

No. 24
STATE OF MICHIGAN
Journal of the Senate
98th Legislature
REGULAR SESSION OF 2015

Senate Chamber, Lansing, Wednesday, March 11, 2015.

10:00 a.m.

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

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

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

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

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

Pastor Beth Jones of Valley Family Church of Portage offered the following invocation:

Heavenly Father, thank You for the opportunity to pray for this honorable body of elected officials—elected by voters and hand-selected by You. Father, there is no doubt that they need Your wisdom to fulfill their roles in leading our great state.

In Proverbs 8, You personified wisdom when You inspired these words: “I am Lady Wisdom, and I live next to Sanity; Knowledge and Discretion live just down the street. The Fear-of-God means hating Evil—with pride and arrogance and crooked talk. Good counsel and common sense are my characteristics. With my help, leaders rule, and lawmakers legislate fairly; With my help, governors govern, along with all in legitimate authority. I love those who love me; those who look for me find me. Wealth and Glory accompany me—also substantial Honor and a Good Name. You can find me on Righteous Road—that’s where I walk—at the intersection of Justice Avenue.”

Father, according to Your will, I ask You to give each Senator and lawmaker wisdom and sanity in a world of confusion, noise, and voices. For the benefit of every man, woman, and child in the state of Michigan, give our leaders knowledge and discretion to blaze new trails and to solve every problem we face. Help them to fear You and Your Son, the Lord Jesus Christ, more than the haters, critics, the naysayers, or any other influence. Help them to hate what You hate and to love what You love. Remove pride, arrogance, and crooked talk from their midst, and fill them with good counsel and common sense.

Today, as our leaders walk with You on Righteous Road, at the intersection of Justice Avenue, help them to legislate fairly and to rule with wisdom. As they serve You in what is often an underappreciated role, I ask You to pour out Your benefits of wealth, glory, honor, and a good name upon each and every Senator and staff member and upon their families, spouses, and children.

May Your blessings be upon the state of Michigan and the United States of America. In Jesus’ name, Amen.

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

Motions and Communications

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

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

Senators Knollenberg, Nofs and Johnson entered the Senate Chamber.

Senator Hood stated that had he been present on March 10 when the vote was taken on the passage of the following bill, he would have voted “yea”:

Senate Bill No. 72

By unanimous consent the Senate proceeded to the order of

General Orders

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

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

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

Senate Bill No. 112, entitled

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

Senate Bill No. 114, entitled

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

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

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:
Senate Bill No. 113, entitled

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

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.

By unanimous consent the Senate returned to the order of
Third Reading of Bills

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

Senate Bill No. 52

The motion prevailed.

The following bill was read a third time:

Senate Bill No. 52, entitled

A bill to amend 2008 PA 176, entitled “Veterans welcome home act,” by amending section 2 (MCL 35.1232).

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. 42

Yeas—38

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

Nays—0

Excused—0

Not Voting—0

In The Chair: Schuitmaker

The Senate agreed to the title of the bill.

By unanimous consent the Senate proceeded to the order of
Resolutions

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

Senate Concurrent Resolution No. 4

The motion prevailed.

Senators Emmons, Horn, Brandenburg, Proos, Gregory, Schmidt, Knollenberg, Marleau, Bieda, Knezek, Hopgood, Zorn, Booher, Warren and Meekhof offered the following resolution:

Senate Resolution No. 19.

A resolution to commemorate March 2015 as Women's History Month in the state of Michigan.

Whereas, Michigan women of every race, class, and ethnic background have made historic contributions to the growth and strength of Michigan in countless recorded and unrecorded ways; and

Whereas, Michigan women have played and continue to play critical economic, cultural, and social roles in every sphere of the life of Michigan by constituting a significant portion of the labor force working inside and outside of the home; and

Whereas, Accomplished women in Michigan such as Cora Reynolds Anderson, Lorraine Beebe, Cora Mae Brown, Anna Clemenc, Mary Stallings Coleman, Betty Ford, Martha Griffiths, Marie-Therese Guyon-Cadillac, Erma Henderson, Mildred Jeffrey, Rosa Parks, Elly Peterson, Dorothy Comstock Riley, Anna Howard Shaw, Lucinda Stone, and Sojourner Truth deserve more recognition; and

Whereas, By providing the majority of the volunteer labor force of Michigan, women have played a unique role throughout the history of this state; and

Whereas, Women in Michigan were particularly important in the establishment of early charitable, philanthropic, and cultural institutions in Michigan; and

Whereas, Michigan women of every race, class, and ethnic background served as early leaders in the forefront of every major progressive social change movement; and

Whereas, They have been leaders not only in securing their own rights of suffrage and equal opportunity, but also in the movements concerning abolition, emancipation, industrial labor, civil rights, peace, and other movements which created a more fair and just society for all; and

Whereas, The population of Michigan is 51 percent women. The percentage of women legislators in the Michigan House of Representatives is 25 percent, and the percentage of women legislators in the Michigan Senate is 11 percent; and

Whereas, Despite these contributions, the role of Michigan women in history has been consistently overlooked and undervalued in the literature, teaching, and study of the history of Michigan; now, therefore, be it

Resolved by the Senate, That the members of this legislative body commemorate March 2015 as Women's History Month in the state of 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 Ananich, Hansen, Hertel, Hood, MacGregor, O'Brien, Pavlov, Schuitmaker and Rocca were named co-sponsors of the resolution.

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

Senate Resolution No. 20.

A resolution to urge the Congress of the United States to oppose the fast-tracking of the proposed Trans-Pacific Partnership free trade agreement.

Whereas, The state of Michigan calls upon our elected officials in the U.S. Senate and U.S. House of Representatives to oppose S. 1900 and H.R. 3830 and any similar legislation that would keep trade policymaking behind closed doors. These bills fail to restructure the misguided and failed trade negotiating policies of the past. In opposing the fast-tracking of the Trans-Pacific Partnership, we are preserving the separation of powers and ensuring Congress has the opportunity to examine and debate provisions of trade deals that fail to meet trade negotiating objectives. Fast-tracking the Trans-Pacific Partnership fails to incorporate congressional and public participation. By opposing these bills and other fast-track legislation, it will increase access to U.S. trade policymaking, trade proposals, and negotiating strength for elected state officials and members of the public; and

Whereas, Traditional fast-track trade negotiating authority has effectively shut state and local governments out of the process, which limits our ability to influence the discussions to ensure that Michigan can participate in the benefits of trade. It ensures negotiations occur behind closed doors, with minimal transparency, empowering the few while ignoring traditional democratic, participatory rule, and lawmaking processes. It limits the opportunity for states and their citizens to correct shortcomings in the negotiation process by not making the text public until it is final, when it can no longer be improved. Additionally, it prohibits amendments to trade deals and their underlying legislation and strictly limits the time allowed for congressional debate. The people of Michigan have the best chance to benefit from pending trade and investment agreements only if the process by which they are negotiated undergoes swift and strong reform; now, therefore, be it

Resolved by the Senate, That we urge the Congress of the United States to oppose the fast-tracking of the proposed Trans-Pacific free trade agreements; S. 1900 and H.R.3830 and any similar legislation that would keep trade policymaking behind closed doors and otherwise fail to restructure the misguided and failed trade negotiating policies of the past; and be it further

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

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

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

The question being on the adoption of the resolution,

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

The motion prevailed.

Senator Warren was named co-sponsor of the resolution.

Introduction and Referral of Bills

Senators Casperson, Robertson, Horn, Knollenberg, Zorn, Emmons and Jones introduced

Senate Bill No. 196, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 217c, 217f, 248c, and 252a (MCL 257.217c, 257.217f, 257.248c, and 257.252a), section 217c as amended by 2002 PA 642, sections 217f and 248c as amended by 1993 PA 300, and section 252a as amended by 2008 PA 539.

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

Senator Hildenbrand introduced

Senate Bill No. 197, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 42 (MCL 168.42), as amended by 1999 PA 216.

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

Senators Hertel, Bieda, Young, Hood, Ananich, Gregory, Johnson and Warren introduced

Senate Bill No. 198, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.713) by adding section 272a.

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

Committee Reports

The Committee on Education reported

Senate Bill No. 139, entitled

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

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.

Phillip J. Pavlov
Chairperson

To Report Out:

Yeas: Senators Pavlov, Knollenberg, Booher, Colbeck and Knezek

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 Education submitted the following:

Meeting held on Tuesday, March 10, 2015, at 12:00 noon, Room 110, Farnum Building

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

COMMITTEE ATTENDANCE REPORT

The Committee on Natural Resources submitted the following:

Joint meeting held on Tuesday, March 10, 2015, at 9:00 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building

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

Excused: Senator Pavlov

COMMITTEE ATTENDANCE REPORT

The Committee on Health Policy submitted the following:

Meeting held on Tuesday, March 10, 2015, at 12:30 p.m., Senate Hearing Room, Ground Floor, Boji Tower

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

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Natural Resources submitted the following:

Meeting held on Tuesday, March 10, 2015, at 1:00 p.m., Room 210, Farnum Building

Present: Senators Green (C), Booher and Hopgood

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Environmental Quality submitted the following:

Meeting held on Tuesday, March 10, 2015, at 1:30 p.m., Room 210, Farnum Building

Present: Senators Green (C), MacGregor and Hopgood

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Agriculture and Rural Development submitted the following:

Meeting held on Tuesday, March 10, 2015, at 3:00 p.m., Rooms 402 and 403, Capitol Building

Present: Senators Green (C), Stamas and Hopgood

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

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

Community Colleges - Wednesday, March 25, 9:00 a.m., Room 405, Capitol Building (373-2768)

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

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

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

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

Human Services and House Human Services Appropriations Subcommittee - Thursday, March 12, 1:00 p.m. or later after committees are given leave by the House to meet, House Appropriations Room, 3rd Floor, Capitol Building (373-2768)

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

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

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

State Police and Military Affairs - Thursdays, March 12 (CANCELED) and March 26 (CANCELED), 1:00 p.m.; Tuesdays, March 17 and March 24, 8:30 a.m., Rooms 402 and 403, Capitol Building (373-2768)

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

Senator Kowall moved that the Senate adjourn.
The motion prevailed, the time being 10:19 a.m.

The President pro tempore, Senator Schuitmaker, declared the Senate adjourned until Thursday, March 12, 2015, at 10:00 a.m.

JEFFREY F. COBB
Secretary of the Senate

