consideration of the following bill:

House Bill No. 4573, entitled

A bill to amend 1998 PA 58, entitled “Michigan liquor control code of 1998,” by amending sections 525 and 529 (MCL 436.1525 and 436.1529), section 525 as amended by 2014 PA 353.

The motion prevailed, a majority of the members serving voting therefor, and the bill was placed on the order of General Orders.

Senator Meekhof moved that the rules be suspended and that the following bills, now on the order of General Orders, be placed on the General Orders calendar for consideration today:

Senate Bill No. 1125

House Bill No. 4573

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

By unanimous consent the Senate returned to the order of

General Orders

Senator Meekhof 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 Young as Chairperson.

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

Senate Bill No. 841, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending section 300a (MCL 750.300a), as amended by 1993 PA 230.

Senate Bill No. 842, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 16o of chapter XVII (MCL 777.16o), as amended by 2012 PA 169.

Senate Bill No. 844, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending section 231 (MCL 750.231), as amended by 2006 PA 401.

House Bill No. 4038, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 41301 (MCL 324.41301), as amended by 2009 PA 51.

Senate Bill No. 1131, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending sections 7214 and 7216 (MCL 333.7214 and 333.7216), section 7214 as amended by 2013 PA 268 and section 7216 as amended by 1999 PA 42.

Senate Bill No. 942, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 13c of chapter XVII (MCL 777.13c), as amended by 2006 PA 59.

Senate Bill No. 1043, entitled

A bill to amend 1970 PA 74, entitled “Corner recordation act,” by amending the title and sections 2, 3, 4, 5, 6, 7, 8, and 14 (MCL 54.202, 54.203, 54.204, 54.205, 54.206, 54.207, 54.208, and 54.210d), sections 2, 3, 6, 7, 8, and 14 as amended by 2000 PA 34, and by adding sections 3a and 3b.

Senate Bill No. 1125, entitled

A bill to amend 1937 PA 215, entitled "An act to authorize municipalities to own or control cemetery or burial grounds; to provide for perpetual care and maintenance; and to permit municipalities to authorize the creation of joint cemetery associations," by amending the title and section 3 (MCL 128.3), the title as amended and section 3 as added by 1980 PA 366, and by adding section 4.

The bills were placed on the order of Third Reading of Bills.

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

Senate Bill No. 843, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending section 43b (MCL 400.43b), as added by 2002 PA 573.

Substitute (S-3).

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

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

House Bill No. 5216, entitled

A bill to amend 1953 PA 232, entitled "Corrections code of 1953," (MCL 791.201 to 791.285) by adding section 34d. 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. 5217, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," (MCL 600.101 to 600.9947) by adding section 2956a.

Substitute (S-1).

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

1. Amend page 2, line 12, after "**INDIVIDUAL**" by striking out the balance of the line through "**CONVICTION**" on line 13.

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

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

House Bill No. 5218, entitled

A bill to amend 1974 PA 381, entitled "An act to encourage and contribute to the rehabilitation of former offenders and to assist them in the assumption of the responsibilities of citizenship; to prescribe the use of the term "good moral character" or similar term as a requirement for an occupational or professional license or when used as a requirement to establish or operate an organization or facility regulated by this state; and to provide administrative and judicial procedures to contest licensing board or agency rulings thereon," by amending section 2 (MCL 338.42).

Substitute (S-1).

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

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

Senate Bill No. 866, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by amending the heading of chapter XXA and by adding section 145s.

Substitute (S-3).

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

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

Senate Bill No. 867, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16g of chapter XVII (MCL 777.16g), as amended by 2012 PA 195.

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. 1097, entitled

A bill to amend 1986 PA 281, entitled "The local development financing act," by amending section 12b (MCL 125.2162b), as added by 2008 PA 104.

Substitute (S-1).

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

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

Senate Bill No. 1105, entitled

A bill to amend 1965 PA 314, entitled "Public employee retirement system investment act," by amending sections 12d and 13 (MCL 38.1132d and 38.1133), section 12d as amended by 2008 PA 425 and section 13 as amended by 2014 PA 185.

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

1. Amend page 14, line 4, after "MAKE" by inserting "AN".
2. Amend page 14, line 5, by striking out "INVESTMENTS" and inserting "INVESTMENT".
3. Amend page 14, line 5, after "FACILITY" by inserting "UNLESS THE INVESTMENT IS SOLELY TO PREPARE THE PROPERTY ON WHICH THE HAZARDOUS WASTE DEEP DISPOSAL WELL FACILITY IS LOCATED FOR SALE FOR PURPOSES OTHER THAN OPERATION AS A HAZARDOUS WASTE DEEP DISPOSAL WELL FACILITY OR SIMILAR HAZARDOUS FACILITY".
4. Amend page 14, line 8, after "FACILITY" by striking out "IF" and inserting "WITHIN 180 DAYS AFTER".

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. 1100, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 18 (MCL 205.68), as amended by 2014 PA 108.

Substitute (S-1).

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

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

Senate Bill No. 941, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 16901, 16902, 16903, 16903b, 16903c, 16904, 16905, 16906, 16908, 16909, 16909a, and 16911 (MCL 324.16901, 324.16902, 324.16903, 324.16903b, 324.16903c, 324.16904, 324.16905, 324.16906, 324.16908, 324.16909, 324.16909a, and 324.16911), sections 16901 and 16909 as amended by 2006 PA 520, section 16902 as amended by 2006 PA 521, section 16903 as amended by 2006 PA 522, section 16903b as amended by 2006 PA 523, section 16903c as added by 2002 PA 496, sections 16904 and 16905 as amended by 2006 PA 527, section 16906 as amended by 2006 PA 529, section 16908 as amended by 2006 PA 524, section 16909a as added by 2006 PA 530, and section 16911 as added by 2006 PA 525, and by adding sections 16904b, 16908c, and 16912.

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. 4573, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending sections 525 and 529 (MCL 436.1525 and 436.1529), section 525 as amended by 2013 PA 236.

Substitute (S-2).

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

1. Amend page 14, following line 6, by inserting:

"Sec. 541. (1) The commission shall not prohibit an applicant for or the holder of a specially designated distributor license or specially designated merchant license from owning or operating motor vehicle fuel pumps on or adjacent to the licensed premises, if both of the following conditions are met:

(a) One or both of the following conditions exist:

(i) The applicant or licensee is located in a neighborhood shopping center composed of 1 or more commercial establishments organized or operated as a unit ~~which~~ **THAT** is related in location, size, and type of shop to the trade area

that the unit serves, ~~which provides~~ **AND CONSISTS OF** not less than 50,000 square feet of gross leasable retail space, and ~~which THAT~~ provides 5 private off-street parking spaces for each 1,000 square feet of gross leasable retail space.

(ii) The applicant or licensee maintains a minimum inventory on the premises, excluding alcoholic liquor and motor vehicle fuel, of not less than \$250,000.00, at cost, of those goods and services customarily marketed by approved types of businesses.

(b) The site of payment and selection of alcoholic liquor is not less than 50 feet from that point where motor vehicle fuel is dispensed.

(2) The commission shall not prohibit an applicant for or the holder of a specially designated distributor license or specially designated merchant license from owning or operating motor vehicle fuel pumps on or adjacent to the licensed premises, if all of the following conditions are met:

(a) The applicant is located in a township with a population of 7,000 or less, ~~which township THAT~~ is not contiguous with any other township. For purposes of this subdivision, a township is not considered contiguous by water.

(b) The applicant or licensee maintains a minimum inventory on the premises, excluding alcoholic liquor and motor vehicle fuel, of not less than \$12,500.00 at cost, of those goods and services customarily marketed by approved types of businesses.

(c) The applicant has the approval of the township, as evidenced by a resolution duly adopted by the township and submitted with the application to the commission.

(3) The commission shall not prohibit an applicant for or the holder of a specially designated merchant license from owning or operating motor vehicle fuel pumps on or adjacent to the licensed premises if both of the following conditions are met:

(a) The applicant or licensee is located in either of the following:

(i) A city, incorporated village, or township with a population of 3,500 or less and a county with a population of 31,000 or more.

(ii) A city, incorporated village, or township with a population of 4,000 or less and a county with a population of less than 31,000.

(b) The applicant or licensee maintains a minimum inventory on the premises, excluding alcoholic liquor and motor vehicle fuel, of not less than \$10,000.00, at cost, of those goods and services customarily marketed by approved types of businesses.

(4) The commission shall not prohibit an applicant for or the holder of a specially designated distributor license from owning or operating motor vehicle fuel pumps on or adjacent to the licensed premises if both of the following conditions are met:

(a) The applicant or licensee is located in either of the following:

(i) A city, incorporated village, or township with a population of 3,500 or less and a county with a population of 31,000 or more.

(ii) A city, incorporated village, or township with a population of 4,000 or less and a county with a population of less than 31,000.

(b) The applicant or licensee maintains a minimum inventory on the premises, excluding alcoholic liquor and motor vehicle fuel, of not less than \$12,500.00, at cost, of those goods and services customarily marketed by approved types of businesses.

(5) A person who was issued a specially designated merchant license or specially designated distributor license at a location at which another person owned, operated or maintained motor vehicle fuel pumps at the same location may have or acquire an interest in the ownership, operation or maintenance of those motor vehicle fuel pumps.

(6) The commission may transfer ownership of a specially designated merchant license or specially designated distributor license to a person who owns or is acquiring an interest in motor vehicle fuel pumps already in operation at the same location at which the license is issued.

(7) NOTWITHSTANDING R 436.1129 OF THE MICHIGAN ADMINISTRATIVE CODE, THE HOLDER OF A SPECIALLY DESIGNATED MERCHANT LICENSE FOR A PRIMARY LOCATION MAY ALSO SELL BEER AND WINE FROM A SECONDARY LOCATION UNDER THE SPECIALLY DESIGNATED MERCHANT LICENSE ISSUED FOR THE PRIMARY LOCATION IF ALL OF THE FOLLOWING APPLY:

(A) THE SECONDARY LOCATION IS OWNED OR LEASED BY THE HOLDER OF THE SPECIALLY DESIGNATED MERCHANT LICENSE FOR THE PRIMARY LOCATION.

(B) THE HOLDER OF THE SPECIALLY DESIGNATED MERCHANT LICENSE QUALIFIED FOR OR HOLDS THE SPECIALLY DESIGNATED MERCHANT LICENSE FOR THE PRIMARY LOCATION UNDER SUBSECTION (1), (2), (3), (4), OR (5).

(C) THE HOLDER OF THE SPECIALLY DESIGNATED MERCHANT LICENSE FOR THE PRIMARY LOCATION ALSO OWNS OR OPERATES MOTOR VEHICLE FUEL PUMPS AT THE SECONDARY LOCATION.

(D) BEER AND WINE ARE ONLY TRANSPORTED BETWEEN THE PRIMARY LOCATION AND THE SECONDARY LOCATION BY AN EMPLOYEE OF THE HOLDER OF THE SPECIALLY DESIGNATED MERCHANT LICENSE OR AN EMPLOYEE OF A SUBSIDIARY OR AFFILIATE OF THAT LICENSED HOLDER.

(8) AS USED IN THIS SECTION:

(A) "PRIMARY LOCATION" MEANS A LICENSED PREMISES THAT MEETS THE CONDITIONS UNDER SUBSECTION (1)(A) AND (B).

(B) "SECONDARY LOCATION" MEANS REAL PROPERTY THAT INCLUDES AT LEAST 1 BUILDING AND 1 OR MORE MOTOR FUEL PUMPS AND IS LOCATED ON OR ADJACENT TO THE PRIMARY LOCATION.

Sec. 903. (1) The commission or any commissioner or duly authorized agent of the commission designated by the chairperson of the commission, upon due notice and proper hearing, may suspend or revoke any license upon a violation of this act or any of the rules promulgated by the commission under this act. The commission or any commissioner or duly authorized agent of the commission designated by the chairperson of the commission, may assess a penalty of not more than \$300.00 for each violation of this act or rules promulgated under this act, or not more than \$1,000.00 for each violation of section 801(2), in addition to or in lieu of revocation or suspension of the license, which penalty shall be paid to the commission and deposited with the state treasurer and shall be credited to the general fund of the state. The commission shall hold a hearing and order the suspension or revocation of a license if the licensee has been found liable for 3 or more separate violations of section 801(2) which violations occurred on different occasions **IN THE SAME BUILDING** within a 24-month period unless such violations for the sale, furnishing, or giving alcoholic liquor to a minor were discovered by the licensee and disclosed to an appropriate law enforcement agency immediately upon discovery. A retail licensee who sells, offers to sell, accepts, furnishes, possesses, or allows the consumption of spirits in violation of section 901(6) is subject to an administrative fine of not more than \$2,500.00 per occurrence and the following license sanctions after notice and opportunity for an administrative hearing under the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328:

(a) For a first violation, a license revocation or suspension for between 1 and 30 days.

(b) For a second violation **IN THE SAME BUILDING**, a license revocation or suspension for between 31 and 90 days.

(c) For a third or subsequent violation **IN THE SAME BUILDING**, revocation of the license.

(2) The commission shall provide a procedure by which a licensee who is aggrieved by any penalty imposed under subsection (1) and any suspension or revocation of a license ordered by the commission, a commissioner, or a duly authorized agent of the commission may request a hearing for the purpose of presenting any facts or reasons to the commission as to why the penalty, suspension, or revocation should be modified or rescinded. Any such request shall be in writing and accompanied by a fee of \$25.00. The commission, after reviewing the record made before a commissioner or a duly authorized agent of the commission, may allow or refuse to allow the hearing in accordance with the commission's rules. The right to a hearing provided in this subsection, however, shall not be interpreted by any court as curtailing, removing, or annulling the right of the commission to suspend or revoke licenses as provided for in this act. A licensee does not have a right of appeal from the final determination of the commission, except by leave of the circuit court. Notice of the order of suspension or revocation of a license or of the assessment of a penalty, or both, shall be given in the manner prescribed by the commission. The suspension or revocation of a license or the assessment of a penalty, or both, by the commission or a duly authorized agent of the commission does not prohibit the institution of a criminal prosecution for a violation of this act. The institution of a criminal prosecution for a violation of this act or the acquittal or conviction of a person for a violation of this act does not prevent the suspension or revocation of a license or the assessment of a penalty, or both, by the commission. In a hearing for the suspension or revocation of a license issued under this act, proof that the defendant licensee or an agent or employee of the licensee demanded and was shown, before furnishing any alcoholic liquor to a minor, a motor vehicle operator or chauffeur license or a registration certificate issued by the federal selective service, or other bona fide documentary evidence of majority and identity of the person, may be offered as evidence in a defense to a proceeding for the suspension or revocation of a license issued under this act. A licensee who has reason to believe that a minor has used fraudulent identification to purchase alcoholic liquor in violation of section 703 shall file a police report concerning the violation with a local law enforcement agency and shall also present the alleged fraudulent identification to the local law enforcement agency at the time of filing the report if the identification is in the possession of the licensee. The commission may promulgate rules pursuant to the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328, regarding the utilization by licensees of equipment designed to detect altered or forged driver licenses, state identification cards, and other forms of identification.

(3) In addition to the hearing commissioners provided for in section 209, the chairperson of the commission may designate not more than 2 duly authorized agents to hear violation cases. A person appointed under this subsection shall be a member in good standing of the state bar of Michigan.

(4) A duly authorized agent who has been designated by the chairperson pursuant to subsection (3) shall have, in the hearing of violation cases, the same authority and responsibility as does a hearing commissioner under this act and the rules promulgated under this act.

(5) A duly authorized agent who has been designated by the chairperson pursuant to subsection (3) shall be ineligible for appointment to the commission for a period of 1 year after the person ceases to serve as a duly authorized agent."

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

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

Senator Meekhof 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:

- Senate Bill No. 841
- Senate Bill No. 842
- Senate Bill No. 843
- Senate Bill No. 844
- Senate Bill No. 866
- Senate Bill No. 867
- Senate Bill No. 1097
- Senate Bill No. 1105
- Senate Bill No. 1100
- Senate Bill No. 1131
- Senate Bill No. 941
- Senate Bill No. 942
- Senate Bill No. 1043
- Senate Bill No. 1125

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

By unanimous consent the Senate returned to consideration of the following bill:

House Bill No. 5477, entitled

A bill to amend 2000 PA 403, entitled “Motor fuel tax act,” by amending sections 3, 8, and 152 (MCL 207.1003, 207.1008, and 207.1152), section 3 as amended by 2006 PA 277 and section 8 as amended by 2006 PA 268.

(This bill was announced earlier today, substitute not adopted, and the motion to reconsider the vote postponed. See p. 1905.)

The question being on the motion to reconsider the vote by which the substitute offered by Senator Richardville was not adopted,

The motion prevailed.

The question being on the adoption of the substitute,

The substitute was adopted, 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. 662

Yeas—23

Ananich	Hansen	Marleau	Smith
Bieda	Hood	Meekhof	Walker
Booher	Hunter	Nofs	Warren
Casperson	Johnson	Pappageorge	Whitmer
Emmons	Kahn	Richardville	Young
Gregory	Kowall	Schuitmaker	

Nays—14

Anderson	Green	Jansen	Proos
Brandenburg	Hildenbrand	Jones	Robertson
Caswell	Hopgood	Pavlov	Rocca
Colbeck	Hune		

Excused—1

Moolenaar

Not Voting—0

In The Chair: President

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

Senator Richardville offered to amend the title to read as follows:

A bill to amend 2000 PA 403, entitled “An act to prescribe a tax on the sale and use of certain types of fuel in motor vehicles on the public roads or highways of this state and on certain other types of gas; to prescribe the manner and the time of collection and payment of this tax and the duties of officials and others pertaining to the payment and collection of this tax; to provide for the licensing of persons involved in the sale, use, or transportation of motor fuel and the collection and payment of the tax imposed by this act; to prescribe fees; to prescribe certain other powers and duties of certain state agencies and other persons; to provide for exemptions and refunds and for the disposition of the proceeds of this tax; to provide for appropriations from the proceeds of this tax; to prescribe remedies and penalties for the violation of this act; and to repeal acts and parts of acts,” by amending sections 2, 3, 6, 8, 14, 122, and 152 (MCL 207.1002, 207.1003, 207.1006, 207.1008, 207.1014, 207.1122, and 207.1152), sections 2 and 122 as amended by 2002 PA 668, section 3 as amended by 2006 PA 277, and section 8 as amended by 2006 PA 268.

The amendment to the title was adopted.

The Senate agreed to the title as amended.

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

Senate Bill No. 1038

Senate Bill No. 1039

Senate Bill No. 1040

Senate Bill No. 1056

Senate Bill No. 1088

Senate Bill No. 841

Senate Bill No. 842

Senate Bill No. 843

Senate Bill No. 844

Senate Bill No. 866

Senate Bill No. 867

Senate Bill No. 1097

Senate Bill No. 1105

Senate Bill No. 1100

Senate Bill No. 1131

Senate Bill No. 941

Senate Bill No. 942

Senate Bill No. 1043

Senate Bill No. 1125

The motion prevailed.

The following bill was read a third time:

Senate Bill No. 1038, entitled

A bill to amend 1893 PA 206, entitled “The general property tax act,” by amending sections 7b, 7u, 7cc, 7ee, 9m, 9n, 9o, 24c, 27a, 28, 29, 30, 34c, 53b, 53c, and 154 (MCL 211.7b, 211.7u, 211.7cc, 211.7ee, 211.9m, 211.9n, 211.9o, 211.24c, 211.27a, 211.28, 211.29, 211.30, 211.34c, 211.53b, 211.53c, and 211.154), section 7b as amended by 2013 PA 161, section 7u as amended by 2012 PA 135, section 7cc as amended by 2014 PA 40, sections 7ee and 154 as amended by 2003 PA 247, section 9m as amended by 2014 PA 87, section 9n as amended by 2013 PA 154, sections 9o, 30, and 53b as amended by 2013 PA 153, section 24c as amended by 2010 PA 332, section 27a as amended by 2014 PA 310, section 28 as amended by 2006 PA 143, section 34c as amended by 2012 PA 409, and section 53c as added by 1995 PA 74, and by adding section 53e.

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. 663**Yeas—30**

Ananich	Hansen	Marleau	Robertson
Booher	Hildenbrand	Meekhof	Rocca
Brandenburg	Hune	Nofs	Schuitmaker
Casperson	Hunter	Pappageorge	Smith
Caswell	Jansen	Pavlov	Walker
Colbeck	Jones	Proos	Whitmer
Emmons	Kahn	Richardville	Young
Green	Kowall		

Nays—7

Anderson	Gregory	Hopgood	Warren
Bieda	Hood	Johnson	

Excused—1

Moolenaar

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 1039, entitled

A bill to amend 1973 PA 186, entitled "Tax tribunal act," by amending sections 21, 35a, 36, 49, and 62 (MCL 205.721, 205.735a, 205.736, 205.749, and 205.762), section 35a as amended by 2008 PA 125, section 49 as amended by 2008 PA 126, and section 62 as amended by 2008 PA 128.

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. 664**Yeas—31**

Ananich	Hansen	Kowall	Robertson
Booher	Hildenbrand	Marleau	Rocca
Brandenburg	Hood	Meekhof	Schuitmaker
Casperson	Hune	Nofs	Smith
Caswell	Hunter	Pappageorge	Walker
Colbeck	Jansen	Pavlov	Whitmer
Emmons	Jones	Proos	Young
Green	Kahn	Richardville	

Nays—5

Anderson	Gregory	Hopgood	Warren
Bieda			

Excused—1

Moolenaar

Not Voting—1

Johnson

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 1040, entitled

A bill to amend 1941 PA 122, entitled “An act to establish the revenue collection duties of the department of treasury; to prescribe its powers and duties as the revenue collection agency of this state; to prescribe certain powers and duties of the state treasurer; to establish the collection duties of certain other state departments for money or accounts owed to this state; to regulate the importation, stamping, and disposition of certain tobacco products; to provide for the transfer of powers and duties now vested in certain other state boards, commissions, departments, and offices; to prescribe certain duties of and require certain reports from the department of treasury; to provide procedures for the payment, administration, audit, assessment, levy of interests or penalties on, and appeals of taxes and tax liability; to prescribe its powers and duties if an agreement to act as agent for a city to administer, collect, and enforce the city income tax act on behalf of a city is entered into with any city; to provide an appropriation; to abolish the state board of tax administration; to prescribe penalties and provide remedies; and to declare the effect of this act,” by amending section 22 (MCL 205.22), as amended by 2007 PA 194.

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. 665

Yeas—30

Ananich	Hansen	Kowall	Richardville
Booher	Hildenbrand	Marleau	Robertson
Brandenburg	Hood	Meekhof	Rocca
Casperson	Hune	Nofs	Schuitmaker
Caswell	Hunter	Pappageorge	Smith
Colbeck	Jansen	Pavlov	Walker
Emmons	Jones	Proos	Whitmer
Green	Kahn		

Nays—7

Anderson	Gregory	Johnson	Young
Bieda	Hopgood	Warren	

Excused—1

Moolenaar

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 1056, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 2120a.

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. 666**Yeas—37**

Ananich	Gregory	Jones	Richardville
Anderson	Hansen	Kahn	Robertson
Bieda	Hildenbrand	Kowall	Rocca
Booher	Hood	Marleau	Schuitmaker
Brandenburg	Hopgood	Meekhof	Smith
Casperson	Hune	Nofs	Walker
Caswell	Hunter	Pappageorge	Warren
Colbeck	Jansen	Pavlov	Whitmer
Emmons	Johnson	Proos	Young
Green			

Nays—0**Excused—1**

Moolenaar

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

By unanimous consent the Senate returned to the order of

General Orders

Senator Meekhof 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 Young as Chairperson.

After some time spent therein, the Committee arose; and the President, Lieutenant Governor Calley, having resumed the Chair, the Committee reported back to the Senate, favorably and with a substitute therefor, the following bill:

House Bill No. 4572, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," (MCL 205.51 to 205.78) by adding section 4ee. 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:
House Bill No. 4677, 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.

Substitute (S-7).

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

Messages from the House

Senate Bill No. 781, entitled

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2014; and to provide for the expenditure of the appropriations.

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 amended the title to read as follows:

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal years ending September 30, 2014 and September 30, 2015; to provide for the expenditure of the appropriations; and to repeal acts and parts of acts.

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

Senator Meekhof 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. 667

Yeas—35

Ananich	Gregory	Jones	Robertson
Anderson	Hansen	Kowall	Rocca
Bieda	Hildenbrand	Marleau	Schuitmaker
Booher	Hood	Meekhof	Smith
Brandenburg	Hopgood	Nofs	Walker
Casperson	Hune	Pappageorge	Warren
Caswell	Hunter	Pavlov	Whitmer
Emmons	Jansen	Proos	Young
Green	Johnson	Richardville	

Nays—1

Kahn

Excused—1

Moolenaar

Not Voting—1

Colbeck

In The Chair: President

Senator Meekhof moved that Senator Colbeck be excused from the balance of today’s session.
The motion prevailed.

Senator Meekhof moved that the bill be given immediate effect.
The motion prevailed, 2/3 of the members serving voting therefor.
The Senate agreed to the title as amended.
The bill was referred to the Secretary for enrollment printing and presentation to the Governor.

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

The following bill was read a third time:

Senate Bill No. 1088, entitled

A bill to amend 1966 PA 331, entitled “Community college act of 1966,” by amending section 142 (MCL 389.142), as amended by 2012 PA 153.

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. 668

Yeas—35

Ananich	Gregory	Jones	Richardville
Anderson	Hansen	Kahn	Robertson
Bieda	Hildenbrand	Kowall	Rocca
Booher	Hood	Marleau	Schuitmaker
Brandenburg	Hopgood	Meekhof	Smith
Casperson	Hune	Nofs	Walker
Caswell	Hunter	Pappageorge	Warren
Emmons	Jansen	Pavlov	Young
Green	Johnson	Proos	

Nays—0

Excused—2

Colbeck	Moolenaar
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Not Voting—1

Whitmer

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 841, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending section 300a (MCL 750.300a), as amended by 1993 PA 230.

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. 669**Yeas—25**

Bieda	Hansen	Kowall	Proos
Booher	Hildenbrand	Marleau	Richardville
Brandenburg	Hune	Meekhof	Robertson
Casperson	Jansen	Nofs	Rocca
Caswell	Jones	Pappageorge	Schuitmaker
Emmons	Kahn	Pavlov	Walker
Green			

Nays—10

Ananich	Hood	Johnson	Warren
Anderson	Hopgood	Smith	Young
Gregory	Hunter		

Excused—2

Colbeck	Moolenaar
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Not Voting—1

Whitmer

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 842, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 160 of chapter XVII (MCL 777.160), as amended by 2012 PA 169.

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. 670**Yeas—26**

Bieda	Hansen	Kowall	Proos
Booher	Hildenbrand	Marleau	Richardville
Brandenburg	Hune	Meekhof	Robertson
Casperson	Hunter	Nofs	Rocca
Caswell	Jansen	Pappageorge	Schuitmaker
Emmons	Jones	Pavlov	Walker
Green	Kahn		

Nays—10

Ananich
Anderson
Gregory

Hood
Hopgood
Johnson

Smith
Warren

Whitmer
Young

Excused—2

Colbeck

Moolenaar

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 843, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending section 43b (MCL 400.43b), as added by 2002 PA 573.

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. 671**Yeas—25**

Booher
Brandenburg
Casperson
Caswell
Emmons
Green
Hansen

Hildenbrand
Hune
Hunter
Jansen
Jones
Kahn

Kowall
Marleau
Meekhof
Nofs
Pappageorge
Pavlov

Proos
Richardville
Robertson
Rocca
Schuitmaker
Walker

Nays—11

Ananich
Anderson
Bieda

Gregory
Hood
Hopgood

Johnson
Smith
Warren

Whitmer
Young

Excused—2

Colbeck

Moolenaar

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

Senator Meekhof moved to reconsider the vote by which the following bill was passed:

Senate Bill No. 841, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending section 300a (MCL 750.300a), as amended by 1993 PA 230.

The motion prevailed.

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. 672

Yeas—26

Bieda	Hansen	Kowall	Proos
Booher	Hildenbrand	Marleau	Richardville
Brandenburg	Hune	Meekhof	Robertson
Casperson	Hunter	Nofs	Rocca
Caswell	Jansen	Pappageorge	Schuitmaker
Emmons	Jones	Pavlov	Walker
Green	Kahn		

Nays—10

Ananich	Hood	Smith	Whitmer
Anderson	Hopgood	Warren	Young
Gregory	Johnson		

Excused—2

Colbeck	Moolenaar
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Not Voting—0

In The Chair: President

The following bill was read a third time:

Senate Bill No. 844, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending section 231 (MCL 750.231), as amended by 2006 PA 401.

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. 673

Yeas—25

Booher	Hildenbrand	Kowall	Proos
Brandenburg	Hune	Marleau	Richardville
Casperson	Hunter	Meekhof	Robertson
Caswell	Jansen	Nofs	Rocca
Emmons	Jones	Pappageorge	Schuitmaker
Green	Kahn	Pavlov	Walker
Hansen			

Nays—11

Ananich	Gregory	Johnson	Whitmer
Anderson	Hood	Smith	Young
Bieda	Hopgood	Warren	

Excused—2

Colbeck	Moolenaar
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Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 866, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by amending the heading of chapter XXA and by adding section 145s.

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. 674**Yeas—36**

Ananich	Gregory	Jones	Richardville
Anderson	Hansen	Kahn	Robertson
Bieda	Hildenbrand	Kowall	Rocca
Booher	Hood	Marleau	Schuitmaker
Brandenburg	Hopgood	Meekhof	Smith
Casperson	Hune	Nofs	Walker
Caswell	Hunter	Pappageorge	Warren
Emmons	Jansen	Pavlov	Whitmer
Green	Johnson	Proos	Young

Nays—0**Excused—2**

Colbeck	Moolenaar
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Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 867, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 16g of chapter XVII (MCL 777.16g), as amended by 2012 PA 195.

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. 675

Yeas—36

Ananich	Gregory	Jones	Richardville
Anderson	Hansen	Kahn	Robertson
Bieda	Hildenbrand	Kowall	Rocca
Booher	Hood	Marleau	Schuitmaker
Brandenburg	Hopgood	Meekhof	Smith
Casperson	Hune	Nofs	Walker
Caswell	Hunter	Pappageorge	Warren
Emmons	Jansen	Pavlov	Whitmer
Green	Johnson	Proos	Young

Nays—0

Excused—2

Colbeck	Moolenaar
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Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 1097, entitled

A bill to amend 1986 PA 281, entitled “The local development financing act,” by amending section 12b (MCL 125.2162b), as added by 2008 PA 104.

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. 676

Yeas—36

Ananich	Gregory	Jones	Richardville
Anderson	Hansen	Kahn	Robertson
Bieda	Hildenbrand	Kowall	Rocca
Booher	Hood	Marleau	Schuitmaker
Brandenburg	Hopgood	Meekhof	Smith
Casperson	Hune	Nofs	Walker
Caswell	Hunter	Pappageorge	Warren
Emmons	Jansen	Pavlov	Whitmer
Green	Johnson	Proos	Young

Nays—0**Excused—2**

Colbeck Moolenaar

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 1105, entitled

A bill to amend 1965 PA 314, entitled "Public employee retirement system investment act," by amending sections 12d and 13 (MCL 38.1132d and 38.1133), section 12d as amended by 2008 PA 425 and section 13 as amended by 2014 PA 185.

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. 677**Yeas—36**

Ananich	Gregory	Jones	Richardville
Anderson	Hansen	Kahn	Robertson
Bieda	Hildenbrand	Kowall	Rocca
Booher	Hood	Marleau	Schuitmaker
Brandenburg	Hopgood	Meekhof	Smith
Casperson	Hune	Nofs	Walker
Caswell	Hunter	Pappageorge	Warren
Emmons	Jansen	Pavlov	Whitmer
Green	Johnson	Proos	Young

Nays—0**Excused—2**

Colbeck Moolenaar

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 1100, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 18 (MCL 205.68), as amended by 2014 PA 108.

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. 678

Yeas—31

Ananich	Gregory	Kahn	Robertson
Anderson	Hildenbrand	Marleau	Rocca
Bieda	Hood	Meekhof	Schuitmaker
Booher	Hopgood	Nofs	Smith
Casperson	Hunter	Pappageorge	Warren
Caswell	Jansen	Pavlov	Whitmer
Emmons	Johnson	Proos	Young
Green	Jones	Richardville	

Nays—5

Brandenburg	Hune	Kowall	Walker
Hansen			

Excused—2

Colbeck	Moolenaar
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Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 1131, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 7214 and 7216 (MCL 333.7214 and 333.7216), section 7214 as amended by 2013 PA 268 and section 7216 as amended by 1999 PA 42.

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. 679

Yeas—35

Ananich	Gregory	Jones	Richardville
Anderson	Hansen	Kahn	Robertson
Bieda	Hildenbrand	Kowall	Rocca
Booher	Hood	Marleau	Schuitmaker
Brandenburg	Hopgood	Meekhof	Smith

Casperson
Caswell
Emmons
Green

Hune
Hunter
Jansen
Johnson

Nofs
Pappageorge
Pavlov
Proos

Walker
Warren
Young

Nays—0

Excused—2

Colbeck

Moolenaar

Not Voting—1

Whitmer

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 941, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 16901, 16902, 16903, 16903b, 16903c, 16904, 16905, 16906, 16908, 16909, 16909a, and 16911 (MCL 324.16901, 324.16902, 324.16903, 324.16903b, 324.16903c, 324.16904, 324.16905, 324.16906, 324.16908, 324.16909, 324.16909a, and 324.16911), sections 16901 and 16909 as amended by 2006 PA 520, section 16902 as amended by 2006 PA 521, section 16903 as amended by 2006 PA 522, section 16903b as amended by 2006 PA 523, section 16903c as added by 2002 PA 496, sections 16904 and 16905 as amended by 2006 PA 527, section 16906 as amended by 2006 PA 529, section 16908 as amended by 2006 PA 524, section 16909a as added by 2006 PA 530, and section 16911 as added by 2006 PA 525, and by adding sections 16904b and 16908c.

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. 680

Yeas—36

Ananich
Anderson
Bieda
Booher
Brandenburg
Casperson
Caswell
Emmons
Green

Gregory
Hansen
Hildenbrand
Hood
Hopgood
Hune
Hunter
Jansen
Johnson

Jones
Kahn
Kowall
Marleau
Meekhof
Nofs
Pappageorge
Pavlov
Proos

Richardville
Robertson
Rocca
Schuitmaker
Smith
Walker
Warren
Whitmer
Young

Nays—0

Excused—2

Colbeck

Moolenaar

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 942, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 13c of chapter XVII (MCL 777.13c), as amended by 2006 PA 59.

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. 681

Yeas—36

Ananich	Gregory	Jones	Richardville
Anderson	Hansen	Kahn	Robertson
Bieda	Hildenbrand	Kowall	Rocca
Booher	Hood	Marleau	Schuitmaker
Brandenburg	Hopgood	Meekhof	Smith
Casperson	Hune	Nofs	Walker
Caswell	Hunter	Pappageorge	Warren
Emmons	Jansen	Pavlov	Whitmer
Green	Johnson	Proos	Young

Nays—0

Excused—2

Colbeck	Moolenaar
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Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 1043, entitled

A bill to amend 1970 PA 74, entitled “Corner recordation act,” by amending the title and sections 2, 3, 4, 5, 6, 7, 8, and 14 (MCL 54.202, 54.203, 54.204, 54.205, 54.206, 54.207, 54.208, and 54.210d), sections 2, 3, 6, 7, 8, and 14 as amended by 2000 PA 34, and by adding sections 3a and 3b.

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. 682**Yeas—36**

Ananich	Gregory	Jones	Richardville
Anderson	Hansen	Kahn	Robertson
Bieda	Hildenbrand	Kowall	Rocca
Booher	Hood	Marleau	Schuitmaker
Brandenburg	Hopgood	Meekhof	Smith
Casperson	Hune	Nofs	Walker
Caswell	Hunter	Pappageorge	Warren
Emmons	Jansen	Pavlov	Whitmer
Green	Johnson	Proos	Young

Nays—0**Excused—2**

Colbeck	Moolenaar
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Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 1125, entitled

A bill to amend 1937 PA 215, entitled "An act to authorize municipalities to own or control cemetery or burial grounds; to provide for perpetual care and maintenance; and to permit municipalities to authorize the creation of joint cemetery associations," by amending the title and section 3 (MCL 128.3), the title as amended and section 3 as added by 1980 PA 366, and by adding section 4.

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. 683**Yeas—36**

Ananich	Gregory	Jones	Richardville
Anderson	Hansen	Kahn	Robertson
Bieda	Hildenbrand	Kowall	Rocca
Booher	Hood	Marleau	Schuitmaker
Brandenburg	Hopgood	Meekhof	Smith
Casperson	Hune	Nofs	Walker
Caswell	Hunter	Pappageorge	Warren
Emmons	Jansen	Pavlov	Whitmer
Green	Johnson	Proos	Young

Nays—0

Excused—2

Colbeck

Moolenaar

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

Senator Meekhof 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:

House Bill No. 4572

House Bill No. 4677

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

The following bill was read a third time:

House Bill No. 4572, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," (MCL 205.51 to 205.78) by adding section 4ee.

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. 684**Yeas—32**

Ananich

Hansen

Jones

Proos

Bieda

Hildenbrand

Kahn

Richardville

Booher

Hood

Kowall

Robertson

Brandenburg

Hopgood

Marleau

Rocca

Casperson

Hune

Meekhof

Schuitmaker

Emmons

Hunter

Nofs

Walker

Green

Jansen

Pappageorge

Warren

Gregory

Johnson

Pavlov

Whitmer

Nays—4

Anderson

Caswell

Smith

Young

Excused—2

Colbeck

Moolenaar

Not Voting—0

In The Chair: President

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

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

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

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 4677, 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.

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. 685

Yeas—34

Ananich	Gregory	Jones	Proos
Anderson	Hansen	Kahn	Richardville
Bieda	Hildenbrand	Kowall	Robertson
Booher	Hood	Marleau	Rocca
Brandenburg	Hopgood	Meekhof	Schuitmaker
Casperson	Hune	Nofs	Walker
Caswell	Hunter	Pappageorge	Warren
Emmons	Jansen	Pavlov	Whitmer
Green	Johnson		

Nays—2

Smith	Young
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Excused—2

Colbeck	Moolenaar
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Not Voting—0

In The Chair: President

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

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

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

The Senate agreed to the full title.

By unanimous consent the Senate proceeded to the order of

Introduction and Referral of Bills

Senator Hildenbrand introduced

Senate Bill No. 1144, entitled

A bill to amend 1980 PA 300, entitled "The public school employees retirement act of 1979," by amending section 64 (MCL 38.1364), as amended by 1989 PA 194.

The bill was read a first and second time by title and referred to the Committee on Reforms, Restructuring and Reinventing.

Senator Hildenbrand introduced

Senate Bill No. 1145, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 3406t.

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

Senator Marleau introduced

Senate Bill No. 1146, entitled

A bill to amend 2001 PA 142, entitled "Michigan memorial highway act," (MCL 250.1001 to 250.2080) by adding section 96.

The bill was read a first and second time by title.

Senator Pavlov moved that rule 3.203 be suspended and that the bill be referred to the Committee of the Whole and placed on the order of General Orders.

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

Senator Moolenaar introduced

Senate Bill No. 1147, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 17603 and 17607 (MCL 333.17603 and 333.17607), as added by 2008 PA 524.

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

Senator Meekhof introduced

Senate Bill No. 1148, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending the title and sections 102, 3101, 3104, 3107, 3107a, 3301, 3310, 3330, 4501, and 6107 (MCL 500.102, 500.3101, 500.3104, 500.3107, 500.3107a, 500.3301, 500.3310, 500.3330, 500.4501, and 500.6107), the title as amended by 2002 PA 304, section 102 as amended by 2000 PA 252, section 3101 as amended by 2008 PA 241, section 3104 as amended by 2002 PA 662, section 3107 as amended by 2012 PA 542, section 3107a as amended by 1991 PA 191, section 3310 as amended by 2001 PA 228, section 3330 as amended by 2012 PA 204, section 4501 as amended by 2012 PA 39, and section 6107 as added by 1992 PA 174, and by adding section 3107c and chapter 63.

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

Senator Richardville introduced

Senate Bill No. 1149, entitled

A bill to authorize the state administrative board to convey parcels of state-owned property in Ingham county; to prescribe conditions for the conveyance; to provide for powers and duties of state departments regarding the property; and to provide for disposition of revenue derived from the conveyance.

The bill was read a first and second time by title.

Senator Pavlov moved that rule 3.203 be suspended and that the bill be referred to the Committee of the Whole and placed on the order of General Orders.

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

Senators Bieda and Young introduced

Senate Bill No. 1150, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 719 and 722 (MCL 257.719 and 257.722), section 719 as amended by 2012 PA 282 and section 722 as amended by 2012 PA 522.

The bill was read a first and second time by title.

Senator Pavlov moved that rule 3.203 be suspended and that the bill be referred to the Committee of the Whole and placed on the order of General Orders.

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

House Bill No. 5230, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 3801, 3805, 3810, 3815, 3820, 3825, and 3835 (MCL 600.3801, 600.3805, 600.3810, 600.3815, 600.3820, 600.3825, and 600.3835), section 3801 as amended by 2012 PA 352.

The House of Representatives has passed the bill.

The bill was read a first and second time by title.

Senator Pavlov moved that rule 3.203 be suspended and that the bill be referred to the Committee of the Whole and placed on the order of General Orders.

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

House Bill No. 5450, 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 1 (MCL 28.421), as amended by 2014 PA 203.

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

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

House Bill No. 5748, 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 2 (MCL 28.422), as amended by 2014 PA 201.

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

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

House Bill No. 5749, entitled

A bill to repeal 1959 PA 186, entitled "An act to regulate the use of certain spring, gas or air operated handguns and to provide a penalty for violation of this act," (MCL 752.891 to 752.892).

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

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

House Bill No. 5750, entitled

A bill to amend 1952 PA 10, entitled "An act to define the duties of any person who discharges a firearm and thereby injures any person; and to prescribe penalties for violations of the provisions of this act," by amending section 1 (MCL 752.841).

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

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

House Bill No. 5812, entitled

A bill to amend 2010 PA 123, entitled "Uniform real property electronic recording act," by amending section 5 (MCL 565.845).

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

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

Committee Reports

The Committee on Reforms, Restructuring and Reinventing reported

Senate Bill No. 1105, entitled

A bill to amend 1965 PA 314, entitled "Public employee retirement system investment act," by amending sections 12d and 13 (MCL 38.1132d and 38.1133), section 12d as amended by 2008 PA 425 and section 13 as amended by 2014 PA 185.

With the recommendation that the bill pass.

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

Mark C. Jansen
Chairperson

To Report Out:

Yeas: Senators Jansen, Casperson, Kowall and Young

Nays: Senator Colbeck

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Reforms, Restructuring and Reinventing submitted the following:

Meeting held on Wednesday, November 12, 2014, at 8:30 a.m., Rooms 402 and 403, Capitol Building

Present: Senators Jansen (C), Colbeck, Casperson, Kowall and Young

Excused: Senators Robertson and Warren

The Committee on Judiciary reported

Senate Bill No. 1100, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 18 (MCL 205.68), as amended by 2014 PA 108.

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

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

Rick Jones
Chairperson

To Report Out:

Yeas: Senators Jones, Schuitmaker, Rocca and Bieda

Nays: None

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

The Committee on Judiciary reported

Senate Bill No. 1128, entitled

A bill to amend 1953 PA 232, entitled "Corrections code of 1953," (MCL 791.201 to 791.285) by adding section 37a.

With the recommendation that the bill pass.

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

Rick Jones
Chairperson

To Report Out:

Yeas: Senators Jones, Schuitmaker, Rocca and Bieda

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Judiciary reported

Senate Bill No. 1129, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 13k of chapter XVII (MCL 777.13k), as amended by 2012 PA 539.

With the recommendation that the bill pass.

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

Rick Jones
Chairperson

To Report Out:

Yeas: Senators Jones, Schuitmaker, Rocca and Bieda

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Judiciary reported

Senate Bill No. 1130, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 5101 and 5210 (MCL 333.5101 and 333.5210), section 5101 as amended by 2010 PA 119 and section 5210 as added by 1988 PA 490.

With the recommendation that the bill pass.

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

Rick Jones
Chairperson

To Report Out:

Yeas: Senators Jones, Schuitmaker, Rocca and Bieda

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Judiciary reported

Senate Bill No. 1131, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 7214 and 7216 (MCL 333.7214 and 333.7216), section 7214 as amended by 2013 PA 268 and section 7216 as amended by 1999 PA 42.

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 and Bieda

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Judiciary reported

Senate Bill No. 1136, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 8322 (MCL 600.8322), as amended by 2005 PA 326.

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 and Bieda

Nays: None

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

The Committee on Judiciary reported

Senate Bill No. 1137, entitled

A bill to amend 1953 PA 232, entitled "Corrections code of 1953," by amending sections 67 and 67b (MCL 791.267 and 791.267b), section 67 as amended by 2012 PA 24 and section 67b as amended by 2010 PA 120.

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 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 Wednesday, November 12, 2014, at 12:30 p.m., Room 110, Farnum Building
Present: Senators Jones (C), Schuitmaker, Rocca and Bieda

The Committee on Families, Seniors and Human Services reported

Senate Bill No. 1134, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 20135.

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, Rocca and Nofs
Nays: None
The bill was referred to the Committee of the Whole.

The Committee on Families, Seniors and Human Services reported

Senate Bill No. 1135, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 710d (MCL 257.710d), as amended by 2009 PA 57.

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, Rocca and Nofs
Nays: None
The bill was referred to the Committee of the Whole.

The Committee on Families, Seniors and Human Services reported

House Bill No. 5444, entitled

A bill to amend 2008 PA 525, entitled "Foster care trust fund act," by amending the title and sections 1, 2, 3, 9, 10, and 11 (MCL 722.1021, 722.1022, 722.1023, 722.1029, 722.1030, and 722.1031) and by adding sections 7a and 7b; and to repeal acts and parts of acts.

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, Rocca and Nofs
Nays: None
The bill was referred to the Committee of the Whole.

The Committee on Families, Seniors and Human Services reported

House Bill No. 5743, entitled

A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending section 24 of chapter X (MCL 710.24), as amended by 2012 PA 614.

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, Rocca and Nofs

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Families, Seniors and Human Services reported

House Bill No. 5744, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 2529 (MCL 600.2529), as amended by 2009 PA 239.

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, Rocca and Nofs

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Families, Seniors and Human Services reported

House Bill No. 5745, entitled

A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending sections 1 and 2a of chapter XIII (MCL 712A.1 and 712A.2a), section 1 as amended by 2012 PA 541 and section 2a as amended by 2011 PA 226.

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, Rocca and Nofs

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Families, Seniors and Human Services reported

House Bill No. 5746, entitled

A bill to amend 2011 PA 225, entitled "Young adult voluntary foster care act," by amending section 29 (MCL 400.669).

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, Rocca and Nofs

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 12, 2014, at 3:00 p.m., Room 210, Farnum Building

Present: Senators Emmons (C), Rocca and Nofs

Excused: Senator Gregory

The Committee on Natural Resources, Environment and Great Lakes reported

Senate Bill No. 941, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 16901, 16902, 16903, 16903b, 16903c, 16904, 16905, 16906, 16908, 16909, 16909a, and 16911 (MCL 324.16901, 324.16902, 324.16903, 324.16903b, 324.16903c, 324.16904, 324.16905, 324.16906, 324.16908, 324.16909, 324.16909a, and 324.16911), sections 16901 and 16909 as amended by 2006 PA 520, section 16902 as amended by 2006 PA 521, section 16903 as amended by 2006 PA 522, section 16903b as amended by 2006 PA 523, section 16903c as added by 2002 PA 496, sections 16904 and 16905 as amended by 2006 PA 527, section 16906 as amended by 2006 PA 529, section 16908 as amended by 2006 PA 524, section 16909a as added by 2006 PA 530, and section 16911 as added by 2006 PA 525, and by adding sections 16904b, 16908c, and 16912.

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.

Thomas A. Casperson
Chairperson

To Report Out:

Yeas: Senators Casperson, Pavlov, Green, Kowall, Meekhof and Warren

Nays: None

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

The Committee on Natural Resources, Environment and Great Lakes reported

Senate Bill No. 942, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 13c of chapter XVII (MCL 777.13c), as amended by 2006 PA 59.

With the recommendation that the bill pass.

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

Thomas A. Casperson
Chairperson

To Report Out:

Yeas: Senators Casperson, Pavlov, Green, Kowall, Meekhof and Warren

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Natural Resources, Environment and Great Lakes submitted the following:

Meeting held on Thursday, November 13, 2014, at 9:00 a.m., Room 210, Farnum Building

Present: Senators Casperson (C), Pavlov, Green, Kowall, Meekhof and Warren

Excused: Senator Hood

COMMITTEE ATTENDANCE REPORT

The Committee on Transportation submitted the following:

Meeting held on Wednesday, November 12, 2014, at 12:00 noon, Room 100, Farnum Building

Present: Senators Casperson (C), Kowall, Pavlov, Hansen and Hood

Excused: Senators Brandenburg and Ananich

COMMITTEE ATTENDANCE REPORT

The Subcommittee on General Government submitted the following:

Meeting held on Thursday, November 13, 2014, at 12:00 noon, Senate Appropriations Room, 3rd Floor, Capitol Building

Present: Senators Pappageorge (C), Jansen and Colbeck

Excused: Senator Johnson

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

Human Services Department - Tuesday, December 2, 2:00 p.m., Room 405, Capitol Building (373-2768)

State Police and Military Affairs - Tuesday, December 2, and Thursday, December 4 (CANCELED), 3:00 p.m., Rooms 402 and 403, Capitol Building (373-2768)

State Drug Treatment Court Advisory Committee - Tuesday, November 18, 10:00 a.m., Legislative Council Conference Room, 3rd Floor, Boji Tower (373-0212)

Senator Pavlov moved that the Senate adjourn.
The motion prevailed, the time being 5:37 p.m.

Pursuant to Senate Concurrent Resolution No. 25, the President, Lieutenant Governor Calley, declared the Senate adjourned until Tuesday, December 2, 2014, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate

