

No. 80
STATE OF MICHIGAN
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REGULAR SESSION OF 2014

Senate Chamber, Lansing, Thursday, December 11, 2014.

10:00 a.m.

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

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

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

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

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

Senator Gretchen Whitmer of the 23rd District offered the following invocation:

I simply have one message during this holiday season for everyone across the state of Michigan: God bless us, everyone.

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

Motions and Communications

Senator Kahn entered the Senate Chamber.

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

The motion prevailed.

Senator Hopgood moved that Senator Smith be excused from today's session.

The motion prevailed.

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

The motion prevailed.

Senator Meekhof moved that rule 3.902 be suspended to allow the guests of Senator Bieda admittance to the Senate floor, including the center aisle.

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

Senator Meekhof moved that rule 3.901 be suspended to allow photographs to be taken from the Senate floor.

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

The Secretary announced that the following House bills were received in the Senate and filed on Wednesday, December 10:
House Bill Nos. 4101 4298 4544 5245 5408 5409 5822 5831 5862 5960 5961

The Secretary announced that the following bills and joint resolution were printed and filed on Wednesday, December 10, and are available at the Michigan Legislature website:

Senate Joint Resolution GG

House Bill Nos. 6083 6084 6085 6086 6087

Recess

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

The motion prevailed, the time being 10:05 a.m.

11:15 a.m.

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

During the recess, Senator Bieda introduced the 2014 Warren De La Salle Collegiate High School Varsity Football Team, MHSAA Division 2 State Champions; Head Coach Paul Verska and assistant coaches; and presented them with a Special Tribute.

Coach Verska responded briefly.

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

Senator Meekhof moved that rule 3.901 be suspended to allow photographs to be taken from the Gallery.

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

Senator Meekhof moved that rule 2.106 be suspended to allow committees to meet during Senate session. The motion prevailed, a majority of the members serving voting therefor.

Senator Meekhof moved that the Committee on Natural Resources, Environment and Great Lakes be discharged from further consideration of the following bills:

Senate Bill No. 1026, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 61506b (MCL 324.61506b), as added by 1998 PA 303.

Senate Bill No. 1076, entitled

A bill to amend 2006 PA 110, entitled "Michigan zoning enabling act," by amending section 205 (MCL 125.3205), as amended by 2012 PA 389.

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

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

Senate Bill No. 1026

Senate Bill No. 1076

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

By unanimous consent the Senate proceeded to the order of

General Orders

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

The motion prevailed, and the President, Lieutenant Governor Calley, designated Senator Proos as Chairperson.

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

Senate Bill No. 1076, entitled

A bill to amend 2006 PA 110, entitled "Michigan zoning enabling act," by amending section 205 (MCL 125.3205), as amended by 2012 PA 389.

The bill 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. 1026, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 61506b (MCL 324.61506b), as added by 1998 PA 303.

Substitute (S-3).

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

By unanimous consent the Senate returned to the order of

Third Reading of Bills

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

Senate Bill No. 1026

Senate Bill No. 1076

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

The following bill was read a third time:

Senate Bill No. 1026, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 61506b (MCL 324.61506b), as added by 1998 PA 303.

The question being on the passage of the bill,

Senator Warren offered the following amendments:

1. Amend page 1, line 4, after "if" by striking out "both" and inserting "**EITHER**".
2. Amend page 1, line 5, after "within" by striking out "450" and inserting "**1,320**".
3. Amend page 1, line 8, after "of" by striking out "70,000" and inserting "**15,000**".

The amendments were not adopted, a majority of the members serving not voting therefor.

Senator Hunter requested the yeas and nays.

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

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

Roll Call No. 755

Yeas—14

Ananich	Hood	Johnson	Warren
Anderson	Hopgood	Marleau	Whitmer
Bieda	Hune	Schuitmaker	Young
Gregory	Hunter		

Nays—23

Booher	Green	Kowall	Proos
Brandenburg	Hansen	Meekhof	Richardville
Casperson	Hildenbrand	Moolenaar	Robertson
Caswell	Jansen	Nofs	Rocca
Colbeck	Jones	Pappageorge	Walker
Emmons	Kahn	Pavlov	

Excused—1

Smith

Not Voting—0

In The Chair: President

The question being on the passage of the bill,

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

The motion prevailed.

By unanimous consent the Senate returned to the order of

Motions and Communications

Senator Meekhof moved that rule 3.902 be suspended to allow his guests admittance to the Senate floor.

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

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

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

Senate Bill No. 1026, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 61506b (MCL 324.61506b), as added by 1998 PA 303.

(This bill was read a third time earlier today, amendments not adopted and consideration postponed. See p. 2086.)

The question being on the passage of the bill,

The bill was defeated, a majority of the members serving not voting therefor, as follows:

Roll Call No. 756

Yeas—10

Brandenburg
Colbeck
Hune

Jones
Kowall
Marleau

Pappageorge
Pavlov

Richardville
Rocca

Nays—27

Ananich
Anderson
Bieda
Booher
Casperson
Caswell
Emmons

Green
Gregory
Hansen
Hildenbrand
Hood
Hopgood
Hunter

Jansen
Johnson
Kahn
Meekhof
Moolenaar
Nofs
Proos

Robertson
Schuitmaker
Walker
Warren
Whitmer
Young

Excused—1

Smith

Not Voting—0

In The Chair: President

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

The motion prevailed.

Senator Anderson's statement is as follows:

I appreciate what the sponsor of this bill is attempting to do, and I certainly understand the issue. I represent one township that is a totally urban township, Redford Township. It's just under 50,000 people. I believe we should be protecting their interests just as well as those that are over 70,000 people. I think that the right to have peaceful enjoyment of one's home is a fundamental right that we should all share, and it should not be limited.

Unfortunately, this is a problem that was created by legislation that this Senate and the House passed a few years back. Now we're going back to try to correct the issue. I certainly agree that it is a problem, but we also need to be mindful of the fact that everyone should have the same rights in this state.

So, without this amendment, I certainly would oppose it.

The following bill was read a third time:

Senate Bill No. 1076, entitled

A bill to amend 2006 PA 110, entitled “Michigan zoning enabling act,” by amending section 205 (MCL 125.3205), as amended by 2012 PA 389.

The question being on the passage of the bill,

Senator Warren offered the following amendment:

1. Amend page 1, line 7, by striking out “**70,000**” and inserting “**15,000**”.

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

The question being on the passage of the bill,

The bill was defeated, a majority of the members serving not voting therefor, as follows:

Roll Call No. 757

Yeas—8

Brandenburg
Colbeck

Jones
Kowall

Pappageorge
Pavlov

Richardville
Rocca

Nays—29

Ananich
Anderson
Bieda
Booher
Casperson
Caswell
Emmons
Green

Gregory
Hansen
Hildenbrand
Hood
Hopgood
Hune
Hunter

Jansen
Johnson
Kahn
Marleau
Meekhof
Moolenaar
Nofs

Proos
Robertson
Schuitmaker
Walker
Warren
Whitmer
Young

Excused—1

Smith

Not Voting—0

In The Chair: President

Protest

Senator Moolenaar, under his constitutional right of protest (Art. 4, Sec. 18), protested against the passage of Senate Bill Nos. 1026 and 1076 and moved that the statement he made during the discussion of Senate Bill No. 1026 be printed as his reasons for voting “no.”

The motion prevailed.

Senator Moolenaar’s statement is as follows:

I also rise in opposition to Senate Bill Nos. 1026 and 1076. Over the past four years, I have been proud to have been part of the team that’s been reinventing Michigan. Our state has been sending a clear message across the country that we are once again open for business, investment, and jobs.

Unfortunately, this package before you today will move Michigan backwards toward the policies of the past that have harmed our economy and placed burdens on job providers and working men and women. I believe this legislation will begin to create a patchwork regulatory structure for our state’s oil and gas providers. We need to keep in place uniform laws that do not complicate compliance, cost, and competitiveness.

This legislation will also send a troubling message throughout the energy community that their investment is not welcome here and start us down a slippery slope from which we may not be able to turn back. This legislation before you today will not only negatively impact our state, but our entire nation. My concern is that this will take us another step away from energy independence and back toward a path of importing energy that could have been cultivated right here at home.

I urge my colleagues to vote “no” on this legislation.

By unanimous consent the Senate proceeded to the order of

Resolutions

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

Senate Resolution No. 34

The motion prevailed.

Senator Richardville offered the following resolution:

Senate Resolution No. 199.

A resolution of tribute for the Honorable John Moolenaar.

Whereas, It is with great respect for his commitment to the people of our state and his district that we offer this expression of our thanks and best wishes to Senator John Moolenaar for his outstanding service over the past four years. His consistency, thoughtfulness, and commitment to working with his colleagues to find solutions to Michigan’s problems have been deeply appreciated; and

Whereas, John Moolenaar grew up in Midland and is a proud alumnus of Herbert Henry Dow High School. After earning a bachelor’s degree in chemistry from Hope College and a master’s degree in public administration from Harvard University, he worked for MITECH+, Dow Chemical Company, and the Middle Michigan Development Corporation. He also served as an administrator for Midland Academy of Advanced and Creative Studies, as a teacher at Saginaw Valley State University, and as a Midland city councilman. John Moolenaar has brought a strong work ethic, integrity, and his deep analytical skills to every position he has held; and

Whereas, After serving six productive and exemplary years in the House of Representatives, John Moolenaar was elected to the Michigan Senate in November 2010. He served as the chair of the Veterans, Military Affairs and Homeland Security Committee and as the vice chair of the Appropriations Committee. During his four years in the Senate, he has sponsored legislation to help veterans and increase the number of health professionals in the state. He has also authored several important public acts, including the Fair and Open Competition in Governmental Construction Act, an act creating the State Forest Products Industry Development Council, and an act reestablishing the aquifer protection program. In 2011, he was named Legislator of the Year by the Associated Builders and Contractors of Michigan; now, therefore, be it

Resolved by the Senate, That we honor and commend Senator John Moolenaar for his dedication over the past four years as a member of the Michigan Senate; and be it further

Resolved, That copies of this resolution be transmitted to Senator Moolenaar and his family as evidence of our best wishes for the future.

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

Senator Meekhof moved that the rule be suspended.

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

The resolution was adopted by a unanimous standing vote of the Senate.

Senator Meekhof moved that rule 3.204 be suspended to name the entire membership of the Senate and the Lieutenant Governor as co-sponsors of the resolution.

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

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

The motion prevailed.

Senator Moolenaar’s statement is as follows:

I want to thank my colleagues for that very kind applause. For these past four years, I’ve had the honor to serve with you and to represent the hardworking families of Michigan’s 36th District. As I look around, I’m reminded that we work in an incredible place. I feel a sense of awe every time we walk into the building for the genius of our founders and the system of government that they gave to our country, pledging their lives and fortunes and sacred honor. They were aided by allies in freedom, like General Lafayette, whose portrait notably hangs in the front of this chamber. The separation

of powers and the checks and balances between the executive, judiciary, and legislative branches has worked well for generations. It's been a privilege to work in this legislative branch in our great state of Michigan, as together we've done the people's work.

My message today is one of thanksgiving: first to God for the opportunity to serve and second to the many people who have helped me on this journey. I want to thank my family, especially my wife Amy, who is in the east Gallery, and our family from around the state. I'd like to ask them to stand. Please join me in welcoming them.

I also want to thank our children who could not attend; some of whom are in school today, I hope, and some who live in places around the country. For the countless parades, events, and activities attended, I want to thank them for their support. For the many times I was not able to be present either physically or emotionally, I want to thank them for their understanding and patience.

I also want to thank my Senate staff, who work tirelessly to serve our constituents, listening to their views, helping with casework, and advocating with departments on their behalf to solve problems. People reach out to us often as they have exhausted all their other options. I'm grateful for the kindness that those who represent me have shown to those needing assistance.

I've really been impressed by the individuals who work for the Michigan Senate, who are the experts in Michigan law; who provide accurate fiscal information so we can balance budgets; those who make sure we follow the Senate rules; and those who provide our security, maintaining order in this chamber. You are the craftsmen and women who ensure the excellence of this institution.

One of the highlights of my time in the Senate is our monthly Senate breakfast group, where we have been able to get to know each other as colleagues irrespective of party or position. I think this has helped us to keep decorum and respect for one another, even during some of the most contentious issues we have debated. I want to thank especially Senator Vincent Gregory for his leadership on that as well. I think this has also helped us to avoid what C.S. Lewis calls the quest for the Inner Ring. I'd like to read just a bit from his book:

"The quest of the Inner Ring will break your hearts unless you break it. But if you break it, a surprising result will follow. If in your working hours you make the work your end, you will presently find yourself all unawares inside the only circle in your profession that really matters. You will be one of the sound craftsmen, and other sound craftsmen will know it.

This group of craftsmen will by no means coincide with the Inner Ring or the Important People or the People in the Know. It will not shape that professional policy or work up that professional influence which fights for the profession as a whole against the public: nor will it lead to those periodic scandals and crises which the Inner Ring produces. But it will do those things which that profession exists to do and will in the long run be responsible for all the respect which that profession in fact enjoys and which the speeches and advertisements cannot maintain."

At one time or another, each of us has been on the winning or losing side of votes and seen success or failure with our legislative priorities here in this chamber. I'm reminded of Teddy Roosevelt's quote, talking about the arena. To paraphrase him: "The credit belongs to those who are actually in the arena, whose faces are marred by dust and sweat and blood; those who strive valiantly; who err; who come short again and again, because there is no effort without error and shortcoming; but who actually strive to do the deeds; who know great enthusiasm, the great devotion; who spend themselves in a worthy cause; who at the best know in the end the triumph of high achievement, and who at the worst, if they fail, at least fail while daring greatly, so that their place shall never be with those cold and timid souls who know neither victory nor defeat."

Our common bond is that we have all been in this arena, standing up for our ideas and values, and I respect the efforts each of us has made to better our state. Only time will tell the wisdom of our actions. In these jobs, we often receive credit for the work we do, sometimes more than we deserve, but we also have our detractors, who are quick to criticize. I take heart from the words of Abraham Lincoln, who said in response to his critics:

"If I were to try to read, much less answer, all the attacks made on me, this shop might as well be closed for any other business. I do the very best I know how, the very best I can; and I mean to keep doing so until the end. If the end brings me out all right, what is said against me won't amount to anything. If the end brings me out wrong, ten angels swearing I was right would make no difference."

In closing, I want you to know that I've done the best I know how; the best I can. It is my hope that I have made a positive difference in the ten years I have spent serving in our Michigan Legislature. I know that I've benefited from the friendships, the wise counsel, and the opportunity to see and be a part of Michigan history.

When former Speaker Tip O'Neill left the U.S. House of Representatives, he said, "I leave with no rancor in my heart for anybody. I leave with just the love and affection for this great body." Today, this rings true for me. I will miss my friends here, and I leave the Senate with nothing but respect and gratitude for my colleagues in this body. May God bless you, and may God bless the great state of Michigan.

Senator Meekhof moved that rule 3.204 be suspended to permit immediate consideration of the following resolution:
Senate Resolution No. 198

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

Senator Richardville offered the following resolution:

Senate Resolution No. 198.

A resolution of tribute for Carol Morey Viventi.

Whereas, It is with great appreciation that the members of this legislative body take this moment to honor Carol Morey Viventi as she ends her 20-year tenure as the Secretary of the Senate. Her single-minded devotion to this institution; her calm and measured approach; and her respect for tradition while embracing the future have set the highest standards of excellence for her successors; and

Whereas, With a life-long commitment to hard work, Carol Viventi rose to her position of leadership within our state. The first daughter of Art and Kay Morey, she was raised in the city of Detroit with her older brother, Jeff, and her younger sister, Sue. Beginning at the age of 15, she worked various part-time jobs and would go on to attend Michigan State University and earn a bachelor's degree in divisional social science; and

Whereas, Carol began her professional career in the Office of Criminal Justice Programs before becoming an aide for then Representative John Engler in the House of Representatives. Later moving to State Senator Jack Welborn's office, she worked full-time while attending Cooley Law School, earning her law degree in 1981. After a brief stint in the private sector, she served as the legal counsel for the Joint Committee on Administrative Rules. Steadily progressing upward, she went on to join the Governor's Office, first as director of state policy and cabinet counsel and then as deputy chief of staff and cabinet counsel during Governor Engler's first term. In 1995, Carol was elected for the first time as the Michigan Secretary of the Senate; and

Whereas, As the Secretary of the Senate, Carol has overseen the operations of the Senate with integrity and vision, helping navigate this legislative body into the twenty-first century. During her tenure, the Senate has upgraded chamber voting and sound systems, begun televising session and committee hearings, improved security, and renovated committee rooms. She has overseen the implementation of new accounting and purchasing software, and in tough fiscal times, helped shape fair, balanced, and fiscally responsible Senate budgets. She has played a major role in the continued efforts to maintain our historical Capitol, culminating in the formation of the Michigan State Capitol Commission to which she serves as co-chair; and

Whereas, Through good times and difficult times, Carol has been a picture of stability and calm at the rostrum. Trusted by five majority leaders over ten legislative terms, her fairness, her knowledge, and her preparation have helped maintain order on the floor and have been instrumental in the Senate's efficient consideration of the people's business; and

Whereas, Carol's dedication to this institution may only be matched by her dedication to her family: her husband, Jim, and her children, Jane and Katie. Proud of her heritage, and the daughter of parents interned in American concentration camps during World War II, she serves on the board of directors of the Japanese American National Museum in Los Angeles, California, and is the longest serving senate secretary of Japanese-American descent in the 50 states; and

Whereas, While history will remember Carol as the first woman and the first ethnic minority to serve as the Michigan Secretary of the Senate, we will remember her for her intelligence, her unflappable nature, her infectious laugh, her patience, and her compassion. Always supportive to senators and staff alike, it is no small measure of thanks that we owe Carol for all she has given this institution; now, therefore, be it

Resolved by the Senate, That we honor Carol Morey Viventi for her distinguished service to this legislative body and wish her well in all her future endeavors; and be it further

Resolved, That copies of this resolution be transmitted to Carol Viventi as a small token of our appreciation and respect.

The question being on the adoption of the resolution,

The resolution was adopted.

Senator Meekhof moved that rule 3.204 be suspended to name the entire membership of the Senate and the Lieutenant Governor as co-sponsors of the resolution.

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

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

The motion prevailed.

Senator Richardville's statement is as follows:

Today, I'm very privileged to stand here to honor Carol Morey Viventi as her 20 years of service as Secretary of the Senate comes to an end. Carol has been trusted by five Majority Leaders and served this institution with a great deal of devotion. She is known for her calm and measured approach, most of the time; the picture of stability at the rostrum in good times and difficult times. Over ten legislative terms, her fairness, her knowledge, and preparation have helped maintain order on the floor. On a personal note, having been a presiding officer for four years, the way that this place ran and is still running today is because of the help that Carol gave to me personally.

She began her career in the Office of Criminal Justice Programs before coming to the Legislature as an aide for Representative John Engler in the House of Representatives. Later moving to State Senator Jack Welborn's office, she worked full-time while pursuing a law degree at Cooley Law School. After the completion of her law degree in 1981,

Carol briefly worked in the private sector. Not being able to stay away from public service, she returned to serve as legal counsel for the Joint Committee on Administrative Rules. From there, she went to join her previous boss, John Engler, in the Governor’s office as director of state policy and cabinet counsel and then as deputy chief of staff and cabinet counsel. In 1995, Carol was elected for the first time as Secretary of the Senate.

Carol’s commitment and devotion to this institution may only be matched by her dedication to her family, who is here with us today: her husband Jim, her brother Jeff, and her sister Sue. Her daughters, Jane and Katie, are both in California.

Carol was raised in Detroit by her parents, Art and Kay Morey, with her older brother Jeff and her younger sister Sue. Proud of her heritage and the daughter of parents interned during World War II, she serves on the board of directors of the Japanese American National Museum in Los Angeles, California, and is the longest-serving Senate Secretary of Japanese-American descent in the United States.

History will remember Carol as the first woman Secretary of Senate in Michigan and the first minority to serve as Secretary of Senate. We will remember her for her intelligence, unflappable nature, her infectious laugh, her patience, and her compassion. With great appreciation, we thank Carol for all the support she has given to the Senate, individual members and staff alike.

Please join me in thanking our good friend Carol Viventi.

By unanimous consent the Senate returned to the order of
General Orders

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

The motion prevailed, and the President, Lieutenant Governor Calley, designated Senator Proos as Chairperson.

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

House Bill No. 4539, entitled

A bill to amend 1933 PA 167, entitled “General sales tax act,” by amending sections 2, 4, 6a, and 25 (MCL 205.52, 205.54, 205.56a, and 205.75), sections 2 and 4 as amended by 2004 PA 173, section 6a as amended by 2013 PA 1, and section 25 as amended by 2012 PA 226, and by adding section 2b.

Substitute (S-1).

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

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

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

House Bill No. 4539

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

The following bill was read a third time:

House Bill No. 4539, entitled

A bill to amend 1933 PA 167, entitled “General sales tax act,” by amending section 4 (MCL 205.54), as amended by 2004 PA 173.

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. 758

Yeas—22

Ananich	Hansen	Kahn	Proos
Booher	Hildenbrand	Marleau	Richardville
Casperson	Hopgood	Meekhof	Walker
Emmons	Hunter	Pappageorge	Whitmer
Green	Jansen	Pavlov	Young
Gregory	Johnson		

Nays—13

Bieda	Hune	Moolenaar	Rocca
Brandenburg	Jones	Nofs	Schuitmaker
Caswell	Kowall	Robertson	Warren
Colbeck			

Excused—1

Smith

Not Voting—2

Anderson	Hood
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In The Chair: President

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

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

The Senate agreed to the full title.

By unanimous consent the Senate returned to the order of

Messages from the House

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

House Bill No. 4369

The motion prevailed.

By unanimous consent the Senate proceeded to the following bill:

House Bill No. 5477, entitled

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

Substitute (H-4).

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

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

Roll Call No. 759

Yeas—7

Colbeck	Hildenbrand	Moolenaar	Robertson
Green	Hune	Proos	

Nays—30

Ananich	Gregory	Kahn	Richardville
Anderson	Hansen	Kowall	Rocca

Bieda	Hood	Marleau	Schuitmaker
Booher	Hopgood	Meekhof	Walker
Brandenburg	Hunter	Nofs	Warren
Casperson	Jansen	Pappageorge	Whitmer
Caswell	Johnson	Pavlov	Young
Emmons	Jones		

Excused—1

Smith

Not Voting—0

In The Chair: President

Recess

Senator Meekhof moved that the Senate recess until 2:45 p.m.
The motion prevailed, the time being 12:30 p.m.

The Senate reconvened at the expiration of the recess and was called to order by the President, Lieutenant Governor Calley.

Senate Bill No. 845, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 1 of chapter IV (MCL 764.1), as amended by 2004 PA 318.

The House of Representatives has amended the bill as follows:

1. Amend page 2, line 20, after “made” by inserting “**AND AN ARREST WARRANT MAY BE ISSUED**”.
2. Amend page 3, line 1, after “affirmation” by inserting a comma and “**IN PERSON OR BY ANY ELECTRONIC OR ELECTROMAGNETIC MEANS OF COMMUNICATION,**”.
3. Amend page 3, following line 13, by inserting:

“(5) **A JUDGE OR DISTRICT COURT MAGISTRATE MAY SIGN AN ELECTRONICALLY OR ELECTROMAGNETICALLY ISSUED ARREST WARRANT WHEN HE OR SHE IS AT ANY LOCATION IN THIS STATE.**”.

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

Pursuant to rule 3.202, the bill was laid over one day.

Senate Bill No. 931, entitled

A bill to amend 1966 PA 189, entitled “An act to provide procedures for making complaints for, obtaining, executing and returning search warrants; and to repeal certain acts and parts of acts,” by amending sections 1, 3, and 5 (MCL 780.651, 780.653, and 780.655), section 1 as amended by 2009 PA 11, section 3 as amended by 1988 PA 80, and section 5 as amended by 2002 PA 112.

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

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

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

The bill was referred to the Secretary for enrollment printing and presentation to the Governor.

Senate Bill No. 932, entitled

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending sections 8512, 8512a, and 8513 (MCL 600.8512, 600.8512a, and 600.8513), section 8512 as amended by 1995 PA 54, section 8512a as added by 1984 PA 278, and section 8513 as amended by 2008 PA 95.

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

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

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

The Senate agreed to the full title.

The bill was referred to the Secretary for enrollment printing and presentation to the Governor.

By unanimous consent the Senate returned to the order of

Motions and Communications

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

Senate Bill No. 1142

Senate Bill No. 1155

Senate Bill No. 1159

Senate Bill No. 1160

Senate Bill No. 1167

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

By unanimous consent the Senate returned to the order of

General Orders

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

The motion prevailed, and the President, Lieutenant Governor Calley, designated Senator Proos as Chairperson.

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

House Bill No. 5064, entitled

A bill to amend 2001 PA 142, entitled "Michigan memorial highway act," (MCL 250.1001 to 250.2080) by adding section 84.

House Bill No. 4411, entitled

A bill to amend 2001 PA 142, entitled "Michigan memorial highway act," (MCL 250.1001 to 250.2080) by adding section 1062.

House Bill No. 4936, entitled

A bill to amend 2001 PA 142, entitled "Michigan memorial highway act," (MCL 250.1001 to 250.2080) by adding section 83.

House Bill No. 5072, entitled

A bill to amend 1993 PA 69, entitled "An act to designate certain highways within this state as Michigan heritage routes; to provide procedures for additions, deletions, or changes to these routes; and to prescribe the powers and duties of certain state agencies," by amending the title and sections 1, 2, 4, 6, 7, and 8 (MCL 247.951, 247.952, 247.954, 247.956, 247.957, and 247.958) and by adding section 7a; and to repeal acts and parts of acts.

House Bill No. 5257, entitled

A bill to amend 2001 PA 142, entitled "Michigan memorial highway act," (MCL 250.1001 to 250.2080) by adding section 81.

House Bill No. 5412, entitled

A bill to amend 1999 PA 276, entitled "Banking code of 1999," (MCL 487.11101 to 487.15105) by adding section 4111.

House Bill No. 5413, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending sections 315a and 376a (MCL 750.315a and 750.376a), as amended by 2003 PA 217.

House Bill No. 4601, entitled

A bill to amend 2001 PA 142, entitled "Michigan memorial highway act," (MCL 250.1001 to 250.2080) by adding section 71.

House Bill No. 4957, entitled

A bill to amend 2001 PA 142, entitled "Michigan memorial highway act," (MCL 250.1001 to 250.2080) by adding section 1068.

House Bill No. 4985, entitled

A bill to amend 2001 PA 142, entitled "Michigan memorial highway act," (MCL 250.1001 to 250.2080) by adding section 89.

House Bill No. 5742, entitled

A bill to amend 2012 PA 101, entitled "Autism coverage reimbursement act," (MCL 550.1831 to 550.1841) by adding section 8.

Senate Bill No. 1140, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 3113 (MCL 500.3113), as amended by 1986 PA 93.
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:

House Bill No. 4576, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 102 (MCL 500.102), as amended by 2000 PA 252, and by adding chapter 12A.

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. 4814, entitled

A bill to amend 2001 PA 142, entitled "Michigan memorial highway act," (MCL 250.1001 to 250.2080) by adding section 1076.

Substitute (S-1).

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

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

House Bill No. 5226, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 40114 (MCL 324.40114), as amended by 2012 PA 65.

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

1. Amend page 4, line 8, after "SUBDIVISION," by inserting "AN INDIVIDUAL SHALL NOT TAKE A CUB BEAR OR A FEMALE BEAR ACCOMPANIED BY A CUB BEAR UNDER THIS SUBDIVISION."

2. Amend page 5, following line 21, by inserting:

"(8) AS USED IN THIS SECTION, "CUB BEAR" MEANS A BEAR THAT IS LESS THAN 1 YEAR OF AGE."

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

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:
House Bill No. 4923, entitled

A bill to amend 2001 PA 142, entitled "Michigan memorial highway act," (MCL 250.1001 to 250.2080) by adding section 1062.

Substitute (S-1).

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

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:
House Bill No. 5447, entitled

A bill to amend 2001 PA 142, entitled "Michigan memorial highway act," (MCL 250.1001 to 250.2080) by adding section 81.

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. 5543, entitled

A bill to amend 2001 PA 142, entitled "Michigan memorial highway act," (MCL 250.1001 to 250.2080) by adding section 81.

Substitute (S-1).

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

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:
House Bill No. 5715, entitled

A bill to amend 2001 PA 142, entitled "Michigan memorial highway act," (MCL 250.1001 to 250.2080) by adding section 81.

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. 1142, entitled

A bill to amend 1941 PA 207, entitled "Fire prevention code," by amending section 19 (MCL 29.19), as amended by 2014 PA 12, and by adding section 19a.

Substitute (S-1).

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

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

Senator Meekhof moved that the rules be suspended and that the following bill, now on the order of Third Reading of Bills, be placed on its immediate passage:

Senate Bill No. 1142

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

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

House Bill No. 4788

House Bill No. 4703

Senate Bill No. 993

House Bill No. 5380

House Bill No. 5781
Senate Bill No. 655
Senate Bill No. 1142
 The motion prevailed.

The following bill was read a third time:

House Bill No. 4788, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” (MCL 257.1 to 257.923) by adding section 811bb.

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. 760

Yeas—37

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

Nays—0

Excused—1

Smith

Not Voting—0

In The Chair: Hansen

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

“An act to provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or generally accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways; to create certain funds; to provide penalties and sanctions for a violation of this act; to provide for civil liability of manufacturers, the manufacturers of automated technology, upfitters, owners, and operators of vehicles and service of process on residents and nonresidents; to regulate the introduction and use of certain evidence; to provide for the levy of certain assessments; to provide for the enforcement of this act; to provide for the creation of and to prescribe the powers and duties of certain state and local agencies; to impose liability upon the state or local agencies; to provide appropriations for certain purposes; to repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date.”

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 4703, entitled

A bill to amend 1995 PA 29, entitled "Uniform unclaimed property act," (MCL 567.221 to 567.265) by adding section 31a. 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. 761

Yeas—37

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

Nays—0

Excused—1

Smith

Not Voting—0

In The Chair: Hansen

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 concerning unclaimed property; to provide for the reporting and disposition of unclaimed property; to make uniform the law concerning unclaimed property; to prescribe the powers and duties of certain state agencies and officials; to prescribe penalties and provide remedies; and to repeal acts and parts of acts,".

The Senate agreed to the full title.

The following bill was read a third time:

Senate Bill No. 993, entitled

A bill to enter into the interstate health care compact; and for related purposes.

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. 762

Yeas—27

Booher	Hansen	Kowall	Proos
Brandenburg	Hildenbrand	Marleau	Richardville
Casperson	Hune	Meekhof	Robertson

Caswell
Colbeck
Emmons
Green

Hunter
Jansen
Jones
Kahn

Moolenaar
Nofs
Pappageorge
Pavlov

Rocca
Schuitmaker
Walker

Nays—10

Ananich
Anderson
Bieda

Gregory
Hood
Hopgood

Johnson
Warren

Whitmer
Young

Excused—1

Smith

Not Voting—0

In The Chair: Hansen

The Senate agreed to the title of the bill.

The following bill was read a third time:

House Bill No. 5380, entitled

A bill to provide for the appointment of article V convention delegates; to provide for the powers and duties of those delegates; and to provide for the duties of certain state governmental officials.

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. 763**Yeas—26**

Booher
Brandenburg
Casperson
Caswell
Colbeck
Emmons
Green

Hansen
Hildenbrand
Hune
Jansen
Jones
Kahn
Kowall

Marleau
Meekhof
Moolenaar
Nofs
Pappageorge
Pavlov

Proos
Richardville
Robertson
Rocca
Schuitmaker
Walker

Nays—11

Ananich
Anderson
Bieda

Gregory
Hood
Hopgood

Hunter
Johnson
Warren

Whitmer
Young

Excused—1

Smith

Not Voting—0

In The Chair: Hansen

Senator Meekhof moved that the bill be given immediate effect.
The motion prevailed, 2/3 of the members serving voting therefor.
The Senate agreed to the title of the bill.

The following bill was read a third time:

House Bill No. 5781, entitled

A bill to amend 1846 RS 2, entitled "Of the legislature," by amending section 4 (MCL 4.84); and to repeal acts and parts of acts.

The question being on the passage of the bill,

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

Roll Call No. 764**Yeas—37**

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

Nays—0**Excused—1**

Smith

Not Voting—0

In The Chair: Hansen

Senator Meekhof moved that the bill be given immediate effect.
The motion prevailed, 2/3 of the members serving voting therefor.
The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 655, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 16342a and part 176A.

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. 765**Yeas—33**

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

Nays—4

Colbeck	Kahn	Moolenaar	Walker
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Excused—1

Smith

Not Voting—0

In The Chair: Hansen

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 1142, entitled

A bill to amend 1941 PA 207, entitled “Fire prevention code,” by amending section 19 (MCL 29.19), as amended by 2014 PA 12, and by adding section 19a.

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. 766**Yeas—37**

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

Nays—0

Excused—1

Smith

Not Voting—0

In The Chair: Hansen

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 1156, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” (MCL 750.1 to 750.568) by adding section 213a.

The question being on the passage of the bill,

Senator Warren offered the following amendments:

1. Amend page 1, line 3, after “**WILL**” by inserting “**OR TO CONTINUE THE PREGNANCY AGAINST HER WILL**”.

2. Amend page 2, line 1, after “**ABORTION**” by inserting “**OR DOES NOT WANT TO CONTINUE THE PREGNANCY**”.

3. Amend page 2, line 13, after “**ABORTION**” by inserting “**OR DOES NOT WANT TO CONTINUE THE PREGNANCY**”.

4. Amend page 2, line 16, after “**ABORTION**” by inserting “**OR DOES NOT WANT TO CONTINUE THE PREGNANCY**”.

5. Amend page 3, line 20, by striking all of subdivision (C).

The amendments were not adopted, a majority of the members serving not voting therefor.

Senator Hunter requested the yeas and nays.

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

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

Roll Call No. 767**Yeas—12**

Ananich
Anderson
Bieda

Gregory
Hood
Hopgood

Johnson
Richardville
Rocca

Warren
Whitmer
Young

Nays—25

Booher
Brandenburg
Casperson
Caswell
Colbeck
Emmons
Green

Hansen
Hildenbrand
Hune
Hunter
Jansen
Jones

Kahn
Kowall
Marleau
Meekhof
Moolenaar
Nofs

Pappageorge
Pavlov
Proos
Robertson
Schuitmaker
Walker

Excused—1

Smith

Not Voting—0

In The Chair: Hansen

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. 768**Yeas—26**

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

Nays—11

Ananich	Gregory	Johnson	Whitmer
Anderson	Hood	Rocca	Young
Bieda	Hopgood	Warren	

Excused—1

Smith

Not Voting—0

In The Chair: Hansen

The Senate agreed to the title of the bill.

Protests

Senators Young, Bieda and Rocca, under their constitutional right of protest (Art. 4, Sec. 18), protested against the passage of Senate Bill No. 1156.

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

The motion prevailed.

Senator Young’s statement is as follows:

Mr. President and colleagues, I rise today to urge you to vote “no,” but before I do that, I’d like to start with a quote, Mr. President: “What would you do if you were stuck in one place every day and every day was exactly the same, and nothing you did mattered?” That’s a quote from *Groundhog Day*.

Ladies and gentlemen, haven’t we done this before? Haven’t we seen this movie over and over again? I mean, in 1973, the Supreme Court decided women have a right to decide what happens inside their own bodies. Yet my colleagues across

the aisle continue to test the limits of that freedom with their back-alley workarounds—yes, that was a double entendre, just in case you were paying attention—that make it harder and harder for any woman who would need to make such a painful choice to actually receive the medical care she needs. How hypocritical. That is the definition of hypocrisy in our great democracy.

You profess to push this legislation in the name of our women's freedom to make choices free of coercion and intimidation, and yet what you're doing is bullying women into having so little control over their own bodies. It's disgusting. It's despicable. It keeps happening over and over. You ought to be ashamed of yourselves. If you're not, I most certainly am, Mr. President.

One year ago today, it was insulting—your rape insurance mandate. Oh, you don't remember? Let me refresh your memory. You passed a law that forces women to carry insurance to pay for an abortion in case they are raped. Like in *Groundhog Day*, nothing my caucus said and nothing the people said or did mattered. Nope. Not to you. Not when your own colleagues stood up and told you that your bills were deeply damaging to them. It wasn't just Democrats; even Republicans would tell you this bill put the garbage in garbage time. It was deeply damaging to them and countless others who shared their experience. You still passed it.

No, nothing we did mattered. Now, again, you're right back at it. You're pushing through unnecessary legislation that does nothing but make it harder for a woman to access the care she and her doctor have agreed she needs. What you're doing, you're doing by making it illegal to do things that are already illegal. Stalking, intimidation, and harassment are all crimes you seem to care about only if there's a chance it involves what's being carried inside a woman's body, but not so much when it's any woman looking for better protections against a violent partner; not so much when it comes to making it harder for stalkers and harassers and intimidators to get guns.

In 2012, you all passed bills making doctors and clinics liable for ensuring a woman hasn't been forced to seek their services, something that could make it harder for these life-saving doctors and clinics to serve women in need. Ladies and gentlemen, we are stuck in this endless loop of your political paybacks. The extremist groups, like Right to Life—Mr. President, if this was a movie, the best part would be the end, because it's over. The people of Michigan don't support this agenda. The women of Michigan don't support this agenda, yet you continue to argue an issue that was decided by the Supreme Court in 1973.

This is insulting. This is sick. This is completely uncalled for, when there are actual problems in this state that need solving. You keep going ahead and solving your imagined issues; keep bringing up your false problems. I'll be waiting for you to come to the table on roads or any issue that actually is a serious problem, because this one is a fantasy wrapped in a hallucination, surrounded by an illusion. Vote "no" on this destructive, God-awful piece of legislation.

Senator Bieda's statement, in which Senator Rocca concurred, is as follows:

This is a debate on the abortion issue, which we're never going to solve. There's always going to be people on both sides of this issue, but I'd like you to take a look at the actual bill we're putting out there right now. Certainly, no woman should be coerced into any decisions concerning her pregnancy. That's a given, but I'd like to point out, is this legislation even necessary?

There are already laws on the books that protect a woman from coercion and discrimination that these bills aim to address. Michigan's existing informed consent law already mandates that a woman's consent must be given fully and without coercion. Michigan already has statutes on the books that would make such coercion illegal. Aggravated stalking, for example, is covered under MCL 750.411. Michigan's Elliot-Larsen Civil Rights Act, something that should be amended on some other areas, already protects women from discrimination based on actions related to pregnancy. This act was further strengthened to protect women in the workplace in 2009 with Public Act 190 of 2009.

Because these bills are unnecessary and language used is vague, they confuse current law and lay the groundwork for unintended consequences. Again, I ask you to move away from the issue of abortion, because there's some strongly-held beliefs on it. As lawmakers, we need to look at the technical bills in front of us. That's the important fact that I think a lot of people are missing in this debate.

For example, the bill's description of coercion is unclear. Can we really figure out what they're targeting as illegal? I give the sponsors of this bill a lot of credit. I know what it's like to put legislation together, but being discharged out of committee without an opportunity to work on this, I think we've got a product before us that's just not done.

Here's some language from the bill, though: "Discontinue, attempt to discontinue, or threaten to discontinue support that a person has a legal responsibility to provide or to reduce that support to a level below his or her legal responsibility." Does anyone know what that means? "Withdraw, attempt to withdraw, or threaten to withdraw from a contract or agreement or otherwise violate the terms of that contract or agreement having previously entered into a contract or other legally binding agreement to which the pregnant female is a party or beneficiary."

As an example, because marriage is a contract under law, the bills would criminalize a husband who chooses to seek a divorce because his wife is pregnant with another person's child or a parent who threatens to kick a pregnant daughter out of the household could be criminally charged with this language. Now, we might not condone such a thing, but should the parent really face criminal charges in that situation?

Women in Michigan already receive support, counseling, and information when they are deciding whether or not to have an abortion. Abortion providers have to screen all women for coercion and ensure that patients have information and support to make that decision that is best for her.

The bill is vague in defining coercion and can be interpreted in any action or inaction that can clearly demonstrate the woman is unwilling to comply with a demand or request. I ask you to take a step away from the controversial issue of abortion before us, and take a look at the technical language of this bill. I do believe this bill should go back to committee, and this is why I will be voting “no” on this bill today.

The following bill was read a third time:

Senate Bill No. 1157, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 16*l* of chapter XVII (MCL 777.16*l*), as amended by 2011 PA 202.

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. 769

Yeas—26

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

Nays—11

Ananich	Gregory	Johnson	Whitmer
Anderson	Hood	Rocca	Young
Bieda	Hopgood	Warren	

Excused—1

Smith

Not Voting—0

In The Chair: Hansen

The Senate agreed to the title of the bill.

Protests

Senators Warren, Ananich, Anderson, Johnson, Gregory, Hood and Whitmer, under their constitutional right of protest (Art. 4, Sec. 18), protested against the passage of Senate Bill Nos. 1156 and 1157.

Senator Warren moved that the statement she made during the discussion of Senate Bill No. 1156 be printed as her reasons for voting “no.”

The motion prevailed.

Senator Warren's statement, in which Senators Ananich, Anderson, Johnson, Gregory, Hood and Whitmer concurred, is as follows:

I also rise to give my "no" vote explanation on Senate Bill No. 1156. I think we can all agree that no woman should be coerced into any decisions regarding her pregnancy. All reproductive health care choices should be made freely and without retribution.

That said, I am standing here today because at their very core, Senate Bill No. 1156 and its companion, Senate Bill No. 1157, are an answer in search of a question. They are redundant and unnecessary bills that seek to prohibit actions that are already illegal under Michigan law. In fact, Michigan's existing informed consent law already mandates that a woman's consent to an abortion must be given freely and without coercion. Women receive support, counseling, and information when they are deciding whether or not to have an abortion, and providers screen all women for any sign of coercion. That's already the law in Michigan.

Michigan also already has laws on the books that would make such coercion illegal under our aggravated stalking statute. Even more alarming, this legislation is so vague in its definition of coercion that it is difficult to ascertain what type of behavior it even seeks to prohibit. This lack of clarity stands to have a number of unintended consequences for women, their health care providers, and their families as they work through what are already very difficult decisions.

These bills do nothing to address abusers who pressure women into becoming pregnant, oftentimes even interfering with their use of birth control, and then coerce them into continuing a pregnancy that the woman may not want. If this legislation is truly about ensuring that women are the ones who make their reproductive health care choices, then no type of patient coercion should be tolerated. If this legislation is actually about reducing the need for an abortion, then I urge this body to start taking up the policies that will improve low-income women's access to contraceptives and reproductive and prenatal care, expand coverage of contraceptives, and provide comprehensive sexuality education to all of our young people, so that they know how to make good choices with their bodies.

These are the policies that will truly enable and empower women with the resources and tools they need to make the best health care decisions for them and their families. Unfortunately, until we do that, these bills are just two more in a long list that pay lip service to the real circumstances that women are facing.

Recess

Senator Meekhof moved that the Senate recess subject to the call of the Chair.
The motion prevailed, the time being 3:50 p.m.

4:08 p.m.

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

By unanimous consent the Senate returned to the order of

General Orders

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

The motion prevailed, and the Assistant President pro tempore, Senator Hansen, designated Senator Proos as Chairperson.

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

Senate Bill No. 658, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," (MCL 205.51 to 205.78) by adding section 3a.
Substitute (S-3).

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

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

Senate Bill No. 659, entitled

A bill to amend 1937 PA 94, entitled "Use tax act," (MCL 205.91 to 205.111) by adding section 3g.
Substitute (S-3).

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

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

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

Senate Bill No. 658

Senate Bill No. 659

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

The following bill was read a third time:

Senate Bill No. 658, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," (MCL 205.51 to 205.78) by adding section 2b.

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. 770

Yeas—21

Ananich	Hood	Kahn	Schuitmaker
Anderson	Hopgood	Kowall	Walker
Bieda	Hunter	Marleau	Warren
Booher	Jansen	Pappageorge	Whitmer
Gregory	Johnson	Richardville	Young
Hansen			

Nays—16

Brandenburg	Emmons	Jones	Pavlov
Casperson	Green	Meekhof	Proos
Caswell	Hildenbrand	Moolenaar	Robertson
Colbeck	Hune	Nofs	Rocca

Excused—1

Smith

Not Voting—0

In The Chair: Hansen

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 659, entitled

A bill to amend 1937 PA 94, entitled "Use tax act," (MCL 205.91 to 205.111) by adding section 5a.

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. 771**Yeas—21**

Ananich	Hood	Kahn	Schuitmaker
Anderson	Hopgood	Kowall	Walker
Bieda	Hunter	Marleau	Warren
Booher	Jansen	Pappageorge	Whitmer
Gregory	Johnson	Richardville	Young
Hansen			

Nays—16

Brandenburg	Emmons	Jones	Pavlov
Casperson	Green	Meekhof	Proos
Caswell	Hildenbrand	Moolenaar	Robertson
Colbeck	Hune	Nofs	Rocca

Excused—1

Smith

Not Voting—0

In The Chair: Hansen

The Senate agreed to the title of the bill.

Protest

Senator Colbeck, under his constitutional right of protest (Art. 4, Sec. 18), protested against the passage of Senate Bill Nos. 658 and 659 and moved that the statement he made during the discussion of Senate Bill No. 658 be printed as his reasons for voting “no.”

The motion prevailed.

Senator Colbeck’s statement is as follows:

I rise in opposition to these bills right now. It’s not because I object to the concept that an online retailer should be subject to the same sales tax as a bricks-and-mortar retailer. This is it: No. 1, I have not had time to review these bills. They’ve come up fairly suddenly. When you’re starting to talk about the main commerce interface, if you will, for our entire state of retail commerce, this is not something you want to rush through. There could be unintended consequences on the details of this bill. I want to make sure we evaluate it. Treasury does have the responsibility to enforce the current laws around the sales tax, and I encourage them to do so.

There are a lot of options. I wouldn’t know how to go off and enforce these provisions. There are a limited number of gateway providers. I’m actually someone who’s provided online sales before. I’m also someone who has tried to sell—and been successful selling goods in other states. Having to deal with the myriad sales tax restrictions and guidelines, there’s a reason why Article I, Section 8 of our United States Constitution puts the burden of regulating commerce between the states on the federal government. That’s where it’s best done. I’m a little concerned that we’re putting something in a rush mode right now to regulate the commerce between states at the state level.

It’s for that reason and to guard our state against unintended consequences of this legislation that I’m voting “no” on both of these bills.

By unanimous consent the Senate returned to the order of
General Orders

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

The motion prevailed, and the Assistant President pro tempore, Senator Hansen, designated Senator Proos as Chairperson.

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

Senate Bill No. 295, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 78m (MCL 211.78m), as amended by 2006 PA 498.

Substitute (S-4).

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. 640, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 78m (MCL 211.78m), as amended by 2006 PA 498.

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. 1159, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 613a (MCL 168.613a), as amended by 2011 PA 163.

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. 1160, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 641 (MCL 168.641), as amended by 2005 PA 71.

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. 1167, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 544c (MCL 168.544c), as amended by 2014 PA 94.

Substitute (S-1).

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

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

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

Senate Bill No. 295

Senate Bill No. 640

Senate Bill No. 1140

Senate Bill No. 1159**Senate Bill No. 1160****Senate Bill No. 1167**

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

The following bill was read a third time:

Senate Bill No. 295, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 78m (MCL 211.78m), as amended by 2006 PA 498.

The question being on the passage of the bill,

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

Roll Call No. 772**Yeas—36**

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

Nays—1

Colbeck

Excused—1

Smith

Not Voting—0

In The Chair: Hansen

The Senate agreed to the title of the bill.

Senators Ananich, Booher, Casperson, Jones, Marleau, Pappageorge, Proos and Walker were named co-sponsors of the bill.

Protest

Senator Colbeck, under his constitutional right of protest (Art. 4, Sec. 18), protested against the passage of Senate Bill No. 295.

Senator Colbeck's statement is as follows:

You know, I was doing my speed-reading on this bill before we passed it. I noticed it has an ex facto portion of it that says that it applies to bids that are commenced on January 1, 2014. I think that's a concerning facet of this bill that needs to be addressed before it's finally signed by the Governor. As it currently stands, I cannot support it.

The following bill was read a third time:

Senate Bill No. 640, entitled

A bill to amend 1893 PA 206, entitled “The general property tax act,” by amending section 78m (MCL 211.78m), as amended by 2006 PA 498.

The question being on the passage of the bill,

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

Roll Call No. 773

Yeas—37

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

Nays—0

Excused—1

Smith

Not Voting—0

In The Chair: Hansen

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 1140, entitled

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” by amending section 3113 (MCL 500.3113), as amended by 1986 PA 93.

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. 774

Yeas—23

Booher	Hansen	Marleau	Richardville
Brandenburg	Hildenbrand	Meekhof	Robertson
Casperson	Hune	Moolenaar	Rocca
Colbeck	Hunter	Nofs	Schuitmaker
Emmons	Jansen	Pappageorge	Walker
Green	Jones	Pavlov	

Nays—14

Ananich	Gregory	Kahn	Warren
Anderson	Hood	Kowall	Whitmer
Bieda	Hopgood	Proos	Young
Caswell	Johnson		

Excused—1

Smith

Not Voting—0

In The Chair: Hansen

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 1159, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 613a (MCL 168.613a), as amended by 2011 PA 163.

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. 775**Yeas—35**

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

Nays—2

Hood	Young
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Excused—1

Smith

Not Voting—0

In The Chair: Hansen

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 1160, entitled

A bill to amend 1954 PA 116, entitled “Michigan election law,” by amending section 641 (MCL 168.641), as amended by 2005 PA 71.

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. 776**Yeas—35**

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

Nays—2

Hood	Young
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Excused—1

Smith

Not Voting—0

In The Chair: Hansen

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 1167, entitled

A bill to amend 1954 PA 116, entitled “Michigan election law,” by amending section 544c (MCL 168.544c), as amended by 2014 PA 94.

The question being on the passage of the bill,

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

Roll Call No. 777**Yeas—35**

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

Nays—2

Colbeck	Kahn
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Excused—1

Smith

Not Voting—0

In The Chair: Hansen

The Senate agreed to the title of the bill.

By unanimous consent the Senate returned to the order of

Motions and Communications

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

Senate Bill No. 761, entitled

A bill to provide for a capital outlay program; to set forth the provisions for its implementation within the budgetary process; to make appropriations for planning and construction at state institutions and the acquisition of land; to provide for the elimination of fire hazards at the institutions; to provide for certain special maintenance, remodeling, alteration, renovation, or demolition of and additions to projects at state institutions; to provide for elimination of occupational safety and health hazards at state agencies and institutions; to provide for the award of contracts; and to provide for the expenditure thereof under the supervision of the director of the department of technology, management, and budget and the state administrative board.

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

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

Senate Bill No. 761

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

The following communication was received and read:
Office of the Senate Majority Leader

December 11, 2014

Pursuant to Joint Rule 3, the Senate, having non-concurred in the House substitute (H-4) to House Bill 5477, the Senate appoints the following members to sit on the conference committee:

Senator Arlan Meekhof

Senator Mike Kowall

Senator Jim Ananich

Thank you for your prompt consideration of this matter.

Respectfully yours,
Randy Richardville
Senate Majority Leader

The communication was referred to the Secretary for record.

By unanimous consent the Senate returned to the order of
General Orders

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

The motion prevailed, and the Assistant President pro tempore, Senator Hansen, designated Senator Proos as Chairperson.

Recess

Senator Meekhof moved that the Committee of the Whole recess subject to the call of the Chairperson.
The motion prevailed, the time being 4:45 p.m.

4:58 p.m.

The Committee of the Whole was called to order by the Chairperson, Senator Proos.

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

Senate Bill No. 761, entitled

A bill to provide for a capital outlay program; to set forth the provisions for its implementation within the budgetary process; to make appropriations for planning and construction at state institutions and the acquisition of land; to provide for the elimination of fire hazards at the institutions; to provide for certain special maintenance, remodeling, alteration, renovation, or demolition of and additions to projects at state institutions; to provide for elimination of occupational safety and health hazards at state agencies and institutions; to provide for the award of contracts; and to provide for the expenditure thereof under the supervision of the director of the department of technology, management, and budget and the state administrative board.

Substitute (S-1).

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

1. Amend page 9, following line 21, by inserting:

“Sec. 303. The scope and cost to construct the Lake Superior State University – school of business building, initially authorized for construction in 2013 PA 102, is hereby increased by \$1,500,000.00 to a revised total authorized cost of \$13,500,000.00 (Lake Superior State University share is increased to \$4,500,000.00; state building authority share is maintained at \$8,999,800.00; state general fund/general purpose share is maintained at \$200.00).”.

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

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

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

Senate Bill No. 761

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

The following bill was read a third time:

Senate Bill No. 761, entitled

A bill to provide appropriations for capital outlay projects and various state departments and agencies; to provide for the expenditure of the appropriations; and to impose certain conditions on 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. 778

Yeas—30

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

Nays—7

Brandenburg	Hune	Kowall	Pappageorge
Colbeck	Kahn	Meekhof	

Excused—1

Smith

Not Voting—0

In The Chair: Hansen

The Senate agreed to the title of the bill.

By unanimous consent the Senate proceeded to the order of

Introduction and Referral of Bills

House Bill No. 4101, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” (MCL 257.1 to 257.923) by adding section 811aa.

The House of Representatives has passed the bill.

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

House Bill No. 4298, entitled

A bill to amend 1893 PA 206, entitled “The general property tax act,” by amending sections 78f and 78i (MCL 211.78f and 211.78i), section 78f as amended by 2003 PA 263 and section 78i as amended by 2006 PA 611, and by adding section 78q.

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

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

House Bill No. 4544, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 527a (MCL 206.527a), as amended by 2011 PA 38.

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

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

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

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

House Bill No. 5245, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," (MCL 257.1 to 257.923) by adding section 811cc.

The House of Representatives has passed the bill.

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

House Bill No. 5408, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 33 (MCL 257.33), as amended by 2013 PA 36, and by adding section 7b.

The House of Representatives has passed the bill.

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

House Bill No. 5409, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 624a, 657, 660, 662, 901, and 907 (MCL 257.624a, 257.657, 257.660, 257.662, 257.901, and 257.907), section 624a as amended by 2012 PA 306, sections 657 and 662 as amended by 2002 PA 494, section 660 as amended by 2006 PA 339, and section 907 as amended by 2014 PA 303, and by adding sections 518a and 625p.

The House of Representatives has passed the bill.

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

House Bill No. 5822, 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.

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

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

House Bill No. 5831, entitled

A bill to amend 1941 PA 122, entitled "An act to establish the revenue collection duties of the department of treasury; to prescribe its powers and duties as the revenue collection agency of this state; to prescribe certain powers and duties of the state treasurer; to establish the collection duties of certain other state departments for money or accounts owed to this state; to regulate the importation, stamping, and disposition of certain tobacco products; to provide for the transfer of powers and duties now vested in certain other state boards, commissions, departments, and offices; to prescribe certain duties of and require certain reports from the department of treasury; to provide procedures for the payment, administration, audit, assessment, levy of interests or penalties on, and appeals of taxes and tax liability; to prescribe its powers and duties if an agreement to act as agent for a city to administer, collect, and enforce the city income tax act on behalf of a city is entered into with any city; to provide an appropriation; to abolish the state board of tax administration; to prescribe penalties and provide remedies; and to declare the effect of this act," by amending section 28 (MCL 205.28), as amended by 2014 PA 240.

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

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

House Bill No. 5862, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending sections 102, 2227, and 2845 (MCL 500.102, 500.2227, and 500.2845), section 102 as amended by 2000 PA 252, section 2227 as added by 1998 PA 217, and section 2845 as amended by 1998 PA 216.

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

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

House Bill No. 5960, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 78m (MCL 211.78m), as amended by 2006 PA 498.

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

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

House Bill No. 5961, entitled

A bill to amend 1965 PA 314, entitled "Public employee retirement system investment act," by amending section 13g (MCL 38.1133g), as added by 2014 PA 185.

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

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

By unanimous consent the Senate returned to the order of

Messages from the House**Senate Bill No. 528, entitled**

A bill to amend 1972 PA 239, entitled "McCauley-Traxler-Law-Bowman-McNeely lottery act," by amending section 32 (MCL 432.32), as amended by 2012 PA 428.

The House of Representatives has substituted (H-2) the bill.

The House of Representatives has passed the bill as substituted (H-2), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

Pursuant to rule 3.202, the bill was laid over one day.

Senate Bill No. 940, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 717 (MCL 257.717), as amended by 2008 PA 539.

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

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

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

The motion prevailed.

By unanimous consent the Senate returned to the order of

Motions and Communications

Senator Meekhof moved that when the Senate adjourns today, it stand adjourned until Monday, December 15, at 12:00 noon.

The motion prevailed.

By unanimous consent the Senate proceeded to the order of

Statements

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

The motion prevailed.

Senator Caswell's statement is as follows:

We're going to be taking up a very important issue next week. Every state in the country is facing the same issue that we are in this state. I would like to simply give you the information from Oregon, who started studying this in 2000. Oregon's objective in 2000 was to replace the gas tax; completely get rid of it. By 2010, they made these observations.

Both Oregon and the federal government's fuel tax receipts were in permanent decline. We've seen the same thing in Michigan. The new CAFE standards by the federal government will increase in 2016 and again in 2025. This will impact the entire passenger fleet in the future. Everything is going to be more fuel efficient. We have to face those facts.

Second, vehicles in 2010 started entering the market that were completely electric and paid no fuel taxes. Plug-in hybrid models entered the market in 2012 and paid very few fuel taxes. We have to understand that if all we do is raise the gas tax, it will not fund our roads ten years from now.

We must move away from the fuel tax as other states are doing, and we have to take a serious look at the sales tax in Michigan for funding our roads. It's the only long-range solution that can work.

Committee Reports

The Committee on Judiciary reported

Senate Bill No. 1139, entitled

A bill to amend 1988 PA 511, entitled "Community corrections act," by amending sections 2, 3, 4, 5, 7, 8, and 11 (MCL 791.402, 791.403, 791.404, 791.405, 791.407, 791.408, and 791.411).

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

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

Rick Jones
Chairperson

To Report Out:

Yeas: Senators Jones, Schuitmaker and Bieda

Nays: None

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

The Committee on Reforms, Restructuring and Reinventing reported

House Bill No. 5390, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 4012 (MCL 600.4012), as amended by 2012 PA 304.

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.

Mark C. Jansen
Chairperson

To Report Out:

Yeas: Senators Jansen, Colbeck, Casperson and Kowall

Nays: Senator Warren

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

The Committee on Reforms, Restructuring and Reinventing reported

House Bill No. 5391, entitled

A bill to amend 1978 PA 390, entitled "An act to regulate the time and manner of payment of wages and fringe benefits to employees; to prescribe rights and responsibilities of employers and employees, and the powers and duties of the department of labor; to require keeping of records; to provide for settlement of disputes regarding wages and fringe benefits; to prohibit certain practices by employers; to prescribe penalties and remedies; and to repeal certain acts and parts of acts," by amending section 7 (MCL 408.477), as amended by 2012 PA 30.

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.

Mark C. Jansen
Chairperson

To Report Out:

Yeas: Senators Jansen, Colbeck, Casperson and Kowall

Nays: Senator Warren

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

COMMITTEE ATTENDANCE REPORT

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

Meeting held on Wednesday, December 10, 2014, at 9:00 a.m., Rooms 402 and 403, Capitol Building

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

Excused: Senators Robertson and Young

The Committee on Education reported

Senate Bill No. 1142, entitled

A bill to amend 1941 PA 207, entitled "Fire prevention code," by amending section 19 (MCL 29.19), as amended by 2014 PA 12, and by adding section 19a.

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.

Phillip J. Pavlov
Chairperson

To Report Out:

Yeas: Senators Pavlov, Emmons, Colbeck, Hopgood and Young

Nays: None

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

The Committee on Education reported

House Bill No. 5035, entitled

A bill to amend 1966 PA 331, entitled "Community college act of 1966," (MCL 389.1 to 389.195) by adding section 123a.

With the recommendation that the bill pass.

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

Phillip J. Pavlov
Chairperson

To Report Out:

Yeas: Senators Pavlov, Emmons, Colbeck, Hopgood and Young

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Education reported

House Bill No. 5036, entitled

A bill to amend 1966 PA 331, entitled "Community college act of 1966," (MCL 389.1 to 389.195) by adding section 123a.

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.

Phillip J. Pavlov
Chairperson

To Report Out:

Yeas: Senators Pavlov, Emmons, Colbeck, Hopgood and Young

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 Education submitted the following:

Meeting held on Wednesday, December 10, 2014, at 12:00 noon, Senate Hearing Room, Ground Floor, Boji Tower

Present: Senators Pavlov (C), Emmons, Colbeck, Hopgood and Young

The Committee on Banking and Financial Institutions reported

House Bill No. 5794, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 3238 and 3241a (MCL 600.3238 and 600.3241a), section 3238 as added by 2014 PA 125 and section 3241a as amended by 2006 PA 579.

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.

Darwin L. Booher
Chairperson

To Report Out:

Yeas: Senators Booher, Green, Marleau, Rocca and Ananich

Nays: None

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

The Committee on Banking and Financial Institutions reported

House Bill No. 5795, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 3140 (MCL 600.3140), as amended by 2004 PA 538.

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

Darwin L. Booher
Chairperson

To Report Out:

Yeas: Senators Booher, Green, Marleau, Rocca and Ananich
Nays: None
The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Banking and Financial Institutions submitted the following:
Meeting held on Wednesday, December 10, 2014, at 12:00 noon, Room 100, Farnum Building
Present: Senators Booher (C), Green, Marleau, Rocca and Ananich
Excused: Senators Nofs and Smith

The Committee on Local Government and Elections reported

Senate Bill No. 1155, entitled

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

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.

David B. Robertson
Chairperson

To Report Out:

Yeas: Senators Robertson, Meekhof and Brandenburg
Nays: None
The bill and the substitute recommended by the committee were referred to the Committee of the Whole.

The Committee on Local Government and Elections reported

Senate Bill No. 1159, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 613a (MCL 168.613a), as amended by 2011 PA 163.

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.

David B. Robertson
Chairperson

To Report Out:

Yeas: Senators Robertson, Meekhof and Brandenburg
Nays: None
The bill and the substitute recommended by the committee were referred to the Committee of the Whole.

The Committee on Local Government and Elections reported

Senate Bill No. 1160, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 641 (MCL 168.641), as amended by 2005 PA 71.

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.

David B. Robertson
Chairperson

To Report Out:

Yeas: Senators Robertson, Meekhof and Brandenburg

Nays: None

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

The Committee on Local Government and Elections reported

Senate Bill No. 1167, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 544c (MCL 168.544c), as amended by 2014 PA 94.

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.

David B. Robertson
Chairperson

To Report Out:

Yeas: Senators Robertson, Meekhof and Brandenburg

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 Local Government and Elections submitted the following:

Meeting held on Wednesday, December 10, 2014, at 3:00 p.m., Room 100, Farnum Building

Present: Senators Robertson (C), Meekhof, Brandenburg and Young

COMMITTEE ATTENDANCE REPORT

The Committee on Appropriations submitted the following:

Meeting held on Wednesday, December 10, 2014, at 2:01 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building

Present: Senators Kahn (C), Moolenaar, Jansen, Pappageorge, Booher, Caswell, Colbeck, Green, Proos, Schuitmaker, Walker, Anderson, Gregory, Hood, Hopgood and Johnson

COMMITTEE ATTENDANCE REPORT

The Joint Committee on Administrative Rules submitted the following:

Meeting held on Thursday, December 11, 2014, at 8:30 a.m., Rooms 402 and 403, Capitol Building

Present: Senators Pappageorge (C), Meekhof, Marleau and Johnson

Absent: Senator Hunter

Senator Meekhof moved that the Senate adjourn.

The motion prevailed, the time being 5:32 p.m.

In pursuance of the order previously made, the Assistant President pro tempore, Senator Hansen, declared the Senate adjourned until Monday, December 15, 2014, at 12:00 noon.

CAROL MOREY VIVENTI
Secretary of the Senate

