

No. 41
STATE OF MICHIGAN
Journal of the Senate
98th Legislature
REGULAR SESSION OF 2016

Senate Chamber, Lansing, Thursday, April 28, 2016.

10:00 a.m.

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

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

Reverend Lori Wagner of Faith Apostolic Church of Troy offered the following invocation:

Lord, I am thankful for these people who have come here today. They have come as servants. Lord, You strapped a towel around Your waist and exemplified servant leadership. You have shown us that being a humble leader who serves the people is the true pathway to greatness. I ask You, God, to release the spirit of humility in this place.

Help the men and women gathered here today to have wisdom from on high, discernment, and Your plan and purpose in mind. Give them Your creative ideas. I pray Your blessing, peace, and presence would hover over this place today in a special way.

In Jesus' name, Amen.

The Associate President pro tempore, Senator O'Brien, led the members of the Senate in recital of the *Pledge of Allegiance*.

Motions and Communications

The President, Lieutenant Governor Calley, assumed the Chair.

Senator Schuitmaker entered the Senate Chamber.

Senator Hood moved that Senator 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.

Senator Kowall moved that rule 3.902 be suspended to allow his guests and the guests of Senators Schmidt, Young and Hildenbrand admittance to the Senate floor, including the center aisle.

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

Senator Kowall moved that rule 3.901 be suspended to allow photographs to be taken from the Senate floor.
The motion prevailed, a majority of the members serving voting therefor.

Senator Knezek moved that the Committee on Government Operations be discharged from further consideration of the following bill:

Senate Bill No. 734, entitled

A bill to repeal 2012 PA 436, entitled "Local financial stability and choice act," (MCL 141.1541 to 141.1575).

The motion did not prevail, a majority of the members serving not voting therefor.

Senator Hood requested the yeas and nays.

The yeas and nays were ordered, 1/5 of the members present voting therefor.

The motion did not prevail, a majority of the members serving not voting therefor, as follows:

Roll Call No. 201

Yeas—8

Ananich
Bieda

Gregory
Hertel

Hood
Hopgood

Knezek
Warren

Nays—27

Booher
Brandenburg
Casperson

Hildenbrand
Horn
Hune

Marleau
Meekhof
Nofs

Rocca
Schmidt
Schuitmaker

Colbeck	Jones	O'Brien	Shirkey
Emmons	Knollenberg	Pavlov	Stamas
Green	Kowall	Proos	Zorn
Hansen	MacGregor	Robertson	

Excused—2

Johnson	Young
---------	-------

Not Voting—0

In The Chair: President

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

The motion prevailed.

Senator Knezek's statement is as follows:

Today I rise to request the discharge of Senate Bill No. 734. It seems like every day we are presented with a new example of how our state-appointed emergency managers are failing our cities and our schools. This week is no different. On Tuesday, another troubling report in the *Detroit News* described how the emergency manager over the Detroit Public Schools system mismanaged their pension fund. Thirty million dollars in federal aid was sent to the district to help stabilize that pension fund. A competent manager would have taken that money and applied it directly to where it was intended. But instead, between June 2014 and February 2016, the emergency manager failed to properly disburse those funds. If you think we have any clue where those funds ended up, you'd be wrong.

We've been told time and time again that emergency managers will help to restore financial solvency to distressed cities and school districts. We've been told time and time again that emergency managers will help restore trust in government by righting the financial ship. We've been told time and time again that emergency managers will help improve credit ratings, and get our distressed cities and school districts out of debt. Clearly, nothing could be further from the truth. Just this week, an independent credit agency, Fitch Ratings, well, they agreed. They released a report that said the appointment of emergency managers may not improve the prospects for a full and timely debt repayment. If emergency managers are not even fulfilling the most basic aspects of their intended purpose, what is the point of employing them at all?

Michigan's emergency manager law is a failed experiment. The people of this state acknowledged it when they voted to repeal this law in 2012. The Governor has acknowledged it. The Flint Water Task Force has acknowledged it, and now an independent credit ratings agency has acknowledged it, as well. There is no good reason to allow this undemocratic practice to continue, Mr. President.

My bill, Senate Bill No. 734, has sat in committee since February 2 of this year. It is clear that there is no intention of holding a hearing on that bill. So I'm asking us to act here today, Mr. President. Colleagues, I encourage you to listen to the will of the people and to listen to the massive body of evidence. I'm asking you to hold a vote. Let us show Michigan where we stand as legislators. I'm asking you to join me in repealing the law that has failed the citizens of this state and has led to tragic consequences for so many.

The following communication was received:
Department of State

Administrative Rules
Notice of Filing

April 26, 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 #2016-006-TY (Secretary of State Filing #16-04-08) on this date at 3:22 p.m. for the Department of Treasury entitled, "Income Tax."

The rule becomes effective 7 days after filing with the Secretary of State. The rule is adopted under section 44 of 1969 PA 306.

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

The communication was referred to the Secretary for record.

The Secretary announced that the following House bills were received in the Senate and filed on Wednesday, April 27:
House Bill Nos. 4947 4948 4949 4950 4951 4952 4953 4954 4955 4956

The Secretary announced that the following House bills were received in the Senate and filed on Thursday, April 28:
House Bill Nos. 4957 4958 4959 4960 4961 5294

The Secretary announced that the following bills and joint resolution were printed and filed on Wednesday, April 27, and are available at the Michigan Legislature website:

Senate Bill No. 921
House Bill Nos. 5603 5604 5605 5606 5607 5608
House Joint Resolution KK

Senator Young entered the Senate Chamber.

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

The motion prevailed.

Senator Meekhof's statement is as follows:

I don't like doing this very often, but I believe that if we train our staff very well, they will be eligible for a much better career. Maybe it won't be with us in the Senate, but someplace else. This is very true for Chad Arnold. I would like to read a tribute prepared for him:

"LET IT BE KNOWN, That today we recognize the exemplary contributions of Chad Arnold to the Michigan Senate as he moves on to a new career opportunity. Chad has served the citizens of Michigan in the Legislature for more than 15 years. In his most recent role as a policy advisor in the Senate Majority Policy Office, he has provided his expertise advising the Finance, Transportation, and Insurance committees, and the Transportation, Insurance and Financial Services, and Licensing and Regulatory Affairs Appropriations subcommittees.

In his role as advisor to the Transportation Committee, Chad devoted his time and talents working diligently with lawmakers, state agencies, and key interest groups to craft legislation signed into law last year to help provide for Michigan's long-term infrastructure needs.

Prior to joining SMPO, Chad served this body in various roles with former Senators Bruce Caswell, Nancy Cassis, and Mike Goschka. He also spent time working in the House of Representatives. Chad earned a bachelor's degree in Political Science and History from the University of Michigan.

Chad is a devoted husband and father to his wife Amy and their children Jack and Elizabeth. During his free time, he can be found cheering on his beloved Wolverines and Detroit Tigers, often with Jack in tow. Chad is an avid runner with a marathon under his belt, and he also loves to play soccer.

The Legislature is a transient place, and one of the difficulties of serving with good people is that they eventually move on. We are going to miss Chad and wish him all of the best as he advances in his career to serve the Department of Insurance and Financial Services. There is no doubt that his capabilities, coupled with his experiences here in the Senate, have prepared him well for his next role.

IN SPECIAL TRIBUTE, Therefore, this tribute is signed and documented to honor the service of Chad Arnold to the Michigan Senate and the people of the state of Michigan."

Senator Young's statement is as follows:

Mr. President, Charles Mahone II has only been an intern in my office since January, but he instantly became a positive member of our team. I call him Good Luck Chuck, and he is leaving. This is one of those things that I can't stand, because we have good people who leave us. I feel like grabbing you right now and saying, "Where do you think you're going, man? You're not going anywhere."

Chuck is the student body president of the Student Government Association and a Carey Hall resident assistant at Central Michigan University. He is graduating from Central Michigan University in political science, and he will be returning to Central Michigan University to obtain his master's degree. His entire tab will be paid for by the university, as well as all expenses incurred at Central to date.

I give him this signed and framed seal, thanking him for all of his hard work in my office for the citizens of Michigan. Charles was a guy when you saw him, his personality and his smile would instantly light up a room. The guy is funny. He is smart. He is brilliant. He is talented, and I really do not want him to leave at all, but I know the world will be a better place with you in it. Whatever you do, when you go out there and accomplish big things, don't forget about us little people. I am very proud of you. I wanted to give this to you and say God bless you in your endeavors.

Recess

Senator Kowall moved that the Senate recess subject to the call of the Chair.
The motion prevailed, the time being 10:24 a.m.

10:32 a.m.

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

During the recess, Senator Hildenbrand introduced the Lowell High School Wrestling Team, 2016 MHSAA Division 2 State Champions, and Coach R.J. Boudro, Division 2 Coach of the Year; and presented them with a Special Tribute.
Coach Boudro responded briefly.

Senator Kowall moved that the rules be suspended and that the following bills, now on Committee Reports, be placed on the General Orders calendar for consideration today:

House Bill No. 5176

House Bill No. 5525

House Bill No. 5526

House Bill No. 5527

House Bill No. 5545

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

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 Shirkey as Chairperson.

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

House Bill No. 4436, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 323 (MCL 257.323), as amended by 2001 PA 159.

House Bill No. 4769, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 7410 (MCL 333.7410), as amended by 2006 PA 552.

House Bill No. 5526, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending sections 9f, 9m, 9n, 19, and 53b (MCL 211.9f, 211.9m, 211.9n, 211.19, and 211.53b), sections 9f, 9m, and 9n as amended by 2015 PA 119, section 19 as amended by 2014 PA 87, and section 53b as amended by 2013 PA 153.

House Bill No. 5527, entitled

A bill to amend 1974 PA 198, entitled "An act to provide for the establishment of plant rehabilitation districts and industrial development districts in local governmental units; to provide for the exemption from certain taxes; to levy and collect a specific tax upon the owners of certain facilities; to impose and provide for the disposition of an administrative fee; to provide for the disposition of the tax; to provide for the obtaining and transferring of an exemption certificate and to prescribe the contents of those certificates; to prescribe the powers and duties of the state tax commission and certain officers of local governmental units; and to provide penalties," by amending section 11a (MCL 207.561a), as amended by 2015 PA 123.

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. 4990, entitled

A bill to amend 1909 PA 279, entitled "The home rule city act," by amending section 5f (MCL 117.5f), as amended by 2002 PA 201.

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. 4991, entitled

A bill to amend 1895 PA 3, entitled "The general law village act," by amending section 36 (MCL 68.36), as amended by 2002 PA 276.

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. 4992, entitled

A bill to amend 1909 PA 278, entitled "The home rule village act," by amending section 24b (MCL 78.24b), as amended by 2002 PA 277.

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. 4993, entitled

A bill to amend 1846 RS 16, entitled "Of the powers and duties of townships, the election and duties of township officers, and the division of townships," by amending section 75b (MCL 41.75b), as amended by 2002 PA 226.

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. 4994, entitled

A bill to amend 1851 PA 156, entitled "An act to define the powers and duties of the county boards of commissioners of the several counties, and to confer upon them certain local, administrative and legislative powers; and to prescribe penalties for the violation of the provisions of this act," by amending section 11c (MCL 46.11c), as amended by 2002 PA 275.

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. 4864, entitled

A bill to amend 2014 PA 276, entitled "Methamphetamine abuse reporting act," by amending section 4 (MCL 28.124).

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. 5176, entitled

A bill to amend 2014 PA 86, entitled "Local community stabilization authority act," by amending sections 14, 17, and 21 (MCL 123.1354, 123.1357, and 123.1361), sections 14 and 17 as amended by 2015 PA 122; and to repeal acts and parts of acts.

Substitute (S-3).

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. 5525, entitled

A bill to amend 2014 PA 92, entitled "State essential services assessment act," by amending sections 3, 7, 9, and 11 (MCL 211.1053, 211.1057, 211.1059, and 211.1061), sections 3 and 7 as amended by 2015 PA 120.

Substitute (S-4).

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. 5545, entitled

A bill to amend 2014 PA 93, entitled "Alternative state essential services assessment act," by amending sections 3, 7, and 9 (MCL 211.1073, 211.1077, and 211.1079), sections 3 and 7 as amended by 2015 PA 121.

Substitute (S-4).

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 returned to the order of

Third Reading of Bills

Senator Kowall moved that the rules be suspended and that the following bills, now on the order of Third Reading of Bills, be placed on their immediate passage:

House Bill No. 5176

House Bill No. 5525

House Bill No. 5526

House Bill No. 5527

House Bill No. 5545

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

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

House Bill No. 5176

House Bill No. 5525

House Bill No. 5526

House Bill No. 5527

House Bill No. 5545

House Bill No. 4636

Senate Bill No. 754

Senate Bill No. 755

Senate Bill No. 756

Senate Bill No. 757

- Senate Bill No. 758
- Senate Bill No. 759
- Senate Bill No. 760
- Senate Bill No. 761
- Senate Bill No. 762
- Senate Bill No. 763
- Senate Bill No. 764
- Senate Bill No. 765
- Senate Bill No. 766
- Senate Bill No. 767

The motion prevailed.

The following bill was read a third time:

House Bill No. 5176, entitled

A bill to amend 2014 PA 86, entitled "Local community stabilization authority act," by amending sections 14, 17, and 21 (MCL 123.1354, 123.1357, and 123.1361), sections 14 and 17 as amended by 2015 PA 122; 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. 202

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: President

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

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

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

"An act to create a metropolitan authority; to prescribe the powers, duties, and jurisdictions of the metropolitan authority; to prescribe the powers and duties of certain state officials; to levy, collect, and distribute a tax; 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. 5525, entitled

A bill to amend 2014 PA 92, entitled “State essential services assessment act,” by amending sections 3, 7, 9, and 11 (MCL 211.1053, 211.1057, 211.1059, and 211.1061), sections 3 and 7 as amended by 2015 PA 120.

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. 203

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: 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 levy a specific tax on certain personal property; to provide for the administration, collection, and distribution of the specific tax; to provide for an exemption from that specific tax; to impose certain duties on persons and certain state departments; to impose penalties; and to repeal acts and parts of acts.”.

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 5526, entitled

A bill to amend 1893 PA 206, entitled “The general property tax act,” by amending sections 9f, 9m, 9n, 19, and 53b (MCL 211.9f, 211.9m, 211.9n, 211.19, and 211.53b), sections 9f, 9m, and 9n as amended by 2015 PA 119, section 19 as amended by 2014 PA 87, and section 53b as amended by 2013 PA 153.

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. 204

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: 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 assessment of rights and interests, including leasehold interests, in property and the levy and collection of taxes on property, and for the collection of taxes levied; making those taxes a lien on the property taxed, establishing and continuing the lien, providing for the sale or forfeiture and conveyance of property delinquent for taxes, and for the inspection and disposition of lands bid off to the state and not redeemed or purchased; to provide for the establishment of a delinquent tax revolving fund and the borrowing of money by counties and the issuance of notes; to define and limit the jurisdiction of the courts in proceedings in connection with property delinquent for taxes; to limit the time within which actions may be brought; to prescribe certain limitations with respect to rates of taxation; to prescribe certain powers and duties of certain officers, departments, agencies, and political subdivisions of this state; to provide for certain reimbursements of certain expenses incurred by units of local government; to provide penalties for the violation of this act; 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. 5527, entitled

A bill to amend 1974 PA 198, entitled “An act to provide for the establishment of plant rehabilitation districts and industrial development districts in local governmental units; to provide for the exemption from certain taxes; to levy and collect a specific tax upon the owners of certain facilities; to impose and provide for the disposition of an administrative fee; to provide for the disposition of the tax; to provide for the obtaining and transferring of an exemption certificate and to prescribe the contents of those certificates; to prescribe the powers and duties of the state tax commission and certain officers of local governmental units; and to provide penalties,” by amending section 11a (MCL 207.561a), as amended by 2015 PA 123.

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. 205

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: 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. 5545, entitled

A bill to amend 2014 PA 93, entitled "Alternative state essential services assessment act," by amending sections 3, 7, and 9 (MCL 211.1073, 211.1077, and 211.1079), sections 3 and 7 as amended by 2015 PA 121.

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. 206

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: 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 levy a tax on certain personal property; to provide for the administration, collection, and distribution of the tax; to impose certain duties on persons and certain state departments; to impose penalties; and to repeal acts and parts of acts.”

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 4636, entitled

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” by amending section 1202 (MCL 500.1202), as amended by 2014 PA 150.

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. 207**Yeas—33**

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

Nays—3

Colbeck	MacGregor	O’Brien
---------	-----------	---------

Excused—1

Johnson

Not Voting—0

In The Chair: President

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

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

“An act to revise, consolidate, and classify the laws relating to the insurance and surety business; to regulate the incorporation or formation of domestic insurance and surety companies and associations and the admission of foreign and alien companies and associations; to provide their rights, powers, and immunities and to prescribe the conditions

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

The Senate agreed to the full title.

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

The motion prevailed.

Senator Knezek's statement is as follows:

Like so many offices, at the end of the academic semester, I get to come to the podium to say good-bye to a number of interns who have committed themselves to our office over the past couple of months. Today is no different. We are saying good-bye to Drew Suing today.

Drew is unlike many of the other interns we have had because he actually started with us last May, worked through the entire summer semester, and came back for both the fall and winter semesters. He has proven himself to be a man of character and someone who truly cares about helping people. Drew is always trying to know himself and seeks self-improvement. Over this past year, Drew has become a friend.

I would simply like to ask my colleagues to join me in thanking Drew for his service to the state of Michigan.

The following bill was read a third time:

Senate Bill No. 754, entitled

A bill to amend 1976 PA 451, entitled “The revised school code,” by amending sections 626, 681, 684, 1230d, 1277, 1288, 1310a, 1525, 1535a, 1539b, 1561, 1711, and 1751 (MCL 380.626, 380.681, 380.684, 380.1230d, 380.1277, 380.1288, 380.1310a, 380.1525, 380.1535a, 380.1539b, 380.1561, 380.1711, and 380.1751), sections 681 and 684 as amended by 2007 PA 45, sections 1230d, 1535a, and 1539b as amended by 2006 PA 680, section 1277 as amended by 1997 PA 179, section 1310a as amended by 2000 PA 230, section 1525 as amended by 2004 PA 596, section 1561 as amended by 2009 PA 204, and sections 1711 and 1751 as amended by 2008 PA 1, and by adding section 1281b; 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. 208

Yeas—36

Ananich
Bieda

Hansen
Hertel

Knollenberg
Kowall

Robertson
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: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 755, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 19, 51a, and 58 (MCL 388.1619, 388.1651a, and 388.1658), section 19 as amended by 2014 PA 196, section 51a as amended by 2015 PA 85, and section 58 as amended by 1997 PA 93, and by adding section 19a.

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. 209

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: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 756, entitled

A bill to repeal 1982 PA 26, entitled “An act to provide for emergency financial assistance for certain school districts; to prescribe certain powers and duties of intermediate school boards, local school boards, the state board of education, the state treasurer, and the auditor general; to create an emergency loan revolving fund; to make an appropriation; and to prescribe penalties,” (MCL 388.811 to 388.829).

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. 210**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: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 757, entitled

A bill to repeal 1962 PA 198, entitled “An act to authorize the state board of control for vocational education to accept federal funds with which to establish a program to alleviate conditions of persistent unemployment and underemployment in certain economically distressed areas,” (MCL 395.71 to 395.73).

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. 211**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: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 758, entitled

A bill to repeal 1964 PA 28, entitled "An act to transfer the powers, duties and functions of the state board of control for vocational education to the state board of education," (MCL 395.21).

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. 212**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: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 759, entitled

A bill to repeal 1931 PA 205, entitled “An act to require the teaching of civics and political science in high schools, county normals and colleges, to prohibit the granting of diplomas, and degrees to students not successfully completing said courses, and to provide penalties for the violation thereof,” (MCL 388.372).

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. 213

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: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 760, entitled

A bill to repeal 1966 PA 156, entitled “An act to provide state scholarships for students in the field of special education; and to make an appropriation therefor,” (MCL 388.1051 to 388.1055).

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. 214

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: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 761, entitled

A bill to repeal 1974 PA 299, entitled "Education for the gifted and/or academically talented act," (MCL 388.1091 to 388.1094).

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. 215

Yeas—30

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

Nays—6

Ananich	Hood	Warren	Young
Bieda	Hopgood		

Excused—1

Johnson

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. 762, entitled

A bill to repeal 1964 PA 238, entitled “An act to authorize the state of Michigan, boards of supervisors, local governing boards and school districts to appropriate moneys to foster and maintain demonstration educational and work experience programs through a special job upgrading program for unemployed, out of work, school dropouts; define the powers and duties of the superintendent of public instruction; and to provide for appropriations,” (MCL 395.171 to 395.175).

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. 216**Yeas—35**

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

Nays—1

Hood

Excused—1

Johnson

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. 763, entitled

A bill to amend 1979 PA 94, entitled “The state school aid act of 1979,” by amending sections 51a and 58 (MCL 388.1651a and 388.1658), section 51a as amended by 2015 PA 85 and section 58 as amended by 1997 PA 93.

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. 217**Yeas—35**

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	Zorn
Gregory	Knezek	Proos	

Nays—1

Young

Excused—1

Johnson

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. 764, entitled

A bill to repeal 1919 PA 149, entitled "An act to accept the requirements and benefits of an act of the sixty-fourth congress of the United States, approved February 23, 1917, known as the Smith-Hughes act, or Public Act No. 347, relating to appropriations to be made by the federal government to the several states for the support and control of instruction in agriculture, the trades, industries, and home economics, and for the preparation of teachers of vocational subjects; to designate a state board of control for vocational education; to provide for the proper custody and administration of funds received by the state from such appropriations; and to provide for appropriations by the state and by local school authorities to meet the conditions of said act of congress," (MCL 395.1 to 395.10).

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. 218**Yeas—34**

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

Nays—2

Hood

Young

Excused—1

Johnson

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. 765, entitled

A bill to amend 1976 PA 451, entitled “The revised school code,” by amending section 684 (MCL 380.684), as amended by 2007 PA 45; 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. 219

Yeas—36

Ananich
Bieda
Booher
Brandenburg
Casperson
Colbeck
Emmons
Green
Gregory

Hansen
Hertel
Hildenbrand
Hood
Hopgood
Horn
Hune
Jones
Knezek

Knollenberg
Kowall
MacGregor
Marleau
Meekhof
Nofs
O’Brien
Pavlov
Proos

Robertson
Rocca
Schmidt
Schuitmaker
Shirkey
Stamas
Warren
Young
Zorn

Nays—0

Excused—1

Johnson

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. 766, entitled

A bill to amend 1964 PA 287, entitled “An act to provide for the organization and functions of the state boards of education under the constitutions of 1908 and 1963; to provide for the appointment and functions of the superintendent of public instruction under the constitution of 1963; and to repeal certain acts and parts of acts,” by amending section 8b (MCL 388.1008b).

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. 220

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: President

The Senate agreed to the title of the bill.

The Assistant President pro tempore, Senator O’Brien, resumed the Chair.

The following bill was read a third time:

Senate Bill No. 767, entitled

A bill to repeal 1964 PA 44, entitled “An act to authorize the state board of control for vocational education to accept federal funds as provided under the provisions of federal law,” (MCL 395.31 to 395.34).

The question being on the passage of the bill,

Senator Young offered the following amendment:

1. Amend page 1, following line 2, by inserting:

“Enacting section 2. This amendatory act does not take effect unless Senate Bill No. 734 of the 98th Legislature is enacted into law.”.

The amendment was not adopted, a majority of the members serving not voting therefor.

Senator Hood requested the yeas and nays.

The yeas and nays were ordered, 1/5 of the members present voting therefor.

The amendment was not adopted, a majority of the members serving not voting therefor, as follows:

Roll Call No. 221**Yeas—9**Ananich
Bieda
GregoryHertel
HoodHopgood
KnezekWarren
Young**Nays—27**Booher
Brandenburg
Casperson
Colbeck
Emmons
Green
HansenHildenbrand
Horn
Hune
Jones
Knollenberg
Kowall
MacGregorMarleau
Meekhof
Nofs
O'Brien
Pavlov
Proos
RobertsonRocca
Schmidt
Schuitmaker
Shirkey
Stamas
Zorn**Excused—1**

Johnson

Not Voting—0

In The Chair: O'Brien

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. 222**Yeas—33**Bieda
Booher
Brandenburg
Casperson
Colbeck
Emmons
Green
Gregory
HansenHertel
Hildenbrand
Hopgood
Horn
Hune
Jones
Knezek
KnollenbergKowall
MacGregor
Marleau
Meekhof
Nofs
O'Brien
Pavlov
ProosRobertson
Rocca
Schmidt
Schuitmaker
Shirkey
Stamas
Warren
Zorn**Nays—3**

Ananich

Hood

Young

Excused—1

Johnson

Not Voting—0

In The Chair: O'Brien

The Senate agreed to the title of the bill.

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

The motion prevailed.

Senator Young's statement is as follows:

Madam President, I would like to start with a quote from Tyrion Lannister: "Sorcery is the sauce fools spoon over failure to hide the flavor of their own incompetence." Emergency managers have long operated in a world of smoke and mirrors. Their effectiveness is an illusion. It is not real. They're not accountable to anyone, and when they make mistakes, people pay with their lives. By failing to address and repeal the emergency manager law, the majority here is just trying to hide their own failures.

My amendment will tie-bar Senate Bill No. 767 to Senate Bill No. 734. While we're talking about education, let's talk about the best way to make our schools safe and solvent. It's making sure that none of our school districts ever fall under the tyrannical rule of an emergency manager ever again. We can't let another emergency manager take over another school district and plunge it into financial ruin.

This is a time when people have died in Flint; where the water is not clean; where teachers in Detroit do not have their pensions paid to them, because the emergency manager refused to; where children are being educated in schools with rats and mold; where we live in a time when water is unsafe. Madam President, I live in a city where infants' blood is running through the streets because they have been murdered by gunshots.

In this time, now more than ever, we need government that is accountable and held to the standard that the people uphold. That is part of our democratic way. The emergency managers are an exact affront to that and the greatest threat to democracy.

For the sake of democracy, for the sake of liberty, for the sake of life, for the sake of accountability, for the sake of justice for the victims of Flint, Madam President, I urge you to vote for my amendment to repeal the emergency manager law.

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.

Senators Hopgood, Knezek, Marleau, Hood, Hansen, Zorn, Knollenberg, MacGregor, Hertel, Kowall and Warren offered the following resolution:

Senate Resolution No. 170.

A resolution commemorating May 2016 as Asian Pacific American Heritage Month.

Whereas, The state of Michigan is fortunate to be home to more than 300,000 residents of Asian and Pacific Island descent; and

Whereas, Asian Pacific Americans comprise one of the fastest-growing populations in both the state and the nation; in fact, the largest-growing population in Michigan, according to the 2010 U.S. Census; and

Whereas, The Asian and Pacific Island regions are tremendously diverse; with more than thirty countries, sixteen major ethnic groups, nine languages, and numerous belief systems bringing their culture to Michigan; and

Whereas, Citizens of Asian and Pacific Island descent, in each generation—from the laborers who connected our coasts one and a half centuries ago to the patriots who fought overseas while their families were interned at home—these patriotic Americans have enhanced our culture, quality of life, and economic vitality through leadership, commitments to knowledge and advancement, and dedication to their communities; and

Whereas, The state of Michigan and the United States of America have been enriched by the contributions of Asian Pacific Americans in all facets of life, including the arts, sciences, business, education, and philanthropy. Michigan has

recognized the contributions Asian Pacific Americans and other immigrants make to our economy with the establishment of the Michigan Office for New Americans; and

Whereas, The culture and contributions of our Asian and Pacific Island residents will continue to grow in significance as more Asian Pacific Americans choose to make Michigan their home and as our economy becomes increasingly intertwined with the economies throughout Asia; and

Whereas, Asian Pacific Americans, through advocating issues of justice and equality, continue to break down the barriers of discrimination, indifference, and intolerance, thereby opening doors for all Asian Pacific Americans; and

Whereas, Asian Pacific American residents are proudly served in Michigan by many dedicated organizations, including the Asian Pacific American Affairs Commission, Asian Pacific American Chamber of Commerce, Council of Asian Pacific Americans, Asian American Citizens for Justice, Asian Center Southeast Michigan and West Michigan, West Michigan Asian Pacific American Association, APIA-Vote Michigan, and Michigan Asian Pacific American Bar Association; and

Whereas, The state of Michigan takes pride in its cultural diversity and welcomes the opportunity to honor our Asian Pacific American residents for their lasting, expanding imprint upon our state; now, therefore, be it

Resolved by the Senate, That the members of this legislative body commemorate May 2016 as Asian Pacific American Heritage Month in the state of Michigan. We encourage all citizens to celebrate the individual and collective contributions of Asian Pacific Americans to this state and to this country.

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 Ananich, Bieda, Booher, Brandenburg, Gregory and Proos were named co-sponsors of the resolution.

Senator Ananich offered the following resolution:

Senate Resolution No. 171.

A resolution to commemorate April 28, 2016, as Workers' Memorial Day.

Whereas, Every year on April 28, communities and worksites around the world honor friends, family members, and colleagues who have been killed or injured on the job; and

Whereas, The Federal Bureau of Labor Statistics has reported that 4,679 fatal work injuries were recorded in the United States in 2014, an increase of 2 percent over the revised count of 4,585 fatal work injuries in 2013. There were 4,585 workers killed in 2013 by traumatic injuries, and an estimated 50,000 died from occupational diseases; and

Whereas, In 2014, 142 workers were lost through fatal workplace accidents in Michigan, and in 2014, there were 140,000 injuries and illnesses reported; and

Whereas, It is appropriate to honor the memory of the courageous and dedicated members of Michigan's labor force who have been injured, disabled, or died as a result of workplace accidents; and

Whereas, We remember those who have died in workplace catastrophes, suffered occupation-related diseases, or injured due to dangerous conditions; and

Whereas, Recognition of the integrity of Michigan's work force and its achievements on behalf of the economic growth of our state is necessary; and

Whereas, The Michigan Senate wishes to pay tribute to the workers who have died, been injured, or disabled in workplace accidents. We honor the contributions of Michigan's work force and call for increased workplace safety; now, therefore, be it

Resolved by the Senate, That we hereby commemorate April 28, 2016, as Workers' Memorial Day in Michigan.

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, Booher, Brandenburg, Gregory, Hertel, Hopgood and Zorn were named co-sponsors of the resolution.

Senator Meekhof offered the following concurrent resolution:

Senate Concurrent Resolution No. 29.

A concurrent resolution of tribute offered as a memorial for Edgar "Ed" Fredricks, former member of the Michigan House of Representatives and Michigan Senate.

Whereas, The members of the Michigan Legislature are saddened to learn of the passing of Ed Fredricks. He will be remembered for his exemplary service to the people of western Michigan and the entire state; and

Whereas, Ed Fredricks was interested in politics from a young age. He joined the Young Republicans while attending Calvin College, where he earned his degree in Economics. While at Western Michigan University earning master's

degrees in History and Sociology, he worked as an aide to U.S. Representative Guy Vander Jagt and served as executive director of Michigan Citizens for Nixon. He became an author when his master's thesis, *MacArthur: His Mission and Meaning*, was published in 1968. After college, his dedication to public service led him to work for the U.S. Department of State, where he served as the vice-consul for the U.S. embassy in South Korea and for the Bureau of International Organization Affairs; and

Whereas, Ed Fredricks would go on to serve western Michigan in both chambers of the Legislature. He was elected to the Michigan House of Representatives in 1974 and again in 1976 and also served three terms in the Michigan Senate, beginning in 1979. While in office, he provided a strong conservative voice for the people of Holland and western Michigan. He served with distinction as vice-chair of the House Labor Committee and as chairman of the Joint Committee on Administrative Rules. In the Senate, he served as vice-chair of the Local Government and Veterans Committee and as a member of the State Affairs, Tourism, and Transportation Committee; and

Whereas, After retiring from politics in 1990, Ed Fredricks traveled widely. Being a devoted student of the Bible, he sat in on classes at seminaries around the world. A great sports fan, he followed his beloved Detroit Tigers and Red Wings avidly. Throughout his life, he lived a modest lifestyle, giving to others while keeping little for himself; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That we offer this expression of our highest tribute to honor the memory of Edgar Fredricks, a member of the Michigan House of Representatives from 1975 to 1978 and the Senate from 1979 to 1990; and be it further

Resolved, That copies of this resolution be transmitted to the Fredricks family as evidence of our lasting esteem for his memory.

Pending the order that, under rule 3.204, the concurrent 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 concurrent resolution was adopted by a unanimous standing vote of the Senate.

Senator Kowall moved that rule 3.204 be suspended to name the entire membership of the Senate and the Lieutenant Governor as co-sponsors of the concurrent resolution.

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

A moment of silence was observed in memory of Edgar Fredricks, former member of the House of Representatives and Senate.

Introduction and Referral of Bills

Senator Emmons introduced

Senate Bill No. 922, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 17301, 17303, 17311, 17313, 17315, 17317, 17319, 17327, 17329, and 17333 (MCL 324.17301, 324.17303, 324.17311, 324.17313, 324.17315, 324.17317, 324.17319, 324.17327, 324.17329, and 324.17333), sections 17301, 17311, 17313, and 17327 as added by 2008 PA 394, sections 17303 and 17317 as amended by 2015 PA 82, sections 17315 and 17333 as added by 2008 PA 392, section 17319 as added by 2008 PA 395, and section 17329 as added by 2008 PA 393, and by adding sections 17302, 17304, 17319a, 17320, 17320a, 17326, and 17335.

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

Senator Jones introduced

Senate Bill No. 923, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 136c (MCL 750.136c), as added by 2000 PA 205.

The bill was read a first and second time by title and referred to the Committee on Families, Seniors and Human Services.

Senator Jones introduced

Senate Bill No. 924, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 15f of chapter XVII (MCL 777.15f), as added by 2002 PA 206.

The bill was read a first and second time by title and referred to the Committee on Families, Seniors and Human Services.

Senator Jones introduced

Senate Bill No. 925, entitled

A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending section 55 of chapter X (MCL 710.55), as added by 1994 PA 222.

The bill was read a first and second time by title and referred to the Committee on Families, Seniors and Human Services.

Senator Jones introduced

Senate Bill No. 926, entitled

A bill to amend 1998 PA 386, entitled "Estates and protected individuals code," by amending section 5103 (MCL 700.5103), as amended by 2004 PA 93.

The bill was read a first and second time by title and referred to the Committee on Families, Seniors and Human Services.

Senators Kowall, Horn, Schmidt and Warren introduced

Senate Bill No. 927, entitled

A bill to amend 1979 PA 53, entitled "An act to prohibit access to computers, computer systems, and computer networks for certain fraudulent purposes; to prohibit intentional and unauthorized access, alteration, damage, and destruction of computers, computer systems, computer networks, computer software programs, and data; to prohibit the sending of certain electronic messages; and to prescribe penalties," by amending sections 4 and 7 (MCL 752.794 and 752.797), section 4 as amended by 1996 PA 326 and section 7 as amended by 2000 PA 180.

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

Senators Horn, Kowall, Schmidt and Warren introduced

Senate Bill No. 928, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 17c of chapter XVII (MCL 777.17c), as added by 2002 PA 28.

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

Senators Meekhof, Kowall, Horn, Hansen, Proos and Shirkey introduced

Senate Bill No. 929, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending sections 533, 541, and 543 (MCL 436.1533, 436.1541, and 436.1543), section 533 as amended by 1998 PA 416, section 541 as amended by 2016 PA 84, and section 543 as amended by 2010 PA 213, and by adding section 903b.

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

House Bill No. 4947, entitled

A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending sections 1, 3, and 11 of chapter XIII (MCL 712A.1, 712A.3, and 712A.11), section 1 as amended by 2014 PA 533 and sections 3 and 11 as amended by 1996 PA 409.

The House of Representatives has passed the bill.

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

House Bill No. 4948, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 27 of chapter IV (MCL 764.27), as amended by 1996 PA 418.

The House of Representatives has passed the bill.

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

House Bill No. 4949, entitled

A bill to amend 1988 PA 13, entitled "Juvenile diversion act," by amending sections 2 and 8 (MCL 722.822 and 722.828), section 2 as amended by 1996 PA 415.

The House of Representatives has passed the bill.

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

House Bill No. 4950, entitled

A bill to amend 1974 PA 150, entitled "Youth rehabilitation services act," by amending section 2 (MCL 803.302), as amended by 1998 PA 517.

The House of Representatives has passed the bill.

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

House Bill No. 4951, entitled

A bill to amend 1974 PA 258, entitled "Mental health code," by amending section 1060a (MCL 330.2060a), as added by 2012 PA 540.

The House of Representatives has passed the bill.

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

House Bill No. 4952, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 15b of chapter IV (MCL 764.15b), as amended by 2001 PA 209.

The House of Representatives has passed the bill.

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

House Bill No. 4953, entitled

A bill to amend 2013 PA 93, entitled "Michigan indigent defense commission act," by amending section 3 (MCL 780.983).

The House of Representatives has passed the bill.

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

House Bill No. 4954, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 11 of chapter II (MCL 762.11), as amended by 2015 PA 31.

The House of Representatives has passed the bill.

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

House Bill No. 4955, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 1 of chapter IX (MCL 769.1), as amended by 1999 PA 87.

The House of Representatives has passed the bill.

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

House Bill No. 4956, entitled

A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending section 4 of chapter XIIA (MCL 712A.4), as amended by 1996 PA 409.

The House of Representatives has passed the bill.

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

House Bill No. 4957, entitled

A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending sections 14, 15, 16, 18, 18i, and 18k of chapter XIIA (MCL 712A.14, 712A.15, 712A.16, 712A.18, 712A.18i, and 712A.18k), section 14 as amended by 2012 PA 163, section 15 as amended by 1998 PA 474, section 16 as amended by 1998 PA 478, section 18 as amended by 2011 PA 295, section 18i as added by 1996 PA 244, and section 18k as amended by 2014 PA 458.

The House of Representatives has passed the bill.

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

House Bill No. 4958, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 27a of chapter IV (MCL 764.27a), as amended by 1996 PA 254.

The House of Representatives has passed the bill.

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

House Bill No. 4959, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 139 (MCL 750.139), as amended by 1998 PA 510.

The House of Representatives has passed the bill.

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

House Bill No. 4960, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 1f of chapter IV and section 14 of chapter VI (MCL 764.1f and 766.14), as amended by 1998 PA 520.

The House of Representatives has passed the bill.

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

House Bill No. 4961, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 606 (MCL 600.606), as amended by 1996 PA 260.

The House of Representatives has passed the bill.

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

House Bill No. 5294, entitled

A bill to make, supplement, adjust, and consolidate appropriations for various state departments and agencies, the judicial branch, and the legislative branch for the fiscal year ending September 30, 2017 and other fiscal years; to provide for certain conditions on appropriations; and to provide for the expenditure of the appropriations.

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

The bill was read a first and second time by title.

Senator Kowall moved that rule 3.203 be suspended and that the bill be referred to the Committee of the Whole and placed on the order of General Orders.

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

Committee Reports

The Committee on Finance reported

House Bill No. 5176, entitled

A bill to amend 2014 PA 86, entitled "Local community stabilization authority act," by amending sections 14, 17, and 21 (MCL 123.1354, 123.1357, and 123.1361), sections 14 and 17 as amended by 2015 PA 122; and to repeal acts and parts of acts.

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.

Jack M. Brandenburg
Chairperson

To Report Out:

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

Nays: None

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

The Committee on Finance reported

House Bill No. 5525, entitled

A bill to amend 2014 PA 92, entitled "State essential services assessment act," by amending sections 3, 7, 9, and 11 (MCL 211.1053, 211.1057, 211.1059, and 211.1061), sections 3 and 7 as amended by 2015 PA 120.

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.

Jack M. Brandenburg
Chairperson

To Report Out:

Yeas: Senators Brandenburg, Robertson, Knollenberg, Casperson, Proos, Bieda and Warren
Nays: None

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

The Committee on Finance reported

House Bill No. 5526, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending sections 9f, 9m, 9n, 19, and 53b (MCL 211.9f, 211.9m, 211.9n, 211.19, and 211.53b), sections 9f, 9m, and 9n as amended by 2015 PA 119, section 19 as amended by 2014 PA 87, and section 53b as amended by 2013 PA 153.

With the recommendation that the bill pass.

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

Jack M. Brandenburg
Chairperson

To Report Out:

Yeas: Senators Brandenburg, Robertson, Knollenberg, Casperson, Proos, Bieda and Warren
Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Finance reported

House Bill No. 5527, entitled

A bill to amend 1974 PA 198, entitled "An act to provide for the establishment of plant rehabilitation districts and industrial development districts in local governmental units; to provide for the exemption from certain taxes; to levy and collect a specific tax upon the owners of certain facilities; to impose and provide for the disposition of an administrative fee; to provide for the disposition of the tax; to provide for the obtaining and transferring of an exemption certificate and to prescribe the contents of those certificates; to prescribe the powers and duties of the state tax commission and certain officers of local governmental units; and to provide penalties," by amending section 11a (MCL 207.561a), as amended by 2015 PA 123.

With the recommendation that the bill pass.

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

Jack M. Brandenburg
Chairperson

To Report Out:

Yeas: Senators Brandenburg, Robertson, Knollenberg, Casperson, Proos, Bieda and Warren
Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Finance reported

House Bill No. 5545, entitled

A bill to amend 2014 PA 93, entitled "Alternative state essential services assessment act," by amending sections 3, 7, and 9 (MCL 211.1073, 211.1077, and 211.1079), sections 3 and 7 as amended by 2015 PA 121.

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.

Jack M. Brandenburg
Chairperson

To Report Out:

Yeas: Senators Brandenburg, Robertson, Knollenberg, Casperson, Proos, Bieda and Warren
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 Finance submitted the following:

Meeting held on Tuesday, April 26, 2016, at 3:30 p.m., Room 210, Farnum Building

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

The Committee on Commerce reported

Senate Bill No. 853, entitled

A bill to preempt local ordinances regulating the use, disposition, or sale of, prohibiting or restricting, or imposing any fee, charge, or tax on certain containers.

With the recommendation that the bill pass.

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

Wayne A. Schmidt

Chairperson

To Report Out:

Yeas: Senators Schmidt, Kowall, MacGregor and O'Brien

Nays: Senator Hertel

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Commerce submitted the following:

Meeting held on Wednesday, April 27, 2016, at 9:00 a.m., Room 210, Farnum Building

Present: Senators Schmidt (C), Kowall, MacGregor, O'Brien and Hertel

COMMITTEE ATTENDANCE REPORT

The Committee on Natural Resources submitted the following:

Meeting held on Wednesday, April 27, 2016, at 12:30 p.m., Room 210, Farnum Building

Present: Senators Casperson (C), Pavlov, Robertson, Stamas and Warren

Scheduled Meetings

Appropriations - Wednesday, May 4, 2:00 p.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building (373-1801)

Subcommittee -

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

Banking and Financial Institutions - Tuesday, May 3, 2:30 p.m., Room 100, Farnum Building (373-5323)

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

Finance - Tuesday, May 3, 2:30 p.m., Room 210, Farnum Building (373-5312)

Health Policy - Tuesday, May 3, 12:30 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)

Senator Kowall moved that the Senate adjourn.

The motion prevailed, the time being 11:48 a.m.

The Assistant President pro tempore, Senator O'Brien, declared the Senate adjourned until Tuesday, May 3, 2016, at 10:00 a.m.

JEFFREY F. COBB
Secretary of the Senate