

No. 39  
STATE OF MICHIGAN  
**Journal of the Senate**  
98th Legislature  
REGULAR SESSION OF 2016

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Senate Chamber, Lansing, Tuesday, April 26, 2016.

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—excused  
Jones—present  
Knezek—present  
Knollenberg—present  
Kowall—present  
MacGregor—present  
Marleau—present  
Meekhof—present  
Nofs—present

O'Brien—present  
Pavlov—present  
Proos—present  
Robertson—present  
Rocca—present  
Schmidt—present  
Schuitmaker—present  
Shirkey—present  
Stamas—present  
Warren—present  
Young—present  
Zorn—present

Senator Morris W. Hood III of the 3rd District offered the following invocation:

Lord, Father, please bless us, and thank You for allowing us to be here today. We thank You for all that You have given us, all You are giving us, and all that You will give us.

Please bless all of those who are in need of blessings today, and bless all of those who will need Your blessings tomorrow. Please bless all who have lost loved ones; all those who are in the hospital; all of those who don't have enough to eat; and those babies and families who are struggling. We pray that You give power and uplifting for all that we need. Please bless all of our families and loved ones across this state. We pray also that You would bless all of the people of this great state.

We ask You to please give us the power to make it to the next day. Lord, we thank You for giving us our next breath, and as they say, the wind beneath our wings.

We ask all of these things in the name of Your Son Jesus Christ. Amen.

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

### Motions and Communications

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

Senator Hood moved that Senators Ananich and Young be temporarily excused from today's session. The motion prevailed.

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

### Recess

Senator Kowall moved that the Senate recess subject to the call of the Chair. The motion prevailed, the time being 10:07 a.m.

10:34 a.m.

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

During the recess, Senators Green, Knollenberg and Young entered the Senate Chamber.

The following communications were received and read:

Office of the Auditor General

April 21, 2016

Enclosed is a copy of the following audit report:

- Performance audit report on Claimant Services, Unemployment Insurance Agency, Talent Investment Agency, Department of Talent and Economic Development.

April 22, 2016

Enclosed is a copy of the following Report on Internal Control, Compliance, and Other Matters for the fiscal year ended September 30, 2015:

- Self-Insurers' Security Fund, Funds Administration, Workers' Compensation Agency, Department of Licensing and Regulatory Affairs.

Sincerely,  
Doug Ringler  
Auditor General

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

The following communication was received:  
Office of Senator Steven M. Bieda

April 21, 2016

Per Senate Rule 1.110(c), I am requesting that my name be added immediately as a co-sponsor to Senate Bill 897, which was introduced on April 19, 2016 by Senator David Knezek and is currently in the Senate Finance Committee.

Sincerely,  
Steve Bieda  
State Senator  
9th District

The communication was referred to the Secretary for record.

The following communications were received:  
Department of State

Administrative Rules  
Notices of Filing

April 22, 2016

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2015-012-LR (Secretary of State Filing #16-04-04) on this date at 3:07 p.m. for the Department of Licensing and Regulatory Affairs entitled, "Task Force on Physician's Assistants."

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

April 22, 2016

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2015-013-LR (Secretary of State Filing #16-04-05) on this date at 3:07 p.m. for the Department of Licensing and Regulatory Affairs entitled, "Acupuncture - General Rules."

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

April 22, 2016

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2015-014-LR (Secretary of State Filing #16-04-06) on this date at 3:07 p.m. for the Department of Licensing and Regulatory Affairs entitled, "Athletic Training - General Rules."

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

April 22, 2016

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2015-015-LR (Secretary of State Filing #16-04-07) on this date at 3:07 p.m. for the Department of Licensing and Regulatory Affairs entitled, "Audiology - General Rules."

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

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

The communications were referred to the Secretary for record.

The Secretary announced that the following bills were printed and filed on Thursday, April 21, and are available at the Michigan Legislature website:

<b>Senate Bill Nos.</b>	<b>904</b>	<b>905</b>	<b>906</b>	<b>907</b>	<b>908</b>	<b>909</b>	<b>910</b>	<b>911</b>	<b>912</b>	<b>913</b>
<b>House Bill Nos.</b>	<b>5587</b>	<b>5588</b>	<b>5589</b>	<b>5590</b>	<b>5591</b>					

### Messages from the Governor

The following message from the Governor was received on April 22, 2016, and read:

#### EXECUTIVE ORDER No. 2016-8

#### Amendment to Executive Order No. 2016-1

#### Flint Water Interagency Coordinating Committee

#### Michigan Department of State Police

WHEREAS, Section 1 of Article V of the Michigan Constitution of 1963 vests the executive power of the state of Michigan in the Governor; and

WHEREAS, Section 2 of Article V of the Michigan Constitution of 1963 empowers the Governor to make changes in the organization of the Executive Branch or in the assignment of functions among its units that he considers necessary for efficient administration; and

WHEREAS, municipal water in the City of Flint showed elevated lead levels after the City of Flint switched its water source to the Flint River; and

WHEREAS, the County of Genesee and the City of Flint have taken actions to cope with the situation, including but not limited to, switching back to the Detroit water system on October 16, 2015, declaring local states of emergency, activating the emergency response and recovery aspects of their emergency operations plan, marshaling and distributing required resources on a city-wide level, and issuing emergency public information and bulletins; and

WHEREAS, the Flint Water Advisory Task Force was formed as an independent advisory task force charged with reviewing actions regarding water use and testing in Flint; and

WHEREAS, the Flint Water Advisory Task Force has made an interim recommendation that the state government should coordinate a sustained, public-health focused response to remedy, to the fullest extent possible, the impacts on the Flint community; and

WHEREAS, on January 5, 2016, the Governor issued a proclamation declaring a state of emergency in the County of Genesee and the City of Flint; and

WHEREAS, multiple state departments and local authorities share the responsibility for ensuring safe drinking water and the coordination of efforts to address the consequences resulting from the presence of elevated lead levels in drinking water; and

WHEREAS, ensuring safe drinking water and addressing the consequences of elevated lead levels in drinking water will require collaboration and communication between state departments, local governments, and subject matter experts; and

WHEREAS, the establishment of a Flint Water Interagency Coordinating Committee within the Michigan Department of State Police will facilitate the collaboration and communication between state departments, local governments, and subject matter experts necessary to effectively coordinate a response and recovery effort;

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

#### I. AMENDMENT

A. Section I.B. of Executive Order 2016-1 is amended as follows:

The Coordinating Committee shall be composed of the following eighteen (18) members who shall serve an initial term expiring on December 31, 2018.

- The Director of Office of Urban Initiatives within the Executive Office of the Governor;
- The Deputy State Director of Emergency Management and Homeland Security within the Michigan Department of State Police;
- The Director of the Department of Environmental Quality, or his or her designee;
- The Director of the Department of Health and Human Services, or his or her designee;
- The Director of the Department of Licensing and Regulatory Affairs, or his or her designee;
- The State Treasurer, or his or her designee;

- The Superintendent of Public Instruction, or his or her designee;
- The elected Mayor of the City of Flint who shall be appointed to the Coordinating Committee by the Governor;
- Three (3) additional representatives of the City of Flint who shall be submitted by the Mayor of the City of Flint and appointed to the Coordinating Committee by the Governor;
- One (1) additional representative of the City of Flint who shall be submitted by the Flint City Council and appointed to the Coordinating Committee by the Governor; and
- Three (3) representatives of Genesee County who shall be submitted by the Genesee County Board of Commissioners and appointed to the Coordinating Committee by the Governor; and
- Three (3) subject matter experts who shall be appointed to the Coordinating Committee by the Governor.

After the initial appointments, members of the Coordinating Committee appointed under this subsection shall serve terms of three years.

## II. MISCELLANEOUS

A. All other provisions of Executive Order 2016-1 not specifically amended by this Order shall remain unchanged.

B. A member of the Coordinating Committee appointed and serving under section I.B. of Executive Order 2016-1 shall continue under this Order as a member of the Coordinating Committee.

C. This Order does not invalidate any actions already taken by the Coordinating Committee created pursuant to Executive Order 2016-1.

The Executive Order shall become effective upon filing.

[SEAL]

Given under my hand and the Great Seal of the state of Michigan this 22nd day of April, in the year of our Lord, Two Thousand Sixteen.

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:

April 7, 2016

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

### **State Board of Architects**

Dan Lamble of 305 Starr Drive, Troy, Michigan 48083, county of Oakland, representing architects, succeeding himself, is reappointed for a term expiring March 31, 2020.

April 7, 2016

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

### **Michigan Freedom Trail Commission**

Roy E. Finkenbine of 30850 Puritan Street, Livonia, Michigan 48154, county of Wayne, representing members of the academic community, succeeding himself, is reappointed for a term expiring February 1, 2020.

Charles D. Teeter of 3924 Harvard Road, Detroit, Michigan 48224, county of Wayne, representing a local community in which the Underground Railroad had presence, succeeding Lottie V. Jones Hood, is appointed for a term expiring February 1, 2020.

April 7, 2016

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

### **State Board of Professional Engineers**

Michael T. Drewyor of 1101 Agate Street, Houghton, Michigan 49931, county of Houghton, representing professional engineers, who is also a member of the Board of Professional Surveyors, succeeding himself, is reappointed for a term expiring March 31, 2020.

James C. Stevens of 32988 Thorndyke Court, Farmington Hills, Michigan 48334, county of Oakland, representing professional engineers, succeeding himself, is reappointed for a term expiring March 31, 2020.

April 7, 2016

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

### **Michigan Women's Commission**

Jan Peabody of 810 Peppermill Circle, Lapeer, Michigan, county of Lapeer, succeeding Mary Whiteford, is appointed for a term expiring July 15, 2016.

April 18, 2016

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

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

Craig Churchick of 6936 Yorktown Lane, Shelby Township, Michigan 48317, county of Macomb, representing management in the health field, succeeding himself, is reappointed for a term expiring March 18, 2020.

Donald L. Coleman of 8562 S. McClelland Road, Ashley, Michigan 48806, county of Gratiot, representing labor in the construction industry, succeeding himself, is reappointed for a term expiring March 18, 2020.

Kim Dennison of 6225 West Grand River Road, Laingsburg, Michigan 48848, county of Shiawassee, representing labor in the health industry, succeeding Henry Yanez, is appointed for a term expiring March 18, 2017.

April 18, 2016

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

**State Board of Professional Surveyors**

Michael T. Drewyor of 1101 Agate Street, Houghton, Michigan 49931, county of Houghton, representing professional surveyors, who is also a member of the Board of Professional Engineers, succeeding himself, is reappointed for a term expiring March 31, 2020.

Ginger L. Michalski-Wallace of 8943 Sunflower Drive, Whitmore Lake, Michigan 48189, county of Washtenaw, representing professional surveyors, succeeding herself, is reappointed for a term expiring March 31, 2020.

April 18, 2016

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

**Director - Michigan Veterans Affairs Agency**

James Robert Redford of 1535 Groton Road, S.E., East Grand Rapids, Michigan 49506, county of Kent, is appointed for a term commencing April 25, 2016, and expiring at the pleasure of the Governor.

April 19, 2016

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

**21st Century Infrastructure Commission**

Benjamin J. LaCross of 6433 E. Lingaur Road, Lake Leelanau, Michigan 49653, county of Leelanau, succeeding Sue Founé, is appointed for a term expiring at the pleasure of the Governor.

Sincerely,  
Rick Snyder  
Governor

The appointments were referred to the Committee on Government Operations.

By unanimous consent the Senate proceeded to the order of

**General Orders**

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

The motion prevailed, and the Assistant President pro tempore, Senator O'Brien, designated Senator Schmidt as Chairperson.

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

**Senate Bill No. 564, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 2690 (MCL 333.2690).

**Senate Bill No. 565, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 13k of chapter XVII (MCL 777.13k), as amended by 2012 PA 539.

**House Bill No. 4187, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 377d; and to repeal acts and parts of acts.

**House Bill No. 5163, entitled**

A bill to amend 2003 PA 258, entitled “Land bank fast track act,” by amending section 18 (MCL 124.768); and to repeal acts and parts of acts.

The bills were placed on the order of Third Reading of Bills.

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

**Senate Bill No. 753, entitled**

A bill to amend 1978 PA 368, entitled “Public health code,” (MCL 333.1101 to 333.25211) by adding sections 16283, 16284, 16285, 16286, 16287, 16288, and 16289.

Substitute (S-2).

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

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

By unanimous consent the Senate returned to the order of

**Messages from the House**

**Senate Bill No. 331, entitled**

A bill to amend 1986 PA 119, entitled “An act to regulate the business of buying or receiving used motor vehicle parts; to prescribe the powers and duties of certain state and local officers; and to provide penalties,” by amending sections 1, 2, and 4 (MCL 257.1351, 257.1352, and 257.1354) and by adding section 2a.

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

The House of Representatives has passed the bill as substituted (H-1) and ordered that it be given immediate effect.

Pending the order that, under rule 3.202, the bill be laid over one day,

Senator Kowall moved that the rule be suspended.

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

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. 190**

**Yeas—35**

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

**Nays—0**

**Excused—1**

Johnson

**Not Voting—1**

Nofs

In The Chair: O’Brien

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

### Third Reading of Bills

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

**House Bill No. 5278**

**House Bill No. 4793**

The motion prevailed.

The following bill was read a third time:

**House Bill No. 5278, entitled**

A bill to amend 1956 PA 40, entitled "The drain code of 1956," by amending sections 306 and 307 (MCL 280.306 and 280.307).

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. 191

**Yeas—36**

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

**Nays—0**

**Excused—1**

Johnson

**Not Voting—0**

In The Chair: O'Brien

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 codify the laws relating to the laying out of drainage districts, the consolidation of drainage districts, the construction and maintenance of drains, sewers, pumping equipment, bridges, culverts, fords, and the structures and mechanical devices to properly purify the flow of drains; to provide for flood control projects; to provide for water management, water management districts, and subdistricts, and for flood control and drainage projects within drainage



districts; to provide for the assessment and collection of taxes; to provide for the investment of funds; to provide for the deposit of funds for future maintenance of drains; to authorize public corporations to impose taxes for the payment of assessments in anticipation of which bonds are issued; to provide for the issuance of bonds by drainage districts and for the pledge of the full faith and credit of counties for payment of the bonds; to authorize counties to impose taxes when necessary to pay principal and interest on bonds for which full faith and credit is pledged; to validate certain acts and bonds; and to prescribe penalties;”.

The Senate agreed to the full title.

The following bill was read a third time:

**House Bill No. 4793, entitled**

A bill to amend 1974 PA 258, entitled “Mental health code,” by amending section 434 (MCL 330.1434), as amended by 1995 PA 290.

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. 192**

**Yeas—36**

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

**Nays—0**

**Excused—1**

Johnson

**Not Voting—0**

In The Chair: O’Brien

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 codify, revise, consolidate, and classify the laws relating to mental health; to prescribe the powers and duties of certain state and local agencies and officials and certain private agencies and individuals; to regulate certain agencies and facilities providing mental health or substance use disorder services; to provide for certain charges and fees; to establish civil admission procedures for individuals with mental illness, substance use disorder, or developmental disability; to establish guardianship procedures for individuals with developmental disability; to establish procedures regarding individuals with mental illness, substance use disorder, or developmental disability who are in the criminal justice system; to provide for penalties and remedies; and to repeal acts and parts of acts;”.

The Senate agreed to the full title.

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

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

**House Concurrent Resolution No. 3**

**Senate Resolution No. 76**

**Senate Resolution No. 75**

The motion prevailed.

Senator Casperson offered the following resolution:

**Senate Resolution No. 165.**

A resolution commemorating April 2016 as Distracted Driving Awareness Month.

Whereas, Distracted driving claims the lives of thousands of people each year and causes hundreds of thousands of injuries; and

Whereas, The National Highway Traffic Safety Administration reports that 94 percent of car crashes are the result of driver error; and

Whereas, 2014 Michigan statistics report there were 298,699 crashes, 806 fatal crashes, and 378 persons injured; and

Whereas, 2015 preliminary estimates show distracted driving crashes nationwide have increased 8 percent over 2014, which is the largest percentage increase in 50 years; and

Whereas, 175 individuals in Michigan have been killed by automobile crashes since January 2016, up 25 from 2015; and

Whereas, According to the Centers for Disease Control and Prevention, 69 percent of U.S. drivers ages 18-64 say they have talked on their phone while driving, and 31 percent say they have read or sent e-mail or text messages while driving; and

Whereas, The improved health and well-being of Michigan citizens are a direct result of increased awareness about the dangers of distracted driving; and

Whereas, Local communities across the state and the Michigan Teen Safe Driving Coalition are committed to reducing the number of traffic deaths and injuries in the state of Michigan by educating motorists and bringing awareness to dangerous driving behaviors; and

Whereas, The campaign against distracted driving has also been immensely aided by law enforcement efforts in Michigan; and

Whereas, A month dedicated to programs and activities about distracted driving will greatly raise awareness; now, therefore, be it

Resolved by the Senate, That we hereby recognize April 2016 as Distracted Driving Awareness Month in the state of Michigan; and be it further

Resolved, That a copy of this resolution be transmitted to the family of Kelsey Raffaele.

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

Senator Kowall moved that the rule be suspended.

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

The resolution was adopted.

Senators Bieda, Brandenburg, Hansen, Hood, Knollenberg, Kowall, Marleau, O'Brien and Proos were named co-sponsors of the resolution.

### **Introduction and Referral of Bills**

Senator Nofs introduced

**Senate Bill No. 914, entitled**

A bill to amend 1976 PA 390, entitled "Emergency management act," by amending section 18 (MCL 30.418), as amended by 2013 PA 109.

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

Senator O'Brien introduced

**Senate Bill No. 915, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 3406u.

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

Senator O'Brien introduced  
**Senate Bill No. 916, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 2501 and 2502 (MCL 324.2501 and 324.2502), as added by 1995 PA 60, and by adding sections 2512 and 2513; 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 Natural Resources.

Senators MacGregor, Jones, Stamas, Knezek, Marleau and Schuitmaker introduced  
**Senate Bill No. 917, entitled**

A bill to amend 1945 PA 327, entitled "Aeronautics code of the state of Michigan," by amending section 9 (MCL 259.9), as amended by 2002 PA 35, and by adding section 96.

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

Senator Bieda introduced  
**Senate Bill No. 918, entitled**

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 163 (MCL 168.163), as amended by 2012 PA 276.

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

Senators Shirkey and Stamas introduced  
**Senate Bill No. 919, entitled**

A bill to amend 1939 PA 3, entitled "An act to provide for the regulation and control of public and certain private utilities and other services affected with a public interest within this state; to provide for alternative energy suppliers; to provide for licensing; to include municipally owned utilities and other providers of energy under certain provisions of this act; to create a public service commission and to prescribe and define its powers and duties; to abolish the Michigan public utilities commission and to confer the powers and duties vested by law on the public service commission; to provide for the continuance, transfer, and completion of certain matters and proceedings; to abolish automatic adjustment clauses; to prohibit certain rate increases without notice and hearing; to qualify residential energy conservation programs permitted under state law for certain federal exemption; to create a fund; to provide for a restructuring of the manner in which energy is provided in this state; to encourage the utilization of resource recovery facilities; to prohibit certain acts and practices of providers of energy; to allow for the securitization of stranded costs; to reduce rates; to provide for appeals; to provide appropriations; to declare the effect and purpose of this act; to prescribe remedies and penalties; and to repeal acts and parts of acts," by amending the title and section 6s (MCL 460.6s), the title as amended by 2005 PA 190 and section 6s as added by 2008 PA 286.

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

Senators Marleau, Jones and Kowall introduced  
**Senate Bill No. 920, entitled**

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending sections 531 and 533 (MCL 436.1531 and 436.1533), section 531 as amended by 2014 PA 135 and section 533 as amended by 1998 PA 416.

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

### Statements

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

The motion prevailed.

Senator Knollenberg's statement is as follows:

I'm here today because I lost a friend. Many of us knew this friend because we all considered him to be a friend. He was a friend and a part of my family. He was a friend whom I associated with in business. I was a client of his, and he was a client of mine. We were friends in a social setting. He is someone I have known for over 35 years. My friend is Paul Welday. I woke up this morning about 5:15, looked at my phone, and started to see some messages come to me. At first, I didn't believe it. He is 57 years old. As these messages started to come in, I had tears in my eyes. I felt like a dagger

was put through my heart. I don't have many people whom I can say this about, other than my mom, dad, my wife, and my brother. This person was a part of our family.

We are all involved in politics here. Many of you know that my dad was involved in politics going back to the 1970s. You may wonder how I got involved in politics, and you may assume that it is because of my father. That was not the case at all. It was because of Paul Welday. He encouraged me to run for precinct delegate. He encouraged me to run for county commissioner, and frankly, I didn't even know what a county commissioner did back then. He encouraged me to run for State Representative, and the rest is history. Obviously, my parents were very supportive of me, but they never pushed me. Paul Welday did. I believe that he did because he saw something in me. He wanted good people involved in politics, and he thought that I fit that bill. He didn't just mentor me. I know he mentored a lot of you here in this room. I owe my being here today to him.

I mentioned that he was a business client of mine and I was of his. I sold my very first insurance policy to Paul Welday, and we weren't the cheapest. He did it out of faith in me and my family, and he helped me get started in my insurance career. I, obviously, returned the favor and became a client of his. He was my dad's chief of staff for 16 years. My dad actually hired him shortly after college as a political director for the Oakland County Republican Party. We go back a long way.

There are not many people whom I had this type of relationship with and whom I can call a business partner, a social friend, a political friend, a friend, and a family member. I told my wife this morning, and she wasn't even out of bed. I felt I had to break the news to her and my mother as well. This person was important to all of our family members. Many of us know Paul, but you may also know his wife Val. Paul leaves behind a 5-year-old daughter and also an autistic young man. He had a passion for autism. Paul's heart was in the right spot. I can't believe that I'm not crying, because that's what I did first thing this morning. I just hope that you will all remember him.

I should also say that he loved politics, and he loved to debate. He knew his political issues frontwards and backwards, and he knew the pros and the cons. I went to him on a number of issues trying to get a handle on what the pros and cons were of a particular issue. He was very helpful to me and to many of you. As policymakers, we should understand all sides of issues, and he was one of those people to whom I went to understand these issues. If you didn't agree with him, that was OK with him. He would agree to disagree with you. I know he has a number of friends on the other side of the aisle. He loved to debate, and he loved the issues. Unfortunately, I don't think we see enough of that—let's just agree to disagree sometimes.

He is a person whom we should all remember. I'm going to miss him. Our hearts should go out to him, his wife Val—who many of you know because she is currently working in the House of Representatives for Representative Heise—his family, and his children. Prayers to Paul Welday and his family.

A moment of silence was observed in memory of Republican Party consultant Paul Welday.

Senator Ananich's statement is as follows:

I rise to speak about a different matter, but I would like to take a moment, as I did in the elevator on the way here, to offer condolences to my friend and colleague, Senator Knollenberg, on the passing of his friend. I would also like to extend condolences to his family and friends, and may he rest in peace.

Yesterday marked the two-year anniversary of the Flint water switch orchestrated by emergency managers and executed by Darnell Earley. People in Flint still do not have clean water and still do not have justice.

Now over the weekend, we find out that Earley, after his string of failures all across the state, is now trying to bill taxpayers in my town thousands of dollars for his legal fees. That's on top of more than half a million dollars that the state gave him in taxpayer-funded salaries—half a million dollars to do what he did.

Stories this morning tell us that while Earley was emergency manager for Detroit schools, he misused, misplaced—whatever you want to call it—\$30 million in federal funds that were supposed to cover pensions; that on top of his allowing the Detroit schoolchildren and teachers under his care to suffer through horrible learning conditions with mold and unsafe buildings. Well, enough is enough. The people of my community have suffered enough, the school kids have been let down enough, and the taxpayers have paid enough for these emergency managers and their failures.

I am working on legislation to ban this ridiculous practice of allowing local communities, through no fault of their own, to be on the hook for legal fees of failed state appointees, and I would welcome your support. We will need to go even further to protect our citizens from the dangers of these so-called managers.

### Committee Reports

The Committee on Transportation reported  
**Senate Bill No. 595, entitled**

A bill to amend 1963 PA 181, entitled "Motor carrier safety act of 1963," by amending section 5 (MCL 480.15), as amended by 2013 PA 263.

With the recommendation that the substitute (S-1) be adopted and that the bill then pass.  
The committee further recommends that the bill be given immediate effect.

Thomas A. Casperson  
Chairperson

To Report Out:

Yeas: Senators Casperson, Horn, Pavlov, Marleau and Hopgood  
Nays: None

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

The Committee on Transportation reported

**Senate Bill No. 706, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 725 (MCL 257.725), as amended by 1998 PA 247.

With the recommendation that the bill pass.

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

Thomas A. Casperson  
Chairperson

To Report Out:

Yeas: Senators Casperson, Horn, Pavlov, Marleau and Hopgood  
Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Transportation reported

**Senate Bill No. 707, entitled**

A bill to amend 1969 PA 200, entitled "An act to regulate driveways, banners, events, and parades upon and over highways; to provide for the promulgation of rules; to prescribe requirements for the issuance of permits; and to provide for the issuance of those permits," by amending section 7 (MCL 247.327).

With the recommendation that the bill pass.

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

Thomas A. Casperson  
Chairperson

To Report Out:

Yeas: Senators Casperson, Horn, Pavlov and Marleau  
Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Transportation reported

**Senate Bill No. 708, entitled**

A bill to amend 1909 PA 283, entitled "An act to revise, consolidate, and add to the laws relating to the establishment, opening, discontinuing, vacating, closing, altering, improvement, maintenance, and use of the public highways and private roads; the condemnation of property and gravel therefor; the building, repairing and preservation of bridges; maintaining public access to waterways under certain conditions; setting and protecting shade trees, drainage, and cutting weeds and brush within this state; providing for the election or appointment and defining the powers, duties, and compensation of state, county, township, and district highway officials; and to prescribe penalties and provide remedies," by amending section 19b of chapter IV (MCL 224.19b), as added by 1980 PA 212.

With the recommendation that the bill pass.

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

Thomas A. Casperson  
Chairperson

To Report Out:

Yeas: Senators Casperson, Horn, Pavlov, Marleau and Hopgood  
Nays: None

The bill was referred to the Committee of the Whole.

## COMMITTEE ATTENDANCE REPORT

The Committee on Transportation submitted the following:

Meeting held on Thursday, April 21, 2016, at 8:30 a.m., Room 210, Farnum Building

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

The Committee on Agriculture reported

**Senate Bill No. 504, entitled**

A bill to amend 1995 PA 279, entitled "Horse racing law of 1995," by amending sections 2, 7, 10, 12, 14, 17, 18, 19, 19a, and 22 (MCL 431.302, 431.307, 431.310, 431.312, 431.314, 431.317, 431.318, 431.319, 431.319a, and 431.322), section 2 as amended by 2006 PA 445, sections 7, 10, and 12 as amended by 2000 PA 164, and sections 14, 17, and 18 as amended and section 19a as added by 1998 PA 408.

With the recommendation that the substitute (S-2) be adopted and that the bill then pass.

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

Joe Hune  
Chairperson

To Report Out:

Yeas: Senators Hune, Schmidt, Booher and Johnson

Nays: None

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

The Committee on Agriculture reported

**Senate Bill No. 505, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 14d of chapter XVII (MCL 777.14d), as added by 2002 PA 29.

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.

Joe Hune  
Chairperson

To Report Out:

Yeas: Senators Hune, Schmidt, Booher and Johnson

Nays: None

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

The Committee on Agriculture reported

**House Bill No. 5189, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 36101, 36104, 36109, and 36110 (MCL 324.36101, 324.36104, 324.36109, and 324.36110), section 36101 as amended by 2008 PA 336, sections 36104 and 36110 as amended by 1996 PA 233, and section 36109 as amended by 2007 PA 174; and to repeal acts and parts of acts.

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.

Joe Hune  
Chairperson

To Report Out:

Yeas: Senators Hune, Green, Schmidt, Booher and Johnson

Nays: None

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

The Committee on Agriculture reported

**House Bill No. 5190, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 51 (MCL 206.51), as amended by 2015 PA 180, and by adding section 312.

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.

Joe Hune  
Chairperson

## To Report Out:

Yeas: Senators Hune, Green, Schmidt, Booher and Johnson

Nays: None

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

The Committee on Agriculture reported

**House Bill No. 5191, 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 30 (MCL 205.30), as amended by 2014 PA 424.

With the recommendation that the bill pass.

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

Joe Hune  
Chairperson

## To Report Out:

Yeas: Senators Hune, Green, Schmidt, Booher and Johnson

Nays: None

The bill was referred to the Committee of the Whole.

## COMMITTEE ATTENDANCE REPORT

The Committee on Agriculture submitted the following:

Meeting held on Thursday, April 21, 2016, at 8:30 a.m., Room 110, Farnum Building

Present: Senators Hune (C), Green, Schmidt, Booher and Johnson

The Committee on Appropriations reported

**Senate Bill No. 789, entitled**

A bill to make appropriations for the department of health and human services for the fiscal year ending September 30, 2017; and to provide for the expenditure of the appropriations.

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

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

David S. Hildenbrand  
Chairperson

## To Report Out:

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

Nays: None

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

The Committee on Appropriations reported

**Senate Bill No. 791, entitled**

A bill to make appropriations for the department of insurance and financial services for the fiscal year ending September 30, 2017; and to provide for the expenditure of the appropriations.

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

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

David S. Hildenbrand  
Chairperson

## To Report Out:

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

Nays: None

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

The Committee on Appropriations reported

**Senate Bill No. 793, entitled**

A bill to make appropriations for the department of licensing and regulatory affairs for the fiscal year ending September 30, 2017; and to provide for the expenditure of the appropriations.

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

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

David S. Hildenbrand

Chairperson

## To Report Out:

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

Nays: None

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

## COMMITTEE ATTENDANCE REPORT

The Committee on Appropriations submitted the following:

Meeting held on Tuesday, April 19, 2016, at 2:00 p.m., Harry T. Gast 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

The Committee on Appropriations reported

**Senate Bill No. 777, entitled**

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2016; and to provide for the expenditure of the appropriations.

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

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

David S. Hildenbrand

Chairperson

## To Report Out:

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

Nays: None

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

The Committee on Appropriations reported

**Senate Bill No. 785, entitled**

A bill to make appropriations for the department of corrections for the fiscal year ending September 30, 2017; and to provide for the expenditure of the appropriations.

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

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

David S. Hildenbrand

Chairperson

## To Report Out:

Yeas: Senators Hildenbrand, MacGregor, Hansen, Stamas, Schuitmaker, Knollenberg, Booher, Shirkey, Proos, Nofs, Green, Marleau and Gregory

Nays: Senators Hopgood, Hertel, Knezek and Young

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



The Committee on Appropriations reported

**Senate Bill No. 788, entitled**

A bill to make appropriations for the legislature, the executive, the department of attorney general, the department of state, the department of treasury, the department of technology, management, and budget, the department of civil rights, the department of talent and economic development, and certain state purposes related thereto for the fiscal year ending September 30, 2017; to provide for the expenditure of the appropriations; to provide for the disposition of fees and other income received by the state agencies; and to declare the effect of this act.

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

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

David S. Hildenbrand  
Chairperson

To Report Out:

Yeas: Senators Hildenbrand, MacGregor, Hansen, Stamas, Schuitmaker, Knollenberg, Booher, Shirkey, Proos, Nofs, Green, Marleau and Hopgood

Nays: Senator Gregory

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

#### COMMITTEE ATTENDANCE REPORT

The Committee on Appropriations submitted the following:

Meeting held on Wednesday, April 20, 2016, at 2:00 p.m., Harry T. Gast 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 Committee on Finance submitted the following:

Meeting held on Tuesday, April 26, 2016, at 8:30 a.m., Room 210, Farnum Building  
Present: Senators Brandenburg (C), Robertson, Casperson, Proos, Bieda and Warren  
Excused: Senator Knollenberg

#### Scheduled Meetings

##### Appropriations -

###### Subcommittee -

**State Police and Military Affairs** - Tuesday, May 3, 8:30 a.m., Rooms 402 and 403, Capitol Building (373-2768)

**Commerce** - Wednesday, April 27, 9:00 a.m., Room 210, Farnum Building (373-5312)

**Criminal Justice Policy Commission** - Wednesday, May 4, 9:00 a.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building (373-0212)

**Energy and Technology** - Wednesday, April 27, 8:00 a.m., and Thursday, April 28, 1:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower (373-1721)

**Legislative Council** - Wednesday, May 4, 8:30 a.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building (373-0212)

**Natural Resources** - Wednesday, April 27, 12:30 p.m., Room 210, Farnum Building (373-1721)

**Transportation** - Thursday, April 28, 8:30 a.m., Room 210, Farnum Building (373-5312)

Senator Kowall moved that the Senate adjourn.  
The motion prevailed, the time being 11:05 a.m.

The Assistant President pro tempore, Senator O'Brien, declared the Senate adjourned until Wednesday, April 27, 2016, at 10:00 a.m.

JEFFREY F. COBB  
Secretary of the Senate