

**No. 20**  
**STATE OF MICHIGAN**  
**Journal of the Senate**  
**98th Legislature**  
**REGULAR SESSION OF 2015**

---

---

Senate Chamber, Lansing, Tuesday, March 3, 2015.

10:00 a.m.

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

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

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

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

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

Pastor Doug Bergsma of Resurrection Life Church of Rockford offered the following invocation:

Heavenly Father, we come to You today at the onset of this session, and we ask for Your will to be done in every decision that we make. We ask for Your wisdom in difficult matters where the way is unclear. You said in Your word that You hold the heart of the leaders in Your hands and direct them like a river's path. We place our hearts in Your hands this day, and we ask You to help us in matters of state. Give us clarity, unity, and resolve as we seek Your will for the welfare of the state of Michigan. We ask for Your blessing.

We ask all these things in Jesus' name. Amen.

The Assistant President pro tempore, Senator O'Brien, led the members of the Senate in recital of the *Pledge of Allegiance*.

### Motions and Communications

Senator Kowall moved that Senators Knollenberg, Marleau, Hansen and Meekhof be temporarily excused from today's session.

The motion prevailed.

Senator Hood moved that Senator Young be temporarily excused from today's session.

The motion prevailed.

Senator Hood moved that Senators Johnson and Smith be excused from today's session.

The motion prevailed.

Senator Meekhof entered the Senate Chamber.

The Secretary announced that the following House bills were received in the Senate and filed on Thursday, February 26:  
**House Bill Nos. 4151 4152 4153 4154 4155 4156**

The Secretary announced that the following bills were printed and filed on Thursday, February 26, and are available at the Michigan Legislature website:

**Senate Bill Nos. 158 159 160 161 162 163 164**  
**House Bill Nos. 4239 4240 4241 4242 4243 4244 4245 4246**

The Secretary announced that the following bills were printed and filed on Friday, February 27, and are available at the Michigan Legislature website:

**Senate Bill Nos. 165 166 167 168**  
**House Bill Nos. 4247 4248 4249 4250 4251 4252 4253 4254 4255 4256 4257 4258 4259 4260**  
**4261 4262 4263 4264 4265 4266 4267 4268 4269**

By unanimous consent the Senate proceeded to the order of

### General Orders

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

The motion prevailed, and the Assistant President pro tempore, Senator O'Brien, designated Senator Gregory as Chairperson.

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

**Senate Bill No. 72, entitled**

A bill to amend 2008 IL 1, entitled "Michigan medical marijuana act," by amending section 7 (MCL 333.26427).

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. 86, entitled**

A bill to amend 2001 PA 34, entitled "Revised municipal finance act," by amending section 518 (MCL 141.2518), as amended by 2014 PA 297.

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.

During the Committee of the Whole, Senators Young and Marleau entered the Senate Chamber.

### Resolutions

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

**Senate Resolution No. 18**

The resolution consent calendar was adopted.

Senators Pavlov, O'Brien, Kowall, Brandenburg, Emmons, Schmidt, MacGregor, Knezek, Warren, Nofs, Stamas, Rocca, Booher, Marleau, Green, Colbeck, Hildenbrand, Knollenberg, Proos, Hansen, Robertson, Horn, Jones, Meekhof, Hune, Hopgood, Gregory, Johnson, Hertel, Bieda, Ananich, Hood, Zorn, Schuitmaker and Casperson offered the following resolution:

**Senate Resolution No. 18.**

A resolution commemorating March 2015 as Reading Month in the state of Michigan.

Whereas, The members of the Michigan Senate are dedicated to providing a quality education to all the children in Michigan; and

Whereas, The citizens of Michigan recognize reading is fundamental to the education of children; and

Whereas, Research shows that children who read regularly, especially with adults, have greater success in school; and

Whereas, Reading is essential to everyday life, both inside and outside the classroom. It opens doors and allows children to explore the entire world and beyond. Reading is also a cornerstone to building productive, contributing citizens; and

Whereas, We recognize and promote the importance of community and parental involvement in every child's success in school; and

Whereas, We are committed to making Michigan's children and America's children the best readers in the world; now, therefore, be it

Resolved by the Senate, That the members of this legislative body commemorate March 2015 as Reading Month in the state of Michigan.

### Introduction and Referral of Bills

The President, Lieutenant Governor Calley, assumed the Chair.

Senators Proos, Horn, Zorn, Hansen, Brandenburg, Green, Knollenberg, Pavlov, Robertson, Smith, Hopgood, Hertel and Knezek introduced

**Senate Bill No. 169, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1278e. The bill was read a first and second time by title and referred to the Committee on Education.

Senators Pavlov, Proos, Horn, Zorn, Hansen, Brandenburg, Green, Knollenberg, Robertson, Smith, Hopgood, Hertel and Knezek introduced

**Senate Bill No. 170, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1278d. The bill was read a first and second time by title and referred to the Committee on Education.

Senators Bieda, Hertel and Brandenburg introduced

**Senate Bill No. 171, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 7d (MCL 211.7d), as amended by 2012 PA 66.

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

Senators Johnson, Gregory, Ananich and Hood introduced

**Senate Bill No. 172, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding part 98.

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

Senator Horn introduced

**Senate Bill No. 173, entitled**

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 11, 11r, 20, 20g, and 22a (MCL 388.1611, 388.1611r, 388.1620, 388.1620g, and 388.1622a), sections 11, 20, 20g, and 22a as amended and section 11r as added by 2014 PA 196.

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

**House Bill No. 4151, 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. 4152, entitled**

A bill to amend 1846 RS 1, entitled "Of the statutes," by amending section 3t (MCL 8.3t).

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. 4153, 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. 4154, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 40102, 40111, and 43503 (MCL 324.40102, 324.40111, and 324.43503), section 40102 as amended by 2007 PA 48, section 40111 as amended by 2012 PA 340, and section 43503 as amended by 2012 PA 520.

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. 4155, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending sections 222, 226, 227b, 227c, 227d, 237a, and 528a (MCL 750.222, 750.226, 750.227b, 750.227c, 750.227d, 750.237a, and 750.528a), section 222 as amended by 2012 PA 242, section 227b as amended by 1990 PA 321, sections 227c and 227d as added by 1981 PA 103, section 237a as added by 1994 PA 158, and section 528a as added by 1986 PA 113.

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. 4156, 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.

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

**Recess**

Senator Kowall moved that the Senate recess subject to the call of the Chair.  
The motion prevailed, the time being 10:16 a.m.

10:43 a.m.

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

During the recess, Senators Knollenberg and Hansen entered the Senate Chamber.

**Statements**

Pursuant to rule 3.506, Senator Ananich submitted a statement in writing for inclusion in today’s Journal.  
Senator Ananich’s statement is as follows:

Colleagues, I rise in support of my amendment, which would create a \$1 million Emergency Water Fund for distressed local governments. By now, we are all familiar with the problems Flint has faced with its water. The city’s water supply has tested positive for contaminants multiple times. There have been a number of boil water advisories resulting in limited drinkability at times. At the same time, the amount of money Flint residents pay for their water is the highest in the state. Unfortunately, this issue isn’t unique to Flint. Detroit and other urban areas have faced similar challenges as outdated infrastructure and soaring costs collide. That’s why my amendment would apply to any local government in receivership—because most communities that have been under Emergency Management have faced a similar set of problems.

I will continue to work diligently with the Governor, Department of Treasury, city officials, and local nonprofits to address the long-term need to lower costs and improve quality. But in the meantime, families need some relief. When families in Michigan can’t afford a basic need like water, or can’t rely on that fundamental necessity to be safe, we need to do something.

I ask for your support of this amendment.

**Committee Reports**

The Committee on Transportation reported  
**Senate Resolution No. 9.**

A resolution to support the Marquette County Road Commission’s appeal of the U.S. Environmental Protection Agency’s objection to the planned construction of County Road 595.

(For text of resolution, see Senate Journal No. 8, p. 100.)

With the recommendation that the resolution be adopted.

Thomas A. Casperson  
Chairperson

## To Report Out:

Yeas: Senators Casperson, Horn, Pavlov, Marleau and Hopgood

Nays: None

The resolution was placed on the order of Resolutions.

## COMMITTEE ATTENDANCE REPORT

The Committee on Transportation submitted the following:

Meeting held on Thursday, February 26, 2015, at 8:30 a.m., Room 210, Farnum Building

Present: Senators Casperson (C), Horn, Pavlov, Marleau and Hopgood

The Committee on Families, Seniors and Human Services reported

**Senate Bill No. 112, entitled**

A bill to amend 1957 PA 29, entitled "An act to provide for the disposition of certain files and records in the probate courts of this state," by amending section 1 (MCL 720.551).

With the recommendation that the bill pass.

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

Judith K. Emmons  
Chairperson

## To Report Out:

Yeas: Senators Emmons, Pavlov, Jones and Johnson

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Families, Seniors and Human Services reported

**Senate Bill No. 113, entitled**

A bill to amend 1921 PA 137, entitled "An act authorizing counties of this state to contract with agencies, institutions, and hospitals licensed by the department of consumer and industry services for the aid, care, support, maintenance, treatment, cure, or relief of children," by amending section 1 (MCL 722.501), as amended by 1996 PA 411.

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

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

Judith K. Emmons  
Chairperson

## To Report Out:

Yeas: Senators Emmons, Pavlov, Jones and Johnson

Nays: None

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

The Committee on Families, Seniors and Human Services reported

**Senate Bill No. 114, entitled**

A bill to amend 1921 PA 137, entitled "An act authorizing counties of this state to contract with agencies, institutions, and hospitals licensed by the department of consumer and industry services for the aid, care, support, maintenance, treatment, cure, or relief of children," by amending section 3 (MCL 722.503), as amended by 1996 PA 411.

With the recommendation that the bill pass.

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

Judith K. Emmons  
Chairperson

## To Report Out:

Yeas: Senators Emmons, Pavlov, Jones and Johnson

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, February 25, 2015, at 3:00 p.m., Room 210, Farnum Building

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

The Committee on Veterans, Military Affairs and Homeland Security reported

**Senate Bill No. 6, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 7b (MCL 211.7b), as amended by 2013 PA 161.

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

Margaret E. O'Brien  
Chairperson

To Report Out:

Yeas: Senators O'Brien, Emmons, Zorn and Colbeck

Nays: None

The bill was referred to the Committee on Finance.

The Committee on Veterans, Military Affairs and Homeland Security reported

**Senate Bill No. 52, entitled**

A bill to amend 2008 PA 176, entitled "Veterans welcome home act," by amending section 2 (MCL 35.1232).

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.

Margaret E. O'Brien  
Chairperson

To Report Out:

Yeas: Senators O'Brien, Emmons, Zorn, Colbeck and Knezek

Nays: None

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

#### COMMITTEE ATTENDANCE REPORT

The Committee on Veterans, Military Affairs and Homeland Security submitted the following:

Meeting held on Thursday, February 26, 2015, at 2:00 p.m., Room 110, Farnum Building

Present: Senators O'Brien (C), Emmons, Zorn, Colbeck and Knezek

#### COMMITTEE ATTENDANCE REPORT

The Subcommittee on Transportation submitted the following:

Meeting held on Thursday, February 26, 2015, at 11:00 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building

Present: Senators Hansen (C) and Knollenberg

Excused: Senator Young

#### COMMITTEE ATTENDANCE REPORT

The Subcommittee on Human Services submitted the following:

Meeting held on Thursday, February 26, 2015, at 1:00 p.m., Room 100, Farnum Building

Present: Senators MacGregor (C), Proos and Gregory

#### COMMITTEE ATTENDANCE REPORT

The Subcommittee on Community Health submitted the following:

Joint meeting held on Thursday, February 26, 2015, at 2:00 p.m., House Appropriations Room, 3rd Floor, Capitol Building

Present: Senators Marleau (C), Shirkey, Hansen and Hertel

#### COMMITTEE ATTENDANCE REPORT

The Subcommittee on Human Services submitted the following:

Joint meeting held on Thursday, February 26, 2015, at 2:00 p.m., House Appropriations Room, 3rd Floor, Capitol Building

Present: Senators MacGregor (C), Proos and Gregory



### COMMITTEE ATTENDANCE REPORT

The Subcommittee on Community Colleges submitted the following:

Joint meeting held on Thursday, February 26, 2015, at 3:00 p.m., Lansing Community College, Arts and Sciences Building, Rooms 104-105-106, 419 N. Washington Square, Lansing

Present: Senators Booher (C) and Knezek

Excused: Senator Schuitmaker

### COMMITTEE ATTENDANCE REPORT

The Subcommittee on Higher Education submitted the following:

Meeting held on Monday, March 2, 2015, at 1:30 p.m., Ferris State University, University Center, Room 203, 805 Campus Drive, Big Rapids

Present: Senators Schuitmaker (C), MacGregor and Hertel

### COMMITTEE ATTENDANCE REPORT

The Subcommittee on State Police and Military Affairs submitted the following:

Meeting held on Tuesday, March 3, 2015, at 8:30 a.m., Rooms 402 and 403, Capitol Building

Present: Senators Nofs (C), Colbeck and Knezek

### Scheduled Meetings

**Appropriations** - Wednesday, March 4, 2:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-1801)

#### Subcommittees -

**Agriculture and Rural Development** - Tuesdays, March 10, March 17, and March 24, 3:00 p.m., Rooms 402 and 403, Capitol Building (373-2768)

**Capital Outlay** - Wednesday, March 4, 4:00 p.m. or later after committees are given leave by the House to meet, House Appropriations Room, 3rd Floor, Capitol Building (373-8080)

**Community Colleges** - Wednesday, March 25, 9:00 a.m., Room 405, Capitol Building (373-2768)

**Corrections** - Thursdays, March 5 and March 26, Room 405, Capitol Building; March 12 and March 19, Senate Hearing Room, Ground Floor, Boji Tower (373-2768)

**Environmental Quality** - Tuesdays, March 10, March 17, and March 24, 1:30 p.m., Room 210, Farnum Building (373-2768)

**General Government** - Thursdays, March 5, March 12, March 19, and March 26, 8:30 a.m., Room 100, Farnum Building (373-2768)

**Higher Education** - Wednesday, March 18, 9:30 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

**Human Services** - Thursday, March 5, 2:00 p.m., Room 100, Farnum Building (373-2768)

**Judiciary** - Wednesdays, March 4, March 11, March 18, and March 25, 1:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

**K-12, School Aid, Education** - Wednesdays, March 4, March 11, March 18, and March 25, 8:30 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

**K-12, School Aid, Education and House School Aid Appropriations Subcommittee** - Thursday, March 5, 8:00 a.m., House Appropriations Room, 3rd Floor, Capitol Building (373-2768)

**Licensing and Regulatory Affairs** - Wednesday, March 4 (CANCELED), 8:30 a.m. and Thursday, March 5, 11:30 a.m., Room 110, Farnum Building (373-2768)



**Natural Resources** - Tuesdays, March 10, March 17, and March 24, 1:00 p.m., Room 210, Farnum Building (373-2768)

**State Police and Military Affairs** - Thursdays, March 5 (CANCELED), March 12 (CANCELED), and March 26 (CANCELED), 1:00 p.m.; Tuesdays, March 10 and March 24, 8:30 a.m., Rooms 402 and 403, Capitol Building (373-2768)

**Transportation** - Thursdays, March 5, 9:00 a.m.; March 12 (CANCELED), March 19, and March 26, 8:30 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

**Commerce** - Wednesday, March 4, 9:00 a.m., Room 210, Farnum Building (373-5312)

**Economic Development** - Thursday, March 5, 1:30 p.m., Room 210, Farnum Building (373-5312)

**Energy and Technology** - Thursday, March 5, 12:30 p.m., Senate Hearing Room, Ground Floor, Boji Tower (373-1721)

**Outdoor Recreation and Tourism** - Wednesday, March 4, 12:30 p.m., Room 110, Farnum Building (373-1721)

**Regulatory Reform** - Wednesday, March 4, 12:30 p.m., Senate Hearing Room, Ground Floor, Boji Tower (373-5323)

**Veterans, Military Affairs and Homeland Security** - Thursday, March 5, 2:00 p.m., Room 110, Farnum Building (373-5314)

Senator Kowall moved that the Senate adjourn.  
The motion prevailed, the time being 10:44 a.m.

The Assistant President pro tempore, Senator O'Brien, declared the Senate adjourned until Wednesday, March 4, 2015, at 10:00 a.m.

JEFFREY F. COBB  
Secretary of the Senate

