

**No. 9**  
**STATE OF MICHIGAN**  
**Journal of the Senate**  
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**REGULAR SESSION OF 2015**

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Senate Chamber, Lansing, Wednesday, February 4, 2015.

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—excused  
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—excused  
Stamas—present  
Warren—present  
Young—present  
Zorn—present

Bishop Samuel Duncan, Jr., of Lansing Church of God in Christ of Lansing offered the following invocation:

Heavenly Father, we thank You for this day You have so graciously bestowed upon us. We thank You for sustaining us and granting us everything that pertains to life and godliness.

As this session is about to open, we pray for peace, wisdom, and unity. As this conglomerate of men and women from all over the state gather, who have been elected to represent their constituents, I pray that each one of them will do the best of their ability. We pray for compromise when necessary and reason when confronted with dilemma.

As guardians of the state, I ask that You would lead them in their deliberations concerning matters that affect the state of Michigan and its citizens. Therefore, we pray for safety, sufficient resources, innovation, and ingenuity for problem-solving. We pray for a strong economy, a strong workforce for job creation, educational opportunities, and for strong families and a vibrant state.

Amen.

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

### Motions and Communications

Senator Knollenberg entered the Senate Chamber.

Senator Hood moved that Senators Gregory and Smith be excused from today's session.  
The motion prevailed.

### Recess

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

10:29 a.m.

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

The following communication was received:  
Michigan Gaming Control Board

February 3, 2015

In accordance with P.A. 252 of 2014, Section 231(2), the Michigan Gaming Control Board is required to report information related to the number of filled, full time equated positions in pay status for the immediately preceding fiscal year by February 1, 2015 to the Michigan Senate. The attached report provides the required information for the period October 1, 2013 through September 30, 2014.

Please contact me should you have any questions.

Sincerely,  
Robert Simon, Deputy Director  
Administration and Indian Gaming

The communication was referred to the Secretary for record.

### Messages from the Governor

The following messages from the Governor were received and read:

January 30, 2015

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

#### **Michigan Compensation Appellate Commission**

Phillip A. Hendges of 2415 Devonshire Drive, Lansing, Michigan 48910, county of Ingham, succeeding Lester Owczarski, is appointed for a term commencing February 2, 2015, and expiring July 31, 2017.

January 30, 2015

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

**Michigan Film Commissioner**

Jenell A. Leonard of 3031 Crofton Drive, DeWitt, Michigan 48820, county of Clinton, succeeding Margaret O'Riley, is appointed for a term commencing February 9, 2015, and expiring December 31, 2016.

Sincerely,  
Rick Snyder  
Governor

The appointments were referred to the Committee on Government Operations.

The following message from the Governor was received and read:

January 30, 2015

In accordance with Section 14 of Article V of the Michigan Constitution of 1963, I write to advise the Michigan Senate that the following pardons were granted during 2014:

Lonnie Edward Adkins - The pardon was granted December 22, 2014, and was based on the affirmative recommendation of the Michigan Parole Board.

Rudolph Bottone - The pardon was granted December 22, 2014, and was based on the affirmative recommendation of the Michigan Parole Board.

Francisco J. Cataldo - The pardon was granted December 22, 2014, and was based on the affirmative recommendation of the Michigan Parole Board.

Clifford L. Church - The pardon was granted December 22, 2014, and was based on the affirmative recommendation of the Michigan Parole Board.

Randall McIntyre Gibson - The pardon was granted December 22, 2014, and was based on the affirmative recommendation of the Michigan Parole Board.

Herbert Alan Gocha, Jr. - The pardon was granted December 22, 2014, and was based on the affirmative recommendation of the Michigan Parole Board.

Joseph Adron Hastings - The pardon was granted December 22, 2014, and was based on the affirmative recommendation of the Michigan Parole Board.

John Paul Kupel - The pardon was granted December 22, 2014, and was based on the affirmative recommendation of the Michigan Parole Board.

John W. Miracle - The pardon was granted December 22, 2014, and was based on the affirmative recommendation of the Michigan Parole Board.

John William Vincent - The pardon was granted December 22, 2014, and was based on the affirmative recommendation of the Michigan Parole Board.

John Joseph Zubkoff - The pardon was granted December 22, 2014, and was based on the affirmative recommendation of the Michigan Parole Board.

Sincerely,  
Richard D. Snyder  
Governor

By unanimous consent the Senate proceeded to the order of

**Resolutions**

The question was placed on the adoption of the following resolution consent calendar:

**Senate Resolution No. 10**

The resolution consent calendar was adopted.

Senator Johnson offered the following resolution:

**Senate Resolution No. 10.**

A resolution recognizing February 4, 2015, as Cancer Prevention Day.

Whereas, Cancer is the leading cause of death around the world and has touched the lives of nearly everyone, either directly or indirectly; and

Whereas, This disease is the cause of nearly 1 out of every 4 deaths in the United States, and in Michigan, statistics show nearly 469 out of 100,000 citizens are diagnosed with cancer yearly; and

Whereas, More than 1,600 cancer-related deaths are expected nationwide per day, and in 2010, there were approximately 55,660 new cancer cases in the state of Michigan; and

Whereas, About 1.6 million new cancer cases were estimated to be diagnosed nationwide in 2013, with 580,350 Americans estimated to die of cancer; and

Whereas, It is understood that early detection and prevention of cancer leads to healthier individuals, less heartache, and more cost-effective health care; and

Whereas, The Michigan Legislature recognizes the efforts of the Less Cancer Campaign which works to raise awareness for the reduction of cancer risks; now, therefore, be it

Resolved by the Senate, That the members of this legislative body recognize the devastating effect cancer has on families and seek to expand knowledge, encourage early detection, and work with our friends in the medical and scientific fields to put an end to this deadly disease; and be it further

Resolved, That copies of this resolution be transmitted to the members of the Michigan congressional delegation, the United States Secretary of Health and Human Services, and the President and First Lady of the United States of America.

Senators Ananich, Bieda, Booher, Brandenburg, Hansen, Hildenbrand, Hood, Horn, Kowall, MacGregor, Marleau, Nofs, Proos, Schmidt, Warren and Zorn were named co-sponsors of the resolution.

By unanimous consent the Senate proceeded to the order of

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

Senators Smith, Meekhof and Kowall introduced

#### **Senate Joint Resolution G, entitled**

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 46 of article IV, to permit the death penalty in cases of the first degree murder of a peace officer or a corrections officer under certain circumstances.

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

Senator Smith introduced

#### **Senate Bill No. 77, entitled**

A bill to amend 1990 PA 271, entitled "Limousine transportation act," by amending section 7 (MCL 257.1907), as amended by 2000 PA 487.

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

Senators Young and Hertel introduced

#### **Senate Bill No. 78, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 5525a.

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

Senators Young, Ananich and Hertel introduced

#### **Senate Bill No. 79, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.713) by adding section 672.

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

Senator Young introduced

#### **Senate Bill No. 80, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 7403 and 7404 (MCL 333.7403 and 333.7404), as amended by 2012 PA 183.

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

### **Committee Reports**

#### **COMMITTEE ATTENDANCE REPORT**

The Committee on Health Policy submitted the following:

Meeting held on Tuesday, February 3, 2015, at 12:30 p.m., Senate Hearing Room, Ground Floor, Boji Tower

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

Excused: Senator Jones

## COMMITTEE ATTENDANCE REPORT

The Committee on Judiciary submitted the following:

Meeting held on Tuesday, February 3, 2015, at 3:00 p.m., Room 110, Farnum Building

Present: Senators Jones (C), Schuitmaker, Rocca, Colbeck and Bieda

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

**Agriculture and Rural Development** - Tuesdays, February 17, March 10, March 17, and March 24, 3:00 p.m., Rooms 402 and 403, Capitol Building (373-2768)

**Corrections** - Thursdays, February 19, March 5, and March 26, 9:00 a.m., Room 405, Capitol Building; February 26, March 12, and March 19, 9:00 a.m., Senate Hearing Room, Ground Floor, Boji Tower (373-2768)

**Judiciary** - Wednesdays, February 18, February 25, March 4, March 11, March 18, and March 25, 1:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

**State Police and Military Affairs** - Thursdays, February 19 (CANCELED), February 26 (CANCELED), March 5 (CANCELED), March 12 (CANCELED), and March 26 (CANCELED), 1:00 p.m.; Tuesdays, February 17, February 24, March 3, March 10, and March 24, 8:30 a.m., Rooms 402 and 403, Capitol Building (373-2768)

**Economic Development** - Thursday, February 5, 1:30 p.m., Room 210, Farnum Building (373-5312)

**Elections and Government Reform** - Thursday, February 5, 9:00 a.m., Rooms 402 and 403, Capitol Building (373-1721)

**Local Government** - Tuesday, February 10, 12:30 p.m., Room 100, Farnum Building (373-5323)

**Transportation** - Thursday, February 5, 8:30 a.m., Room 210, Farnum Building (373-5323)

Senator Kowall moved that the Senate adjourn.

The motion prevailed, the time being 10:34 a.m.

The Assistant President pro tempore, Senator O'Brien, declared the Senate adjourned until Thursday, February 5, 2015, at 10:00 a.m.

JEFFREY F. COBB  
Secretary of the Senate

