

No. 45
STATE OF MICHIGAN
Journal of the Senate
98th Legislature
REGULAR SESSION OF 2016

Senate Chamber, Lansing, Tuesday, May 10, 2016.

10:00 a.m.

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

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

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

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

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

Senator Michael L. Nofs the 19th District offered the following invocation:

Dear Lord, we thank You for this day and for the opportunities You've placed before us to do right by the people of this great state. We ask that You guide us and our colleagues in the House and that You continue to provide strength, wisdom, and peace.

Lord, please bless the state of Michigan and all who look to us for leadership. May we be responsible stewards of our state and steadfast representatives of our communities.

We thank You again for the many ways in which You bless our lives. This we pray in the name of Your Son Jesus Christ. Amen.

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

Motions and Communications

Senator Kowall moved that Senator Green 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.

Senator Kowall moved that rule 3.902 be suspended to allow the guests of Senator Schuitmaker admittance to the Senate floor.

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

The following communications were received and read:

Office of the Auditor General

May 4, 2016

Enclosed is a copy of the following audit report:

- Follow-Up report on the Adult Foster Care and Camps Licensing Division, Department of Licensing and Regulatory Affairs.

May 5, 2016

Enclosed is a copy of the following audit report:

- Performance audit report on Home Health Services, Michigan Department of Health and Human Services.

Sincerely,
Doug Ringler
Auditor General

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

The Secretary announced that pursuant to Rule 2.109 of the Standing Rules of the Senate, the following expense reports have been filed with the Senate Business Office for the quarter from January 1, 2016 through March 31, 2016, and are available in the Senate Business Office during business hours for public inspection:

Committee

Agriculture
Appropriations
Banking and Financial Institutions
Commerce
Economic Development and International Investment
Education
Elections and Government Reform
Energy and Technology
Families, Seniors and Human Services
Finance
Government Operations

Chairperson

Senator Joe Hune
Senator Dave Hildenbrand
Senator Darwin Booher
Senator Wayne Schmidt
Senator Ken Horn
Senator Phil Pavlov
Senator David Robertson
Senator Mike Nofs
Senator Judy Emmons
Senator Jack Brandenburg
Senator Arlan Meekhof

Health Policy
 Insurance
 Judiciary
 Local Government
 Michigan Competitiveness
 Natural Resources
 Outdoor Recreation and Tourism
 Oversight
 Regulatory Reform
 Transportation
 Veterans, Military Affairs and Homeland Security

Senator Mike Shirkey
 Senator Joe Hune
 Senator Rick Jones
 Senator Dale Zorn
 Senator Mike Shirkey
 Senator Tom Casperson
 Senator Goeff Hansen
 Senator Peter MacGregor
 Senator Tory Rocca
 Senator Tom Casperson
 Senator Margaret O'Brien

The Secretary announced that the following House bills were received in the Senate and filed on Thursday, May 5:
House Bill Nos. 5078 5079 5081 5348 5383 5384 5387

The Secretary announced that the following bills were printed and filed on Thursday, May 5, and are available at the Michigan Legislature website:
Senate Bill Nos. 955 956

Recess

Senator Kowall moved that the Senate recess subject to the call of the Chair.
 The motion prevailed, the time being 10:05 a.m.

11:25 a.m.

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

During the recess, Senators Green and Johnson entered the Senate Chamber.

The following communication was received and read:
 Office of the Senate Majority Leader

May 9, 2016

Pursuant to MCL 390.1665(3)(a)(ii), I appoint the following person to the **Newaygo County Promise Zone Authority Board**:

Dr. Lori Tubergen Clark, Superintendent Newaygo County RESA

Sincerely,
 Arlan Meekhof
 30th Senate District
 Senate Majority Leader

The communication was referred to the Secretary for record.

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

The following bill was announced:
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.

(This bill was read a third time on May 5 and consideration postponed. See Senate Journal No. 44, p. 680.)

The question being on the passage of the bill,

Senator Hertel offered the following amendment:

1. Amend page 2, line 9, after "containers." by inserting "This subdivision does not apply to an ordinance that applies only to plastic bags and that is approved by a majority of the electors of the local unit of government voting on the question."

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. 252**Yeas—11**

Ananich	Hertel	Johnson	Warren
Bieda	Hood	Knezek	Young
Gregory	Hopgood	Rocca	

Nays—26

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

Excused—0**Not Voting—0**

In The Chair: O'Brien

Senator Warren offered the following amendment:

1. Amend page 2, following line 15, by inserting:

“(a) An ordinance adopted before January 1, 2018.” and relettering the remaining subdivisions.

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. 253**Yeas—11**

Ananich	Hertel	Johnson	Warren
Bieda	Hood	Knezek	Young
Gregory	Hopgood	Rocca	

Nays—26

Booher	Hildenbrand	Marleau	Robertson
Brandenburg	Horn	Meekhof	Schmidt
Casperson	Hune	Nofs	Schuitmaker
Colbeck	Jones	O'Brien	Shirkey
Emmons	Knollenberg	Pavlov	Stamas

Green
Hansen

Kowall
MacGregor

Proos

Zorn

Excused—0

Not Voting—0

In The Chair: O'Brien

Senator Warren offered the following amendment:

1. Amend page 2, following line 20, by inserting:

“Sec. 4. (1) A food service or retail facility that provides consumers with plastic bags as auxiliary containers shall accept from a consumer any plastic bag that is an auxiliary container, unless the plastic bag is marked with the name or logo of a different food service or retail facility, and shall recycle or reuse the plastic bag.

(2) Pursuant to the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328, the department of environmental quality may adopt rules to implement subsection (1).”.

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. 254

Yeas—10

Ananich
Bieda
Gregory

Hertel
Hood
Hopgood

Johnson
Knezek

Warren
Young

Nays—27

Booher
Brandenburg
Casperson
Colbeck
Emmons
Green
Hansen

Hildenbrand
Horn
Hune
Jones
Knollenberg
Kowall
MacGregor

Marleau
Meekhof
Nofs
O'Brien
Pavlov
Proos
Robertson

Rocca
Schmidt
Schuitmaker
Shirkey
Stamas
Zorn

Excused—0

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. 255

Yeas—25

Booher
Brandenburg

Hildenbrand
Hune

Marleau
Meekhof

Robertson
Schmidt

Casperson	Knezek	Nofs	Schuitmaker
Colbeck	Knollenberg	O'Brien	Shirkey
Emmons	Kowall	Pavlov	Stamas
Green	MacGregor	Proos	Zorn
Hansen			

Nays—12

Ananich	Hertel	Horn	Rocca
Bieda	Hood	Johnson	Warren
Gregory	Hopgood	Jones	Young

Excused—0**Not Voting—0**

In The Chair: O'Brien

The Senate agreed to the title of the bill.

Protest

Senator Bieda, under his constitutional right of protest (Art. 4, Sec. 18), protested against the passage of Senate Bill No. 853. Senator Bieda's statement is as follows:

I have heard people in this chamber talk about local control continuously and that the best government is the government that governs least; the best government is the government that is close to the people. While there may be some arguments in support of this legislation, it seems to be a part of a continuous effort to erode local control in this state.

I would like to liken local control to what we see at the national level. There was a Supreme Court Justice Louis Brandeis, and there is a case, *New State Ice Co. v. Liebmann*, where he talked about the laboratories of democracy. He said, "A state may, if its citizens choose, serve as a laboratory; and try novel social and economic experiments without risk to the rest of the country." That's what we have right here. Local ordinances, local governments, and voters at the local level determine what they want in their own communities.

Today, this bill is another nail in the coffin of local control. I voted against this legislation, along with many of my colleagues, because of what it did to the ability of citizens in their own communities to determine and fashion those laws that make sense for those local communities. I think one of the strengths of our country and one of the strengths of our state is that we have voter participation, and we have government that is close to the people. This is just a trend in taking that away from the people, so I voted "no" on Senate Bill No. 853.

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

The motion prevailed.

Senator Hertel's statement is as follows:

"I believe the most effective, responsible, and responsive government is government closest to the people." That is not a quote from Jefferson or John Rock; it is from the Michigan Republican Party platform. Unfortunately, this body time and time again has subverted the will of the people by preempting local government's authority to enact regulations that are best for their communities. I think some of the people in the Gallery have experienced this in their own communities. In many instances, what is best for Kalkaska is not necessarily best for Detroit, Ann Arbor, or East Lansing—my district.

My amendment would allow for a community that chooses to add a fee to plastic bags by a vote of the people. We heard in committee from individuals who had worked with the locally-elected, both Republicans and Democrats; with the business community; with interest groups; and with people who live in that community to develop a plan that best

fits their needs. We don't need a one-size state solution to every problem facing local government. We need to let our communities and democracy work.

So I ask you to let the people vote and decide to have their own rules when it comes to plastic bags. We should not have a statewide ban. Stop the preemptive attacks on local control, and vote "yes" on my amendment.

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

Senate Bill No. 595

The motion prevailed.

The following bill was read a third time:

Senate Bill No. 595, entitled

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

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. 256

Yeas—37

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

Nays—0

Excused—0

Not Voting—0

In The Chair: O'Brien

The Senate agreed to the title of the bill.

By unanimous consent the Senate proceeded to the order of

General Orders

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

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

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

Senate Bill No. 739, entitled

A bill to amend 2012 PA 387, entitled "Regional transit authority act," (MCL 124.541 to 124.558) by adding section 10a.

House Bill No. 5439, entitled

A bill to amend 1996 PA 376, entitled "Michigan renaissance zone act," by amending section 6 (MCL 125.2686), as amended by 2010 PA 277.

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. 671, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending sections 303 and 543 (MCL 436.1303 and 436.1543), section 543 as amended by 2010 PA 213.

Substitute (S-2).

The following is the amendment to the substitute recommended by the Committee of the Whole:

1. Amend page 7, line 2, after "4.415." by inserting "**THIS SUBSECTION DOES NOT PROHIBIT THE COUNCIL OR A COUNCIL MEMBER OR EMPLOYEE FROM PROVIDING TECHNICAL INFORMATION TO THE LEGISLATURE OR TO THE DEPARTMENT OF AGRICULTURE AND RURAL DEVELOPMENT, REGARDLESS OF WHETHER THE COUNCIL, COUNCIL MEMBER, OR EMPLOYEE IS APPEARING BEFORE AN OFFICIALLY CONVENED LEGISLATIVE COMMITTEE OR DEPARTMENT OF AGRICULTURE AND RURAL DEVELOPMENT HEARING PANEL, IF THE TECHNICAL INFORMATION IS RELATED TO THE COUNCIL'S DUTIES UNDER THIS SECTION. AS USED IN THIS SUBSECTION, "TECHNICAL INFORMATION" MEANS THAT TERM AS DEFINED IN SECTION 5 OF 1978 PA 472, MCL 4.415.**"

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

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

Senate Bill No. 625, entitled

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

Substitute (S-2).

The following is the amendment to the substitute recommended by the Committee of the Whole:

1. Amend page 2, line 9, after "**THE**" by striking out "**STATE TREASURER**" and inserting "**DEPARTMENT**".

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

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

Senate Bill No. 504, entitled

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

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:

Senate Bill No. 505, entitled

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

Substitute (S-2).

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

By unanimous consent the Senate 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 at the head of the Third Reading of Bills calendar:

Senate Bill No. 739

Senate Bill No. 625

Senate Bill No. 504
Senate Bill No. 505
House Bill No. 5439

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

The following bill was read a third time:

Senate Bill No. 739, entitled

A bill to amend 2012 PA 387, entitled “Regional transit authority act,” (MCL 124.541 to 124.558) by adding section 10a.

The question being on the passage of the bill,

Senator Warren offered the following amendment:

1. Amend page 1, line 2, by striking out “2” and inserting “4”.

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. 257

Yeas—10

Ananich	Hertel	Johnson	Warren
Bieda	Hood	Knezek	Young
Gregory	Hopgood		

Nays—27

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

Excused—0

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. 258

Yeas—32

Ananich	Gregory	Johnson	Robertson
Bieda	Hansen	Jones	Rocca
Booher	Hertel	Knollenberg	Schmidt
Brandenburg	Hildenbrand	Kowall	Schuitmaker
Casperson	Hood	MacGregor	Stamas

Colbeck
Emmons
Green

Hopgood
Horn
Hune

Meekhof
Nofs
O'Brien

Warren
Young
Zorn

Nays—5

Knezek
Marleau

Pavlov

Proos

Shirkey

Excused—0

Not Voting—0

In The Chair: O'Brien

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 625, entitled

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

The 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. 259

Yeas—36

Ananich
Bieda
Booher
Brandenburg
Casperson
Colbeck
Emmons
Green
Gregory

Hansen
Hertel
Hildenbrand
Hood
Hopgood
Horn
Hune
Johnson
Jones

Knezek
Knollenberg
Kowall
MacGregor
Marleau
Meekhof
Nofs
O'Brien
Pavlov

Proos
Robertson
Rocca
Schmidt
Schuitmaker
Stamas
Warren
Young
Zorn

Nays—1

Shirkey

Excused—0

Not Voting—0

In The Chair: O'Brien

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 504, entitled

A bill to amend 1995 PA 279, entitled "Horse racing law of 1995," by amending sections 2, 7, 8, 9, 10, 12, 14, 17, 18, 19, 19a, 22, 27, 30, and 31 (MCL 431.302, 431.307, 431.308, 431.309, 431.310, 431.312, 431.314, 431.317, 431.318, 431.319, 431.319a, 431.322, 431.327, 431.330, and 431.331), section 2 as amended by 2006 PA 445, sections 7, 9, 10, and 12 as amended by 2000 PA 164, and sections 14, 17, and 18 as amended and section 19a as added by 1998 PA 408, and by adding section 19b.

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. 260

Yeas—30

Ananich	Hertel	Knollenberg	Robertson
Bieda	Hildenbrand	Kowall	Rocca
Booher	Hood	MacGregor	Schmidt
Brandenburg	Hopgood	Meekhof	Schuitmaker
Casperson	Horn	Nofs	Stamas
Emmons	Hune	O'Brien	Warren
Green	Johnson	Proos	Young
Gregory	Knezek		

Nays—7

Colbeck	Jones	Pavlov	Zorn
Hansen	Marleau	Shirkey	

Excused—0

Not Voting—0

In The Chair: O'Brien

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 505, entitled

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

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. 261

Yeas—31

Ananich	Hertel	Knollenberg	Robertson
Bieda	Hildenbrand	Kowall	Rocca
Booher	Hood	MacGregor	Schmidt
Brandenburg	Hopgood	Marleau	Schuitmaker
Casperson	Horn	Meekhof	Stamas

Emmons
Green
Gregory

Hune
Johnson
Knezek

Nofs
O'Brien
Proos

Warren
Young

Nays—6

Colbeck
Hansen

Jones
Pavlov

Shirkey

Zorn

Excused—0

Not Voting—0

In The Chair: O'Brien

The Senate agreed to the title of the bill.

The following bill was read a third time:

House Bill No. 5439, entitled

A bill to amend 1996 PA 376, entitled "Michigan renaissance zone act," by amending section 6 (MCL 125.2686), as amended by 2010 PA 277.

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. 262

Yeas—33

Ananich
Bieda
Booher
Brandenburg
Casperson
Green
Gregory
Hansen
Hertel

Hildenbrand
Hood
Hopgood
Horn
Johnson
Jones
Knezek
Knollenberg

Kowall
MacGregor
Marleau
Meekhof
Nofs
O'Brien
Pavlov
Proos

Robertson
Rocca
Schmidt
Schuitmaker
Stamas
Warren
Young
Zorn

Nays—4

Colbeck

Emmons

Hune

Shirkey

Excused—0

Not Voting—0

In The Chair: O'Brien

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

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

“An act to create and expand certain renaissance zones; to foster economic opportunities in this state; to facilitate economic development; to stimulate industrial, commercial, and residential improvements; to prevent physical and infrastructure deterioration of geographic areas in this state; to authorize expenditures; to provide exemptions and credits from certain taxes; to create certain obligations of this state and local governmental units; to require disclosure of certain transactions and gifts; to provide for appropriations; and to prescribe the powers and duties of certain state and local departments, agencies, and officials;”.

The Senate agreed to the full title.

By unanimous consent the Senate proceeded to the order of

Resolutions

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

House Concurrent Resolution No. 3

Senate Resolution No. 76

Senate Resolution No. 75

The motion prevailed.

Senator Meekhof offered the following resolution:

Senate Resolution No. 172.

A resolution recognizing 2016 as the 90th Anniversary of the International Economic Development Council and as the Year of the Economic Developer.

Whereas, The International Economic Development Council is celebrating its 90th Anniversary in 2016; and

Whereas, Economic developers promote economic well-being and quality of life for their communities by creating, retaining, and expanding jobs that facilitate growth, enhance wealth, and provide a stable tax base; and

Whereas, Economic developers stimulate and incubate entrepreneurship in order to help establish the next generation of new businesses, which is the hallmark of the American economy; and

Whereas, Economic developers are engaged in a wide variety of settings, including rural and urban; local, state, provincial, and federal governments; public-private partnerships; chambers of commerce; universities; and a variety of other institutions; and

Whereas, Economic developers attract and retain high-quality jobs, develop vibrant communities, and improve the quality of life in their regions; and

Whereas, Economic developers work in every county within the state of Michigan; now, therefore, be it

Resolved by the Senate, That we hereby commend the International Economic Development Council and its officers, staff, and members on its 90th Anniversary. We also recognize 2016 as the Year of the Economic Developer in the state of Michigan, and remind individuals of the importance of this profession in creating career opportunities and improving quality of life; and be it further

Resolved, That a copy of this resolution be transmitted to the International Economic Development Council and the Michigan Economic Developers Association.

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 Booher, Brandenburg, Hansen, Hildenbrand, MacGregor, Proos, Warren and Zorn were named co-sponsors of the resolution.

Introduction and Referral of Bills

Senator Marleau introduced

Senate Bill No. 957, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 20161 (MCL 333.20161), as amended by 2015 PA 104.

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

House Bill No. 5078, entitled

A bill to amend 1953 PA 232, entitled "Corrections code of 1953," by amending section 35 (MCL 791.235), as amended by 2012 PA 24.

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

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

House Bill No. 5079, entitled

A bill to amend 1953 PA 232, entitled "Corrections code of 1953," by amending sections 33, 33b, and 34 (MCL 791.233, 791.233b, and 791.234), section 33 as amended by 1998 PA 320, section 33b as amended by 2010 PA 94, and section 34 as amended by 2010 PA 353.

The House of Representatives has passed the bill by a 3/4 vote and ordered that it be given immediate effect.

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

House Bill No. 5081, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 197d.

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

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

House Bill No. 5348, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 1200 (MCL 600.1200), as added by 2012 PA 335.

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

The bill was read a first and second time by title and referred to the Committee on Veterans, Military Affairs and Homeland Security.

House Bill No. 5383, entitled

A bill to amend 2000 PA 489, entitled "Michigan trust fund act," by amending sections 2 and 9 (MCL 12.252 and 12.259), section 2 as amended by 2005 PA 232, section 9 as added by 2005 PA 232, and by adding section 12.

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.

House Bill No. 5384, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending the title and sections 3, 5, 6, 11, 11a, 501, 502, 507, 522, 528, 551, 552, 561, 654, 705, 921, 1147, 1225, 1229, 1231, 1233, 1237, 1250, and 1351a (MCL 380.3, 380.5, 380.6, 380.11, 380.11a, 380.501, 380.502, 380.507, 380.522, 380.528, 380.551, 380.552, 380.561, 380.654, 380.705, 380.921, 380.1147, 380.1225, 380.1229, 380.1231, 380.1233, 380.1237, 380.1250, and 380.1351a), the title as amended by 2003 PA 179, section 3 as amended by 2007 PA 45, section 5 as amended by 2011 PA 232, sections 6 and 1250 as amended by 2009 PA 205, section 11 as amended by 1995 PA 289, section 11a as amended by 2010 PA 91, sections 501, 502, 507, 522, 528, 551, and 561 as amended by 2011 PA 277, section 552 as amended by 2012 PA 129, section 705 as amended by 2003 PA 299, section 1147 as amended by 2014 PA 479, section 1225 as amended by 2012 PA 1, section 1229 as amended by 2011 PA 105, section 1231 as amended by 2002 PA 735, section 1233 as amended by 2000 PA 288, section 1237 as added by 2000 PA 387, and section 1351a as amended by 2002 PA 65, and by adding sections 12b, 1233c, and 1356a and part 5b; and to repeal acts and parts of acts.

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.

House Bill No. 5387, entitled

A bill to amend 1947 PA 336, entitled "An act to prohibit strikes by certain public employees; to provide review from disciplinary action with respect thereto; to provide for the mediation of grievances and the holding of elections; to

declare and protect the rights and privileges of public employees; to require certain provisions in collective bargaining agreements; to prescribe means of enforcement and penalties for the violation of the provisions of this act; and to make appropriations," by amending sections 2a, 6, 11, 13, and 15 (MCL 423.202a, 423.206, 423.211, 423.213, and 423.215), section 2a as added by 1994 PA 112, section 6 as amended by 1984 PA 112, and section 15 as amended by 2014 PA 414.

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 Transportation reported

House Bill No. 4634, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 801 (MCL 257.801), as amended by 2015 PA 174.

With the recommendation that the bill pass.

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

Thomas A. Casperson
Chairperson

To Report Out:

Yeas: Senators Casperson, Horn, Pavlov, Marleau and Hopgood

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Transportation reported

House Bill No. 5247, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 698 (MCL 257.698), as amended by 2012 PA 262.

With the recommendation that the bill pass.

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

Thomas A. Casperson
Chairperson

To Report Out:

Yeas: Senators Casperson, Horn, Pavlov, Marleau and Hopgood

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Transportation submitted the following:

Meeting held on Thursday, May 5, 2016, at 8:30 a.m., Room 210, Farnum Building

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

The Committee on Veterans, Military Affairs and Homeland Security reported

Senate Bill No. 809, entitled

A bill to create the office of the Michigan veterans' facility ombudsman; and to prescribe the powers and duties of the office, the ombudsman, the legislative council, and the department of military and veterans affairs.

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.

Margaret E. O'Brien
Chairperson

To Report Out:

Yeas: Senators O'Brien, Emmons, Zorn, Colbeck and Knezek

Nays: None

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

The Committee on Veterans, Military Affairs and Homeland Security reported

House Bill No. 4796, entitled

A bill to amend 1955 PA 133, entitled "An act to provide for the granting of military leaves and providing re-employment protection for officers and enlisted men of the military or naval forces of the state or of the United States," by amending sections 2 and 3 (MCL 32.272 and 32.273), section 3 as amended by 2008 PA 106.

With the recommendation that the bill pass.

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

Margaret E. O'Brien
Chairperson

To Report Out:

Yeas: Senators O'Brien, Emmons, Zorn, Colbeck and Knezek

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Veterans, Military Affairs and Homeland Security submitted the following:

Meeting held on Thursday, May 5, 2016, at 11:30 a.m., Room 110, Farnum Building

Present: Senators O'Brien (C), Emmons, Zorn, Colbeck and Knezek

COMMITTEE ATTENDANCE REPORT

The Committee on Energy and Technology submitted the following:

Meeting held on Thursday, May 5, 2016, at 8:00 a.m., Senate Hearing Room, Ground Floor, Boji Tower

Present: Senators Nofs (C), Proos, Horn, Schuitmaker, Hune, Shirkey, Zorn, Hopgood, Knezek and Bieda

Scheduled Meetings

Agriculture - Thursday, May 12, 8:30 a.m., Room 110, Farnum Building (373-5323)

Commerce - Wednesday, May 11, 8:30 a.m., Room 210, Farnum Building (373-5312)

Families, Seniors and Human Services - Wednesday, May 11, 3:00 p.m., Room 210, Farnum Building (373-5323)

Michigan Competitiveness - Wednesday, May 11, 8:30 a.m., Senate Hearing Room, Ground Floor, Boji Tower (373-5314)

Natural Resources - Wednesday, May 11, 12:30 p.m., Room 210, Farnum Building (373-1721)

Outdoor Recreation and Tourism - Wednesday, May 11, 12:30 p.m., Room 110, Farnum Building (373-5314)

Regulatory Reform - Wednesday, May 11, 1:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower (373-5323)

Transportation - Thursday, May 12, 8:30 a.m., Room 210, Farnum Building (373-5312)

Veterans, Military Affairs and Homeland Security - Thursday, May 12, 2:00 p.m., Room 110, Farnum Building (373-5314)

Senator Kowall moved that the Senate adjourn.

The motion prevailed, the time being 12:24 p.m.

The Assistant President pro tempore, Senator O'Brien, declared the Senate adjourned until Wednesday, May 11, 2016, at 10:00 a.m.

JEFFREY F. COBB
Secretary of the Senate