

No. 64
STATE OF MICHIGAN
Journal of the Senate
98th Legislature
REGULAR SESSION OF 2016

Senate Chamber, Lansing, Tuesday, September 20, 2016.

10:00 a.m.

The Senate was called to order by the Associate President pro tempore, Senator Hoon-Yung Hopgood.

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—excused
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
Stamas—present
Warren—present
Young—present
Zorn—present

Pastor Joshua LaFève of Immanuel Lutheran Church of Leland offered the following invocation:

Gracious Lord, You are in full control of the world You have created. With Your right arm You execute justice, righteousness in Your Son, Jesus Christ, and through Your church on Earth.

You do this to ensure that all people of all nations regardless of race or ethnicity that they might hear and receive, by faith, the good news that their creator has accomplished what is necessary to forgive sin. To reconcile them to himself, and, both now and onto eternity.

With your left arm You execute justice and righteousness in this and every nation of the Earth through governing authorities who make, administer, judge, and execute our laws for the sake of peace and good order. For this reason we honor, we respect, we obey, and we pray for our governing authorities.

Indeed, we are reminded of the words of Your servant, Saint Paul, who once wrote to his young co-worker Timothy, first of all them. I urge that supplications, prayers, intercessions, and thanks giving be made for all people; for kings and for all who are in high positions that we may lead a peaceful and quiet life, Godly, and dignified in every way.

So we pray, especially for the work of this Senate. You have endowed each member as Your creature with varied gifts and accord with Your mercy. Give each of them counsel, aid, wisdom, discernment to function collectively as Your righteous left arm, honoring Your will, and acting for the good of all whom they serve.

As they so serve, continue to hold out the merciful hand of Your right arm, and the eternal gifts, and blessings of forgiveness, eternal life, and salvation found therein, that they might readily partake.

To You, we give all the Honor, Glory, and blessing, Father, Son, and Holy Spirit.

In the Name of Jesus, we pray. Amen.

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

Motions and Communications

Senator Young entered the Senate Chamber.

Senator Kowall moved that Senator Schuitmaker be temporarily excused from today's session.
The motion prevailed.

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

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

Recess

Senator Kowall moved that the Senate recess subject to the call of the Chair.
The motion prevailed, the time being 10:05 a.m.

11:39 a.m.

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

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

The following communication was received:
Department of State

Administrative Rules Notice of Filing

September 6, 2016

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2016-047-LR (Secretary of State Filing #16-09-01) on this date at 4:03 p.m. for the Department of Licensing and Regulatory Affairs entitled, "Wage and Hour Division – General Rules."

These rules take effect immediately upon filing with the Secretary of State unless adopted under sections 33, 44 or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

Sincerely,
Ruth Johnson
Secretary of State
Robin L. Houston, Departmental Supervisor
Office of the Great Seal

The communication was referred to the Secretary for record.

The Secretary announced that the following bills and joint resolution were printed and filed on Wednesday, September 7, and are available at the Michigan Legislature website:

House Bill Nos. 5807 5808 5809 5810 5811 5812 5813 5814 5815 5816 5817 5818 5819 5820
5821 5822 5823 5824 5825 5826 5827 5828
House Joint Resolution QQ

The Secretary announced that the following bills and joint resolution were printed and filed on Thursday, September 8, and are available at the Michigan Legislature website:

Senate Bill Nos. 1066 1067 1068 1069 1070 1071 1072 1073 1074 1075 1076 1077 1078
House Bill Nos. 5829 5830 5831 5832 5833 5834 5835 5836 5837 5838 5839 5840 5841 5842
5843 5844 5845 5846 5847 5848 5849 5850 5851 5852 5853 5854 5855 5856
5857
House Joint Resolution RR

The Secretary announced that the following bills were printed and filed on Tuesday, September 13, and are available at the Michigan Legislature website:

House Bill Nos. 5858 5859 5860 5861 5862 5863 5864 5865 5866 5867 5868 5869 5870 5871
5872

The Secretary announced that the following bills were printed and filed on Wednesday, September 14, and are available at the Michigan Legislature website:

House Bill Nos. 5873 5874 5875 5876

Messages from the Governor

The following messages from the Governor were received and read:

August 30, 2016

Please be advised of the following appointments to office:

Chair - State Fire Safety Board

Andrew R. Lenaghan of 23034 Arlington Street, Dearborn, Michigan 48128, county of Wayne, is appointed for a term expiring at the pleasure of the Governor.

State Fire Safety Board

Jeffery A. Green of 1429 Lincoln Avenue, Marquette, Michigan 49855, county of Marquette, representing fire departments in the Upper Peninsula, succeeding Dean Mallos, is appointed for a term expiring July 15, 2020.

Paul R. Korte of 4000 Town Center Drive, Suite 700, Southfield, Michigan 48075, county of Wayne, representing the nursing home industry, succeeding David Herbel, is appointed for a term expiring July 15, 2017.

Michael W. Powers of 1965 15 Mile Road, Rockford, Michigan 49341, county of Kent, representing licensed electrical contractors or master electrician, succeeding Thomas Lippens, is appointed for a term expiring July 15, 2020.

August 30, 2016

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

Public Safety Communications Interoperability Board

Gregory Janik of 3208 Silver Acres Drive, Saugatuck, Michigan 49453, county of Allegan, representing local emergency first responders, succeeding Julie Secontine, is appointed for a term expiring April 30, 2019.

Kenneth Morris of 3456 Kissing Rock, Lowell, Michigan 49331, county of Kent, representing local emergency first responders, succeeding Mark Meijer, is appointed for a term expiring April 30, 2020.

Curtis A. Parsons of 604 Carriage Drive, Tecumseh, Michigan 49286, county of Lenawee, representing local emergency first responders, succeeding Jeffrey Friedland, is appointed for a term expiring April 30, 2020.

Troy A. Stern of 6606 Hidden Lane, Tecumseh, Michigan 49286, county of Lenawee, representing local emergency first responders, succeeding Robert Marchand, is appointed for a term expiring April 30, 2020.

September 1, 2016

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

Michigan Council for Arts and Cultural Affairs

Anne M. Belanger of 6442 Beach Road, Rogers City, Michigan 49779, county of Presque Isle, succeeding Nicole Nason, is appointed for a term expiring September 1, 2019.

Susannah C. Goodman of 1402 Campbell Street, Detroit, Michigan 48209, county of Wayne, succeeding herself, is reappointed for a term expiring September 1, 2019.

Ritschard P. Homberg of 1612 Lochridge Road, Bloomfield Hills, Michigan 48302, county of Oakland, succeeding himself, is reappointed for a term expiring September 1, 2019.

Carol Snapp of 2436 Alta Vista Avenue, Kalamazoo, Michigan 49008, county of Kalamazoo, succeeding herself, is reappointed for a term expiring September 1, 2019.

Shannon E. White of 13521 Hadden Street, Fenton, Michigan 48430, county of Genesee, succeeding herself, is reappointed for a term expiring September 1, 2019.

September 5, 2016

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

Michigan Film Office Advisory Council

Niki Adams of 942 S. Cedar Street, Apt. #7, Mason, Michigan 48854, county of Ingham, representing broad areas of film and motion picture making, production of television programs and commercials, and related industries in Michigan, succeeding Ted Serbiniski, is appointed for a term expiring September 30, 2018.

Rick F. Hert of 8608 Baileau Oaks Drive, N.E., Ada, Michigan 49301, county of Kent, representing local film offices, succeeding himself, is reappointed for a term expiring September 30, 2020.

Dan Lemieux of 48997 Quail Run Drive, South, Plymouth, Michigan 48170, county of Wayne, representing film, television, or related industry unions, succeeding Marcia Fishman, is appointed for a term expiring September 30, 2020.

Andriy B. Pereklita of 3585 Windemere Drive, Ann Arbor, Michigan 48105, county of Washtenaw, representing film, television, or related industry unions, succeeding Calvin Hazelbaker, is appointed for a term expiring September 30, 2020.

Joseph Voss of 2325 Clark Avenue, Kalamazoo, Michigan 49048, county of Kalamazoo, representing broad areas of film and motion picture making, production of television programs and commercials, and related industries in Michigan, succeeding himself, is reappointed for a term expiring September 30, 2020.

September 5, 2016

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

Michigan Law Enforcement Officers Memorial Monument Fund Commission

Mary D. Johnson of 4108 Hagadorn Road, Okemos, Michigan 48864, county of Ingham, representing an individual nominated by the Michigan State Troopers Association who is a survivor of a state trooper that was killed in the line of duty, succeeding herself, is reappointed for a term expiring June 30, 2020.

Kenneth Lorenze Rochell of 2295 Hickory Point Drive, Ann Arbor, Michigan 48105, county of Washtenaw, representing police chaplains, succeeding himself, is reappointed for a term expiring June 30, 2020.

September 5, 2016

Please be advised of the following appointment to office:

Natural Resources Trust Fund Board

William R. Rustem of 2770 Dobie Road, Mason, Michigan 48854, county of Ingham, succeeding Brad Canale, is appointed for a term commencing October 1, 2016, and expiring October 1, 2020.

September 5, 2016

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

Michigan Pharmacy and Therapeutics Committee

Debera H. Eggleston of 5548 Silverleaf Court, Haslett, Michigan 48840, county of Ingham, representing physicians, succeeding Jennifer Dehlin, is appointed for a term expiring October 1, 2018.

September 5, 2016

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

Michigan Prescription Drug and Opioid Abuse Commission

Stephen R. Bell of 11873 Grafton Road, Carleton, Michigan 48117, county of Monroe, representing osteopathic doctors, is appointed for a term expiring September 1, 2018.

Vincent V. Benivegna of 3585 Cabaret Trail, Okemos, Michigan 48864, county of Ingham, representing dentists, is appointed for a term expiring September 1, 2018.

Rebecca Cunningham of 3867 Hawk Crest Road, Ann Arbor, Michigan 48103, county of Washtenaw, representing allopathic doctors, is appointed for a term expiring September 1, 2018.

Richard Dettloff of 9343 Garden Gate Drive, Rockford, Michigan 49341, county of Kent, representing a representative of a pharmaceutical manufacturer, is appointed for a term expiring September 1, 2018.

Lisa K. Gigliotti of 2926 Marfitt Road, East Lansing, Michigan 48823, county of Ingham, representing chronic pain sufferers, is appointed for a term expiring September 1, 2018.

Timothy A. Hurtt of 9856 Defoe Court, Portage, Michigan 49092, county of Kalamazoo, representing law enforcement officers, is appointed for a term expiring September 1, 2018.

Stephen A. Lazar of 16219 15 Mile Road, Marshall, Michigan 49068, county of Calhoun, representing psychologists, is appointed for a term expiring September 1, 2018.

Paula Nelson of 13193 Hunt Road, Riley, Michigan 48041, county of Saint Clair, representing substance abuse treatment centers, is appointed for a term expiring September 1, 2018.

Melissa Owings of 8708 North Shore Drive, Clarklake, Michigan 49234, county of Jackson, representing veterinarians, is appointed for a term expiring September 1, 2018.

Michael J. Paletta of 972 McDonald Drive, Northville, Michigan 48167, county of Oakland, representing Michigan hospice organizations, is appointed for a term expiring September 1, 2018.

Gretchen Schumacher of 4728 Dun Robin Drive, N.E., Belmont, Michigan 49306, county of Kent, representing registered professional nurses, is appointed for a term expiring September 1, 2018.

Mary Sclabassi of 41764 Hampshire Drive, Novi, Michigan 48375, county of Oakland, representing law enforcement officers, is appointed for a term expiring September 1, 2018.

Patrick Shannon of 2731 Park Drive, Mackinac Island, Michigan 49757, county of Mackinac, representing the general public, is appointed for a term expiring September 1, 2018.

Roy Soto of 3250 Chestnut Run Drive, Bloomfield Hills, Michigan 48302, county of Oakland, representing a Michigan medical school, is appointed for a term expiring September 1, 2018.

Larry D. Wagenknecht of 6097 Partridge Street, Haslett, Michigan 48840, county of Ingham, representing a representative from a statewide pharmacy association, is appointed for a term expiring September 1, 2018.

Laurie A. Wesolowicz of 17455 Maple Hill Drive, Northville, Michigan 48168, county of Wayne, representing pharmacists, is appointed for a term expiring September 1, 2018.

Adam R. Wilson of 3964 Hiawatha Meadows Drive, Mt. Pleasant, Michigan 48858, county of Isabella, representing physician's assistants, is appointed for a term expiring September 1, 2018.

September 5, 2016

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

Michigan Statewide Independent Living Council

Aaron M. Andres of 1500 Norway Avenue, #6, Marquette, Michigan 49855, county of Marquette, representing individuals with a disability, is appointed for a term expiring December 31, 2019.

Robin L. Bennett of 2105 N. Sheldon Road, Apt. 202, Canton, Michigan 48187, county of Wayne, representing organizations that provide services for individuals with disabilities, including, but not limited to, private businesses, and individuals with a disability, is appointed for a term expiring December 31, 2019.

Gabriella Burman of 13151 Winchester Avenue, Huntington Woods, Michigan 48070, county of Oakland, representing advocates of, and for, individuals with disabilities, is appointed for a term expiring December 31, 2018.

Lisa A. Cook-Gordon of 225 West Burns Line Road, Melvin, Michigan 48454, county of Sanilac, representing parents or guardians of individuals with disabilities, is appointed for a term expiring December 31, 2017.

Alexander Darr of 8668 North Christine, Brighton, Michigan 48114, county of Livingston, representing individuals with a disability, is appointed for a term expiring December 31, 2019.

Sara E. Grivetti of 3939 E. Old Pine Trail, Midland, Michigan 48642, county of Midland, representing individuals with a disability, is appointed for a term expiring December 31, 2017.

Michael Hamm of 3467 N. Walnut Avenue, White Cloud, Michigan 49349, county of Newaygo, representing individuals with a disability, is appointed for a term expiring December 31, 2018.

Kelsey Kleimola of 955 Carver Avenue, Ypsilanti, Michigan 48198, county of Washtenaw, representing individuals with a disability, is appointed for a term expiring December 31, 2018.

Rebecca Parten of 25316 Fairway Drive, Dearborn, Michigan 48124, county of Wayne, representing individuals with a disability and advocates of, and for, individuals with disabilities, is appointed for a term expiring December 31, 2018.

Mairead C. Warner of 8212 Jordan Road, Melvin, Michigan 48454, county of Sanilac, representing individuals with a disability, is appointed for a term expiring December 31, 2019.

James G. Whalen of 1755 McPherson Street, Port Huron, Michigan 48060, county of Saint Clair, representing directors of centers for independent living within this state, is appointed for a term expiring December 31, 2017.

September 7, 2016

Please be advised of the following appointments to office:

Governor's Council on Physical Fitness, Health and Sports

Lindsey DesArmo of 720 Inees Street, S.E., Grand Rapids, Michigan 49503, county of Kent, succeeding Lila Lazarus, is appointed for a term expiring April 30, 2018.

Justin S. Zatkoff of 3412 Buckingham Trail, West Bloomfield, Michigan 48323, county of Oakland, succeeding Tom Minter, is appointed for a term expiring April 30, 2018.

Thomas Goodwin of 5285 Swallow Avenue, Kalamazoo, Michigan 49009, county of Kalamazoo, succeeding himself, is reappointed for a term expiring April 30, 2018.

James M. Pivarnik of 923 Huntington Road, East Lansing, Michigan 48823, county of Ingham, succeeding himself, is reappointed for a term expiring April 30, 2018.

Scott M. Przystas of 1404 Sheldon Road, Grand Haven, Michigan 49417, county of Ottawa, succeeding himself, is reappointed for a term expiring April 30, 2018.

Anuja Rajendra of 1707 Harding Road, Ann Arbor, Michigan 48104, county of Washtenaw, succeeding herself, is reappointed for a term expiring April 30, 2018.

Andrew Younger of 714 Plumtree Lane, Fenton, Michigan 48430, county of Genesee, succeeding Ronald Winter, is appointed for a term expiring April 30, 2018.

Paul J. Barbeau of 2101 Norwood Drive, Midland, Michigan 48640, county of Midland, succeeding himself, is reappointed for a term expiring April 30, 2018.

September 9, 2016

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

Co-Chair Pipeline Safety Advisory Board

Cathleen Heidi Grether of 435 Mill Street, Williamston, Michigan 48895, county of Ingham, succeeding Timothy O'Brien, is appointed for a term expiring at the pleasure of the Governor.

Sincerely,
Rick Snyder
Governor

The appointments were referred to the Committee on Government Operations.

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 Horn as Chairperson.

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

Senate Bill No. 958, entitled

A bill to amend 1982 PA 432, entitled "Motor bus transportation act," by amending section 23 (MCL 474.123), as amended by 1989 PA 233.

Senate Bill No. 1022, entitled

A bill to amend 1965 PA 203, entitled "Commission on law enforcement standards act," (MCL 28.601 to 28.616) by adding sections 9e and 9f.

Senate Bill No. 1045, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 1987 (MCL 600.1987), as added by 2015 PA 231.

Senate Bill No. 1025, entitled

A bill to amend 1956 PA 217, entitled "Electrical administrative act," by amending section 1a (MCL 338.881a), as added by 1992 PA 130.

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. 881, entitled

A bill to authorize the department of technology, management, and budget to convey parcels of state-owned property in Baraga, Bay, Calhoun, Gratiot, Lenawee, Manistee, and Van Buren Counties; to prescribe conditions for the conveyances; to provide for powers and duties of state departments, agencies, and officers in regard to the property; and to provide for disposition of revenue derived from the conveyances.

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. 4580, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 9f (MCL 211.9f), as amended by 2016 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. 448, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 233 (MCL 436.1233).

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. 570, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 7o (MCL 211.7o), as amended by 2006 PA 681.

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. 742, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 931, 937, 940, and 946 (MCL 600.931, 600.937, 600.940, and 600.946), section 931 as amended by 2000 PA 86, and by adding section 945.

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. 1021, entitled

A bill to amend 1975 PA 238, entitled "Child protection law," by amending sections 2, 7, and 8 (MCL 722.622, 722.627, and 722.628), sections 2 and 7 as amended by 2016 PA 35 and section 8 as amended by 2008 PA 300.

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. 1015, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 16343a and part 182A.

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. 1016, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 18255 to part 182A.

Substitute (S-1).

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

Resolutions

Senator Kowall moved that further consideration of the following resolutions be postponed for today:

House Concurrent Resolution No. 3

Senate Resolution No. 76

Senate Resolution No. 75

The motion prevailed.

Senator Jones offered the following resolution:

Senate Resolution No. 199.

A resolution to commemorate September 2016 as Life Insurance Awareness Month.

Whereas, Life insurance is critically important to protecting ourselves and the people we love; and

Whereas, Every year, the insurance industry provides tremendous financial relief and security to families who have experienced the loss of a loved one; and

Whereas, Despite its vast importance, many people do not have life insurance coverage; and

Whereas, Life insurance is vital in providing peace of mind for those affected by the loss of a beloved; and

Whereas, September 2016 has been designated as the month to generate awareness of life insurance. Those who are not insured are encouraged to consult a qualified insurance professional, and take the actions required to provide a financially-secure future for their families and those they cherish; now, therefore, be it

Resolved by the Senate, That the members of this legislative body hereby commemorate September 2016 as Life Insurance Awareness Month 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, Green, Knollenberg, Proos, and Robertson were named co-sponsors of the resolution.

Senator Bieda offered the following resolution:

Senate Resolution No. 200.

A resolution to urge the Congress of the United States to pass legislation that funds efforts to combat the Zika virus.

Whereas, The Zika virus is an international public health crisis. Zika virus is a mosquito-born infection that is also spread by sexual contact. Currently, no vaccine is available to prevent Zika virus infection; and

Whereas, Although Zika symptoms are considered mild and often go undetected, what may seem to be benign is in fact linked to congenital and neurological birth defects in an unborn fetus. Pregnant women infected by Zika-infected mosquitoes are at high risk of infecting their unborn child; and

Whereas, Zika-infected mosquitoes know no boundaries. While travel-associated and locally-acquired cases are substantially higher in U.S. territories, cases within the United States are on the rise. Recent Centers for Disease Control (CDC) case counts report nearly 3,000 travel-associated and 43 locally-acquired cases; and

Whereas, In February 2016, President Barak Obama requested that Congress provide \$1.9 billion in funding to respond to the fast-emerging Zika virus crisis. These funds would be used to prevent, detect, and respond to the Zika virus by accelerating vaccine research and diagnosis; mosquito control and surveillance efforts; and public health education for health care providers; and women and their partners about the disease. In addition, the funds would provide improved support services for low-income pregnant women. Congress has yet to take action to provide funding; and

Whereas, Current funding will soon be exhausted. Six hundred million dollars in funds allocated to combat Ebola were transferred to Zika prevention efforts. These funds are expected to be exhausted by the end of September 2016; and

Whereas, Failure to fund Zika virus prevention will seriously hinder efforts to develop a vaccine and to implement mosquito control and prevention efforts by state and local governments. It is imperative that Congress move quickly to fully fund efforts to address this public health crisis; now, therefore, be it

Resolved by the Senate, That we urge the Congress of the United States to pass legislation that funds efforts to combat the Zika virus; 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 Kowall moved that the rule be suspended.

The motion prevailed.

The question being on the adoption of the resolution,

Senator Kowall moved that the resolution be referred to the Committee on Health Policy.

The motion prevailed.

Senators Brandenburg, Gregory, Jones, and Proos were named co-sponsors of the resolution.

Senator Stamas offered the following resolution:

Senate Resolution No. 201.

A resolution recognizing Michigan State Police's hazardous materials training center on the occasion of the 25th Anniversary of its dedication.

Whereas, The Michigan State Police's Hazardous Materials Training Center was dedicated by Governor John Engler on September 26, 1991; and

Whereas, This four-acre center was constructed at the state's secondary complex in Lansing entirely with support from private industry donations that totaled more than \$350,000; and

Whereas, Many Michigan industries, including the state's chemical industry, railroad industry, petroleum industry, asphalt paving industry, manufacturing industry, propane industry, and trucking industry, collaborated to develop this center; and

Whereas, The Emergency Management and Homeland Security Training Center, now operated by the Michigan State Police was the first public training center of its kind in the United States, and remains a national leader in Hazardous Material emergency training; and

Whereas, Each year this center provides comprehensive training to approximately two thousand individuals, from the public and private sectors, from every county in Michigan, from across the United States, and from as far away as Brazil, South Africa, and Australia; and

Whereas, This center utilizes hands-on training and simulation aids such as railroad cars, highway tank trailers, above/below ground storage tanks, confined spaces, and personal protection clothing and equipment to provide a realistic training environment; and

Whereas, This effort represents a true example of private-public partnership with a collaborative and objective-based training and the center continues to serve the people of Michigan by ensuring that our state's emergency responders have an effective training and exercise program; now, therefore be it

Resolved by the Senate, That we hereby celebrate the 25th Anniversary of the opening of the Michigan State Police's Hazardous Materials Training Center, and recognize the efforts of partners in government, industry, and Michigan communities to develop this unique center and to continue its work.

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, Green, Horn, Jones, MacGregor, Proos, and Robertson were named co-sponsors of the resolution.

House Concurrent Resolution No. 25.

A concurrent resolution relative to secondary road patrol funds for counties providing road patrol services to cities and villages.

Whereas, Section 77 of 1846 RS 14, MCL 51.77, provides funding for county secondary road patrol services pursuant to an agreement with the Office of Criminal Justice, which, pursuant to Executive Order No. 1989 – 4, is now the Office of Highway Safety Planning within the Department of State Police. An agreement also provides a maintenance of law enforcement effort standard for counties providing these secondary road patrol services, unless it is recognized that the reduction was due to cuts in general services due to economic conditions; and

Whereas, Section 76 of 1846 RS 14, MCL 51.76, permits road patrol services to be provided by county sheriff departments to cities and villages. This section also provides that a road patrol agreement is void if the city or village

reduces the number of sworn law enforcement officers below the highest number employed at any time within the immediately preceding 36 months, unless the Michigan Legislature, by concurrent resolution, recognizes that the reduction was due to cuts in general services due to economic conditions; and

Whereas, Section 77 of 1846 RS 14, MCL 51.77, provides a formula for funding county secondary road patrol services. This formula permits road patrol services provided by county sheriff departments to cities and villages to be eligible for secondary road patrol funding as long as the city or village complies with the MCL 51.76 law enforcement maintenance of effort requirement, unless any reduction is recognized to be due to cuts in general services due to economic conditions; and

Whereas, In all of Michigan's counties, cities, and villages, general services have been reduced as a result of serious economic difficulties. These reductions in services have occurred in direct reaction to economic conditions; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That, for Fiscal Year 2017, counties, cities, and villages in Michigan have been required to reduce general services because of economic conditions and are not reducing law enforcement services as stipulated in sections 76 or 77 of 1846 RS 14; and be it further

Resolved, That counties, cities, and villages have met the necessary terms of their agreements for road patrol services and secondary road patrol funding as they relate to maintenance of effort.

The House of Representatives has adopted the concurrent resolution.

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

Senator Kowall moved that the rule be suspended.

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

The question being on the adoption of the concurrent resolution,

Senator Kowall moved that further consideration of the concurrent resolution be postponed for today.

The motion prevailed.

Senators Brandenburg, Green, Gregory, MacGregor, and Proos were named co-sponsors of the concurrent resolution.

Introduction and Referral of Bills

Senator Pavlov introduced

Senate Bill No. 1079, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 11511b (MCL 324.11511b), as amended by 2011 PA 215.

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

Senators O'Brien, Jones and Schuitmaker introduced

Senate Bill No. 1080, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 411x.

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

Senators Jones, O'Brien and Schuitmaker introduced

Senate Bill No. 1081, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16t of chapter XVII (MCL 777.16t), as amended by 2013 PA 216.

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

Senators Horn, Jones, Proos, Knollenberg, Marleau and Nofs introduced

Senate Bill No. 1082, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 81d (MCL 750.81d), as amended by 2006 PA 517.

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

Senator Zorn introduced

Senate Bill No. 1083, entitled

A bill to amend 1990 PA 250, entitled "DNA identification profiling system act," by amending section 6 (MCL 28.176), as amended by 2014 PA 457.

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

Senator Zorn introduced

Senate Bill No. 1084, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 698 (MCL 257.698), as amended by 2016 PA 161.

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

Senators Zorn, Proos and Casperson introduced

Senate Bill No. 1085, entitled

A bill to amend 1984 PA 270, entitled "Michigan strategic fund act," by amending section 88r (MCL 125.2088r), as amended by 2014 PA 506.

The bill was read a first and second time by title and referred to the Committee on Economic Development and International Investment.

Senators Zorn, Horn, Marleau and Hansen introduced

Senate Bill No. 1086, entitled

A bill to prohibit local units of government from imposing sanctions on certain employees for communications with elected officials; and to provide for remedies.

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

Senator Horn introduced

Senate Bill No. 1087, entitled

A bill to amend 1972 PA 299, entitled "An act to provide for the assessment, collection and disposition of the costs of regulation of public utilities," (MCL 460.111 to 460.120) by adding section 5a.

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

Senator MacGregor introduced

Senate Bill No. 1088, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 203 (MCL 436.1203), as amended by 2014 PA 50.

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

Statements

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

The motion prevailed.

Senator Meekhof's statement is as follows:

Today I rise to pay tribute to my friend Representative Peter Pettalia, who died last week in a tragic accident.

In times like these, it is important to remember how precious life is and how we should celebrate every moment. Pete was a man who enjoyed life and it was evident to all who knew him. Pete had been a resident of Presque Isle since 1977. He was serving in his third term in the House of Representatives. He was first elected in November of 2010. He previously served as Presque Isle Township supervisor for 16 years and a volunteer firefighter for East Grand Lake Fire Department for 15 years. He was embedded in his community. He was vice-president for the State Park Advisory Board for a number of communities up there. Pete was one of the founding members of the Presque Isle County Economic Development Commission and the Community Development Commission. Pete and his business partner operated an auto repair business in Alpena for over 33 years. He also had a small seasonal cabin rental business on Grand Lake that he operated with his wife Karen in Northeast Michigan.

Pete was a man of many accomplishments, but I know he was most proud of being a father and a husband. Pete is survived by his wife, Karen, and their two children, and two grandchildren.

On a more personal note, Pete was my dear friend. He and I had been Lansing roommates for the past six years. Pete and I became very good friends over the years we spent time as colleagues and times on my patio just smoking cigars. When I think of Pete, I think of his humor, his warmth, and his passion for life. He was a wonderful example to all of us and I will miss my friend. I had the opportunity to do a toast at his event last Friday and the more I say this next comment the more true it becomes. As a father and as a brother, if you had the opportunity to pick your son-in-law or pick your brother-in-law, you would pick Pete Pettalia, he is a great guy.

I'd like to ask for a moment of silence in reverence for our friend Representative Pettalia. I will miss him dearly.

A moment of silence was observed in memory of Representative Peter Pettalia.

Senator Colbeck's statement is as follows:

Last Wednesday, the Michigan State Board of Education passed LGBTQ policy guidelines that I think put a lot of our students at risk and put a lot of our teachers in some uncomfortable positions.

They launched this initiative under the auspices of a website called Every Voice Counts. We had almost 13,000 comments that were submitted online. Many, the majority, of those comments were in opposition to the policy guidelines. The first day that they had testimony on these guidelines, we had 343 people come out from all corners of the state, including up near the U.P. as well, coming down expressing their testimony. The voice of many of these folks did not count unfortunately, and the State Board of Education passed those policy guidelines out of their board meeting on Wednesday.

I wanted to get up and talk to our colleagues here because I think it is very important that we advise our local school districts that they are under no obligation to enforce these guidelines or implement these guidelines.

The federal government has issued a threat regarding these guidelines: that failure to implement them would subject them to the possible loss of federal funding in accordance with Title IX guidelines, Title IX violations. The federal government neglects to identify to everybody that they have no authority to issue any such threat like this, because they are trying to amend or change Title IX to replace the very clear word of "sex" with "gender identity".

They have no congressional approval for the assertions that they are attempting to make. It is a false threat, and our schools should understand that rather than having a threat of loss of funding by not complying with these, they actually have more of a threat of a loss of funding by complying with these guidelines, because by so doing they are going to be subjecting their school district to increased risk of lawsuits pertinent to this adoption of these policy guidelines.

And if you are uncertain as to what that risk might look like, take a look at Target and how they have adopted similar guidelines and what lawsuits they've been subjected to.

My guidelines and recommendations to all my colleagues here is to advise your school boards that they should ignore the guidelines that have been passed out of the State Board of Education. If they do not ignore that, they are putting their students at risk, and their parents at risk, and their teachers at risk by diverting money intended for education from the classroom to the courtroom.

Committee Reports

The Committee on Elections and Government Reform reported

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.

With the recommendation that the bill pass.

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

David B. Robertson
Chairperson

To Report Out:

Yeas: Senators Robertson, Colbeck and Emmons

Nays: Senator Hood

The bill was referred to the Committee of the Whole.

The Committee on Elections and Government Reform reported

House Bill No. 4814, entitled

A bill to provide for public electronic access to information through this state's website; to require webpage posting of information about state departments, departmental subunits, and supervisors; to require standardized formats for displaying information, including functions, contact information, and organizational charts; and to provide for the powers and duties of certain state governmental officers and entities.

With the recommendation that the bill pass.

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

David B. Robertson
Chairperson

To Report Out:

Yeas: Senators Robertson, Colbeck, Emmons and Hood

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Elections and Government Reform submitted the following:

Meeting held on Thursday, September 8, 2016, at 9:00 a.m., Rooms 402 and 403, Capitol Building

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

Excused: Senator Shirkey

The Committee on Transportation reported

Senate Bill No. 1047, entitled

A bill to amend 2001 PA 142, entitled "Michigan memorial highway act," (MCL 250.1001 to 250.2080) by adding section 11a.

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, Horn, Pavlov, Marleau and Hopgood

Nays: None

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

The Committee on Transportation reported

House Bill No. 5205, entitled

A bill to amend 2001 PA 142, entitled "Michigan memorial highway act," (MCL 250.1001 to 250.2080) by adding section 6a.

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, Horn, Pavlov, Marleau and Hopgood

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Transportation submitted the following:

Meeting held on Thursday, September 8, 2016, at 8:30 a.m., Room 210, Farnum Building

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

The Committee on Veterans, Military Affairs and Homeland Security reported

House Bill No. 4970, entitled

A bill to amend 1953 PA 192, entitled "An act to create a county department of veterans' affairs in certain counties, and to prescribe its powers and duties; and to transfer the powers and duties of the soldiers' relief commission in such counties," by amending section 1 (MCL 35.621), as amended by 2012 PA 235.

With the recommendation that the bill pass.

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

Margaret E. O'Brien
Chairperson

To Report Out:

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

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Veterans, Military Affairs and Homeland Security reported

House Bill No. 5106, entitled

A bill to amend 1967 PA 150, entitled "Michigan military act," by amending section 151 (MCL 32.551), as amended by 2013 PA 99.

With the recommendation that the bill pass.

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

Margaret E. O'Brien
Chairperson

To Report Out:

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

Nays: None

The bill was 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, September 8, 2016, at 2:00 p.m., Room 110, Farnum Building

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

Absent: Senator Emmons

COMMITTEE ATTENDANCE REPORT

The Committee on Natural Resources submitted the following:

Meeting held on Wednesday, September 7, 2016, at 12:30 p.m., Room 210, Farnum Building

Present: Senators Caspersen (C), Pavlov, Robertson, Stamas and Warren

COMMITTEE ATTENDANCE REPORT

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

Meeting held on Thursday, September 8, 2016, at 1:30 p.m., Room 210, Farnum Building

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

Excused: Senator Emmons

COMMITTEE ATTENDANCE REPORT

The Legislative Council submitted the following:

Meeting held on Tuesday, September 20, 2016, at 12:30 p.m., House Appropriations Room, 3rd Floor, Capitol Building

Present: Senators Rocca, Schmidt, Ananich, Schuitmaker (Alternate), Hood and Bieda (Alternate)

Excused: Senators Meekhof (C), Stamas and Horn

COMMITTEE ATTENDANCE REPORT

The Committee on Local Government submitted the following:

Meeting held on Tuesday, September 20, 2016, at 12:30 p.m., Room 100, Farnum Building

Present: Senators Zorn (C), Proos, Rocca and Young

Excused: Senator Brandenburg

Scheduled Meetings

Appropriations - Wednesday, September 21, 2:00 p.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building (373-1801)

Subcommittee -

State Police and Military Affairs - Tuesday, September 27, 10:00 a.m., Marshall Regional Law Enforcement Center, 714 17 Mile Road, Marshall (373-2768)

Commerce - Wednesday, September 21, 8:30 a.m., Room 210, Farnum Building (373-5312)

Criminal Justice Policy Commission - Wednesday, October 5, 9:00 a.m., House Appropriations Room, 3rd Floor, Capitol Building (373-0212)

Energy and Technology - Wednesday, September 21, 9:00 a.m., Senate Hearing Room, Ground Floor, Boji Tower (373-1721)

Government Operations - Wednesday, September 21, 2:30 p.m., Rooms 402 and 403, Capitol Building (373-5307)

Natural Resources - Wednesday, September 21, 12:30 p.m., Room 110, Farnum Building (373-1721)

Outdoor Recreation and Tourism - Wednesday, September 21, 12:30 p.m., Room 210, Farnum Building (373-5314)

Regulatory Reform - Wednesday, September 21, 1:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower (373-5323)

Senate Fiscal Agency Board of Governors - Wednesday, September 21, 9:30 a.m. (CANCELED) and Thursday, September 22, 9:45 a.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building (373-2768)

Transportation - Wednesday, September 21, 4:00 p.m., Room 110, Farnum Building (373-5312)

Veterans, Military Affairs and Homeland Security - Wednesday, September 21, 12:00 noon, Room 100 and Thursday, September 22, 2:00 p.m., Room 110, Farnum Building (373-5314)

Senator Kowall moved that the Senate adjourn.
The motion prevailed, the time being 12:15 p.m.

The President pro tempore, Senator Schuitmaker, declared the Senate adjourned until Wednesday, September 21, 2016, at 10:00 a.m.

JEFFREY F. COBB
Secretary of the Senate

