

**No. 43**  
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Senate Chamber, Lansing, Thursday, May 7, 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 Assistant Secretary of the Senate, who announced that a quorum was present.

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

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

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

Senator Kenneth B. Horn of the 32nd District offered the following invocation:

Dear Lord, what a glorious and brilliant day that You provided for us. My entire ride from Frankenmuth down here to the Capitol Building, I could only think, boy, the hostas around my house and around the main streets of Frankenmuth are over six inches tall. The trees are beginning to blossom along I-69. I can only imagine the beauty of the tulips that were growing on the west side of Michigan as we celebrated the Tulip Festival.

With this being the National Day of Prayer, let us all unite to give You thanks for the blessings You provide to a very grateful nation. This is also our last day of session before Mother's Day. For all of the sons and daughters in this chamber whose mothers are still here on earth, will you please just tap them on the shoulder and remind them to call home to give their moms a little bit bigger hug this year and to say I love you.

For those of us whose mothers You brought home to be with You in heaven, please let them know that things are well down here, that we are doing fine. If You remember, I lost my mother just two years ago, and my wife's mother left us in 1986, just a month after my son was born. If You would, just lean over and tell them that everything is going really well at home; that Andrea comes to visit once in a while from Grand Rapids; that Kevin is living with us at home with a beautiful daughter-in-law whom he brought with him from Ecuador; that you both have a great-grandson, Liam, who's full of laughter and mischief. You have a granddaughter on the way. The house is full of energy. It's just crazy, busy, and full; just the way you remember it.

All of this serves as a reminder that as we stand here in this beautiful chamber, this very large chamber, preparing to solve some very big problems, that it's the littlest things in life which remind us just how precious life is. It's the life You provided for all of us.

Just this last week, some of us had a very solemn visit to the Arlington National Cemetery, which reminds me to have You bless the mothers of our service men and women, our veterans, our police, and our firefighters who risk life and limb for us. I ask for a very special blessing for the sergeants who are right here in this chamber, who watch our backs and let us work in safety; to the Secretary of the Senate and staff who make all of this work seamlessly; for our own staffs and for the people in the Gallery.

As we continue this National Day of Prayer and head into Mother's Day on Sunday, Your day of rest, we invite You, Lord, to wiggle Your toes in the sweet waters of Michigan. I ask You to bless the people who make this Great Lakes State great. In Your name, all the children of God say, 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 Hopgood entered the Senate Chamber.

Senator Kowall moved that Senators Meekhof and Hildenbrand be temporarily excused from today's session. The motion prevailed.

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

Senator Kowall moved that the Committee on Appropriations be discharged from further consideration of the following bill:  
**Senate Bill No. 279, entitled**

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

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

Senator Kowall moved that the bill be referred to the Committee on Education. The motion prevailed.

Senator Kowall moved that the Committee on Commerce be discharged from further consideration of the following bill:  
**Senate Bill No. 280, entitled**

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

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

Senator Kowall moved that the bill be referred to the Committee on Education.

The motion prevailed.

Senators Meekhof, Hildenbrand and Johnson entered the Senate Chamber.

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

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

The motion prevailed.

Senator Meekhof's statement is as follows:

It is a bittersweet day. We often have staff who work very diligently for us behind the scenes. These people have opportunities that come after their experience here. One of those individuals is Steve Heikkinen. Steve's parents Pete and Ann are here as well.

As my colleagues will agree, it is always hard to lose one of our great staffers here in the Michigan Senate. We look forward to their success and hope for their return. But I am sure they are very productive in their new jobs because of the training they received here.

Today we lose one of those great staffers to our colleagues across the rotunda. I am here to acknowledge the contributions of Steve to the Michigan Senate. He came to the Senate in 2012 at the start of hectic lame duck and was able to tread water right away. Steve's professionalism, experience, and integrity have been greatly appreciated and have not gone unnoticed during his nearly three years as a session journal clerk.

His ability to do whatever it takes to be an effective team member supporting and assisting co-workers is not something that you can teach new employees. For these reasons and more, Steve will be greatly missed as he returns to the House of Representatives.

It is also my honor to present Steve with a tribute today with our gratitude for his dedication to the Michigan Senate. Can the members and staff on the floor help me to acknowledge the contributions of Steve and offer appreciation for his work here in the Senate.

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

**Senate Bill Nos. 313 314 315**

### Messages from the Governor

The following message from the Governor was received:

Date: May 5, 2015

Time: 12:36 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 12 (Public Act No. 20), being**

An act to amend 1943 PA 240, entitled "An act to provide for a state employees' retirement system; to create a state employees' retirement board and prescribe its powers and duties; to establish certain funds in connection with the retirement system; to require contributions to the retirement system by and on behalf of members and participants of the retirement system; to create certain accounts and provide for expenditures from those accounts; to prescribe the powers and duties of certain state and local officers and employees and certain state departments and agencies; to prescribe and make appropriations for the retirement system; and to prescribe penalties and provide remedies," by amending section 68c (MCL 38.68c), as amended by 2013 PA 112.

(Filed with the Secretary of State on May 5, 2015, at 4:08 p.m.)

Respectfully,  
Rick Snyder  
Governor

By unanimous consent the Senate proceeded to the order of  
**General Orders**

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

The motion prevailed, and the Assistant President pro tempore, Senator O'Brien, designated Senator Nofs 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. 62, entitled**

A bill to amend 1937 PA 103, entitled "An act to prescribe certain conditions relative to the execution of instruments entitled to be recorded in the office of the register of deeds," by amending section 3 (MCL 565.203).

Substitute (S-2).

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

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

**House Bill No. 4075, entitled**

A bill to amend 1895 PA 161, entitled "An act to require county treasurers to furnish transcripts and abstracts of records, and fixing the fees to be paid therefor," by amending section 1 (MCL 48.101), as amended by 1984 PA 291.

Substitute (S-1).

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

1. Amend page 4, line 2, by striking out all of enacting section 1.

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.

During the Committee of the Whole, Senator Young entered the Senate Chamber.

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

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

**Senate Bill No. 115**

**Senate Bill No. 119**

**Senate Bill No. 128**

**Senate Bill No. 131**

**Senate Bill No. 118**

**Senate Bill No. 122**

**Senate Bill No. 124**

**Senate Bill No. 125**

**Senate Bill No. 132**

**House Bill No. 4069**

**House Bill No. 4169**

**House Bill No. 4135**

The motion prevailed.

The following bill was read a third time:

**Senate Bill No. 115, entitled**

A bill to make appropriations for the department of agriculture and rural development for the fiscal year ending September 30, 2016; and to provide for the expenditure of the appropriations.

The question being on the passage of the bill,

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

**Roll Call No. 149**

**Yeas—27**

Booher  
 Brandenburg  
 Casperson

Hildenbrand  
 Horn  
 Hune

Marleau  
 Meekhof  
 Nofs

Rocca  
 Schmidt  
 Schuitmaker

Colbeck	Jones	O'Brien	Shirkey
Emmons	Knollenberg	Pavlov	Stamas
Green	Kowall	Proos	Zorn
Hansen	MacGregor	Robertson	

**Nays—11**

Ananich	Hertel	Johnson	Warren
Bieda	Hood	Knezek	Young
Gregory	Hopgood	Smith	

**Excused—0****Not Voting—0**

In The Chair: O'Brien

The Senate agreed to the title of the bill.

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

The motion prevailed.

Senator Proos' statement is as follows:

I appreciate the opportunity to take a moment with my colleagues. As I'm joined by Representative Miller, I would like to recognize the resolution that is before us from the Senator from the 18th District, recognizing the B-24 Liberator which was made here in the great state of Michigan, in Warren. It's also a good time to join Representative Miller who has invited some very special guests who exemplify honor, courage, and sacrifice.

As the 8th of May, we recognize a very special day in our history. It's one which marked the end of fighting in World War II, victory in Europe. May 8, 2015, will be 70 years since that date.

Representative Miller has invited some very special guests from the district we represent together. It includes the some World War II veterans I know my colleagues would like to recognize and honor. In fact, they have given us the chance to stand in freedom today under that great flag of ours. They are Mr. Dillon Fritz, Mr. Truman Miller, and Mr. Paul Richardson. They are joining us in the west Gallery today. If we could, please recognize them and thank them for their great service to our nation.

The following bill was read a third time:

**Senate Bill No. 119, entitled**

A bill to make appropriations for the department of corrections for the fiscal year ending September 30, 2016; and to provide for the expenditure of the appropriations.

The question being on the passage of the bill,

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

**Roll Call No. 150****Yeas—27**

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

**Nays—11**

Ananich	Hertel	Johnson	Warren
Bieda	Hood	Knezek	Young
Gregory	Hopgood	Smith	

**Excused—0****Not Voting—0**

In The Chair: O'Brien

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 128, entitled**

A bill to make appropriations for the department of military and veterans affairs for the fiscal year ending September 30, 2016; and to provide for the expenditure of the appropriations.

The question being on the passage of the bill,

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

**Roll Call No. 151****Yeas—27**

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

**Nays—11**

Ananich	Hertel	Johnson	Warren
Bieda	Hood	Knezek	Young
Gregory	Hopgood	Smith	

**Excused—0****Not Voting—0**

In The Chair: O'Brien

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 131, entitled**

A bill to make appropriations for the department of state police for the fiscal year ending September 30, 2016; and to provide for the expenditure of the appropriations.

The question being on the passage of the bill,

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

**Roll Call No. 152**

**Yeas—27**

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

**Nays—11**

Ananich	Hertel	Johnson	Warren
Bieda	Hood	Knezek	Young
Gregory	Hopgood	Smith	

**Excused—0**

**Not Voting—0**

In The Chair: O'Brien

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 118, entitled**

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

The question being on the passage of the bill,

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

**Roll Call No. 153**

**Yeas—27**

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

**Nays—11**

Ananich  
Bieda  
Gregory

Hertel  
Hood  
Hopgood

Johnson  
Knezek  
Smith

Warren  
Young

**Excused—0****Not Voting—0**

In The Chair: O'Brien

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 122, entitled**

A bill to make appropriations for the legislature, the judiciary, the executive, the department of attorney general, the department of state, the department of treasury, the department of technology, management, and budget, the department of civil rights, and certain state purposes related thereto for the fiscal year ending September 30, 2016; to provide for the expenditure of the appropriations; to provide for the disposition of fees and other income received by the state agencies; and to declare the effect of this act.

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. 154****Yeas—27**

Booher  
Brandenburg  
Casperson  
Colbeck  
Emmons  
Green  
Hansen

Hildenbrand  
Horn  
Hune  
Jones  
Knollenberg  
Kowall  
MacGregor

Marleau  
Meekhof  
Nofs  
O'Brien  
Pavlov  
Proos  
Robertson

Rocca  
Schmidt  
Schuitmaker  
Shirkey  
Stamas  
Zorn

**Nays—11**

Ananich  
Bieda  
Gregory

Hertel  
Hood  
Hopgood

Johnson  
Knezek  
Smith

Warren  
Young

**Excused—0****Not Voting—0**

In The Chair: O'Brien

The Senate agreed to the title of the bill.



The following bill was read a third time:

**Senate Bill No. 124, entitled**

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

The question being on the passage of the bill,

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

**Roll Call No. 155**

**Yeas—27**

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

**Nays—11**

Ananich	Hertel	Johnson	Warren
Bieda	Hood	Knezek	Young
Gregory	Hopgood	Smith	

**Excused—0**

**Not Voting—0**

In The Chair: O'Brien

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 125, entitled**

A bill to make appropriations for the department of insurance and financial services for the fiscal year ending September 30, 2016; and to provide for the expenditure of the appropriations.

The question being on the passage of the bill,

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

**Roll Call No. 156**

**Yeas—27**

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

**Nays—11**

Ananich	Hertel	Johnson	Warren
Bieda	Hood	Knezek	Young
Gregory	Hopgood	Smith	

**Excused—0****Not Voting—0**

In The Chair: O'Brien

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 132, entitled**

A bill to make appropriations for the department of transportation for the fiscal year ending September 30, 2016; and to provide for the expenditure of the appropriations.

The question being on the passage of the bill,

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

**Roll Call No. 157****Yeas—27**

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

**Nays—11**

Ananich	Hertel	Johnson	Warren
Bieda	Hood	Knezek	Young
Gregory	Hopgood	Smith	

**Excused—0****Not Voting—0**

In The Chair: O'Brien

The Senate agreed to the title of the bill.

The following bill was read a third time:

**House Bill No. 4069, entitled**

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 11 of chapter II (MCL 762.11), as amended by 2004 PA 239.

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. 158**

**Yeas—38**

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

**Nays—0**

**Excused—0**

**Not Voting—0**

In The Chair: O’Brien

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

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

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

“An act to revise, consolidate, and codify the laws relating to criminal procedure and to define the jurisdiction, powers, and duties of courts, judges, and other officers of the court under the provisions of this act; to provide laws relative to the rights of persons accused of criminal offenses and ordinance violations; to provide for the arrest of persons charged with or suspected of criminal offenses and ordinance violations; to provide for bail of persons arrested for or accused of criminal offenses and ordinance violations; to provide for the examination of persons accused of criminal offenses; to regulate the procedure relative to grand juries, indictments, informations, and proceedings before trial; to provide for trials of persons complained of or indicted for criminal offenses and ordinance violations and to provide for the procedure in those trials; to provide for judgments and sentences of persons convicted of criminal offenses and ordinance violations; to establish a sentencing commission and to prescribe its powers and duties; to provide for procedure relating to new trials and appeals in criminal and ordinance violation cases; to provide a uniform system of probation throughout this state and the appointment of probation officers; to prescribe the powers, duties, and compensation of probation officers; to provide penalties for the violation of the duties of probation officers; to provide for procedure governing proceedings to prevent crime and proceedings for the discovery of crime; to provide for fees of officers, witnesses, and others in criminal and ordinance violation cases; to set forth miscellaneous provisions as to criminal procedure in certain cases; to provide penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act.”

The Senate agreed to the full title.

The following bill was read a third time:

**House Bill No. 4169, entitled**

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 13 of chapter II (MCL 762.13), as amended by 2004 PA 239.

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. 159****Yeas—37**

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

**Nays—1**

Gregory

**Excused—0****Not Voting—0**

In The Chair: O'Brien

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

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

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

“An act to revise, consolidate, and codify the laws relating to criminal procedure and to define the jurisdiction, powers, and duties of courts, judges, and other officers of the court under the provisions of this act; to provide laws relative to the rights of persons accused of criminal offenses and ordinance violations; to provide for the arrest of persons charged with or suspected of criminal offenses and ordinance violations; to provide for bail of persons arrested for or accused of criminal offenses and ordinance violations; to provide for the examination of persons accused of criminal offenses; to regulate the procedure relative to grand juries, indictments, informations, and proceedings before trial; to provide for trials of persons complained of or indicted for criminal offenses and ordinance violations and to provide for the procedure in those trials; to provide for judgments and sentences of persons convicted of criminal offenses and ordinance violations; to establish a sentencing commission and to prescribe its powers and duties; to provide for procedure relating to new trials and appeals in criminal and ordinance violation cases; to provide a uniform system of probation throughout this state and the appointment of probation officers; to prescribe the powers, duties, and compensation of probation officers; to provide penalties for the violation of the duties of probation officers; to provide for procedure governing proceedings to prevent crime and proceedings for the discovery of crime; to provide for fees of officers, witnesses, and others in criminal and ordinance violation cases; to set forth miscellaneous provisions as to criminal procedure in certain cases; to provide penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act.”

The Senate agreed to the full title.

The following bill was read a third time:

**House Bill No. 4135, entitled**

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 12 of chapter II (MCL 762.12), as amended by 1994 PA 286.

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. 160****Yeas—38**

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

**Nays—0****Excused—0****Not Voting—0**

In The Chair: O'Brien

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

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

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

“An act to revise, consolidate, and codify the laws relating to criminal procedure and to define the jurisdiction, powers, and duties of courts, judges, and other officers of the court under the provisions of this act; to provide laws relative to the rights of persons accused of criminal offenses and ordinance violations; to provide for the arrest of persons charged with or suspected of criminal offenses and ordinance violations; to provide for bail of persons arrested for or accused of criminal offenses and ordinance violations; to provide for the examination of persons accused of criminal offenses; to regulate the procedure relative to grand juries, indictments, informations, and proceedings before trial; to provide for trials of persons complained of or indicted for criminal offenses and ordinance violations and to provide for the procedure in those trials; to provide for judgments and sentences of persons convicted of criminal offenses and ordinance violations; to establish a sentencing commission and to prescribe its powers and duties; to provide for procedure relating to new trials and appeals in criminal and ordinance violation cases; to provide a uniform system of probation throughout this state and the appointment of probation officers; to prescribe the powers, duties, and compensation of probation officers; to provide penalties for the violation of the duties of probation officers; to provide for procedure governing proceedings to prevent crime and proceedings for the discovery of crime; to provide for fees of officers, witnesses, and others in criminal and ordinance violation cases; to set forth miscellaneous provisions as to criminal procedure in certain cases; to provide penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act.”.

The Senate agreed to the full title.

By unanimous consent the Senate proceeded to the order of

**Resolutions**

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

**House Concurrent Resolution No. 3**

The motion prevailed.

**Senate Concurrent Resolution No. 9.**

A concurrent resolution to urge the U.S. Department of Defense, Missile Defense Agency to select the Fort Custer Training Center as the location for a new ground-based interceptor ballistic missile defense mission.

The question being on the adoption of the concurrent resolution,

The concurrent resolution was adopted.

Senator Jones offered the following resolution:

**Senate Resolution No. 49.**

A resolution to recognize and designate June 22-28, 2015, as Amateur Radio Week.

Whereas, Amateur radio operators are celebrating over a century of the miracle of the human voice broadcast over the airwaves; and

Whereas, Amateur radio continues to provide a bridge between people, societies, and countries by creating friendships and the sharing of ideas; and

Whereas, Operators of amateur radio have also provided countless hours of community services both in emergencies and to other local organizations throughout these decades, which are provided wholly uncompensated; and

Whereas, The state of Michigan recognizes the services amateur radio operators also provide to our many civilian emergency response organizations, including the American Red Cross and the Salvation Army; and

Whereas, These same individuals have further demonstrated their value in public assistance by providing free radio communications for local parades, bike-a-thons, walk-a-thons, fairs, and other charitable public events; and

Whereas, The state of Michigan acknowledges and appreciates the diligence of these hams who also serve as weather spotters in the SKYWARN program of the National Weather Service; and

Whereas, Amateur radio once again proved its undisputed relevance in the modern world by providing emergency communications when other systems failed in the wake of Hurricane Irene and the paralyzing October blizzard that hit the Northeast and Atlantic Seaboard; and

Whereas, The American Radio Relay League (ARRL) is the leading organization for amateur radio in the United States; and

Whereas, The ARRL Amateur Radio Field Day exercise will take place on June 27-28, 2015, and is a 24-hour emergency preparedness exercise and demonstration of the radio amateurs' skills and readiness to provide self-supporting communications without requiring further infrastructure; now, therefore, be it

Resolved by the Senate, That we hereby recognize and designate June 22-28, 2015, as Amateur Radio Week in the state of Michigan.

Pending the order that, under rule 3.204, the resolution be referred to the Committee on Government Operations,

Senator Kowall moved that the rule be suspended.

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

The resolution was adopted.

Senators Bieda, Booher, Brandenburg, Emmons, Hansen, Marleau, Nofs, Proos, Stamas, Warren and Zorn were named co-sponsors of the resolution.

### Introduction and Referral of Bills

Senator Jones introduced

**Senate Bill No. 316, entitled**

A bill to amend 1976 PA 267, entitled "Open meetings act," by amending section 3 (MCL 15.263), as amended by 1988 PA 278.

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

Senator Robertson introduced

**Senate Bill No. 317, entitled**

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 1 (MCL 205.51), as amended by 2013 PA 160.

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

Senators Knollenberg, Bieda, Hopgood, Marleau and Kowall introduced

**Senate Bill No. 318, entitled**

A bill to amend 2003 PA 225, entitled "An act to designate March 31 of each year as Cesar E. Chavez day in the state of Michigan; to designate July 14 of each year as President Gerald R. Ford day in the state of Michigan; and to designate July 30 of each year as Henry Ford day in the state of Michigan," (MCL 435.301 to 435.303) by amending the title and by adding section 4.

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

Senators Kowall, Shirkey, Hertel, MacGregor, Marleau and Emmons introduced

**Senate Bill No. 320, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 17210 and 17708 (MCL 333.17210 and 333.17708), section 17708 as amended by 2012 PA 209.

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

### Statements

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

The motion prevailed.

Senator Bieda's statement is as follows:

I just wanted to take a couple of seconds to acknowledge someone who has been a great influence in my life. I wanted to thank my mom and wish her a very Happy Mother's Day this Sunday. I also want to take the opportunity to wish Happy Mother's Day to all of the mothers out there in the Legislature—your parents, your constituents. I wish you all a very, very Happy Mother's Day.

### Committee Reports

The Committee on Judiciary reported

**Senate Bill No. 219, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending sections 49, 50, 50b, and 158 (MCL 750.49, 750.50, 750.50b, and 750.158), section 49 as amended by 2006 PA 129, section 50 as amended by 2007 PA 152, and section 50b as amended by 2008 PA 339.

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

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

Rick Jones  
Chairperson

To Report Out:

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

Nays: None

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

The Committee on Judiciary reported

**Senate Bill No. 220, entitled**

A bill to amend 1935 PA 120, entitled "An act to prescribe a method for the fingerprinting of residents of the state, and to provide for the recording and filing thereof by the central records division of the department of state police," by amending section 3 (MCL 28.273), as amended by 2012 PA 318.

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

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

Rick Jones  
Chairperson

To Report Out:

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

Nays: None

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

The Committee on Judiciary reported

**House Bill No. 4076, 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.

With the recommendation that the bill pass.

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

Rick Jones  
Chairperson

## To Report Out:

Yeas: Senators Jones, Schuitmaker, Colbeck and Bieda

Nays: None

The bill was referred to the Committee of the Whole.

## COMMITTEE ATTENDANCE REPORT

The Committee on Judiciary submitted the following:

Meeting held on Tuesday, May 5, 2015, at 3:00 p.m., Room 110, Farnum Building

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

The Committee on Commerce reported

**Senate Bill No. 213, entitled**

A bill to amend 1974 PA 154, entitled "Michigan occupational safety and health act," by amending section 61 (MCL 408.1061), as amended by 1996 PA 437.

With the recommendation that the bill pass.

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

Wayne A. Schmidt  
Chairperson

## To Report Out:

Yeas: Senators Schmidt, Kowall, MacGregor and Nofs

Nays: None

The bill was referred to the Committee of the Whole.

## COMMITTEE ATTENDANCE REPORT

The Committee on Commerce submitted the following:

Meeting held on Wednesday, May 6, 2015, at 8:30 a.m., Room 210, Farnum Building

Present: Senators Schmidt (C), Kowall, MacGregor, Nofs and Hertel

The Committee on Outdoor Recreation and Tourism reported

**Senate Bill No. 244, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 40119 (MCL 324.40119), as amended by 2013 PA 175.

With the recommendation that the bill pass.

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

Goeffrey M. Hansen  
Chairperson

## To Report Out:

Yeas: Senators Hansen, Zorn, Schmidt and Green

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Outdoor Recreation and Tourism reported

**Senate Bill No. 245, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 40118 (MCL 324.40118), as amended by 2012 PA 520.

With the recommendation that the substitute (S-2) be adopted and that the bill then pass.

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

Goeffrey M. Hansen  
Chairperson

## To Report Out:

Yeas: Senators Hansen, Zorn, Schmidt and Green

Nays: None

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



The Committee on Outdoor Recreation and Tourism reported

**Senate Bill No. 246, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 13e of chapter XVII (MCL 777.13e), as amended by 2014 PA 538.

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.

Goeffrey M. Hansen  
Chairperson

To Report Out:

Yeas: Senators Hansen, Zorn, Schmidt and Green

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 Outdoor Recreation and Tourism submitted the following:

Meeting held on Wednesday, May 6, 2015, at 12:30 p.m., Room 110, Farnum Building

Present: Senators Hansen (C), Zorn, Schmidt and Green

Excused: Senator Johnson

The Committee on Regulatory Reform reported

**Senate Bill No. 152, entitled**

A bill to amend 2004 PA 403, entitled "Michigan unarmed combat regulatory act," by amending the title and sections 1, 10, 11, 12, 20, 21, 22, 30, 31, 33, 34, 35, 40, 41, 42, 47, 48, 55, 57, and 58 (MCL 338.3601, 338.3610, 338.3611, 338.3612, 338.3620, 338.3621, 338.3622, 338.3630, 338.3631, 338.3633, 338.3634, 338.3635, 338.3640, 338.3641, 338.3642, 338.3647, 338.3648, 338.3655, 338.3657, and 338.3658), sections 1, 10, 11, 12, 21, 31, 34, 35, 47, 48, 55, 57, and 58 as amended by 2007 PA 196, sections 20 and 33 as amended by 2012 PA 546, and section 22 as amended by 2010 PA 100, and by adding sections 33a, 33b, 33c, 33d, 49, 49a, and 54a; and to repeal acts and parts of acts.

With the recommendation that the substitute (S-2) be adopted and that the bill then pass.

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

Tory Rocca  
Chairperson

To Report Out:

Yeas: Senators Rocca, Jones, Knollenberg, Kowall, Marleau, Hune, Warren, Hertel and Johnson

Nays: None

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

The Committee on Regulatory Reform reported

**Senate Bill No. 154, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 13p of chapter XVII (MCL 777.13p), as amended by 2010 PA 317.

With the recommendation that the bill pass.

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

Tory Rocca  
Chairperson

To Report Out:

Yeas: Senators Rocca, Jones, Knollenberg, Kowall, Marleau, Hune, Warren, Hertel and Johnson

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Regulatory Reform reported

**House Bill No. 4162, entitled**

A bill to amend 1976 PA 333, entitled "An act to provide for the licensing of elevator journeymen and the regulation of elevators and elevator journeymen; to prescribe the functions of the director of labor and the elevator safety board; and to provide penalties for violations of this act," by amending section 2 (MCL 338.2152).

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

Tory Rocca  
Chairperson

To Report Out:

Yeas: Senators Rocca, Jones, Knollenberg, Kowall, Marleau and Hune  
Nays: Senators Warren, Hertel and Johnson  
The bill was referred to the Committee of the Whole.

The Committee on Regulatory Reform reported

**House Bill No. 4163, entitled**

A bill to amend 1967 PA 227, entitled "An act to regulate the inspection, construction, installation, alteration, maintenance, repair and operation of elevators and the licensing of elevator contractors; to prescribe the functions of the director of labor; to create, and prescribe the functions of, the elevator safety board; to provide penalties for violations of the act; and to repeal certain acts and parts of acts," by amending the title and sections 3, 4, and 15 (MCL 408.803, 408.804, and 408.815), section 15 as amended by 2004 PA 269, and by adding section 14a.

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

Tory Rocca  
Chairperson

To Report Out:

Yeas: Senators Rocca, Jones, Knollenberg, Kowall, Marleau and Hune  
Nays: Senators Warren, Hertel and Johnson  
The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Regulatory Reform submitted the following:  
Meeting held on Wednesday, May 6, 2015, at 12:30 p.m., Senate Hearing Room, Ground Floor, Boji Tower  
Present: Senators Rocca (C), Jones, Knollenberg, Kowall, Marleau, Hune, Warren, Hertel and Johnson

COMMITTEE ATTENDANCE REPORT

The Joint Committee on Administrative Rules submitted the following:  
Meeting held on Wednesday, May 6, 2015, at 9:30 a.m., Room 426, Capitol Building  
Present: Senators Stamas (C), Rocca, Kowall, Hood and Hertel

COMMITTEE ATTENDANCE REPORT

The Committee on Families, Seniors and Human Services submitted the following:  
Meeting held on Wednesday, May 6, 2015, at 3:00 p.m., Room 210, Farnum Building  
Present: Senators Emmons (C), Pavlov, Jones, Casperson and Johnson

**Scheduled Meetings**

**Appropriations -**

**Subcommittee -**

**K-12, School Aid, Education and House School Aid Appropriations Subcommittee -** Wednesday, June 3, 8:30 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

**Local Government -** Tuesday, May 12, 12:30 p.m., Room 100, Farnum Building (373-5323)

**Michigan Law Revision Commission -** Wednesday, May 13, 11:30 a.m., Legislative Council Conference Room, 3rd Floor, Boji Tower (373-0212)

Senator Kowall moved that the Senate adjourn.  
The motion prevailed, the time being 10:54 a.m.

The Assistant President pro tempore, Senator O'Brien, declared the Senate adjourned until Tuesday, May 12, 2015, at 10:00 a.m.

JEFFREY F. COBB  
Secretary of the Senate

