

No. 94
STATE OF MICHIGAN
Journal of the Senate
99th Legislature
REGULAR SESSION OF 2017

Senate Chamber, Lansing, Thursday, November 9, 2017.

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
Conyers—excused
Emmons—present
Green—excused
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

Reverend Nikolai Gibbons of Immanuel Lutheran Church of Macomb offered the following invocation:

Dear Heavenly Father, grant Your wisdom to all leaders present here. Raise them up in the task of leading, that people may be given peaceful and fulfilling lives in our country. Guide them as they make the best decisions for all those they are elected to serve.

In the name of the Father, the Son, and the Holy Spirit. 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 excused from today's session.

The motion prevailed.

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

The motion prevailed.

Senator Hood moved that Senator Conyers be excused from today's session.

The motion prevailed.

Senator Kowall moved that rule 3.902 be suspended to allow the guests of Senator Hertel 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.

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.

10:51 a.m.

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

During the recess, Senator Hertel introduced the Lansing Christian Women's Soccer Team, 2017 MHSAA Division IV State Champions, and coaches Phil Malefyt and Joel Vande Kopple; and presented them with a Special Tribute.

Coaches Malefyt and Vande Kopple responded briefly.

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

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

House Bill No. 5095

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

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

The motion prevailed.

Senator Meekhof's statement is as follows:

I'd like to take a few minutes of everybody's time to recognize two of my staff members who will be moving on, and, some might say, they're moving up. Connor Spalding—not from the movie “Caddyshack”—and Brad Pischea are leaving my office, but they're going to remain in the Senate.

Connor will join the office of Senator Shirkey and Brad will join the office of Senator Hildenbrand—now you all know what I mean by their “moving up.”

As elected officials, we know our staff face the same challenges as we do and they have to move on to new opportunities in regards to term limits. I am always happy to see those who work for me move on to new jobs and new challenges, and today is no exception.

Brad Pischea has been a member of my team since December 2016. He has spent that time hearing from constituents, hearing their concerns, and representing my office. I am grateful for his fine work and I am happy to congratulate him as he moves on to Senator Hildenbrand’s office where he will work as legislative and constituent aide, adding to his résumé and experience.

Connor Spalding has been in the Majority Leader’s office since 2011 when he started as an intern for Senator Richardville. Connor has been a member of my team since I was elected Majority Leader. Connor has worked his way up from intern to deputy legislative director, and I am proud to see him move on to become legislative director for Senator Shirkey. I am sure he will do as fine a job for Senator Shirkey as he has done for me. Senator Shirkey, no give-backs on this one. In fact, Connor has a lot of good change coming to his life. Not only will he be starting a new job, but he is in the process of planning a wedding to his fiancée, Kim. In other words, he was just told what time to show up; Kim is planning the wedding.

It has truly been a joy to get to know these two gentlemen. I am grateful for their hard work and I wish them all the best. If you would please join me in wishing them well in their new positions, as they start next week.

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 Nofs 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 bill:

House Bill No. 5095, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 3112 (MCL 324.3112), as amended by 2005 PA 33.

The bill was placed on the order of Third Reading of Bills.

By unanimous consent the Senate returned to the order of
Messages from the House

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

Senate Bill No. 35

The motion prevailed.

Senate Bill No. 238, entitled

A bill to amend 1939 PA 21, entitled “Regulatory loan act,” by amending section 12 (MCL 493.12), as amended by 2002 PA 393.

The House of Representatives has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

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 full title.

The bill was referred to the Secretary for enrollment printing and presentation to the Governor.

Senate Bill No. 286, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” (MCL 333.1101 to 333.25211) by adding part 219.

The House of Representatives has substituted (H-1) the bill.

The House of Representatives has passed the bill as substituted (H-1), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

Pending the order that, under rule 3.202, the bill be laid over one day,

Senator Kowall moved that the rule be suspended.

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

The question being on concurring in the substitute made to the bill by the House,

The substitute was concurred in, a majority of the members serving voting therefor, as follows:

Roll Call No. 459**Yeas—36**

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
Gregory	Jones	Pavlov	Young
Hansen	Knezek	Proos	Zorn

Nays—0**Excused—2**

Conyers	Green
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Not Voting—0

In The Chair: Schuitmaker

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 full title.
 The bill was referred to the Secretary for enrollment printing and presentation to the Governor.

Senate Bill No. 381, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 28 of chapter V (MCL 765.28), as amended by 2004 PA 332.

The House of Representatives has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

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 full title.
 The bill was referred to the Secretary for enrollment printing and presentation to the Governor.

Senate Bill No. 520, entitled

A bill to amend 1962 PA 174, entitled "Uniform commercial code," by amending section 9523 (MCL 440.9523), as added by 2000 PA 348.

The House of Representatives has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

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 full title.
 The bill was referred to the Secretary for enrollment printing and presentation to the Governor.

Third Reading of Bills

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

House Bill No. 5095

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:

Senate Bill No. 605

Senate Bill No. 596

House Bill No. 5095

The motion prevailed.

The following bill was read a third time:

Senate Bill No. 605, entitled

A bill to amend 1968 PA 317, entitled “An act relating to the conduct of public servants in respect to governmental decisions and contracts with public entities; to provide penalties for the violation of this act; to repeal certain acts and parts of acts; and to validate certain contracts,” by amending section 3a (MCL 15.323a), as amended by 2011 PA 106.

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. 460

Yeas—35

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

Nays—1

Colbeck

Excused—2

Conyers

Green

Not Voting—0

In The Chair: Schuitmaker

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 596, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 72103, 72105, and 72106 (MCL 324.72103, 324.72105, and 324.72106), section 72103 as amended by 2014 PA 210, section 72105 as amended by 2017 PA 138, and section 72106 as amended by 2014 PA 212, and by adding section 72103a.

The question being on the passage of the bill,

Senator Warren offered the following amendment:

1. Amend page 7, following line 19, by inserting:

“(vi) A PLAN FOR PROVIDING TRANSIT-BASED ACCESS FOR TRAIL USERS IN ORDER TO ENHANCE ACCESS FOR THOSE WHO MAY NOT RESIDE IN THE VICINITY OF THE TRAIL.”.

The amendment was adopted, a majority of the members serving voting therefor.
 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. 461**Yeas—36**

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
Gregory	Jones	Pavlov	Young
Hansen	Knezek	Proos	Zorn

Nays—0**Excused—2**

Conyers	Green
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Not Voting—0

In The Chair: Schuitmaker

The Senate agreed to the title of the bill.

The following bill was read a third time:

House Bill No. 5095, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 3112 (MCL 324.3112), as amended by 2005 PA 33.

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. 462**Yeas—25**

Booher	Hildenbrand	MacGregor	Robertson
Brandenburg	Horn	Marleau	Schmidt
Casperson	Hune	Meekhof	Schuitmaker
Colbeck	Knezek	Nofs	Shirkey
Emmons	Knollenberg	Pavlov	Stamas
Hansen	Kowall	Proos	Zorn
Hertel			

Nays—11

Ananich	Hood	Jones	Warren
Bieda	Hopgood	O'Brien	Young
Gregory	Johnson	Rocca	

Excused—2

Conyers

Green

Not Voting—0

In The Chair: Schuitmaker

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 protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to protect the people’s right to hunt and fish; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, assessments, and donations; to provide certain appropriations; to prescribe penalties and provide remedies; and to repeal acts and parts of acts.”.

The Senate agreed to the full title.

Protests

Senators Warren, Hood, Hopgood and Gregory, under their constitutional right of protest (Art. 4, Sec. 18), protested against the passage of House Bill No. 5095.

Senator Warren moved that the statement she made during the discussion of the bill be printed as her reasons for voting “no.”

The motion prevailed.

Senator Warren’s statement, in which Senators Hood, Hopgood and Gregory concurred, is as follows:

I rise to give my “no” vote explanation on House Bill No. 5095. This legislature has a long tradition of working in a bipartisan manner to do all that we can to protect our Great Lakes. In fact, the bills that enhance Michigan’s ballast water standards, that this bill currently before us seeks to undo, were introduced by Senator Patty Birkholz and Representative Dave Palsrok—who were the Republicans at that time who chaired the Natural Resources Committees of jurisdiction in the 2005-2006 Session—and when those bills came to the House floor and the Senate floor, in each of those chambers they passed nearly unanimously with one single outlying “no” vote. The law that they created required ocean-going vessels to seek permits from our state to either certify that they would not discharge ballast water while in Michigan’s ports, or that they will treat the ballast water before it is released.

Our law functions as a supplement to the federal EPA vessels general permit, and it is distinct from, but very similar to, supplemental conditions that were adopted in 13 other states. For example, our neighboring states of Minnesota and Wisconsin also have state permit requirements to regulate ballast water discharges with more stringent standards than this bill would seek to put in place. Evidence has shown that these stronger standards have been effective in slowing, although not preventing, the spread of invasive species. It’s worth noting that the EPA standard from the International Maritime Organization standards are not considered strict enough to ensure that invasive species are kept out of our waters. This is a flawed standard.

In fact, in 2015, the United States Second Circuit Court of Appeals found that the EPA had acted arbitrarily and capriciously when it decided to adopt this international standard as our national standard. As a result, this permit is currently being revised. The updated version is not due until 2018. This means that this is a particularly inappropriate time for us to relax our state standards, as we don’t know what the EPA is going to come up with. Deferring to the United States Coast Guard is also a particularly inappropriate way to protect the economic and environmental health of our Great Lakes. That agency’s mission is maritime safety and security. In contrast, both the Michigan Department of Environmental Quality and the federal EPA have expertise in managing and protecting water quality through a scientifically-based approach. While the Coast Guard has issued regulations on ballast water, that agency has also granted many ship owners extensions in complying with them.

As a result, in effect, the adoption of this bill before us would lower our state standard to inadequate federal levels and cede our ability to protect lakes to a federal agency that doesn’t even have the relevant expertise. A vote in favor of this legislation is essentially a vote to declare that for the next three years, ships operating under a compliance extension from the Coast Guard, may discharge whatever they like, whenever they like, and wherever they like.

Colleagues, we are joint stewards of 20 percent of this entire Earth’s fresh surface water. It is not cavalier to protect that important natural resource. We have a duty to protect it, and I urge my colleagues to vote “no” on this bill.

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

Senator Conyers introduced
Senate Joint Resolution N, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 21 of article V, section 2 of article VI, and sections 3 and 5 of article VIII, to modify the nomination process for lieutenant governor, secretary of state, attorney general, justices of the supreme court, state board of education, Regents of the University of Michigan, Board of Trustees of Michigan State University, and Board of Governors of Wayne State University.

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

Senators Casperson and Robertson introduced
Senate Bill No. 652, entitled

A bill to amend 1969 PA 306, entitled "Administrative procedures act of 1969," by amending sections 33, 39a, 40, 41, 42, 43, 44, 45, and 47 (MCL 24.233, 24.239a, 24.240, 24.241, 24.242, 24.243, 24.244, 24.245, and 24.247), sections 33 and 47 as amended and section 39a as added by 1999 PA 262, section 40 as amended by 2011 PA 243, sections 41 and 42 as amended by 2004 PA 491, section 43 as amended by 1989 PA 288, and sections 44 and 45 as amended by 2016 PA 513, and by adding sections 65 and 66.

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

Senators Booher, Robertson and Casperson introduced
Senate Bill No. 653, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 1301 (MCL 324.1301), as amended by 2014 PA 215, and by adding sections 1313 and 1315.

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

Senators Robertson and Booher introduced
Senate Bill No. 654, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding part 26.

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

Senators O'Brien, Jones and Schuitmaker introduced
Senate Bill No. 655, entitled

A bill to create the address confidentiality program; to provide certain protections for victims of domestic violence, sexual assault, stalking, or human trafficking; to prescribe duties and responsibilities of certain state departments; to require the promulgation of rules; to create a fund; to provide for an assessment; to prohibit the disclosure of certain information and obtaining a certification under this act by fraud; and to prescribe penalties.

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

Senators O'Brien, Jones and Schuitmaker introduced
Senate Bill No. 656, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 509q, 758, 759, and 761 (MCL 168.509q, 168.758, 168.759, and 168.761), section 509q as amended by 2012 PA 586, section 758 as amended by 1996 PA 207, and sections 759 and 761 as amended by 2012 PA 523, and by adding sections 499b and 735a.

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

Senators Jones, O'Brien and Schuitmaker introduced
Senate Bill No. 657, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 916 and 1307a (MCL 600.916 and 600.1307a), section 916 as amended by 2000 PA 112 and section 1307a as amended by 2012 PA 69.

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

Senators Schuitmaker, Jones and O'Brien introduced

Senate Bill No. 658, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1136 (MCL 380.1136), as added by 2016 PA 367.

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

Senators Conyers and Hertel introduced

Senate Bill No. 659, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 55, 392a, 404, 534, and 535 (MCL 168.55, 168.392a, 168.404, 168.534, and 168.535), section 55 as amended by 2012 PA 276, section 404 as amended by 1999 PA 218, and section 534 as amended by 1988 PA 116, and by adding sections 72a, 73a, 74a, 74b, 74c, 74d, 74e, 74f, 74g, 282b, 282c, 283a, 284a, 284b, 284c, 284d, 284e, 284f, 284g, 284h, 391a, 392b, 394a, and 395a; and to repeal acts and parts of acts.

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

Senator Meekhof introduced

Senate Bill No. 660, entitled

A bill to amend 1988 PA 466, entitled "Animal industry act," by amending section 46 (MCL 287.746), as added by 2009 PA 117, and by adding section 47.

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

House Bill No. 4207, entitled

A bill to amend 1984 PA 270, entitled "Michigan strategic fund act," by amending sections 90a and 90b (MCL 125.2090a and 125.2090b), as amended by 2014 PA 506.

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 Economic Development and International Investment.

House Bill No. 4533, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 43523a (MCL 324.43523a), as amended by 2016 PA 461.

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 Outdoor Recreation and Tourism.

House Bill No. 4535, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 255 (MCL 257.255), as amended by 2003 PA 9.

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 Transportation.

House Bill No. 5093, entitled

A bill to amend 1980 PA 300, entitled "The public school employees retirement act of 1979," by amending section 84b (MCL 38.1384b), as amended by 2012 PA 359.

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 Education.

House Bill No. 5165, entitled

A bill to amend 1936 (Ex Sess) PA 1, entitled "Michigan employment security act," (MCL 421.1 to 421.75) by adding sections 54f, 54g, and 54h.

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 Oversight.

House Bill No. 5166, entitled

A bill to amend 1936 (Ex Sess) PA 1, entitled "Michigan employment security act," by amending section 54 (MCL 421.54), as amended by 2016 PA 522.

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 Oversight.

House Bill No. 5167, entitled

A bill to amend 1936 (Ex Sess) PA 1, entitled "Michigan employment security act," by amending section 5a (MCL 421.5a), as amended by 1993 PA 311.

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 Oversight.

House Bill No. 5168, entitled

A bill to amend 1936 (Ex Sess) PA 1, entitled "Michigan employment security act," by amending section 28 (MCL 421.28), as amended by 2011 PA 269.

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 Oversight.

House Bill No. 5169, entitled

A bill to amend 1936 (Ex Sess) PA 1, entitled "Michigan employment security act," by amending section 15 (MCL 421.15), as amended by 2016 PA 228.

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 Oversight.

House Bill No. 5170, entitled

A bill to amend 1936 (Ex Sess) PA 1, entitled "Michigan employment security act," by amending section 20 (MCL 421.20), as amended by 2013 PA 142.

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 Oversight.

House Bill No. 5171, entitled

A bill to amend 1936 (Ex Sess) PA 1, entitled "Michigan employment security act," by amending section 62 (MCL 421.62), as amended by 2016 PA 522.

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 Oversight.

House Bill No. 5172, entitled

A bill to amend 1936 (Ex Sess) PA 1, entitled "Michigan employment security act," by amending section 32a (MCL 421.32a), as amended by 2011 PA 269.

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 Oversight.

By unanimous consent the Senate returned to the order of

Resolutions

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

Senate Concurrent Resolution No. 10

Senate Resolution No. 30

Senate Resolution No. 105

The motion prevailed.

Senate Concurrent Resolution No. 27.

A concurrent resolution to encourage the Michigan Department of Natural Resources to establish a Water Trails Grant Program to support Michigan's water trails.

The question being on the adoption of the concurrent resolution,
The concurrent resolution was adopted.

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

The motion prevailed.

Senator Warren's statement is as follows:

Thank you, Madam President, for the opportunity to speak to Senate Concurrent Resolution No. 27, which encourages the Department of Natural Resources to establish formal water trail and water trail designation programs.

As our state already boasts an estimated 2,850 miles of coastal trails and 1,280 miles of inland water trails, there is a growing need for a system of designated waterways that trail users can safely access. Because there is no formal program available to support these trails, it falls to dedicated groups of volunteers and local community members to develop, fund, maintain, and promote them.

Senate Concurrent Resolution No. 27 will encourage our DNR to become a stronger partner in efforts to further develop water trails. The concurrent resolution encourages the department to develop a grant program to support capital improvements like signage, kayak and canoe racks, restrooms, accessible launches, picnic areas, pavilions, boat-washing stations, portages, and trash containers for water trails.

My district has the Huron River Water Trail. It's an excellent example of what kind of an impact a state water trails program could have. The trail offers 104 miles of inland paddling, and in 2015 it was designated as the 18th National Water Trail. This trail provides recreational opportunities for people of all ages and abilities. It connects five counties and a total of 30 communities, providing opportunities for them to establish and strengthen their identities and attract tourists. It helps promote healthy lifestyles and, according to a recent economic impact study, it generated more than \$49.5 million in economic activity.

Considering all these benefits, I encourage you to support this concurrent resolution and the continued development of water trails throughout our state.

Senator Kowall offered the following concurrent resolution:

Senate Concurrent Resolution No. 28.

A concurrent resolution prescribing the legislative schedule.

Resolved by the Senate (the House of Representatives concurring), That when the Senate adjourns on Thursday, November 9, 2017, it stands adjourned until Tuesday, November 28, 2017, at 10:00 a.m.; and be it further

Resolved, That when the House of Representatives adjourns on Thursday, November 9, 2017, it stands adjourned until Tuesday, November 28, 2017, at 1:30 p.m.

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.

Senators Booher, Hansen, MacGregor and Proos were named co-sponsors of the concurrent resolution.

By unanimous consent the Senate returned to the order of

Motions and Communications

Senator Kowall moved that, pursuant to rule 1.114, upon receipt of Senate bills returned from the House of Representatives, the Secretary of the Senate be directed to proceed with the enrollment printing and presentation of the bills to the Governor.

The motion prevailed.

By unanimous consent the Senate proceeded to the order of

Statements

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

The motion prevailed.

Senator Bieda's statement is as follows:

Today, I just want to say a couple words of thanks for all of our veterans as we go into Veterans Day weekend. There are a lot of veterans in this chamber. I know several of my colleagues have served this country admirably—I'm looking at the back of the head of the Senator Vincent Gregory and I know Senator Knezek was here, we have a number of our Sergeants-at-Arms, my own chief of staff, Jerry Gill, served admirably in the Navy during the Vietnam War, and I know there are people listening at home and there are people in this room who are veterans that I may not have acknowledged. John Mulcrone is another that I could think of.

I just think it's really important that we thank them and honor them on this special holiday that's coming up. One also who sticks out on the top of my head is my father who was a Korean War veteran and all his buddies at the Bruce Post in St. Clair Shores. I want to thank them for their service, and I know you'll want to join me in thanking them for their service as well.

If it's not too out-of-bounds, if I can just ask all the veterans who are in the chamber today to stand so we can give them a round of applause.

Announcements of Printing and Enrollment

The Secretary announced that the following House bills were received in the Senate and filed on Wednesday, November 8:
House Bill Nos. 4533 5165 5166 5167 5168 5169 5170 5171 5172

The Secretary announced that the following bills were printed and filed on Wednesday, November 8, and are available at the Michigan Legislature website:

Senate Bill Nos. 649 650 651
House Bill Nos. 5225 5226 5227 5228 5229 5230 5231 5232 5233 5234 5235

Committee Reports

The Committee on Natural Resources reported

House Bill No. 5095, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 3112 (MCL 324.3112), as amended by 2005 PA 33.

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, Pavlov, Robertson and Stamas

Nays: Senator Warren

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Natural Resources submitted the following:

Meeting held on Wednesday, November 8, 2017, at 12:30 p.m., Room 1300, Binsfeld Office Building

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

The Committee on Finance reported

Senate Bill No. 361, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending sections 651 and 655 (MCL 206.651 and 206.655), section 651 as amended by 2011 PA 171 and section 655 as added by 2011 PA 38.

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

Senate Bill No. 362, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending sections 653 and 657 (MCL 206.653 and 206.657), section 653 as amended by 2011 PA 183 and section 657 as added by 2011 PA 38.

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

Senate Bill No. 511, entitled

A bill to create the Michigan first-time home buyer savings program; to provide for first-time home buyer savings accounts; to prescribe the powers and duties of certain state agencies, boards, and departments; to allow certain tax deductions; and to provide for penalties and remedies.

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

Senate Bill No. 512, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 30 (MCL 206.30), as amended by 2015 PA 161.

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. 4976, entitled

A bill to amend 1941 PA 122, entitled "An act to establish the revenue collection duties of the department of treasury; to prescribe its powers and duties as the revenue collection agency of this state; to prescribe certain powers and duties of the state treasurer; to establish the collection duties of certain other state departments for money or accounts owed to this state; to regulate the importation, stamping, and disposition of certain tobacco products; to provide for the transfer of powers and duties now vested in certain other state boards, commissions, departments, and offices; to prescribe certain duties of and require certain reports from the department of treasury; to provide procedures for the payment, administration, audit, assessment, levy of interests or penalties on, and appeals of taxes and tax liability; to prescribe its powers and duties if an agreement to act as agent for a city to administer, collect, and enforce the city income tax act on behalf of a

city is entered into with any city; to provide an appropriation; to abolish the state board of tax administration; to prescribe penalties and provide remedies; and to declare the effect of this act," by amending sections 21 and 28 (MCL 205.21 and 205.28), section 21 as amended by 2014 PA 35 and section 28 as amended by 2017 PA 111.

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.

COMMITTEE ATTENDANCE REPORT

The Committee on Finance submitted the following:

Meeting held on Tuesday, November 7, 2017, at 2:30 p.m., Room 1100, Binsfeld Office Building

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

COMMITTEE ATTENDANCE REPORT

The Committee on Appropriations submitted the following:

Meeting held on Wednesday, November 8, 2017, at 3:45 p.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building

Present: Senators Hildenbrand (C), MacGregor, Hansen, Stamas, Schuitmaker, Knollenberg, Booher, Shirkey, Proos, Nofs, Marleau, Gregory, Hopgood, Hertel, Knezek and Young

Excused: Senator Green

Senator Kowall moved that the Senate adjourn.

The motion prevailed, the time being 11:34 a.m.

Pursuant to Senate Concurrent Resolution No. 28, the President pro tempore, Senator Schuitmaker, declared the Senate adjourned until Tuesday, November 28, 2017, at 10:00 a.m.

JEFFREY F. COBB
Secretary of the Senate