

**No. 81**  
**STATE OF MICHIGAN**  
**Journal of the Senate**  
**97th Legislature**  
**REGULAR SESSION OF 2014**

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Senate Chamber, Lansing, Monday, December 15, 2014.

12:00 noon.

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

The roll was called by the Assistant 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—present  
Walker—present  
Warren—present  
Whitmer—present  
Young—present

Senator Bruce E. Caswell of the 16th District offered the following invocation:

Heavenly Father, in this season when You sent Your Son to earth to help us to forgive our sins, may we have the courage and the thoughtfulness to follow Your will; not only Your Ten Commandments, but the eleventh commandment which is to love others as You have loved us, to remember that we are all imperfect, and that we all need forgiveness.

Help us, Father, to turn to You when we need wisdom and to remember to be humble in all that we do. We ask this in Jesus Christ's name. Amen.

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

### Motions and Communications

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

The motion prevailed.

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

The motion prevailed.

### Recess

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

The motion prevailed, the time being 12:04 p.m.

12:44 p.m.

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

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

The following communications were received and read:

Office of the Senate Majority Leader

December 11, 2014

Pursuant to Joint Rule 3, the House, having non-concurred in the Senate substitute (S-1) to House Bill 4539, 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.

December 11, 2014

Pursuant to Joint Rule 3, the House, having non-concurred in the Senate substitute (S-3) to House Bill 4630, 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 communications were referred to the Secretary for record.

The following communications were received and read:

Office of the Auditor General

December 11, 2014

Enclosed is a copy of the following audit report:

Follow-up of the Performance audit of General Controls of the Offender Management Network Information System, Department of Corrections and Department of Technology, Management, and Budget.

December 11, 2014

Enclosed is a copy of the following audit report:  
Performance audit of State Surplus, Logistics and Operations Support Division, Office of Support Services, Department of Technology, Management, and Budget.

Sincerely,  
Doug Ringler  
Auditor General

The audit reports were referred to the Committee on Government Operations.

The Secretary announced that the following House bill was received in the Senate and filed on Thursday, December 11:  
**House Bill No. 5667**

The Secretary announced that the following House bills were received in the Senate and filed on Friday, December 12:  
**House Bill Nos. 5454 6079**

The Secretary announced the enrollment printing and presentation to the Governor on Tuesday, December 9, for his approval the following bills:

**Enrolled Senate Bill No. 664 at 1:14 p.m.**

**Enrolled Senate Bill No. 880 at 1:16 p.m.**

**Enrolled Senate Bill No. 712 at 1:18 p.m.**

The Secretary announced that the following bill was printed and filed on Thursday, December 11, and is available at the Michigan Legislature website:

**House Bill No. 6088**

### **Messages from the Governor**

The following message from the Governor was received on December 12, 2014, and read:

#### **EXECUTIVE ORDER**

No. 2014-11

### **Michigan Food Policy Council Michigan Department of Agriculture and Rural Development**

#### **Rescission of Executive Order 2005-13**

WHEREAS, Executive Order 2005-13 created the Michigan Food Policy Council; and

WHEREAS, the Council was created as an advisory board to make recommendations to the Michigan Department of Agriculture and Rural Development (“Department”) and the Governor to enhance Michigan’s food and agriculture sector and foster a healthy and available food supply for all Michigan residents; and

WHEREAS, in total, the Council has made 23 recommendations over seven years. During this period, academic, government, nonprofit, and private entities made significant progress on increasing the impact of Michigan’s food and agriculture sector on the state’s economy and fostering a healthy and available food supply for all Michigan residents; and

WHEREAS, efforts to implement the recommendations of the Council and make measureable improvement at the local level are ongoing within the academic, government, nonprofit, and private sectors; and

WHEREAS, the Department will continue to serve as a convener for those interested in food policy; and

WHEREAS, consolidating the Council’s efforts within the Department and allowing the Department to implement the Council’s recommendations will better serve the Council’s original mission;

NOW, THEREFORE, I, Richard D. Snyder, Governor of the state of Michigan, by virtue of the powers and authority vested in the Governor by the Michigan Constitution of 1963 and Michigan law, order the following:

Executive Order 2005-13 is rescinded and the Michigan Food Policy Council is abolished.

This Order shall become effective upon filing.

[SEAL]

Given under my hand and the Great Seal of the State of Michigan this 12th day of December in the Year of our Lord, Two Thousand and Fourteen.

Richard D. Snyder  
Governor

By the Governor:

Ruth A. Johnson  
Secretary of State

The executive order was referred to the Committee on Government Operations.

The following messages from the Governor were received and read:

December 5, 2014

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

**Eastern Michigan University Board of Regents**

Michelle Crumm of 1381 Bicentennial Parkway, Ann Arbor, Michigan 48108, county of Washtenaw, succeeding Francine Parker, is appointed for a term commencing January 1, 2015, and expiring December 31, 2022.

Dennis M. Beagen of 38895 Westchester Lane, Northville, Michigan 48221, county of Oakland, succeeding Floyd Clack, is appointed for a term commencing January 1, 2015, and expiring December 31, 2022.

December 5, 2014

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

**Ferris State University Board of Control**

Ana L. Ramirez-Saenz of 7550 Sunfish Lake Court, Rockford, Michigan 49341, county of Kent, succeeding Sueann Walz, is appointed for a term commencing January 1, 2015, and expiring December 31, 2022.

Rupesh K. Srivastava of 30420 S. Greenbriar Drive, Franklin Village, Michigan 48024, county of Oakland, succeeding William Lakin, is appointed for a term commencing January 1, 2015, and expiring December 31, 2022.

December 5, 2014

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

**Western Michigan University Board of Control**

Jeffrey A. Rinvelt of 2631 English Oak Drive, Ann Arbor, Michigan 48103, county of Washtenaw, succeeding Jeanne Carlson, is appointed for a term commencing January 1, 2015, and expiring December 31, 2022.

William D. Johnston of 7487 Cottage Oak Drive, Portage, Michigan 49027-7867, county of Kalamazoo, succeeding himself, is reappointed for a term commencing January 1, 2015, and expiring December 31, 2022.

Sincerely,  
Rick Snyder  
Governor

The appointments were referred to the Committee on Government Operations.

### Messages from the House

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

**House Bill No. 4369**

**Senate Bill No. 113**

**Senate Bill No. 596**

The motion prevailed.

**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.

The House of Representatives has non-concurred in the Senate substitute (S-1) and appointed Reps. Stamas, VerHeulen and Lane as conferees.

The message was referred to the Secretary for record.

**House Bill No. 4630, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 801, 802, 803, 803b, 803e, 806, and 809 (MCL 257.801, 257.802, 257.803, 257.803b, 257.803e, 257.806, and 257.809), section 801 as amended by 2012 PA 498, sections 802, 803b, 806, and 809 as amended by 2011 PA 159, section 803 as amended by 2002 PA 490, and section 803e as amended by 2011 PA 46; and to repeal acts and parts of acts.

The House of Representatives has non-concurred in the Senate substitute (S-3) and appointed Reps. Stamas, VerHeulen and Lane as conferees.

The message was referred to the Secretary for record.

**House Bill No. 5477, entitled**

A bill to amend 2000 PA 403, entitled "Motor fuel tax act," by amending sections 2, 3, 5, 6, 8, and 152 (MCL 207.1002, 207.1003, 207.1005, 207.1006, 207.1008, and 207.1152), sections 2 and 5 as amended by 2002 PA 668, section 3 as amended by 2006 PA 277, and section 8 as amended by 2006 PA 268.

The House of Representatives has appointed Reps. Stamas, VerHeulen and Lane as conferees to join with Sens. Meekhof, Kowall and Ananich.

The message was referred to the Secretary for record.

**Senate Bill No. 964, entitled**

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

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

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.

**Senate Bill No. 965, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending sections 222 and 528a (MCL 750.222 and 750.528a), section 222 as amended by 2012 PA 242 and section 528a as added by 1986 PA 113.

The House of Representatives has substituted (H-3) the bill.

The House of Representatives has passed the bill as substituted (H-3), ordered that it be given immediate effect and amended the title to read as follows:

A bill to amend 1931 PA 328, entitled "An act to revise, consolidate, codify, and add to the statutes relating to crimes; to define crimes and prescribe the penalties and remedies; to provide for restitution under certain circumstances; to provide for the competency of evidence at the trial of persons accused of crime; to provide immunity from prosecution for certain witnesses appearing at criminal trials; to provide for liability for damages; and to repeal certain acts and parts of acts inconsistent with or contravening any of the provisions of this act," by amending sections 222, 226, 227b, 227c, 227d, 237a, and 528a (MCL 750.222, 750.226, 750.227b, 750.227c, 750.227d, 750.237a, and 750.528a), section 222 as amended by 2012 PA 242, section 227b as amended by 1990 PA 321, sections 227c and 227d as added by 1981 PA 103, section 237a as added by 1994 PA 158, and section 528a as added by 1986 PA 113.

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

**Senate Bill No. 966, entitled**

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

The House of Representatives has substituted (H-1) the bill.

The House of Representatives has passed the bill as substituted (H-1), ordered that it be given immediate effect and amended the title to read as follows:

A bill to amend 1994 PA 451, entitled "An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to protect the people's right to hunt and fish; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, assessments, and donations; to provide certain appropriations; to prescribe penalties and provide remedies; and to repeal acts and parts of acts," by amending sections 40102, 40111, and 43503 (MCL 324.40102, 324.40111, and 324.43503), section 40102 as amended by 2007 PA 48, section 40111 as amended by 2012 PA 340, and section 43503 as amended by 2012 PA 520.

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

**Senate Bill No. 979, entitled**

A bill to amend 1990 PA 319, entitled “An act to prohibit local units of government from imposing certain restrictions on the ownership, registration, purchase, sale, transfer, transportation, or possession of pistols or other firearms, ammunition for pistols or other firearms, or components of pistols or other firearms,” by amending sections 1, 2, 3, and 4 (MCL 123.1101, 123.1102, 123.1103, and 123.1104).

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,

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

The motion prevailed.

**Senate Bill No. 1056, entitled**

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

The 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.

**Senate Bill No. 903, entitled**

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” (MCL 257.1 to 257.923) by adding section 811z. Substitute (H-1).

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

The substitute was concurred in, a majority of the members serving voting therefor, as follows:

**Roll Call No. 779****Yeas—38**

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

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

In The Chair: President

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

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

The Senate agreed to the full title.

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

**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.

(For text of amendments, see Senate Journal No. 79, p. 2094.)

The question being on concurring in the amendments made to the bill by the House,

The amendments were concurred in, a majority of the members serving voting therefor, as follows:

**Roll Call No. 780****Yeas—38**

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

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

In The Chair: President

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

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

The Senate agreed to the full title.

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

**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.

Substitute (H-2).

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

The substitute was concurred in, a majority of the members serving voting therefor, as follows:

**Roll Call No. 781****Yeas—38**

Ananich	Gregory	Kahn	Richardville
Anderson	Hansen	Kowall	Robertson
Bieda	Hildenbrand	Marleau	Rocca
Booher	Hood	Meekhof	Schuitmaker
Brandenburg	Hopgood	Moolenaar	Smith
Casperson	Hune	Nofs	Walker
Caswell	Hunter	Pappageorge	Warren

Colbeck  
Emmons  
Green

Jansen  
Johnson  
Jones

Pavlov  
Proos

Whitmer  
Young

**Nays—0**

**Excused—0**

**Not Voting—0**

In The Chair: President

The question being on concurring in the committee recommendation to give the bill immediate effect,  
The recommendation was concurred in, 2/3 of the members serving voting therefor.  
The Senate agreed to the full title.  
The bill was referred to the Secretary for enrollment printing and presentation to the Governor.

**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.

(This bill was returned from the House without amendment on December 11 and the recommendation for immediate effect postponed. See Senate Journal No. 80, p. 2119.)

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.

**Third Reading of Bills**

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

**House Bill No. 4576**  
**House Bill No. 5226**  
**House Bill No. 5412**  
**House Bill No. 5413**  
**House Bill No. 5742**

The motion prevailed.

The following bill was read a third time:

**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.

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. 782**

**Yeas—32**

Ananich  
Booher

Hansen  
Hildenbrand

Kahn  
Kowall

Proos  
Richardville



Brandenburg	Hopgood	Marleau	Robertson
Casperson	Hune	Meekhof	Rocca
Caswell	Hunter	Moolenaar	Schuitmaker
Colbeck	Jansen	Nofs	Walker
Emmons	Johnson	Pappageorge	Warren
Green	Jones	Pavlov	Young

**Nays—6**

Anderson	Gregory	Smith	Whitmer
Bieda	Hood		

**Excused—0****Not Voting—0**

In The Chair: President

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

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

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

“An act to revise, consolidate, and classify the laws relating to the insurance and surety business; to regulate the incorporation or formation of domestic insurance and surety companies and associations and the admission of foreign and alien companies and associations; to provide their rights, powers, and immunities and to prescribe the conditions on which companies and associations organized, existing, or authorized under this act may exercise their powers; to provide the rights, powers, and immunities and to prescribe the conditions on which other persons, firms, corporations, associations, risk retention groups, and purchasing groups engaged in an insurance or surety business may exercise their powers; to provide for the imposition of a privilege fee on domestic insurance companies and associations and the state accident fund; to provide for the imposition of a tax on the business of foreign and alien companies and associations; to provide for the imposition of a tax on risk retention groups and purchasing groups; to provide for the imposition of a tax on the business of surplus line agents; to provide for the imposition of regulatory fees on certain insurers; to provide for assessment fees on certain health maintenance organizations; to modify tort liability arising out of certain accidents; to provide for limited actions with respect to that modified tort liability and to prescribe certain procedures for maintaining those actions; to require security for losses arising out of certain accidents; to provide for the continued availability and affordability of automobile insurance and homeowners insurance in this state and to facilitate the purchase of that insurance by all residents of this state at fair and reasonable rates; to provide for certain reporting with respect to insurance and with respect to certain claims against uninsured or self-insured persons; to prescribe duties for certain state departments and officers with respect to that reporting; to provide for certain assessments; to establish and continue certain state insurance funds; to modify and clarify the status, rights, powers, duties, and operations of the nonprofit malpractice insurance fund; to provide for the departmental supervision and regulation of the insurance and surety business within this state; to provide for regulation over worker’s compensation self-insurers; to provide for the conservation, rehabilitation, or liquidation of unsound or insolvent insurers; to provide for the protection of policyholders, claimants, and creditors of unsound or insolvent insurers; to provide for associations of insurers to protect policyholders and claimants in the event of insurer insolvencies; to prescribe educational requirements for insurance agents and solicitors; to provide for the regulation of multiple employer welfare arrangements; to create an automobile theft prevention authority to reduce the number of automobile thefts in this state; to prescribe the powers and duties of the automobile theft prevention authority; to provide certain powers and duties upon certain officials, departments, and authorities of this state; to provide for an appropriation; to repeal acts and parts of acts; and to provide penalties for the violation of this act.”

The Senate agreed to the full title.

The following bill was read a third time:

**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 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. 783**

**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	Smith
Caswell	Hunter	Nofs	Walker
Colbeck	Jansen	Pappageorge	Whitmer
Emmons	Johnson	Pavlov	Young
Green			

**Nays—1**

Warren

**Excused—0**

**Not Voting—0**

In The Chair: President

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

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

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

"An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to protect the people's right to hunt and fish; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, assessments, and donations; to provide certain appropriations; 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:

**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.

The question being on the passage of the bill,

The bill was passed, 2/3 of the members serving voting therefor, as follows:

**Roll Call No. 784**

**Yeas—37**

Ananich	Gregory	Kahn	Richardville
Anderson	Hansen	Kowall	Robertson

Bieda	Hildenbrand	Marleau	Rocca
Booher	Hood	Meekhof	Schuitmaker
Brandenburg	Hopgood	Moolenaar	Smith
Casperson	Hune	Nofs	Walker
Caswell	Hunter	Pappageorge	Warren
Colbeck	Johnson	Pavlov	Whitmer
Emmons	Jones	Proos	Young
Green			

**Nays—1**

Jansen

**Excused—0****Not Voting—0**

In The Chair: President

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

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

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

“An act to revise and codify the laws relating to banks, out-of-state banks, and foreign banks; to provide for their regulation and supervision; to prescribe the powers and duties of banks; to prescribe the powers and duties of certain state agencies and officials; to prescribe penalties; and to repeal acts and parts of acts,”.

The Senate agreed to the full title.

The following bill was read a third time:

**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.

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. 785****Yeas—36**

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

**Nays—2**

Jansen

Young

**Excused—0**

**Not Voting—0**

In The Chair: President

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

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

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

“An act to revise, consolidate, codify, and add to the statutes relating to crimes; to define crimes and prescribe the penalties and remedies; to provide for restitution under certain circumstances; to provide for the competency of evidence at the trial of persons accused of crime; to provide immunity from prosecution for certain witnesses appearing at criminal trials; to provide for liability for damages; and to repeal certain acts and parts of acts inconsistent with or contravening any of the provisions of this act.”

The Senate agreed to the full title.

The following bill was read a third time:

**House Bill No. 5742, entitled**

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

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. 786**

**Yeas—38**

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

**Nays—0**

**Excused—0**

**Not Voting—0**

In The Chair: President

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

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

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

“An act to create an autism coverage reimbursement program to encourage insurance and health coverage providers to provide autism coverage; to impose certain duties on certain state departments, agencies, and officials; to create certain funds; to authorize certain expenditures; and to provide for an appropriation.”

The Senate agreed to the full title.

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 Hildenbrand as Chairperson.

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

**House Bill No. 5192, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 838a (MCL 500.838a), as added by 2006 PA 671.

**House Bill No. 4649, entitled**

A bill to amend 1994 PA 203, entitled "Foster care and adoption services act," by amending section 3 (MCL 722.953) and by adding section 8a.

**House Bill No. 5510, entitled**

A bill to amend 1996 PA 305, entitled "Acknowledgment of parentage act," by amending sections 3 and 5 (MCL 722.1003 and 722.1005).

**House Bill No. 5247, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 12522 (MCL 333.12522).

**House Bill No. 5839, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 16107 (MCL 333.16107).

**House Bill No. 5840, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 16221 (MCL 333.16221), as amended by 2014 PA 97.

**House Bill No. 5841, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 16226 (MCL 333.16226), as amended by 2014 PA 97.

**House Bill No. 5397, entitled**

A bill to authorize certain municipalities to adopt residential clean energy programs to promote the use of renewable energy systems and energy efficiency improvements by owners of certain real property in certain districts; to provide for the financing of those programs through commercial lending, loans by a nonprofit corporation, utility bill charges, and other means; to authorize municipalities to issue bonds, notes, and other evidences of indebtedness and to pay the cost of renewable energy systems and energy efficiency improvements; to provide for the repayment of bonds, notes, and other evidences of indebtedness; to authorize fees; to prescribe the powers and duties of certain governmental officers and entities; and to provide for remedies.

**House Bill No. 4441, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 80101, 80102, 80104, 80171, 80176, 80177, 80178, 80180, 80183, 80184, 80186, 80187, and 80190 (MCL 324.80101, 324.80102, 324.80104, 324.80171, 324.80176, 324.80177, 324.80178, 324.80180, 324.80183, 324.80184, 324.80186, 324.80187, and 324.80190), section 80101 as amended by 2012 PA 120, sections 80102, 80171, 80186, and 80190 as added by 1995 PA 58, section 80104 as amended by 2012 PA 58, sections 80176, 80177, and 80178 as amended by 2001 PA 12, section 80180 as amended by 2007 PA 8, and sections 80183, 80184, and 80187 as amended by 1996 PA 174, and by adding sections 80178a and 80178b.

**House Bill No. 4443, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 82101, 82127, 82128, 82129, 82130, 82136, 82139, 82140, 82142, 82143, 82144, 82146, and 82148 (MCL 324.82101, 324.82127, 324.82128, 324.82129, 324.82130, 324.82136, 324.82139, 324.82140, 324.82142, 324.82143, 324.82144, 324.82146, and 324.82148), section 82101 as amended by 2014 PA 195, section 82127 as amended by 2001 PA 12, sections 82128 and 82129 as amended by 1999 PA 22, sections 82130, 82136, 82142, and 82146 as added by 1995 PA 58, sections 82139, 82140, 82143, and 82144 as amended by 1996 PA 183, and section 82148 as amended by 2005 PA 175, and by adding sections 82129a and 82129b.

**House Bill No. 4445, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 81101, 81134, 81136, 81137, 81140, 81141, and 81144 (MCL 324.81101, 324.81134, 324.81136, 324.81137, 324.81140, 324.81141, and 324.81144), section 81101 as amended by 2013 PA 249, section 81134 as amended by 2001 PA 12, sections 81136 and 81141 as amended by 1996 PA 175, and sections 81137, 81140, and 81144 as added by 1995 PA 58, and by adding section 81140b; and to repeal acts and parts of acts.

**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.

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 amendment, the following bill:

**House Bill No. 5091, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 234e (MCL 750.234e), as added by 1990 PA 321.

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

1. Amend page 2, line 5, by striking out all of enacting section 1.

The Senate agreed to the amendment 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. 4650, entitled**

A bill to amend 1994 PA 204, entitled "The children's ombudsman act," by amending sections 2, 5a, and 6 (MCL 722.922, 722.925a, and 722.926), section 2 as amended by 2004 PA 560 and sections 5a and 6 as amended by 2013 PA 38. 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. 5842, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 16245, 16247, 16248, and 16249 (MCL 333.16245, 333.16247, 333.16248, and 333.16249), section 16245 as amended by 2013 PA 268 and sections 16247, 16248, and 16249 as amended by 1993 PA 79, and by adding section 16245a.

Substitute (S-2).

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

1. Amend page 10, following line 5, by inserting:

"Sec. 17711. (1) ~~A person~~ **AN INDIVIDUAL** shall not engage in the practice of pharmacy ~~or serve as a pharmacy technician unless licensed or otherwise authorized by this article.~~ **BEGINNING JUNE 30, 2015, AN INDIVIDUAL SHALL NOT SERVE AS A PHARMACY TECHNICIAN UNLESS LICENSED OR OTHERWISE AUTHORIZED BY THIS ARTICLE.**

(2) The following words, titles, or letters or a combination of words, titles, or letters, with or without qualifying words or phrases, are restricted in use only to those persons authorized under this part to use the terms and in a way prescribed in this part: "pharmacy", "pharmacist", "Pharm.D", "doctor of pharmacy", "pharmacy intern", "pharmacy technician", "licensed

pharmacy technician”, “certified pharmacy technician”, “CPhT”, “apothecary”, “dispensary”, “drugstore”, “druggist”, “medicine store”, “prescriptions”, and “r.ph.”.”.

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

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

**House Bill No. 4442, entitled**

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 13g of chapter XVII (MCL 777.13g), as amended by 2003 PA 232.

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. 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.

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 proceeded to the order of

**Introduction and Referral of Bills**

**House Bill No. 5454, entitled**

A bill to amend 1978 PA 368, entitled “Public health code,” by amending sections 20920 and 20921 (MCL 333.20920 and 333.20921), as amended by 2004 PA 200, and by adding section 20921a; and to repeal acts and parts of acts.

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 Health Policy.

**House Bill No. 5667, entitled**

A bill to amend 1954 PA 116, entitled “Michigan election law,” by amending section 4 (MCL 168.4), as amended by 2012 PA 523 and by adding section 771a.

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. 6079, entitled**

A bill to amend 2008 PA 551, entitled “Uniform securities act (2002),” by amending section 453 (MCL 451.2453), as added by 2014 PA 355.

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 Economic Development.

**Committee Reports**

The Committee on Local Government and Elections reported

**House Bill No. 4833, entitled**

A bill to amend 1954 PA 116, entitled “Michigan election law,” by amending sections 867 and 881 (MCL 168.867 and 168.881), section 867 as amended by 2013 PA 51 and section 881 as amended by 1995 PA 261.

With the recommendation that the bill pass.

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

David B. Robertson  
Chairperson

## To Report Out:

Yeas: Senators Robertson, Meekhof and Brandenburg

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Local Government and Elections reported

**House Bill No. 5045, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," (MCL 257.1 to 257.923) by adding section 657a.

With the recommendation that the bill pass.

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

David B. Robertson  
Chairperson

## To Report Out:

Yeas: Senators Robertson, Meekhof, Brandenburg and Young

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Local Government and Elections reported

**House Bill No. 5684, entitled**

A bill to amend 1956 PA 40, entitled "The drain code of 1956," by amending section 5 (MCL 280.5).

With the recommendation that the bill pass.

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

David B. Robertson  
Chairperson

## To Report Out:

Yeas: Senators Robertson, Meekhof, Brandenburg and Young

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Local Government and Elections reported

**House Bill No. 5685, entitled**

A bill to amend 1956 PA 40, entitled "The drain code of 1956," by amending sections 101 and 121 (MCL 280.101 and 280.121).

With the recommendation that the bill pass.

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

David B. Robertson  
Chairperson

## To Report Out:

Yeas: Senators Robertson, Meekhof, Brandenburg and Young

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Local Government and Elections reported

**House Bill No. 5686, entitled**

A bill to amend 1956 PA 40, entitled "The drain code of 1956," by amending section 327 (MCL 280.327).

With the recommendation that the bill pass.

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

David B. Robertson  
Chairperson

## To Report Out:

Yeas: Senators Robertson, Meekhof, Brandenburg and Young

Nays: None

The bill was referred to the Committee of the Whole.



The Committee on Local Government and Elections reported

**House Bill No. 5812, entitled**

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

With the recommendation that the bill pass.

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

David B. Robertson  
Chairperson

To Report Out:

Yeas: Senators Robertson, Meekhof and Brandenburg

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Regulatory Reform reported

**House Bill No. 5860, entitled**

A bill to amend 1980 PA 299, entitled "Occupational code," by amending sections 2601 and 2605 (MCL 339.2601 and 339.2605), as amended by 2006 PA 414.

With the recommendation that the bill pass.

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

Tory Rocca  
Chairperson

To Report Out:

Yeas: Senators Rocca, Jones, Hune, Johnson and Warren

Nays: None

The bill was referred to the Committee of the Whole.

#### COMMITTEE ATTENDANCE REPORT

The Committee on Regulatory Reform submitted the following:

Meeting held on Thursday, December 11, 2014, at 1:00 p.m., Room 210, Farnum Building

Present: Senators Rocca (C), Jones, Hune, Johnson and Warren

Excused: Senators Meekhof and Pavlov

The Committee on Energy and Technology reported

**House Bill No. 4237, entitled**

A bill to amend 1929 PA 152, entitled "An act to provide for the state-owned and operated Michigan public safety communications system for police and public safety purposes; to provide for acquisition, construction, implementation, operation, and maintenance of the property and equipment necessary to operate the system; and to prescribe the powers and duties of certain state agencies and officials," by amending the title and sections 1, 2, and 3 (MCL 28.281, 28.282, and 28.283), as amended by 1996 PA 538.

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

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

Mike Nofs  
Chairperson

To Report Out:

Yeas: Senators Nofs, Proos, Jones, Marleau, Schuitmaker, Hopgood, Bieda and Young

Nays: Senator Walker

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

#### COMMITTEE ATTENDANCE REPORT

The Committee on Energy and Technology submitted the following:

Meeting held on Thursday, December 11, 2014, at 2:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower

Present: Senators Nofs (C), Proos, Jones, Marleau, Schuitmaker, Walker, Hopgood, Bieda and Young

**Scheduled Meetings**

**Administrative Rules** - Wednesday, December 17, 8:30 a.m., Room 100, Farnum Building (373-5773)

**Insurance** - Tuesday, December 16, 12:00 noon, Room 100, Farnum Building (373-5312)

**Judiciary** - Tuesday, December 16, 9:30 a.m., Room 110, Farnum Building (373-5323)

**Veterans, Military Affairs and Homeland Security** - Tuesday, December 16, 1:00 p.m., Room 210, Farnum Building (373-5323)

Senator Meekhof moved that the Senate adjourn.  
The motion prevailed, the time being 1:30 p.m.

The President, Lieutenant Governor Calley, declared the Senate adjourned until Tuesday, December 16, 2014, at 10:00 a.m.

CAROL MOREY VIVENTI  
Secretary of the Senate