

No. 62
STATE OF MICHIGAN
Journal of the Senate
98th Legislature
REGULAR SESSION OF 2016

Senate Chamber, Lansing, Wednesday, September 7, 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—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—excused
Schmidt—present
Schuitmaker—present
Shirkey—present
Stamas—present
Warren—present
Young—present
Zorn—present

Pastor Patrick Sanders of New Jerusalem Full Gospel Baptist Church of Flint offered the following invocation:
Father, we come before You with thanksgiving. We ask that You will bless this Senate in all that they do. Put their hands glad to be successful. Allow them to have creative ideas with the intentions on working together.
This we ask. 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 Senator Casperson be temporarily excused from today's session.
The motion prevailed.

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

Senator Casperson entered the Senate Chamber.

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

The motion prevailed.

Senator Zorn's statement is as follows:

Today is one of those bittersweet days, when life's changes hit my heart, and creates a hole in our office. After six dedicated years, Angela Goble will be leaving our office to pursue an administrative career with the La-Z-Boy Chair company. I know that Angela will miss the 90 minute drive to Lansing every morning, as she trades that in for a 10 minute drive to the headquarters of La-Z-Boy.

Angela began her Capitol career in 2011, after working in our successful 2010 campaign for the Michigan House of Representatives, and she has been with me ever since.

She brought many talents with her, such as customer service, writing and editing, graphic design, and administrative qualities, but most of all, she demonstrated a true desire to listen and help those that needed assistance, whether with a personal matter or with someone caught in the quagmire of government.

From the beginning, Angela knew it was not about getting our name etched into history, but to help those that came looking for assistance. She also had to figure me out—that was a job in itself.

As an extraordinary staffer, Angela has helped calm many constituents with her patience and kind words. Her warm smile and welcoming personality brightened the day of those who entered our office. She was the mainstay of our office, she was my go-to person, the one that kept me out of trouble, and the one that I could just sit and chat with when it seemed things weren't going right.

In all of her undertakings, she has demonstrated outstanding ability, sound judgment, integrity, and efficiency. Throughout her career in state government, Angela's performance deserves praise. Her record of service can only be matched by the esteem in which she is held by our constituents and her peers.

Although Angela's departure reminds me that life is forever changing, I take this time to recognize a selfless individual whose countless efforts have made a positive difference in Michigan. Angela exemplifies a truly giving spirit. Her experience, enthusiasm, dedication, and positive attitude to the district, Legislature and to me will be greatly missed.

Above all that Angela has accomplished while working for the people of this great state, she has become more of a daughter to my wife and I. Having you and Dave as part of our family at home, and here in Lansing has given us many memories that will last a lifetime.

It is with great sadness to see you leave the doors of state government, but you will take with you our appreciation and admiration for your dedication to public service.

We also send our love and best wishes for a wonderful future with your husband, Dave, who is with us today.

It is with great pleasure that I extend my highest praise to Angela in acknowledgment of the excellent job she has done during her career in the Legislature. The people and I recognize your loyalty and dedication to public service and to a job well done.

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

The following communication was received:
Office of Senator Marty Knollenberg

August 25, 2016

I would like to be added as a co-sponsor on SB 995, 996, and 998.
Thank you for your consideration of my request.

Sincerely,
Marty Knollenberg
State Senator, 13th District

The communication was referred to the Secretary for record.

The Secretary announced that the following bills were printed and filed on Tuesday, September 6, and are available at the Michigan Legislature website:

Senate Bill Nos.	1031	1032	1033	1034	1035	1036	1037	1038	1039	1040	1041	1042	1043	1044
	1045	1046	1047	1048	1049	1050								

By unanimous consent the Senate proceeded to the order of
Introduction and Referral of Bills

Senators Bieda, Ananich, Knezek, Young, Gregory, Hood, Warren and Hopgood introduced
Senate Joint Resolution S, entitled

A joint resolution to petition the Congress of the United States to call a convention to propose an amendment to the Constitution of the United States to restrict independent political spending.

The joint resolution was read a first and second time by title and referred to the Committee on Government Operations.

Senator Green introduced

Senate Bill No. 1051, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 21102 and 21104 (MCL 324.21102 and 324.21104).

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

Senator Green introduced

Senate Bill No. 1052, entitled

A bill to amend 1984 PA 44, entitled "Motor fuels quality act," by amending section 6 (MCL 290.646), as amended by 2006 PA 271.

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

Senator Green introduced

Senate Bill No. 1053, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 21506a and 21508 (MCL 324.21506a and 324.21508), as amended by 2014 PA 416.

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

Senator Robertson introduced

Senate Bill No. 1054, entitled

A bill to amend 2004 PA 403, entitled "Michigan unarmed combat regulatory act," by amending sections 20, 30, 33, 33a, 47, 48, and 54a (MCL 338.3620, 338.3630, 338.3633, 338.3633a, 338.3647, 338.3648, and 338.3654a), sections 20, 30, 33, 47, and 48 as amended and sections 33a and 54a as added by 2015 PA 183.

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

Senators MacGregor and O'Brien introduced

Senate Bill No. 1055, entitled

A bill to amend 1984 PA 379, entitled "An act to define and regulate certain credit card transactions, agreements, charges, and disclosures; to prescribe the powers and duties of the financial institutions bureau and certain state agencies; to provide for the promulgation of rules; and to provide for fines and penalties," by amending section 1 (MCL 493.101).

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

Senators O'Brien and MacGregor introduced

Senate Bill No. 1056, entitled

A bill to amend 2006 PA 250, entitled "Money transmission services act," by amending section 4 (MCL 487.1004).

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

Senators Ananich, Hertel and Bieda introduced

Senate Bill No. 1057, entitled

A bill to amend 2012 PA 436, entitled "Local financial stability and choice act," by amending section 20 (MCL 141.1560).

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

Senators Ananich, Hertel and Bieda introduced

Senate Bill No. 1058, entitled

A bill to amend 1846 RS 12, entitled "Of certain state officers," by amending section 29 (MCL 14.29).

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

Senators Ananich, Hertel and Bieda introduced

Senate Bill No. 1059, entitled

A bill to amend 1964 PA 170, entitled "An act to make uniform the liability of municipal corporations, political subdivisions, and the state, its agencies and departments, officers, employees, and volunteers thereof, and members of certain boards, councils, and task forces when engaged in the exercise or discharge of a governmental function, for injuries to property and persons; to define and limit this liability; to define and limit the liability of the state when engaged in a proprietary function; to authorize the purchase of liability insurance to protect against loss arising out of this liability; to provide for defending certain claims made against public officers, employees, and volunteers and for paying damages sought or awarded against them; to provide for the legal defense of public officers, employees, and volunteers; to provide for reimbursement of public officers and employees for certain legal expenses; and to repeal acts and parts of acts," (MCL 691.1401 to 691.1419) by adding section 7d.

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

Senator Zorn introduced

Senate Bill No. 1060, entitled

A bill to amend 2006 PA 110, entitled "Michigan zoning enabling act," by amending section 208 (MCL 125.3208), as amended by 2010 PA 330.

The bill was read a first and second time by title and referred to the Committee on Economic Development and International Investment.

Senators Horn, Stamas, Bieda, Brandenburg, MacGregor, Knezek, Warren, Young, Hertel, Schmidt, Kowall, Zorn, Jones and Emmons introduced

Senate Bill No. 1061, entitled

A bill to amend 1996 PA 381, entitled "Brownfield redevelopment financing act," by amending sections 2, 8a, 11, 13, 15, and 16 (MCL 125.2652, 125.2658a, 125.2661, 125.2663, 125.2665, and 125.2666), section 2 as amended by 2013 PA 67 and section 8a as added and sections 13, 15, and 16 as amended by 2012 PA 502, and by adding sections 13a and 14a.

The bill was read a first and second time by title and referred to the Committee on Economic Development and International Investment.

Senators Brandenburg, Horn, Stamas, Bieda, MacGregor, Knezek, Warren, Hertel, Young, Schmidt, Kowall, Zorn and Jones introduced

Senate Bill No. 1062, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.713) by adding section 51e.

The bill was read a first and second time by title and referred to the Committee on Economic Development and International Investment.

Senators Stamas, Horn, Bieda, Brandenburg, MacGregor, Knezek, Warren, Schmidt, Kowall, Hertel, Young, Zorn and Jones introduced

Senate Bill No. 1063, entitled

A bill to amend 1933 PA 167, entitled “General sales tax act,” by amending section 25 (MCL 205.75), as amended by 2015 PA 262.

The bill was read a first and second time by title and referred to the Committee on Economic Development and International Investment.

Senators MacGregor, Horn, Stamas, Bieda, Brandenburg, Knezek, Warren, Hertel, Young, Schmidt, Kowall, Zorn and Jones introduced

Senate Bill No. 1064, entitled

A bill to amend 1937 PA 94, entitled “Use tax act,” by amending section 21 (MCL 205.111), as amended by 2015 PA 263.

The bill was read a first and second time by title and referred to the Committee on Economic Development and International Investment.

Senators Bieda, Horn, Stamas, Brandenburg, MacGregor, Knezek, Warren, Young, Schmidt, Kowall, Hertel, Zorn and Jones introduced

Senate Bill No. 1065, entitled

A bill to amend 1996 PA 376, entitled “Michigan renaissance zone act,” by amending section 9 (MCL 125.2689), as amended by 2011 PA 315.

The bill was read a first and second time by title and referred to the Committee on Economic Development and International Investment.

Senators Young and Johnson entered the Senate Chamber.

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. 727

Senate Bill No. 981

House Bill No. 5494

House Bill No. 5495

House Bill No. 5496

House Bill No. 5497

House Bill No. 5498

House Bill No. 5499

House Bill No. 5500

House Bill No. 5501

House Bill No. 5503

Senate Bill No. 995

Senate Bill No. 996

Senate Bill No. 997

Senate Bill No. 998

The motion prevailed.

The following bill was read a third time:

Senate Bill No. 727, entitled

A bill to amend 2000 PA 92, entitled “Food law,” by amending sections 1105, 3113, and 6101 (MCL 289.1105, 289.3113, and 289.6101), section 1105 as amended by 2014 PA 516 and section 6101 as amended by 2012 PA 178.

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. 480

Yeas—32

Ananich
Bieda

Hildenbrand
Hood

Knollenberg
Kowall

Robertson
Schmidt

Casperson	Hopgood	Marleau	Schuitmaker
Colbeck	Horn	Meekhof	Shirkey
Emmons	Hune	Nofs	Stamas
Gregory	Johnson	O'Brien	Warren
Hansen	Jones	Pavlov	Young
Hertel	Knezek	Proos	Zorn

Nays—4

Booher	Brandenburg	Green	MacGregor
--------	-------------	-------	-----------

Excused—1

Rocca

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. 981, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 525 (MCL 436.1525), as amended by 2014 PA 353.

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. 481**Yeas—36**

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

Nays—0**Excused—1**

Rocca

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

House Bill No. 5494, entitled

A bill to amend 2004 PA 378, entitled “Public body law enforcement agency act,” by amending sections 6 and 7 (MCL 28.586 and 28.587).

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. 482

Yeas—36

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

Nays—0

Excused—1

Rocca

Not Voting—0

In The Chair: President

Recess

Senator Kowall moved that the Senate recess subject to the call of the Chair.
The motion prevailed, the time being 10:25 a.m.

10:34 a.m.

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

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 allow certain public bodies to create law enforcement agencies and grant certain powers and authority to law enforcement officers employed by those agencies; to require those law enforcement officers to meet certain standards; to prescribe certain powers and duties of those law enforcement agencies; to provide for certain powers of public bodies; and to provide for certain powers and duties of state and local agencies and officers.”

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 5495, entitled

A bill to amend 2000 PA 246, entitled “Wolf-dog cross act,” by amending section 2 (MCL 287.1002).

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. 483**Yeas—36**

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

Nays—0**Excused—1**

Rocca

Not Voting—0

In The Chair: President

The question being on concurring in the committee recommendation to give the bill immediate effect,
 The recommendation was concurred in, 2/3 of the members serving voting therefor.
 The Senate agreed to the title of the bill.

The following bill was read a third time:

House Bill No. 5496, entitled

A bill to amend 2004 PA 403, entitled "Michigan unarmed combat regulatory act," by amending section 33 (MCL 338.3633), as amended by 2015 PA 183.

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. 484**Yeas—36**

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

Nays—0

Excused—1

Rocca

Not Voting—0

In The Chair: President

The question being on concurring in the committee recommendation to give the bill immediate effect, The recommendation was concurred in, 2/3 of the members serving voting therefor.

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

“An act to regulate the conduct of certain unarmed combat events and contests; to create the Michigan unarmed combat commission and establish its powers and duties; to provide for the powers and duties of certain state agencies and departments; to license and regulate promoters, contestants, and other persons engaged in the business of boxing and mixed martial arts; to confer immunity under certain circumstances; to provide for the conducting of certain tests; to assess fees; to establish the Michigan unarmed combat fund and provide for the use of the money in the fund; to authorize the promulgation of rules; to provide for penalties and remedies; and to repeal acts and parts of acts.”.

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 5497, entitled

A bill to amend 1927 PA 372, entitled “An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms, gas ejecting devices, and electro-muscular disruption devices; to prohibit the buying, selling, or carrying of certain firearms, gas ejecting devices, and electro-muscular disruption devices without a license or other authorization; to provide for the forfeiture of firearms and electro-muscular disruption devices under certain circumstances; to provide for penalties and remedies; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; to prohibit certain conduct against individuals who apply for or receive a license to carry a concealed pistol; to make appropriations; to prescribe certain conditions for the appropriations; and to repeal all acts and parts of acts inconsistent with this act,” by amending sections 1, 2a, and 12a (MCL 28.421, 28.422a, and 28.432a), sections 1 and 12a as amended by 2015 PA 207 and section 2a as amended by 2016 PA 6.

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. 485**Yeas—36**

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

Nays—0**Excused—1**

Rocca

Not Voting—0

In The Chair: President

The question being on concurring in the committee recommendation to give the bill immediate effect,
The recommendation was concurred in, 2/3 of the members serving voting therefor.
The Senate agreed to the title of the bill.

The following bill was read a third time:

House Bill No. 5498, entitled

A bill to amend 2006 PA 563, entitled “An act to restrict the use and disclosure of certain statements made by law enforcement officers,” by amending section 1 (MCL 15.391).

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. 486

Yeas—36

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

Nays—0

Excused—1

Rocca

Not Voting—0

In The Chair: President

The question being on concurring in the committee recommendation to give the bill immediate effect,
The recommendation was concurred in, 2/3 of the members serving voting therefor.
The Senate agreed to the title of the bill.

The following bill was read a third time:

House Bill No. 5499, entitled

A bill to amend 2001 PA 185, entitled “Legislative sergeant at arms police powers act,” by amending section 2 (MCL 4.382).

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. 487**Yeas—36**

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

Nays—0**Excused—1**

Rocca

Not Voting—0

In The Chair: President

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

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

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

“An act to commission and confer certain police and arrest powers on certain sergeants at arms and assistant sergeants at arms in the legislative branch; to prescribe certain duties and responsibilities of certain state employees; and to repeal acts and parts of acts.”.

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 5500, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending sections 42 and 726c (MCL 257.42 and 257.726c), as amended by 2012 PA 529.

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. 488**Yeas—36**

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

Nays—0

Excused—1

Rocca

Not Voting—0

In The Chair: President

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

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

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

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

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 5501, entitled

A bill to amend 2000 PA 274, entitled “Large carnivore act,” by amending section 2 (MCL 287.1102), as amended by 2013 PA 8.

The question being on the passage of the bill,

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

Roll Call No. 489

Yeas—36

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

Nays—0

Excused—1

Rocca

Not Voting—0

In The Chair: President

The question being on concurring in the committee recommendation to give the bill immediate effect,
The recommendation was concurred in, 2/3 of the members serving voting therefor.

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

“An act to regulate the ownership, possession, and care of certain large carnivores; to prohibit the ownership and possession of certain large carnivores; to impose fees; to prescribe the powers and duties of certain governmental entities and officials and of certain veterinarians; and to prescribe penalties and provide remedies.”.

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 5503, entitled

A bill to amend 1998 PA 386, entitled “Estates and protected individuals code,” by amending section 1303 (MCL 700.1303), as amended by 2000 PA 54.

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. 490**Yeas—36**

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

Nays—0**Excused—1**

Rocca

Not Voting—0

In The Chair: President

The question being on concurring in the committee recommendation to give the bill immediate effect, The recommendation was concurred in, 2/3 of the members serving voting therefor.

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

“An act to codify, revise, consolidate, and classify aspects of the law relating to wills and intestacy, relating to the administration and distribution of estates of certain individuals, relating to trusts, and relating to the affairs of certain individuals under legal incapacity; to provide for the powers and procedures of the court that has jurisdiction over these matters; to provide for the validity and effect of certain transfers, contracts, and deposits that relate to death; to provide procedures to facilitate enforcement of certain trusts; and to repeal acts and parts of acts.”.

The Senate agreed to the full title.

The following bill was read a third time:

Senate Bill No. 995, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending sections 2b, 602b, 643, 643a, and 665 (MCL 257.2b, 257.602b, 257.643, 257.643a, and 257.665), sections 2b and 665 as added, section 204a as amended by 2004 PA 362, and section 602b as amended by 2013 PA 231, and by adding sections 40c, 606b, and 665a; and to repeal acts and parts of acts.

The question being on the passage of the bill,

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

Roll Call No. 491

Yeas—36

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

Nays—0

Excused—1

Rocca

Not Voting—0

In The Chair: President

Senator Kowall offered to amend the title to read as follows:

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending sections 2b, 204a, 602b, 643, 643a, and 665 (MCL 257.2b, 257.204a, 257.602b, 257.643, 257.643a, and 257.665), sections 2b and 665 as added and section 602b as amended by 2013 PA 231, section 204a as amended by 2004 PA 362, and by adding sections 40c, 606b, and 665a; and to repeal acts and parts of acts.

The amendment to the title was adopted.

The Senate agreed to the title as amended.

Senators Bieda, Booher, Casperson, Emmons, Gregory, Hansen, Hood, Hopgood, Hune, Johnson, Knezek, Knollenberg, MacGregor, Meekhof, Nofs, O’Brien, Pavlov, Proos, Robertson, Schuitmaker, Shirkey, Young and Zorn were named co-sponsors of the bill.

The motion prevailed.

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

The motion prevailed.

Senator Kowall's statement is as follows:

We are about to vote on some bills. A few of us never get the opportunity to make such dramatic changes in the history of the state of Michigan. Some hundred and twenty-five years ago, a young man by the name of Henry Ford invented what is known now as the moving assembly line. Not since then has anything as dramatic as that taken place here in the state of Michigan. We are moving into the next century, ladies and gentlemen, and with your assistance we are going to secure Michigan's place, Detroit's place, Lansing's place, Flint's place, and all the automotive centers in this state as the center of the universe for autonomous vehicle study research development and manufacturing.

If you can think about what it was like when our grandparents had a horse and carriage, they were relying on that little brain of the horse for the horse to stop. Then some guy came along and invented a car that needed to be controlled all the time by the human spirit and by the human brain. Now we are embarking on intelligence that is computer-driven. We are going to be relying on that into the future, not only to keep Michigan in the center of it, but to move our kids around and to move us around as we get older.

Ninety-four percent of all accidents are created by human error, and this is going to take that human error out. Those of you who are coming back after we are gone in a couple of years, it is going to be your challenge to move this even further. Everything is going to have to be looked at; from how insurance is covered, and every other aspect in about, 125 other places in the vehicle code.

We are going to open all these up for co-sponsorship, because I do believe we do have just about all the Senators on board with this. I would be proud to have all of you co-sponsoring these bills. In particular, I want to thank the Senator from the 18th District for all her hard work on the center for mobility, which is going to be able to create centers of study for every research and development company in the world.

So, thank you once again for allowing me to speak on these bills, and thank you for your partnership in moving Michigan forward.

The following bill was read a third time:

Senate Bill No. 996, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," (MCL 257.1 to 257.923) by adding section 665b.

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. 492

Yeas—36

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

Nays—0

Excused—1

Rocca

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

Senators Bieda, Booher, Casperson, Emmons, Gregory, Hansen, Hildenbrand, Hood, Hopgood, Hune, Johnson, Knezek, Knollenberg, Meekhof, Nofs, O'Brien, Pavlov, Proos, Robertson, Schuitmaker, Shirkey, Young and Zorn were named co-sponsors of the bill.

The motion prevailed.

The following bill was read a third time:

Senate Bill No. 997, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 2b and 601a (MCL 257.2b and 257.601a), section 2b as added by 2013 PA 231 and section 601a as amended by 2011 PA 115, and by adding section 665a.

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. 493

Yeas—36

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

Nays—0

Excused—1

Rocca

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

Senators Bieda, Booher, Casperson, Emmons, Gregory, Hansen, Hildenbrand, Hood, Hopgood, Hune, Johnson, Knezek, MacGregor, Meekhof, Nofs, O'Brien, Pavlov, Proos, Robertson, Schuitmaker, Shirkey, Young and Zorn were named co-sponsors of the bill.

The motion prevailed.

The following bill was read a third time:

Senate Bill No. 998, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 2949b (MCL 600.2949b), as added by 2013 PA 251.

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. 494**Yeas—36**

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

Nays—0**Excused—1**

Rocca

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

Senators Bieda, Booher, Casperson, Emmons, Gregory, Hansen, Hildenbrand, Hood, Hopgood, Hune, Johnson, Knezek, Knollenberg, MacGregor, Meekhof, Nofs, Pavlov, Proos, Robertson, Schuitmaker, Shirkey, Young and Zorn were named co-sponsors of the bill.

The motion prevailed.

By unanimous consent the Senate returned to the order of

Motions and Communications

The following communication was received and read:

Office of the Senate Majority Leader

September 7, 2016

I would like Senate Bill 1032 re-referred to the Senate Committee on Agriculture.

If you have any questions regarding this matter, please do not hesitate to contact me.

Sincerely,
Arlan Meekhof
30th Senate District
Senate Majority Leader

The communication was referred to the Secretary for the record.

By unanimous consent the Senate proceeded to the order of

General Orders

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

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

Recess

Senator Kowall moved that the Committee of the Whole recess subject to the call of the Chairperson. The motion prevailed, the time being 11:26 a.m.

11:35 a.m.

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

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

Senate Bill No. 884, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending section 109 (MCL 400.109), as amended by 2012 PA 48.

House Bill No. 4022, entitled

A bill to provide for certain powers and duties for foster care caseworkers; to require monitoring of credit-related activity in foster children's names; and to provide for the powers and duties for certain courts, state departments, and agencies.

Senate Bill No. 1009, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 78q (MCL 211.78q), as added by 2014 PA 499.

Senate Bill No. 986, entitled

A bill to amend 1980 PA 350, entitled "The nonprofit health care corporation reform act," by amending sections 653 and 655 (MCL 550.1653 and 550.1655), as added by 2013 PA 4.

House Bill No. 5429, entitled

A bill to amend 1998 PA 362, entitled "Michigan marina and boatyard storage lien act," by amending sections 2, 3, 4, 5, and 6 (MCL 570.372, 570.373, 570.374, 570.375, and 570.376).

Senate Bill No. 1019, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 17210 and 17708 (MCL 333.17210 and 333.17708), section 17708 as amended by 2016 PA 49.

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

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

House Bill No. 5283, entitled

A bill to amend 1995 PA 29, entitled "Uniform unclaimed property act," by amending sections 2 and 36 (MCL 567.222 and 567.256), section 2 as amended by 2015 PA 242, and by adding section 36a.

Substitute (S-2).

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

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

Senate Bill No. 962, entitled

A bill to amend 1969 PA 306, entitled "Administrative procedures act of 1969," by amending sections 5, 44, 45, and 45a (MCL 24.205, 24.244, 24.245, and 24.245a), section 5 as amended by 2006 PA 460, section 44 as amended by 2004 PA 23, section 45 as amended by 2013 PA 200, and section 45a as amended by 2011 PA 245, and by adding section 45c.

Substitute (S-1).

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

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:
House Bill No. 5649, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 7403 (MCL 333.7403), as amended by 2015 PA 220.

Substitute (S-2).

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

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:
House Bill No. 5650, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 7404 (MCL 333.7404), as amended by 2015 PA 220.

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.

By unanimous consent the Senate proceeded to the order of

Statements

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

The motion prevailed.

Senator Colbeck’s statement is as follows:

I was wondering if you would be upset if the federal government knew of a risk that has a better than 12 percent chance of happening in the next decade, and could result in the deaths of 9-out-of-10 Americans, yet they did not anything effectively to take steps to protect against it? Sadly, that is the case today. What is the risk? An electromagnetic pulse (EMP) directed at our electric grid either as a result of a solar flare or attack by an enemy.

Do you remember the Blackout of 2003? During that event, the power outage duration was measured in days. An EMP event would result in a power outage for months or even years. Such an outage would go well beyond the temporary inconveniences experienced in 2003, such as traffic signals and lighting. Without power, most of us would have no water to drink or any support for our sanitation systems. We would have no diesel for trucks to bring food into grocery stores. All of the critical infrastructures that support modern civilization would be paralyzed by collapse of the electrical power grid.

I know you guys are thinking about this right now—is this something that is really possible or is it just some pie in the sky thing? It’s not just me saying it. According to the Congressional Task Force on the National and Homeland Security headed by Doctor Peter Vincent Pry, as recently as 2013, North Korea was caught flying a satellite over the United States in the optimum trajectory for an EMP attack to take down the grid in 48 states. They have also been caught with nuclear capable SA-2 missile launchers on freighters passing through our coastal waters. Coincident with the North Korea satellite flyby, parties unknown attacked the Metcalf substation in Silicon Valley with AK-47s that would have disabled the power in the region for months. In June of 2014, Al Qaeda used mortars and rockets to destroy key components of the Yemen infrastructure, plunging the whole nation of 24 million people into darkness. In March of 2015, Turkey suffered a temporary, nationwide blackout likely as a result of a cyber-attack by Iran. Even if no enemies attack our grid, in a 2015 White House Executive Order acknowledging the EMP threat, NASA estimates that likelihood of a catastrophic geomagnetic super storm over the next decade, on the order of the one which narrowly missed Earth on July 23, 2012, is better than 12 percent.

So what are we doing about it? The federal government, frankly, is doing nothing substantive on the matter. It is now up to the states to act—and act quickly.

What can states do? As it turns out, much more than I had originally thought when I started to investigate this matter. While most local efforts to harden our grid to date have focused upon physical security such as fences and cyber security, relatively little has been done to shield key components from an EMP blast. Some of these components are no longer manufactured in the United States resulting in lead times of over one year from German and South Korean sources. We could significant reduce the risk of prolonged power outages due to an EMP while also enhancing physical security by enclosing these key components in Faraday Cages coupled with the enhanced physical security and installation of high performance surge suppressors. Furthermore, we can shield the storage garages containing utility vehicles and equipment necessary to repair other components of the grid.

Hardening the grid typically has bi-partisan support. It’s not an issue as to whether or not we need to do something. As usual, though, it comes down to money. How much would it cost to take these steps to go off and harden the grid? Based upon similar efforts in other states, a 1-time expenditure for approximately the same amount of money that we used to

spend annually on the film credit program—\$50 million. As with most things in government, it comes down to priorities. I believe that protecting us from a reasonable risk to the lives of 9-out-of-10 of our citizens should be at the top of our priority list.

If you agree, I encourage you to join me in state-based efforts to harden Michigan's grid. We need an immediate assessment of vulnerabilities of our electric grid to EMP events and specific steps in Michigan that are needed to mitigate this risk.

Public safety should be our highest priority. Let's make that clear to those we serve by taking tangible steps to harden Michigan's grid.

Committee Reports

The Committee on Health Policy reported

House Bill No. 5001, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 17959 (MCL 333.17959), as amended by 2010 PA 304.

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.

Mike Shirkey
Chairperson

To Report Out:

Yeas: Senators Shirkey, O'Brien, Marleau, Jones, Stamas, Robertson, Hertel, Knezek and Hopgood

Nays: None

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

The Committee on Health Policy reported

House Bill No. 5314, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 9155 and 9156 (MCL 333.9155 and 333.9156), section 9155 as added by 2012 PA 342 and section 9156 as added by 2012 PA 343.

With the recommendation that the bill pass.

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

Mike Shirkey
Chairperson

To Report Out:

Yeas: Senators Shirkey, O'Brien, Marleau, Jones, Stamas, Robertson, Hertel, Knezek and Hopgood

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Health Policy submitted the following:

Meeting held on Tuesday, September 6, 2016, at 12:30 p.m., Senate Hearing Room, Ground Floor, Boji Tower

Present: Senators Shirkey (C), O'Brien, Marleau, Jones, Stamas, Robertson, Hertel, Knezek and Hopgood

Excused: Senator Hune

Scheduled Meetings

Economic Development and International Investment - Thursday, September 8, 1:30 p.m., Room 210, Farnum Building (373-5323)

Elections and Government Reform - Thursday, September 8, 9:00 a.m., Rooms 402 and 403, Capitol Building (373-1721)

Senate Fiscal Agency Board of Governors - Wednesday, September 21, 9:30 a.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building (373-2768)

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

Veterans, Military Affairs and Homeland Security - Thursday, September 8, 2:00 p.m., Room 110, Farnum Building (373-5314)

Senator Kowall moved that the Senate adjourn.
The motion prevailed, the time being 11:44 a.m.

The President, Lieutenant Governor Calley, declared the Senate adjourned until Thursday, September 8, 2016, at 10:00 a.m.

JEFFREY F. COBB
Secretary of the Senate

