

**No. 25**  
**STATE OF MICHIGAN**  
**Journal of the Senate**  
**98th Legislature**  
**REGULAR SESSION OF 2015**

---

---

Senate Chamber, Lansing, Thursday, March 12, 2015.

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

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

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

Pastor Ross Berber of Grace Christian Fellowship of Sturgis offered the following invocation:

Father in heaven, we stand before You today seeking Your favor and wisdom for our elected officials in this body of parliament in the state of Michigan. We are thankful today, God, for Your protection, watchful eye, and care and love for each person here.

Today, a new session of governance begins. Your word declares that You are the One who raises one up to a place of authority and prominence, and You put another down. With that in mind, O God, each one of these men and women who are serving in this Senate has been chosen by You. Today, I pray for them as they prepare to make decisions for our state. I pray for their families who stand with them and support them as they focus on their responsibilities.

Father, we ask You for wisdom. We ask that as they consider the issues of the day and seek to lead well, You will give each Senator insight and understanding. I pray that as they face difficult decisions that You will lead and guide them and that You will direct their thoughts and actions. Cause them to make decisions in ways that will honor You. We read that righteousness exalts a nation, but that sin is a reproach to any people. God, devotion makes a country strong, while avoidance makes a country weak. Help these men and women, I pray, to follow paths of righteousness.

We thank You, God, for Your hand of direction upon our Founding Fathers as they sought Your wisdom in establishing the United States of America. We thank You for their desire to break free from the scourge of tyranny and seek a place of freedom to worship You as they deemed appropriate. Today, we are living with the benefits of their decisions. I pray, O Father, that You would help our elected officials to follow in their footsteps to honor You and to seek Your heart in the matters they debate.

We the people pray for our civil servants today, whom You have appointed, and uphold them before Your throne of grace. May You bless them, protect them, and help them serve the people of the state of Michigan well during their tenure as our elected officials.

In the name of Jesus, we pray. Amen.

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

### Motions and Communications

Senators Horn and Green entered the Senate Chamber.

The following communication was received and read:

Office of the Auditor General

March 6, 2015

Enclosed is a copy of the following audit report:

Report on internal control, compliance, and other matters on our financial audit of the State of Michigan Comprehensive Annual Financial Report for the fiscal year ended September 30, 2014.

Sincerely,  
Doug Ringler  
Auditor General

The audit report was referred to the Committee on Government Operations.

The Secretary announced that the following House bills were received in the Senate and filed on Wednesday, March 11:

**House Bill Nos. 4122 4162 4163**

The Secretary announced that the following bills were printed and filed on Wednesday, March 11, and are available at the Michigan Legislature website:

**Senate Bill Nos. 182 191 192 193 194 195 196 197 198**

**House Bill Nos. 4315 4316 4317 4318**

Senator Kowall moved that Senators Booher, Brandenburg, Nofs and Meekhof be temporarily excused from today's session.

The motion prevailed.

Senator Hood moved that Senators Ananich and Hopgood be temporarily excused from today's session.

The motion prevailed.

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

The motion prevailed.

Senator Booher entered the Senate Chamber.

**Messages from the Governor**

The following messages from the Governor were received and read:

March 5, 2015

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

**Michigan Developmental Disabilities Council**

Paul D. Palmer of 3101 Trapper Cove Trail, #1A, Lansing, Michigan 48910, county of Ingham, representing individuals with developmental disabilities, succeeding himself, is reappointed for a term expiring September 30, 2018.

Marnie B. Wills of 1111 West Rundle Avenue, Lansing, Michigan 48910, county of Ingham, representing the Department of Licensing and Regulatory Affairs, succeeding Melanie Brown, is appointed for a term expiring September 30, 2016.

Jane E. Reagan of 646 McAuley Street, Williamston, Michigan 48895, county of Ingham, representing the Department of Education, succeeding Susan Libetreau, is appointed for a term expiring September 30, 2016.

Andrea P. Sargent of 208 N. William Street, Ludington, Michigan 49431, county of Mason, representing parents or guardians of a child with developmental disabilities, filling a vacancy, is appointed for a term expiring September 30, 2016.

March 5, 2015

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

**Board of Health and Safety Compliance and Appeals**

David S. Zurvalec of 4528 Oak Pointe Drive, Brighton, Michigan 48116, county of Livingston, representing the general public, succeeding himself, is reappointed for a term expiring March 18, 2019.

March 11, 2015

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

**Asian Pacific American Affairs Commission**

Scott T. Ayotte of 3629 Merrimont Court, Kentwood, Michigan 49512, county of Kent, succeeding Mumtaz Haque, is appointed for a term expiring November 30, 2018.

Jin-Kyu Koh of 17632 Mystic Valley Court, Northville, Michigan 48168, county of Wayne, succeeding Ramesh Verma, is appointed for a term expiring November 30, 2018.

March 11, 2015

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

**Michigan Cherry Committee**

Mark A. Schilling of 1403 Whispering Trail, Benton Harbor, Michigan 49022, county of Berrien, representing District 3 tart cherry growers, succeeding Kurt Dowd, is appointed for a term expiring February 1, 2017.

Benjamin J. LaCross of 6433 E. Linguar Road, Lake Leelanau, Michigan 49653, county of Leelanau, representing District 1 tart cherry growers, succeeding James Nugent, is appointed for a term expiring February 1, 2018.

Brian N. Altonen of 4143 Powell Lane, Kewadin, Michigan 49648, county of Antrim, representing District 1 tart cherry growers, succeeding himself, is reappointed for a term expiring February 1, 2018.

March 11, 2015

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

**Chair - Michigan Community Corrections Board**

Matthew R. Heins of 2020 Cascades Drive, Jackson, Michigan 49203, county of Jackson, is appointed for a term expiring March 31, 2016.

**Michigan Community Corrections Board**

Dennis L. Van Dam of 7369 Hidden Forest Drive, Hudsonville, Michigan 49426, county of Ottawa, representing county commissioners, succeeding himself, is reappointed for a term expiring March 31, 2019.

Leonard P. Bailey of 7707 Lake Road, Berrien Center, Michigan 49102, county of Berrien, representing county sheriffs, succeeding himself, is reappointed for a term expiring March 31, 2019.

Daniel H. Heyns of 1326 Austscot Drive, Jackson, Michigan 49203, county of Jackson, representing the Director of the Department of Corrections, succeeding himself, is reappointed for a term expiring March 31, 2019.

Daniel Lathrop of 9310 Peninsula Drive, Traverse City, Michigan 49686, county of Grand Traverse, representing the general public, succeeding Larry Inman, is appointed for a term expiring March 31, 2019.

March 11, 2015

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

**Corn Marketing Program of Michigan**

Randall S. Poll of 4406 134th Avenue, Hamilton, Michigan 49419, county of Allegan, representing District 1 growers, succeeding himself, is reappointed for a term expiring March 5, 2018.

Blaine M. Baker of 10100 Cadmus Road, Clayton, Michigan 49235, county of Genesee, representing District 4 growers, succeeding himself, is reappointed for a term expiring March 5, 2018.

John P. Burk of 812 Salzburg Road, Bay City, Michigan 48706, county of Bay, representing District 8 growers, succeeding himself, is reappointed for a term expiring March 5, 2018.

March 11, 2015

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

**Michigan Freedom Trail Commission**

Ronald E. Brown of 3731 Oak Drive, Ypsilanti, Michigan 48202, county of Washtenaw, representing the academic community, succeeding himself, is reappointed for a term expiring February 1, 2019.

Juanita Moore of 200 Riverplace Drive #49, Detroit, Michigan 48207, county of Wayne, representing the Museum of African American History in Detroit, succeeding herself, is reappointed for a term expiring February 1, 2019.

March 11, 2015

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

**Michigan Law Enforcement Officers Memorial Monument Fund Commission**

Kenneth L. Rochell of 2295 Hickory Point Drive, Ann Arbor, Michigan 48105, county of Washtenaw, representing police chaplains with five or more years' experience, succeeding Frederick W. Lab, is appointed for a term expiring June 30, 2016.

March 11, 2015

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

**Michigan Tree Fruit Commission**

Christopher R. Kropf of 12104 4 Mile Road, N.E., Lowell, Michigan 49331, county of Kent, representing fruit growers in District 2, succeeding Patrick Goodfellow, is appointed for a term expiring March 1, 2018.

Rodney D. Winkel of 7901 Territorial Road, Watervliet, Michigan 49098, county of Berrien, representing fruit growers in District 3, succeeding Randy Willmeng, is appointed for a term expiring March 1, 2018.

James E. Nugent of 10266 Revold Road, Suttons Bay, Michigan 49682, county of Leelanau, representing fruit growers in District 1, succeeding himself, is reappointed for a term expiring March 1, 2018.

Sincerely,  
Rick Snyder  
Governor

The appointments were referred to the Committee on Government Operations.

By unanimous consent the Senate proceeded to the order of

**Introduction and Referral of Bills**

Senators Hopgood, Ananich, Brandenburg, Nofs and Meekhof entered the Senate Chamber.

Senator Warren introduced

**Senate Bill No. 199, entitled**

A bill to amend 1976 IL 1, entitled "A petition to initiate legislation to provide for the use of returnable containers for soft drinks, soda water, carbonated natural or mineral water, other nonalcoholic carbonated drink, and for beer, ale, or other malt drink of whatever alcoholic content, and for certain other beverage containers; to provide for the use of unredeemed bottle deposits; to prescribe the powers and duties of certain state agencies and officials; and to prescribe penalties and provide remedies," by amending section 1 (MCL 445.571), as amended by 1989 PA 93.

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

Senators Booher, Zorn and Schmidt introduced

**Senate Bill No. 200, entitled**

A bill to amend 1984 PA 270, entitled "Michigan strategic fund act," (MCL 125.2001 to 125.2094) by adding section 88s. The bill was read a first and second time by title and referred to the Committee on Banking and Financial Institutions.

Senator Hildenbrand introduced

**Senate Bill No. 201, entitled**

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 6, 8b, 11, 11a, 11j, 11k, 11m, 11r, 15, 18, 18a, 20, 20d, 20f, 20g, 21f, 22a, 22b, 22d, 22f, 22g, 22i, 23a, 24, 24a, 24c, 25e, 25f, 26a, 26b, 26c, 31a, 31d, 31f, 32d, 32p, 39, 39a, 41, 43, 51a, 51c, 51d, 53a, 54, 56, 61a, 62, 64b, 74, 81, 94, 94a, 95a, 98, 99, 99h, 102,

104, 104c, 107, 147, 147a, 147c, 152a, 163, 201, 206, 207a, 207b, 207c, 209, 210, 213, 217, 222, 225, 226, 229, 229a, 230, 236, 236b, 236c, 241, 242, 245, 246, 252, 254, 255, 256, 258, 263, 263a, 264, 265, 265a, 267, 268, 269, 270, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, and 286 (MCL 388.1606, 388.1608b, 388.1611, 388.1611a, 388.1611j, 388.1611k, 388.1611m, 388.1611r, 388.1615, 388.1618, 388.1618a, 388.1620, 388.1620d, 388.1620f, 388.1620g, 388.1621f, 388.1622a, 388.1622b, 388.1622d, 388.1622f, 388.1622g, 388.1622i, 388.1623a, 388.1624, 388.1624a, 388.1624c, 388.1625e, 388.1625f, 388.1626a, 388.1626b, 388.1626c, 388.1631a, 388.1631d, 388.1631f, 388.1632d, 388.1632p, 388.1639, 388.1639a, 388.1641, 388.1643, 388.1651a, 388.1651c, 388.1651d, 388.1653a, 388.1654, 388.1656, 388.1661a, 388.1662, 388.1664b, 388.1674, 388.1681, 388.1694, 388.1694a, 388.1695a, 388.1698, 388.1699, 388.1699h, 388.1702, 388.1704, 388.1704c, 388.1707, 388.1747, 388.1747a, 388.1747c, 388.1752a, 388.1763, 388.1801, 388.1806, 388.1807a, 388.1807b, 388.1807c, 388.1809, 388.1810, 388.1813, 388.1817, 388.1822, 388.1825, 388.1826, 388.1829, 388.1829a, 388.1830, 388.1836, 388.1836b, 388.1836c, 388.1841, 388.1842, 388.1845, 388.1846, 388.1852, 388.1854, 388.1855, 388.1856, 388.1858, 388.1863, 388.1863a, 388.1864, 388.1865, 388.1865a, 388.1867, 388.1868, 388.1869, 388.1870, 388.1875, 388.1876, 388.1877, 388.1878, 388.1879, 388.1880, 388.1881, 388.1882, 388.1883, 388.1884, and 388.1886), sections 6, 8b, 11, 11a, 11j, 11k, 11m, 15, 20, 20d, 20f, 20g, 21f, 22a, 22b, 22d, 22f, 22g, 22i, 24, 24a, 24c, 25e, 25f, 26a, 26b, 26c, 31a, 31d, 31f, 32d, 32p, 39, 39a, 41, 51a, 51c, 51d, 53a, 54, 56, 61a, 62, 74, 81, 94, 94a, 98, 99, 99h, 104, 107, 147, 147a, 147c, 152a, 163, 201, 206, 209, 217, 225, 229, 229a, 230, 236, 236b, 236c, 241, 245, 246, 252, 256, 263, 263a, 264, 265, 265a, 267, 268, 269, 270, 275, 276, 277, 278, 279, 280, 281, 282, 283, and 284 as amended and sections 11r, 43, 64b, 95a, 104c, 207a, 207b, and 207c as added by 2014 PA 196, section 18 as amended by 2014 PA 476, section 18a as amended by 2004 PA 351, section 23a as added by 2012 PA 465, sections 102, 210, and 258 as amended by 2013 PA 60, sections 213, 222, 226, 242, 254, 255, and 286 as amended by 2012 PA 201, and by adding sections 31c, 35, 35a, 35b, 35c, 35d, 35e, 35f, 35g, 61b, 67, 103a, 103b, 103c, 215, and 260; and to repeal acts and parts of acts.

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

Senator Hildenbrand introduced

**Senate Bill No. 202, entitled**

A bill to make appropriations for various state departments and agencies; the judicial branch, and the legislative branch for the fiscal years ending September 30, 2016; to provide anticipated appropriations for the fiscal year ending September 30, 2017; to provide a nonbinding schedule of programs; to provide for certain conditions on appropriations; to provide for the expenditure of the appropriations.

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

Senator Schuitmaker introduced

**Senate Bill No. 203, entitled**

A bill to amend 2006 PA 110, entitled "Michigan zoning enabling act," by amending section 206 (MCL 125.3206), as amended by 2007 PA 219.

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

Senators Schuitmaker, Colbeck, Brandenburg, O'Brien, Jones, Knollenberg, Booher and Robertson introduced

**Senate Bill No. 204, entitled**

A bill to amend 1984 PA 431, entitled "The management and budget act," by amending sections 213 and 215 (MCL 18.1213 and 18.1215), section 213 as amended by 2006 PA 269 and section 215 as amended by 1988 PA 504.

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

Senators Hertel and Young introduced

**Senate Bill No. 205, entitled**

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 560b (MCL 168.560b), as amended by 2012 PA 128.

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

Senators Booher, Casperson, Robertson, Emmons and Brandenburg introduced

**Senate Bill No. 206, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 1903, 1905, and 1907 (MCL 324.1903, 324.1905, and 324.1907), section 1903 as amended by 2011 PA 117 and sections 1905 and 1907 as amended by 2012 PA 619, and by adding section 1907b.

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

Senators Jones and Schuitmaker introduced

**Senate Bill No. 207, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 43a and 625a (MCL 257.43a and 257.625a), section 43a as added and section 625a as amended by 2014 PA 315.

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

**House Bill No. 4122, entitled**

A bill to amend 1984 PA 270, entitled "Michigan strategic fund act," by amending section 29h (MCL 125.2029h), as amended by 2014 PA 396.

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 Government Operations.

**House Bill No. 4162, entitled**

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

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 Regulatory Reform.

**House Bill No. 4163, entitled**

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

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 Regulatory Reform.

By unanimous consent the Senate returned to the order of

**Resolutions**

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

**Senate Concurrent Resolution No. 4**

The motion prevailed.

Senators Bieda, Young, Ananich, Hertel and Gregory offered the following resolution:

**Senate Resolution No. 21.**

A resolution to urge the United States Congress to pass a Stop Corporate Inversions Act of 2015, H.R. 415 and S. 198.

Whereas, A corporate inversion is the practice where a large American corporation purchases a smaller, foreign corporation and then claims to merge with the corporation, despite a majority of most of the top executives remaining within the U.S. The only apparent purpose to this practice is to attempt to pay a lower corporate tax rate; and

Whereas, Corporations continue to benefit from their actual presence within the U.S., whether it is from our education system, our legal system, or our national defense. While nominally headquartered in other countries, these companies continue to leverage and benefit from their U.S. presence worldwide; and

Whereas, Over the past ten years, there has been an increase in the number of companies fleeing the U.S. for foreign markets; and

Whereas, Corporate inversions have an impact on the U.S. economy overall, as well as the federal budget. Corporate inversions have already cost the U.S. an estimated \$34 billion over the past ten years. Stopping corporate inversions would raise an estimated \$17 billion in revenue over the next decade; and

Whereas, The Stop Corporate Inversion Act of 2015 does not prohibit a corporation from merging or relocating for legitimate purposes. Rather, it increases the percentage of shareholders who must be based in the foreign country to 50 percent, up from 20 percent. This would effectively require U.S. companies to merge with foreign companies that are roughly equal or larger in size in order to move their location for tax purposes outside the U.S.; and

Whereas, A Stop Corporate Inversion Act of 2015 would close a loophole that allows companies to avoid as much as other U.S. businesses; now, therefore, be it

Resolved by the Senate, That we urge Congress to pass H.R. 415 and S. 198; and be it further Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

Pending the order that, under rule 3.204, the resolution be referred to the Committee on Government Operations, Senator Kowall moved that the rule be suspended.

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

The question being on the adoption of the resolution,

Senator Kowall moved that the resolution be referred to the Committee on Economic Development.

The motion prevailed.

Senators Schmidt, Proos, Hansen, Zorn, Bieda, Marleau, Emmons, Stamas, Horn, O'Brien, Schuitmaker, Hopgood, Knollenberg and Brandenburg offered the following resolution:

**Senate Resolution No. 22.**

A resolution to encourage the Chicago Area Waterway System Advisory Committee to fully consider all options, including complete hydrologic separation, to protect the Great Lakes from Asian carp and to move as quickly as possible to determine the best long-term solution.

Whereas, The state of Michigan, surrounded by four of the five Great Lakes, is literally defined by the lakes. Consequently, the health of Michigan's economy and quality of life are intertwined with the health of the Great Lakes. Asian carp and other aquatic invasive species (AIS) are an acute threat to the Great Lakes, with the potential for significant impacts to billion-dollar commercial and recreational fisheries; and

Whereas, The Chicago Area Waterway System, connecting the Great Lakes and Mississippi River systems, is a major pathway for AIS to spread between the systems. Zebra mussels used this pathway to spread from the Great Lakes to the Mississippi River system, leading to millions of dollars in annual control costs for industries and public utilities. Now Asian carp stand poised to move from the Mississippi River system to the Great Lakes; and

Whereas, A permanent long-term solution must be identified and implemented. The problem of Asian carp and other AIS using this man-made connection is not going away and will not resolve itself. While the Great Lakes and Mississippi River Interbasin Study identified a number of solutions, it has become clear that nothing further will happen until there is broad consensus among the stakeholders in the Chicago area and the entire region; and

Whereas, The Chicago Area Waterway System Advisory Committee represents a great opportunity for our region. Thirty-four representatives from government, industry, and commercial, recreational, and environmental groups have come together to solve this pressing problem. Their continued commitment may be our best hope to reach consensus on a long-term solution that will prevent the movement of AIS between the Great Lakes and Mississippi River systems; and

Whereas, The advisory committee must maintain a sense of urgency and not be satisfied with only short-term solutions. Asian carp pose an imminent threat to the Great Lakes ecosystem and economy. If allowed to enter and establish within the Great Lakes, they will be difficult, if not impossible, to control or eradicate and will become a permanent drain on resources in the region. No one knows how much time we have to prevent this irreversible and undesirable outcome; now, therefore, be it

Resolved by the Senate, That we encourage the Chicago Area Waterway System Advisory Committee to fully consider all options, including complete hydrologic separation, to protect the Great Lakes from Asian carp and to move as quickly as possible to determine the best long-term solution; and be it further

Resolved, That copies of this resolution be transmitted to the members of the Chicago Area Waterway System Advisory Committee.

Pending the order that, under rule 3.204, the resolution be referred to the Committee on Government Operations, Senator Kowall moved that the rule be suspended.

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

The question being on the adoption of the resolution,

Senator Kowall moved that the resolution be referred to the Committee on Natural Resources.

The motion prevailed.

Senators Colbeck, Hertel, Jones, Kowall, MacGregor and Pavlov were named co-sponsors of the resolution.

Senator Pavlov offered the following resolution:

**Senate Resolution No. 23.**

A resolution to call on the Obama Administration and the Congress of the United States to direct the U.S. Army Corps of Engineers to close the connection between the Great Lakes and Mississippi River basins through Chicago to prevent Asian carp from entering the Great Lakes.

Whereas, The Great Lakes are one of our nation's great natural wonders. Bordering Michigan and seven other states, these inland seas contain nearly one-fifth of the world's surface fresh water. They support jobs in manufacturing, tourism, recreation, shipping, agriculture, science, engineering, energy, and mining throughout the region. The protection of the Great Lakes is essential to Michigan's state identity and economy as well as national economic growth; and

Whereas, Asian carp pose an imminent threat to the Great Lakes ecosystem and economy. Asian carp have successfully invaded the Mississippi River basin and now stand only 50 miles downstream from the Great Lakes. Asian carp can reproduce rapidly, consume large quantities of food, disrupt local ecosystems, out-compete native fish, and devastate recreational fishing and boating opportunities. There is general scientific consensus that Asian carp will be able to establish populations and thrive in areas of the Great Lakes, and once established, they will be difficult, if not impossible, to control or eradicate. Thus, the federal government has recognized Asian carp as “the most acute [aquatic invasive species] threat facing the Great Lakes today”; and

Whereas, Closing off the man-made connections between the Great Lakes and the Mississippi River basins in the Chicago area is the most effective means to keep out Asian carp. In the past, zebra mussels and other invasive species have used the Chicago Area Waterway System to spread from one basin to the other, causing billions of dollars in economic damage over the years. Studies by the U.S. Army Corps of Engineers, the Great Lakes Commission and the Great Lakes and St. Lawrence Cities Initiative, and academic researchers have all come to the same conclusion that hydrologic separation is both feasible and the best way to ensure Asian carp never reach the Great Lakes and protect both basins from future invasions; and

Whereas, The 2012 report by the Great Lakes Commission and the Great Lakes and St. Lawrence Cities Initiative found that separation could be accomplished while maintaining or even enhancing the current uses of the Chicago Area Waterway System and could potentially achieve \$1.4 billion to \$9.5 billion in long-term savings. In addition, the report concluded that separation may be far less expensive than estimated by the U.S. Army Corps of Engineers; and

Whereas, Immediate and decisive action is required to protect the Great Lakes. Asian carp could cause billions of dollars in lost revenues and thousands of lost jobs in the \$7 billion sports and commercial fishing industry and the \$9 billion recreational boating industry. In addition, damage done to the Great Lakes, rivers, and inland lakes by Asian carp would greatly harm our state’s viability as an attractive vacation destination, thereby leading to decreased tourism revenue and jobs; now, therefore, be it

Resolved by the Senate, That we call on the Obama Administration and the Congress of the United States to direct the U.S. Army Corps of Engineers to close the connection between the Great Lakes and Mississippi River basins through Chicago to prevent Asian carp from entering the Great Lakes; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

Pending the order that, under rule 3.204, the resolution be referred to the Committee on Government Operations, Senator Kowall moved that the rule be suspended.

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

The question being on the adoption of the resolution,

Senator Kowall moved that the resolution be referred to the Committee on Natural Resources.

The motion prevailed.

Senators Bieda, Brandenburg, Colbeck, Hansen, Hertel, Jones, Knollenberg, Kowall, MacGregor, Marleau, O’Brien, Proos, Schmidt, Schuitmaker, Stamas and Zorn were named co-sponsors of the resolution.

By unanimous consent the Senate returned to the order of

### Third Reading of Bills

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

**Senate Bill No. 112**

**Senate Bill No. 113**

**Senate Bill No. 114**

The motion prevailed.

The following bill was read a third time:

**Senate Bill No. 112, entitled**

A bill to amend 1957 PA 29, entitled “An act to provide for the disposition of certain files and records in the probate courts of this state,” by amending section 1 (MCL 720.551).

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. 43**

**Yeas—37**

Ananich  
Bieda

Hertel  
Hildenbrand

Knollenberg  
Kowall

Robertson  
Rocca



Booher	Hood	MacGregor	Schmidt
Brandenburg	Hopgood	Marleau	Schuitmaker
Casperson	Horn	Meekhof	Shirkey
Colbeck	Hune	Nofs	Smith
Emmons	Johnson	O'Brien	Stamas
Green	Jones	Pavlov	Warren
Gregory	Knezek	Proos	Zorn
Hansen			

**Nays—0**

**Excused—1**

Young

**Not Voting—0**

In The Chair: President

The Senate agreed to the title of the bill.

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

The motion prevailed.

Senator Hertel's statement is as follows:

I briefly want to talk about this bill. It is truly an honor to have my first bill on the Senate floor. I do want to thank my co-sponsors, Senators Margaret O'Brien and Jim Marleau, on this bipartisan, bicameral package. This bill was introduced in order to fix Michigan law by eliminating the term "crippled children" from our code. The importance of it was actually shown to me by Senator Dave Robertson, who brought a woman to my office the day we had this bill in committee, whom I had helped eight years ago, when I was the legislative liaison for Governor Granholm, get money from this fund that was formerly called the Crippled Children's Fund. This woman had a child who was failing to thrive and needed help, and the special program was in Baltimore to help that woman. Senator Robertson—then Representative Robertson—came to me to try to get help, and we worked together to actually get this woman to actually be able to have this assistance.

When she was in my office, she was there to thank me, but also to show me a picture of her now third-grade child who is thriving, healthy, and definitely not crippled. We should never use terms in code that are so disrespectful to children. As a father of four children, I would never want my kids to be referred to in that way.

I wanted to thank Senator Robertson, and I appreciate all the support for this bill and this package. I encourage all my colleagues to vote "yes."

The following bill was read a third time:

**Senate Bill No. 113, entitled**

A bill to amend 1921 PA 137, entitled "An act authorizing counties of this state to contract with agencies, institutions, and hospitals licensed by the department of consumer and industry services for the aid, care, support, maintenance, treatment, cure, or relief of children," by amending section 1 (MCL 722.501), as amended by 1996 PA 411.

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. 44**

**Yeas—37**

Ananich	Hertel	Knollenberg	Robertson
Bieda	Hildenbrand	Kowall	Rocca

Booher	Hood	MacGregor	Schmidt
Brandenburg	Hopgood	Marleau	Schuitmaker
Casperson	Horn	Meekhof	Shirkey
Colbeck	Hune	Nofs	Smith
Emmons	Johnson	O'Brien	Stamas
Green	Jones	Pavlov	Warren
Gregory	Knezek	Proos	Zorn
Hansen			

**Nays—0**

**Excused—1**

Young

**Not Voting—0**

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 114, entitled**

A bill to amend 1921 PA 137, entitled "An act authorizing counties of this state to contract with agencies, institutions, and hospitals licensed by the department of consumer and industry services for the aid, care, support, maintenance, treatment, cure, or relief of children," by amending section 3 (MCL 722.503), as amended by 1996 PA 411.

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. 45**

**Yeas—37**

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

**Nays—0**

**Excused—1**

Young

**Not Voting—0**

In The Chair: President

The Senate agreed to the title of the bill.

By unanimous consent the Senate proceeded to the order of  
**Statements**

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

The motion prevailed.

Senator Hood's statement is as follows:

I rise today to make a statement regarding a glorious day, but a sad day in my office, in which I will be losing an employee—a friend. He's a young man who came into my office about three years ago as an intern—fresh out of law school, a little wet behind the years—and took everything that was put before him head on. As he went through that process, he began to grow knowledge about how the office worked. At the end of that internship, as he was about to leave, we sat down and had a conversation, and I found out that there is no way that I could let this young man leave after his internship without offering him a position in our office. He accepted that position and has grown to what we have today to be an outstanding, not a staff person, but a friend. He has grown to do everything in the office and has learned to do everything from the top to the bottom in the office. At one point in time, for approximately six months, due to circumstances, he was the only one in my office. As staff knows, running an office is not easy, and he did it all by himself, and, I might add, putting up with me in the meantime.

I stand before you today to thank Nathan Kark, who is not just an employee, not just a staff person, but he has become my little brother. We have been through a lot. We have been through the ups and downs of office life. We have been through the ups and downs of life, and he has always been there for me no matter what time of night or day that I call him. He always answers the phone with a bright, "Hello, what do you need boss?"

I just want to say that it has been so special to me to have him in my office and to watch him grow as a young man and for him to be able to leave the office and go on to do better things as he moves on into another portion of his life. I want to say he is from Minnesota, and we got him here in Michigan. He is staying here in Michigan, and we are glad to have him.

I wanted to come before you today, colleagues, and say that this young man has done an outstanding job. I am proud to say that he is my brother, he is my friend, and he has done so much for me, knowing how hard it might be to work for me, but he's done everything that he can. I want to say thank you to him in front of you. If you get a chance, talk to him because he is a bright and upcoming young man. I wish for my colleagues to join me in thanking Nathan Kark for his outstanding work for the 3rd District in the Senate.

**Committee Reports**

The Committee on Judiciary reported

**Senate Bill No. 85, 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 the title and sections 1, 2, 3, and 4 (MCL 123.1101, 123.1102, 123.1103, and 123.1104).

With the recommendation that the bill pass.

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

Rick Jones  
Chairperson

To Report Out:

Yeas: Senators Jones, Schuitmaker, Rocca and Colbeck

Nays: Senator Bieda

The bill was referred to the Committee of the Whole.

The Committee on Judiciary reported

**House Bill No. 4151, entitled**

A bill to repeal 1959 PA 186, entitled "An act to regulate the use of certain spring, gas or air operated handguns and to provide a penalty for violation of this act," (MCL 752.891 to 752.892).

With the recommendation that the bill pass.

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

Rick Jones  
Chairperson

To Report Out:

Yeas: Senators Jones, Schuitmaker, Rocca and Colbeck

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Judiciary reported

**House Bill No. 4152, entitled**

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

With the recommendation that the bill pass.

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

Rick Jones  
Chairperson

To Report Out:

Yeas: Senators Jones, Schuitmaker, Rocca and Colbeck

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Judiciary reported

**House Bill No. 4153, entitled**

A bill to amend 1952 PA 10, entitled "An act to define the duties of any person who discharges a firearm and thereby injures any person; and to prescribe penalties for violations of the provisions of this act," by amending section 1 (MCL 752.841).

With the recommendation that the bill pass.

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

Rick Jones  
Chairperson

To Report Out:

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

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Judiciary reported

**House Bill No. 4154, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," 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.

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

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

Rick Jones  
Chairperson

To Report Out:

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

Nays: None

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

The Committee on Judiciary reported

**House Bill No. 4155, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," 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.

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

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

Rick Jones  
Chairperson

To Report Out:

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

Nays: None

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

The Committee on Judiciary reported

**House Bill No. 4156, entitled**

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

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

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

Rick Jones  
Chairperson

To Report Out:

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

Nays: None

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

#### COMMITTEE ATTENDANCE REPORT

The Committee on Judiciary submitted the following:

Meeting held on Tuesday, March 10, 2015, at 3:00 p.m., Room 110, Farnum Building

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

The Committee on Finance reported

**Senate Bill No. 82, entitled**

A bill to amend 1937 PA 94, entitled "Use tax act," by amending section 2b (MCL 205.92b), as amended by 2008 PA 439.

With the recommendation that the bill pass.

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

Jack M. Brandenburg  
Chairperson

To Report Out:

Yeas: Senators Brandenburg, Robertson, Knollenberg, Casperson, Proos, Bieda and Warren

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Finance reported

**Senate Bill No. 83, entitled**

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 1a (MCL 205.51a), as amended by 2008 PA 438.

With the recommendation that the bill pass.

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

Jack M. Brandenburg  
Chairperson

## To Report Out:

Yeas: Senators Brandenburg, Robertson, Knollenberg, Casperson, Proos, Bieda and Warren

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Finance reported

**House Bill No. 4051, 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.

With the recommendation that the bill pass.

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

Jack M. Brandenburg  
Chairperson

## To Report Out:

Yeas: Senators Brandenburg, Robertson, Knollenberg, Casperson, Proos, Bieda and Warren

Nays: None

The bill was referred to the Committee of the Whole.

## COMMITTEE ATTENDANCE REPORT

The Committee on Finance submitted the following:

Meeting held on Tuesday, March 10, 2015, at 2:30 p.m., Room 210, Farnum Building

Present: Senators Brandenburg (C), Robertson, Knollenberg, Casperson, Proos, Bieda and Warren

The Committee on Commerce reported

**House Bill No. 4119, 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 bill pass.

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

Wayne A. Schmidt  
Chairperson

## To Report Out:

Yeas: Senators Schmidt, Kowall, MacGregor, Nofs and Hertel

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Commerce reported

**House Bill No. 4120, 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 bill pass.

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

Wayne A. Schmidt  
Chairperson

## To Report Out:

Yeas: Senators Schmidt, Kowall, MacGregor, Nofs and Hertel

Nays: None

The bill was referred to the Committee of the Whole.

## COMMITTEE ATTENDANCE REPORT

The Committee on Commerce submitted the following:

Meeting held on Wednesday, March 11, 2015, at 8:30 a.m., Room 210, Farnum Building

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

The Committee on Appropriations reported

**Senate Bill No. 173, entitled**

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 11, 11r, 20, 20g, and 22a (MCL 388.1611, 388.1611r, 388.1620, 388.1620g, and 388.1622a), sections 11, 20, 20g, and 22a as amended and section 11r as added by 2014 PA 196.

With the recommendation that the bill pass.

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

David S. Hildenbrand

Chairperson

## To Report Out:

Yeas: Senators Hildenbrand, MacGregor, Hansen, Stamas, Schuitmaker, Knollenberg, Booher, Shirkey, Nofs, Green, Gregory, Hopgood, Hertel and Young

Nays: None

The bill was referred to the Committee of the Whole.

## COMMITTEE ATTENDANCE REPORT

The Committee on Appropriations submitted the following:

Meeting held on Wednesday, March 11, 2015, at 2:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building

Present: Senators Hildenbrand (C), MacGregor, Hansen, Stamas, Schuitmaker, Knollenberg, Booher, Shirkey, Proos, Nofs, Green, Marleau, Gregory, Hopgood, Hertel, Knezek and Young

## COMMITTEE ATTENDANCE REPORT

The Subcommittee on K-12, School Aid, Education submitted the following:

Meeting held on Wednesday, March 11, 2015, at 8:30 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building

Present: Senators Hansen (C), Pavlov and Hopgood

## COMMITTEE ATTENDANCE REPORT

The Subcommittee on Licensing and Regulatory Affairs submitted the following:

Meeting held on Wednesday, March 11, 2015, at 8:30 a.m., Room 110, Farnum Building

Present: Senators Knollenberg (C), Marleau and Young

## COMMITTEE ATTENDANCE REPORT

The Joint Subcommittee on Capital Outlay submitted the following:

Meeting held on Wednesday, March 11, 2015, at 4:00 p.m., House Appropriations Room, 3rd Floor, Capitol Building

Present: Senators Booher (C), Nofs, Schuitmaker, Hansen, MacGregor, Gregory and Hertel

## COMMITTEE ATTENDANCE REPORT

The Subcommittee on General Government submitted the following:

Meeting held on Thursday, March 12, 2015, at 8:30 a.m., Room 100, Farnum Building

Present: Senators Stamas (C), Nofs, Booher and Young

**Scheduled Meetings****Appropriations -****Subcommittees -**

**Agriculture and Rural Development** - Tuesdays, 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., Room 405, Capitol Building (373-2768)

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

**Environmental Quality** - Tuesdays, March 17, 2:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building; and March 24, 1:30 p.m., Room 210, Farnum Building (373-2768)

**General Government** - Thursdays, March 19 and March 26, 8:30 a.m., Room 100, Farnum Building (373-2768)

**Higher Education** - Wednesday, March 18, 9:30 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

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

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

**Natural Resources** - Tuesdays, March 17 and March 24, 1:00 p.m., Room 210, Farnum Building (373-2768)

**State Police and Military Affairs** - Tuesdays, March 17 and March 24, 8:30 a.m., and Thursday, March 26, 1:00 p.m. (CANCELED), Rooms 402 and 403, Capitol Building (373-2768)

**Transportation** - Thursdays, March 19 and March 26, 8:30 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

**Education** - Tuesday, March 17, 12:00 noon, Room 110, Farnum Building (373-5314)

Senator Kowall moved that the Senate adjourn.  
The motion prevailed, the time being 10:38 a.m.

The President, Lieutenant Governor Calley, declared the Senate adjourned until Tuesday, March 17, 2015, at 10:00 a.m.

JEFFREY F. COBB  
Secretary of the Senate