

No. 15
STATE OF MICHIGAN
Journal of the Senate
98th Legislature
REGULAR SESSION OF 2015

Senate Chamber, Lansing, Wednesday, February 18, 2015.

10:00 a.m.

The Senate was called to order by the President pro tempore, Senator Tonya Schuitmaker.

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

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

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

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

Imam Mika'il Stewart Saadiq of Muslim Center Mosque and Community Center of Detroit offered the following invocation:

Let us seek refuge with our Creator, who is all-hearing, all-knowing of any insincere thoughts or intentions. I begin with the name of God. He is gracious and eternally beneficent. Our Lord, shower Your guidance on this humble but honorable assembly. Bless these solemn halls, and guide us to do what we have been entrusted to do.

As we invoke You for this most serious business at hand, endow every seat with wisdom, focus, and critical concern for the people. Let us remember those oaths we took under Your ever-watching eye.

Our Lord, we beg Your assistance in securing the safety, health, education, and wealth of these great lakes and land of this great state You have so beautifully created. Protect our children and our elderly. Let us be mindful of those less fortunate than ourselves. Let us share our talents, best practices, and opportunities with one another to maintain a strong, intelligent populace.

Our Lord, let us never forget those who serve. Give them peace, and quiet their minds and hearts. Our Lord, allow us to be grateful and efficient. Give us warmth in these cold days. Let our humanity and compassion warm our hearts toward one another, and subdue the chill of hate that has reason in the hearts of a few. Let our core be conceived in justice, our words be advocates for it, and our actions yield to it. Our Lord, forgive us that we may err or be neglectful. Redeem us, and guide us right.

All praise to our Creator whom we are here to serve. Ameen.

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

Motions and Communications

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

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

The following communications were received and read:

Office of the Auditor General

February 13, 2015

Enclosed is a copy of the following audit report:

Financial audit of the Michigan Economic Development Corporation (MEDC), a discretely presented component unit of the State of Michigan, for the fiscal year ended September 30, 2014.

February 13, 2015

Enclosed is a copy of the following audit report:

Performance audit of the Office of Rail, Michigan Department of Transportation.

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 Tuesday, February 17:
House Bill No. 4068

Messages from the Governor

The following message from the Governor was received and read:

February 10, 2015

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

Michigan Board of Athletic Trainers

Mary M. Fineis of 16646 Thorngate Road, East Lansing, Michigan 48823, county of Ingham, representing the general public, succeeding Lori Ann Cartwright, is appointed for a term expiring June 30, 2019.

Phillip J. Adler of 115 E. Pearl Street, Greenville, Michigan 48838, county of Montcalm, representing professionals, succeeding Michael Abdenour, is appointed for a term expiring June 30, 2019.

Sincerely,
Rick Snyder
Governor

The appointments were referred to the Committee on Government Operations.

By unanimous consent the Senate proceeded to the order of

General Orders

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

The motion prevailed, and the President pro tempore, Senator Schuitmaker, designated Senator Hildenbrand as Chairperson.

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

Senate Bill No. 18, 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 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. 19, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 27a (MCL 211.27a), as amended by 2014 PA 310.

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. 53, entitled

A bill to amend 1927 PA 372, entitled "An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms, gas ejecting devices, and electro-muscular disruption devices; to prohibit the buying, selling, or carrying of certain firearms, gas ejecting devices, and electro-muscular disruption devices without a license or other authorization; to provide for the forfeiture of firearms and electro-muscular disruption devices under certain circumstances; to provide for penalties and remedies; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; to prohibit certain conduct against individuals who apply for or receive a license to carry a concealed pistol; to make appropriations; to prescribe certain conditions for the appropriations; and to repeal all acts and parts of acts inconsistent with this act," by amending sections 1 and 5o (MCL 28.421 and 28.425o), section 1 as amended by 2014 PA 203 and section 5o as amended by 2014 PA 206.

Substitute (S-1).

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

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

Introduction and Referral of Bills

Senators Colbeck, Jones, Nofs, Horn, Shirkey, Kowall, Emmons, Marleau, Booher, Robertson, O'Brien, Green, Proos, MacGregor, Pavlov, Stamas, Knollenberg, Zorn, Hildenbrand and Brandenburg introduced

Senate Bill No. 139, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1272b (MCL 380.1272b).

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

Senators Shirkey, Horn, Knezek, Young and Ananich introduced

Senate Bill No. 140, entitled

A bill to amend 2008 IL 1, entitled "Michigan medical marihuana act," by amending sections 3, 4, 6, 7, and 8 (MCL 333.26423, 333.26424, 333.26426, 333.26427, and 333.26428), sections 3, 4, and 8 as amended by 2012 PA 512 and section 6 as amended by 2012 PA 514, and by adding section 4a.

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

Senators Young, Shirkey, Knezek and Ananich introduced

Senate Bill No. 141, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 13n of chapter XVII (MCL 777.13n), as amended by 2014 PA 279.

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

Senators Knezek, Shirkey, Hune, Hertel, Gregory, Ananich and Kowall introduced

Senate Bill No. 142, entitled

A bill to license and regulate medical marihuana provisioning centers and safety compliance facilities; to provide for the powers and duties of certain state and local governmental officers and entities; to provide immunity for persons engaging in medical marihuana-related activities in compliance with this act; to prescribe penalties and sanctions and provide remedies; to create an advisory panel; and to require the promulgation of rules.

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

Senator Knezek introduced

Senate Bill No. 143, entitled

A bill to require human breast milk banks, companies, and cooperatives to comply with certain standards; to provide for education and support of certain breastfeeding mothers; and to prescribe the powers and duties of certain state departments.

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

Senator Casperson introduced

Senate Bill No. 144, entitled

A bill to amend 2000 PA 92, entitled "Food law," by amending sections 1109, 2129, and 3115 (MCL 289.1109, 289.2129, and 289.3115), sections 1109 and 2129 as amended by 2012 PA 178.

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

Senator Hune introduced

Senate Bill No. 145, entitled

A bill to amend 1937 PA 94, entitled "Use tax act," (MCL 205.91 to 205.111) by adding section 4cc.

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

Senator Hune introduced

Senate Bill No. 146, entitled

A bill to amend 2000 PA 274, entitled "Large carnivore act," by amending section 22 (MCL 287.1122), as amended by 2013 PA 8.

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

Senator Hune introduced

Senate Bill No. 147, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 21517.

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

Senator Hune introduced

Senate Bill No. 148, entitled

A bill to amend 1993 PA 327, entitled "Tobacco products tax act," by amending sections 7 and 12 (MCL 205.427 and 205.432), section 7 as amended by 2014 PA 298 and section 12 as amended by 2014 PA 272.

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

House Bill No. 4068, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 659 (MCL 168.659), as amended by 2014 PA 94.

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 Elections and Government Reform.

Committee Reports

The Committee on Education reported

Senate Bill No. 69, entitled

A bill to amend 1966 PA 331, entitled "Community college act of 1966," by amending sections 161, 162, and 163 (MCL 389.161, 389.162, and 389.163), as added by 2008 PA 359.

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, Knollenberg, Booher, Colbeck and Knezek

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Education reported

Senate Bill No. 70, entitled

A bill to amend 1966 PA 331, entitled "Community college act of 1966," by amending section 164 (MCL 389.164), as added by 2008 PA 359.

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, Knollenberg, Booher, Colbeck and Knezek

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Education reported

Senate Bill No. 71, entitled

A bill to amend 1966 PA 331, entitled "Community college act of 1966," by amending section 166 (MCL 389.166), as added by 2008 PA 359.

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, Knollenberg, Booher, Colbeck and Knezek

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Education submitted the following:

Meeting held on Tuesday, February 17, 2015, at 12:00 noon, Room 110, Farnum Building

Present: Senators Pavlov (C), Knollenberg, Booher, Colbeck and Knezek

The Committee on Judiciary reported

Senate Bill No. 9, entitled

A bill to amend 1970 PA 91, entitled "Child custody act of 1970," by amending sections 7 and 7a (MCL 722.27 and 722.27a), section 7 as amended by 2005 PA 328 and section 7a as amended by 2012 PA 600.

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

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

Rick Jones
Chairperson

To Report Out:

Yeas: Senators Jones, Schuitmaker, Rocca and Colbeck

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 Judiciary submitted the following:

Meeting held on Tuesday, February 17, 2015, at 3:00 p.m., Room 110, Farnum Building

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

Excused: Senator Bieda

COMMITTEE ATTENDANCE REPORT

The Committee on Transportation submitted the following:

Joint meeting held on Tuesday, February 17, 2015, at 10:30 a.m., Senate Hearing Room, Ground Floor, Boji Tower

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

COMMITTEE ATTENDANCE REPORT

The Committee on Local Government submitted the following:

Meeting held on Tuesday, February 17, 2015, at 12:30 p.m., Room 100, Farnum Building

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

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Natural Resources submitted the following:

Meeting held on Tuesday, February 17, 2015, at 1:00 p.m., Room 210, Farnum Building

Present: Senators Green (C), Booher and Hopgood

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Environmental Quality submitted the following:

Meeting held on Tuesday, February 17, 2015, at 1:30 p.m., Room 210, Farnum Building

Present: Senators Green (C), MacGregor and Hopgood

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Community Health submitted the following:

Meeting held on Tuesday, February 17, 2015, at 2:30 p.m., Senate Hearing Room, Ground Floor, Boji Tower

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

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Agriculture and Rural Development submitted the following:

Meeting held on Tuesday, February 17, 2015, at 3:00 p.m., Rooms 402 and 403, Capitol Building

Present: Senators Green (C), Stamas and Hopgood

Scheduled Meetings

Appropriations -

Subcommittees -

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

Community Colleges - Wednesday, March 25, 9:00 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

Community Colleges and House Community Colleges Appropriations Subcommittee - Thursday, February 26, 3:00 p.m., Lansing Community College, Arts and Sciences Building, Rooms 104-105-106, 419 N. Washington Square, Lansing (373-2768)

Community Health - Tuesdays, February 24 and March 3, 2:30 p.m., Senate Hearing Room, Ground Floor, Boji Tower (373-2768)

Corrections - Thursdays, February 19 (CANCELED), March 5, and March 26, 9:00 a.m., Room 405, Capitol Building; February 26, March 12, and March 19, 9:00 a.m., Senate Hearing Room, Ground Floor, Boji Tower (373-2768)

General Government - Thursdays, February 19, 9:15 a.m., February 26, March 5, March 12, March 19, and March 26, 8:30 a.m., Room 100, Farnum Building (373-2768)

Higher Education - Thursday, February 19, 1:30 p.m., Central Michigan University, Park Library, 250 West Preston Street, Mount Pleasant; Monday, March 2, 1:30 p.m., Ferris State University, University Center, Room 203, 805 Campus Drive, Big Rapids; and Wednesday, March 18, 9:30 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

Higher Education and House Higher Education Appropriations Subcommittee - Tuesday, February 24, 11:00 a.m. or later immediately following session, Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

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

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

State Police and Military Affairs - Thursdays, February 19 (CANCELED), February 26 (CANCELED), March 5 (CANCELED), March 12 (CANCELED), and March 26 (CANCELED), 1:00 p.m.; Tuesdays, February 24, March 3, March 10, and March 24, 8:30 a.m., Rooms 402 and 403, Capitol Building (373-2768)

Transportation - Thursdays, February 19 (CANCELED), March 12, March 19, March 26, 8:30 a.m.; February 26, 11:00 a.m.; and March 5, 9:00 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

Economic Development - Thursday, February 19, 1:30 p.m., Room 210, Farnum Building (373-5312)

Legislative Council - Thursday, February 26, 9:00 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-0212)

Senator Kowall moved that the Senate adjourn.
The motion prevailed, the time being 10:17 a.m.

The President pro tempore, Senator Schuitmaker, declared the Senate adjourned until Thursday, February 19, 2015, at 10:00 a.m.

JEFFREY F. COBB
Secretary of the Senate

