

**No. 33**  
**STATE OF MICHIGAN**  
**Journal of the Senate**  
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**REGULAR SESSION OF 2017**

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Senate Chamber, Lansing, Wednesday, March 29, 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—present  
Emmons—present  
Green—present  
Gregory—present  
Hansen—present  
Hertel—present  
Hildenbrand—present

Hood—excused  
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

Father David Speicher of St. Joseph Catholic Church of Howell offered the following invocation:

Good and gracious God, as we gather here, we have so many words to share but we're not sure how to share them all; but You know the prayers of our hearts. Lord, as Your servants, we gather. We ask You to hear our hearts as we give You praise. We give You thanks for all Your gifts: for the gift of our state, for the gift of our people, and for the gift of all the resources and blessings. We ask You to hear our prayers, Lord: that You bless and protect our homes, our places of work, and our schools. We ask You, Lord, to be with those who are without. Lord, our hearts ask You, call to You, to guide us. Grant us, Lord, Your wisdom and Your guidance this day that we may strive to bless, with Your love, Your people through our decisions.

We ask this through Christ, our Lord. Amen.

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

### Motions and Communications

Senator Green entered the Senate Chamber.

Senator Kowall moved that Senator Casperson be temporarily excused from today's session.  
The motion prevailed.

Senator Bieda moved that Senator Young be temporarily excused from today's session.  
The motion prevailed.

Senator Bieda moved that Senator Hood be excused from today's session.  
The motion prevailed.

Senator Kowall moved that rule 3.902 be suspended to allow the guests of Senators Zorn and Horn admittance to the Senate floor.

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

The Secretary announced that the following House bills were received in the Senate and filed on Tuesday, March 28:  
**House Bill Nos. 4070 4259**

The Secretary announced that the following bills were printed and filed on Tuesday, March 28, and are available at the Michigan Legislature website:

<b>Senate Bill Nos.</b>	<b>275</b>	<b>276</b>	<b>277</b>	<b>278</b>	<b>279</b>									
<b>House Bill Nos.</b>	<b>4412</b>	<b>4413</b>	<b>4414</b>	<b>4415</b>	<b>4416</b>	<b>4417</b>	<b>4418</b>	<b>4419</b>	<b>4420</b>	<b>4421</b>	<b>4422</b>	<b>4423</b>	<b>4424</b>	<b>4425</b>
	<b>4426</b>	<b>4427</b>	<b>4428</b>	<b>4429</b>	<b>4430</b>									

By unanimous consent the Senate proceeded to the order of

### General Orders

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

The motion prevailed, and the President, Lieutenant Governor Calley, designated Senator Hertel as Chairperson.

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

#### **Senate Bill No. 196, entitled**

A bill to amend 2008 PA 525, entitled "Fostering futures scholarship trust fund act," by amending section 9 (MCL 722.1029), as amended by 2014 PA 530.

#### **Senate Bill No. 197, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 435 (MCL 206.435), as amended by 2016 PA 184.

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

During the Committee of the Whole, Senator Casperson entered the Senate Chamber.

By unanimous consent the Senate returned to the order of  
**Motions and Communications**

The following communication was received:  
 Office of Senator Curtis Hertel Jr.

March 28, 2017

I am writing to request my addition in co-sponsorship of Senate Bills 242, 243, and 244, sponsored by Senators Stamas, Schmidt, and Bieda.

Please feel free to contact me if you need any further information.

Sincerely,  
 Curtis Hertel Jr.  
 State Senator  
 District 23

The communication was referred to the Secretary for record.

**Third Reading of Bills**

Senator Young entered the Senate Chamber.

The following bill was read a third time:

**Senate Bill No. 94, entitled**

A bill to amend 1933 PA 167, entitled “General sales tax act,” by amending section 1 (MCL 205.51), as amended by 2016 PA 515.

The question being on the passage of the bill,

Senator Knezek offered the following amendment:

1. Amend page 7, following line 25, by inserting:

“Enacting section 1. It is the intent of the legislature to annually appropriate sufficient funds from the state general fund to the state school aid fund created in section 11 of article IX of the state constitution of 1963 to fully compensate for any loss of revenue to the state school aid fund resulting from the enactment of this amendatory act.”.

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

Senator Young 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. 86**

**Yeas—16**

Ananich	Hertel	Jones	Stamas
Bieda	Hopgood	Knezek	Warren
Conyers	Horn	O’Brien	Young
Gregory	Johnson	Rocca	Zorn

**Nays—21**

Booher	Hansen	MacGregor	Proos
Brandenburg	Hildenbrand	Marleau	Robertson
Casperson	Hune	Meekhof	Schmidt
Colbeck	Knollenberg	Nofs	Schuitmaker
Emmons	Kowall	Pavlov	Shirkey
Green			

**Excused—1**

Hood

**Not Voting—0**

In The Chair: President

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. 87****Yeas—37**

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

**Nays—0****Excused—1**

Hood

**Not Voting—0**

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 95, entitled**

A bill to amend 1937 PA 94, entitled "Use tax act," by amending section 2 (MCL 205.92), as amended by 2016 PA 516.

The question being on the passage of the bill,

Senator Robertson offered the following amendment:

1. Amend page 6, line 21, after "**VEHICLE**" by striking out "**OR RECREATIONAL VEHICLE**".

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. 88****Yeas—37**

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

**Nays—0****Excused—1**

Hood

**Not Voting—0**

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 186, entitled**

A bill to amend 1980 PA 299, entitled "Occupational code," by amending sections 103 and 316 (MCL 339.103 and 339.316), section 103 as amended by 1994 PA 257 and section 316 as amended by 1998 PA 90, and by adding article 14A; and to repeal acts and parts of acts.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

**Roll Call No. 89****Yeas—37**

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

**Nays—0**

**Excused—1**

Hood

**Not Voting—0**

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 187, entitled**

A bill to amend 1968 PA 330, entitled "Private security business and security alarm act," by amending the title and sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 13, 14, 15, 16, 17, 18, 19, 22, 25, 26, 29, 31, and 33 (MCL 338.1052, 338.1053, 338.1054, 338.1055, 338.1056, 338.1057, 338.1058, 338.1059, 338.1060, 338.1061, 338.1063, 338.1064, 338.1065, 338.1066, 338.1067, 338.1068, 338.1069, 338.1072, 338.1075, 338.1076, 338.1079, 338.1081, and 338.1083), the title and sections 3, 4, 7, 8, 14, 17, 19, 25, and 29 as amended by 2010 PA 68, section 2 as amended by 2012 PA 581, sections 6 and 9 as amended by 2014 PA 128, sections 10, 13, 18, and 31 as amended by 2002 PA 473, section 11 as amended by 2004 PA 270, and sections 22 and 33 as amended by 2000 PA 411, and by adding section 15a.

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. 90**

**Yeas—37**

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

**Nays—0**

**Excused—1**

Hood

**Not Voting—0**

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 188, entitled**

A bill to amend 2012 PA 580, entitled “Security alarm systems act,” by amending section 2 (MCL 338.2182).

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. 91**

**Yeas—37**

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

**Nays—0**

**Excused—1**

Hood

**Not Voting—0**

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 189, entitled**

A bill to amend 1979 PA 152, entitled “State license fee act,” (MCL 338.2201 to 338.2277) by adding section 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. 92**

**Yeas—24**

Ananich	Gregory	Johnson	O’Brien
Bieda	Hansen	Jones	Robertson
Booher	Hertel	Knezek	Rocca
Brandenburg	Hildenbrand	Kowall	Schmidt
Conyers	Hopgood	Meekhof	Warren
Green	Horn	Nofs	Young

**Nays—13**

Casperson	Knollenberg	Pavlov	Shirkey
Colbeck	MacGregor	Proos	Stamas

Emmons  
Hune

Marleau

Schuitmaker

Zorn

**Excused—1**

Hood

**Not Voting—0**

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 190, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 80130a, 80315a, 81114a, and 82156a (MCL 324.80130a, 324.80315a, 324.81114a, and 324.82156a), section 80130a as amended by 2000 PA 194 and sections 80315a, 81114a, and 82156a as added by 1997 PA 102.

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. 93**

**Yeas—37**

Ananich  
Bieda  
Booher  
Brandenburg  
Casperson  
Colbeck  
Conyers  
Emmons  
Green  
Gregory

Hansen  
Hertel  
Hildenbrand  
Hopgood  
Horn  
Hune  
Johnson  
Jones  
Knezek

Knollenberg  
Kowall  
MacGregor  
Marleau  
Meekhof  
Nofs  
O’Brien  
Pavlov  
Proos

Robertson  
Rocca  
Schmidt  
Schuitmaker  
Shirkey  
Stamas  
Warren  
Young  
Zorn

**Nays—0**

**Excused—1**

Hood

**Not Voting—0**

In The Chair: President

The Senate agreed to the title of the bill.



The following bill was read a third time:

**Senate Bill No. 191, entitled**

A bill to amend 1972 PA 222, entitled “An act to provide for an official personal identification card; to provide for its form, issuance and use; to regulate the use and disclosure of information obtained from the card; to prescribe the powers and duties of the secretary of state; to prescribe fees; to prescribe certain penalties for violations; and to provide an appropriation for certain purposes,” by amending section 8 (MCL 28.298), as amended by 2008 PA 32.

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. 94**

**Yeas—37**

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

**Nays—0**

**Excused—1**

Hood

**Not Voting—0**

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 192, entitled**

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending sections 208c and 698 (MCL 257.208c and 257.698), section 208c as amended by 2008 PA 539 and section 698 as amended by 2016 PA 161.

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. 95**

**Yeas—37**

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

Colbeck  
Conyers  
Emmons  
Green  
Gregory

Hune  
Johnson  
Jones  
Knezek

Nofs  
O'Brien  
Pavlov  
Proos

Stamas  
Warren  
Young  
Zorn

**Nays—0**

**Excused—1**

Hood

**Not Voting—0**

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 242, entitled**

A bill to amend 1984 PA 270, entitled "Michigan strategic fund act," by amending section 9 (MCL 125.2009), as amended by 2014 PA 503, and by adding chapter 8D.

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. 96**

**Yeas—32**

Ananich  
Bieda  
Booher  
Casperson  
Conyers  
Green  
Gregory  
Hansen

Hertel  
Hildenbrand  
Hopgood  
Horn  
Johnson  
Jones  
Knezek  
Knollenberg

Kowall  
MacGregor  
Marleau  
Meekhof  
Nofs  
O'Brien  
Proos  
Robertson

Rocca  
Schmidt  
Schuitmaker  
Shirkey  
Stamas  
Warren  
Young  
Zorn

**Nays—5**

Brandenburg  
Colbeck

Emmons

Hune

Pavlov

**Excused—1**

Hood

**Not Voting—0**

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 243, entitled**

A bill to amend 1967 PA 281, entitled “Income tax act of 1967,” by amending section 711 (MCL 206.711), as amended by 2016 PA 158, and by adding section 51f.

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. 97****Yeas—32**

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

**Nays—5**

Brandenburg	Emmons	Hune	Pavlov
Colbeck			

**Excused—1**

Hood

**Not Voting—0**

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 244, 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 section 28 (MCL 205.28), as amended by 2015 PA 10.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

**Roll Call No. 98**

**Yeas—33**

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

**Nays—4**

Brandenburg	Emmons	Hune	Pavlov
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**Excused—1**

Hood

**Not Voting—0**

In The Chair: President

The Senate agreed to the title of the bill.

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

By unanimous consent the Senate proceeded to the order of

**Resolutions**

Senators Warren, Colbeck, Gregory, Emmons, Rocca and Schuitmaker offered the following resolution:

**Senate Resolution No. 36.**

A resolution of support for an initiative to bring the first Fisher House to Michigan.

Whereas, Michigan now boasts among its citizens more than 640,000 veterans, many of whom are recently returned home from service in Iraq and Afghanistan; and

Whereas, The Veterans’ Administration Ann Arbor Healthcare System (VAAAHS) provides state-of-the-art healthcare for veterans living in a 15-county area of Michigan and northwest Ohio; and

Whereas, The VAAAHS also serves as a referral center for specialty care, providing critical medical treatment that is not available in other nearby Veterans’ Administration (VA) facilities, including trans-aortic valve replacement, deep brain stimulation for Parkinson’s Disease, and access to the Traumatic Brain Injury Center; and

Whereas, Each year, the VAAHS serves veterans by providing more than 800,000 outpatient visits and more than 5,000 episodes of inpatient care at the hospital and extended care center; and

Whereas, The VAAHS is rated the second-best VA Medical Center in the United States; and

Whereas, Many VAAHS patients travel a long distance to receive care, which can present a significant barrier to healthcare for these veterans and their families and caregivers; and

Whereas, Between 200 and 300 families per month request lodging at the VAAHS for the purpose of traveling with their veteran as he or she receives care; and

Whereas, Family support and engagement has been shown to significantly improve patient outcomes; and

Whereas, The Fisher House Program provides a free-of-charge “home away from home” for families of patients receiving medical care at major military and VA medical centers; and

Whereas, There are currently 71 Fisher Houses located in 27 states, but none in Michigan; and

Whereas, The Department of Veterans’ Affairs has approved a Fisher House location at the VAAHS; and

Whereas, In May 2016, Fisher House Michigan, a nonprofit organization under section 501(c)(3) of the federal tax code, was formed with the purpose of bringing the first Fisher House to Michigan; and

Whereas, In November 2016, the Department of Veterans’ Affairs and the Fisher House Foundation approved building a Fisher House at the VAAHS; and

Whereas, The construction will be funded by a \$5 million capital campaign by Fisher House Michigan, as well as matching funds from The Fisher House Foundation, a nationwide nonprofit organization; and

Whereas, Once it is complete, the Fisher House at the VAAHS will provide 5,840 nights annually of free lodging to veterans’ family members and caregivers; now, therefore, be it

Resolved by the Senate, That we recognize and commend the work that is being done to bring a Fisher House to the VAAHS; and be it further

Resolved, That we encourage the citizens of Michigan to support these efforts.

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 Veterans, Military Affairs and Homeland Security.

The motion prevailed.

Senators Kowall and Hopgood were named co-sponsors of the resolution.

Senators Knezek, Hertel, Conyers, Gregory, Johnson, Bieda, Hopgood, Warren, Ananich and Young offered the following resolution:

**Senate Resolution No. 37.**

A resolution to urge the Governor to abandon his appeal to the Michigan Supreme Court of Public Act 75 of 2010 and immediately refund the unconstitutionally obtained contributions made by Michigan education professionals.

Whereas, Public Act 75 of 2010 significantly revised the Public School Employees’ Retirement Act. In particular, the act began requiring all public school employees contribute 3 percent of their salaries to the Michigan Public School Employees’ Retirement System without the guarantee of receiving their benefits upon retirement. Contributions made from this provision were deposited into an irrevocable trust that was to be used to pay for the retirement health care benefits of retirees and their eligible dependents; and

Whereas, When challenged in front of the Michigan Supreme Court, the 3 percent contribution could not withstand scrutiny, forcing the mandatory collection to end in 2012. These contributions—made to a non-vesting retiree health benefit program—were considered a mandatory employee deduction, and the court found the requirement to be in violation of the U.S. and Michigan constitutions; and

Whereas, During the three years the policy was in effect, the state collected hundreds of millions of dollars. Challenged again by the state, this decision was upheld by the Court of Appeals, which also ordered the contributions to be returned to the workers with interest; and

Whereas, Despite the low probability of a successful appeal, Governor Snyder has requested that the Michigan Supreme Court overturn the lower courts. This stance continues to drag the state through an expensive and long appeals process that ill-serves the state and is a disservice to these hardworking employees; and

Whereas, Until the appeal is upheld or abandoned, the state Office of Retirement Services cannot issue refunds. Since the end of the policy nearly five years ago, contributors to the Michigan Public School Employees’ Retirement System have waited for the Snyder administration to return more than \$550 million in illegally obtained contributions and interest. Michigan educators are overdue for the return of their pay, with interest, that has been illegally collected and withheld; now, therefore, be it

Resolved by the Senate, That we urge the Governor to abandon his appeal to the Michigan Supreme Court of Public Act 75 of 2010 and immediately refund the unconstitutionally obtained contributions made by Michigan education professionals; and be it further

Resolved, That copies of this resolution be transmitted to the Governor of the State of Michigan.

Pursuant to rule 3.204, the resolution was referred to the Committee on Government Operations. Senator Hopgood was named co-sponsor of the resolution.

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

Senators Booher, Casperson, Nofs, Hildenbrand, Hune, Brandenburg, MacGregor, Robertson and Marleau introduced **Senate Bill No. 280, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 1901, 1902, 1903, 1905, 1907, and 1907a (MCL 324.1901, 324.1902, 324.1903, 324.1905, 324.1907, and 324.1907a), section 1901 as added by 1995 PA 60, sections 1902, 1905, 1907, and 1907a as amended by 2012 PA 619, and section 1903 as amended by 2011 PA 117, and by adding section 1907b.

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

Senators Bieda, Hopgood, Conyers, Johnson, Hertel, Gregory and Young introduced

**Senate Bill No. 281, entitled**

A bill to amend 1976 PA 388, entitled "Michigan campaign finance act," by amending sections 3 and 26 (MCL 169.203 and 169.226), section 3 as amended by 2012 PA 273 and section 26 as amended by 2013 PA 252.

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

Senators Nofs, Stamas, Gregory, Jones, Knezek and Hansen introduced

**Senate Bill No. 282, entitled**

A bill to amend 1969 PA 317, entitled "Worker's disability compensation act of 1969," by amending section 315 (MCL 418.315), as amended by 2014 PA 264.

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

Senators Stamas, Nofs, Gregory, Knezek and Hansen introduced

**Senate Bill No. 283, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 3107b (MCL 500.3107b), as amended by 2014 PA 263.

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

Senator Jones introduced

**Senate Bill No. 284, entitled**

A bill to amend 1915 PA 79, entitled "An act to provide certain requirements in written instruments conveying or mortgaging real estate or any interest therein in which there are male grantors, mortgagors or other parties executing the same to entitle the same to record," by amending section 1 (MCL 565.221), as amended by 1980 PA 489.

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

Senators Hopgood and Gregory introduced

**Senate Bill No. 285, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 21720a (MCL 333.21720a).

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

Senators Hopgood and Gregory introduced

**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 bill was read a first and second time by title and referred to the Committee on Health Policy.

**House Bill No. 4070, entitled**

A bill to amend 1996 PA 101, entitled "Property rights preservation act," by amending the title and sections 2, 3, and 4 (MCL 24.422, 24.423, and 24.424) and by adding section 6.

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. 4259, entitled**

A bill to amend 2003 PA 1, entitled "An act to provide for the audit and examination of this state and state funds; to provide for the audit and examination of the books and accounts of all branches, departments, offices, boards, commissions, agencies, authorities, and institutions of this state; to prescribe powers and duties of certain state officers and employees; to provide for access to certain records; to provide for the subpoena of witnesses and production of documents and records; to prescribe penalties; and to provide for the administration of this act," by amending section 1 (MCL 13.101).

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 Government Operations.

By unanimous consent the Senate returned to the order of

**Motions and Communications**

Senator Kowall moved that rule 2.106 be suspended to allow committees to meet during Senate session.

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

**Recess**

Senator Kowall moved that the Senate recess until 2:15 p.m.

The motion prevailed, the time being 10:38 a.m.

The Senate reconvened at the expiration of the recess and was called to order by the Assistant President pro tempore, Senator O'Brien.

**Recess**

Senator Kowall moved that the Senate recess subject to the call of the Chair.

The motion prevailed, the time being 2:16 p.m.

3:35 p.m.

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

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. 4329**

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

By unanimous consent the Senate returned 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 with a substitute therefor, the following bill:

**House Bill No. 4329, entitled**

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2017; and to provide for the expenditure of the appropriations.

Substitute (S-1).

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

1. Amend page 7, line 1, after "emergency." by inserting "The loan described in this section shall bear an interest rate of 0.0%."

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.

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 bill, now on the order of Third Reading of Bills, be placed on its immediate passage at the head of the Third Reading of Bills calendar:

**House Bill No. 4329**

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

The following bill was read a third time:

**House Bill No. 4329, entitled**

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2017; and to provide for the expenditure of the appropriations.

The question being on the passage of the bill,

Senator Bieda offered the following amendments:

1. Amend page 4, line 1, by striking out "5,000,000" and inserting "3,000,000".
2. Amend page 4, line 5, by striking out "5,000,000" and inserting "3,000,000".
3. Amend page 4, line 11, by striking out "5,000,000" and inserting "3,000,000".
4. Amend page 4, line 14, by striking out "5,000,000" and inserting "3,000,000".
5. Amend page 4, line 15, by striking out "5,000,000" and inserting "3,000,000".
6. Amend page 4, line 18, by striking out "5,000,000" and inserting "3,000,000" and adjusting the subtotals, totals, and section 201 accordingly.
7. Amend page 5, line 1, by striking out "6,000,000.00" and inserting "4,000,000.00".
8. Amend page 5, line 2, by striking out "5,000,000.00" and inserting "3,000,000.00".
9. Amend page 6, line 21, by striking out all of sections 501 and 502 and inserting:

"Sec. 501. (1) From the funds appropriated in part 1 for the sinkhole declaration of emergency, the department of technology, management, and budget shall allocate funds to address needs related to the declaration of emergency issued on January 6, 2017. These funds shall support emergency long-term bypass pumping, which includes, but is not limited to, electrical, piping, road crossings, and traffic control.

(2) Funding, described in subsection (1), shall be expended to protect public health, safety, and property, including protection of the Great Lakes, and to lessen or avert the threat of more severe and long-lasting impact to the community and its water environment."

The amendments were not adopted, a majority of the members serving not voting therefor.

Senator Young requested the yeas and nays.

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

The amendments were not adopted, a majority of the members serving not voting therefor, as follows:

**Roll Call No. 99**

**Yeas—17**

Ananich  
Bieda  
Brandenburg  
Casperson  
Colbeck

Conyers  
Gregory  
Hertel  
Hopgood

Johnson  
Knezek  
O'Brien  
Robertson

Rocca  
Schuitmaker  
Warren  
Young



**Nays—20**

Booher	Horn	MacGregor	Proos
Emmons	Hune	Marleau	Schmidt
Green	Jones	Meekhof	Shirkey
Hansen	Knollenberg	Nofs	Stamas
Hildenbrand	Kowall	Pavlov	Zorn

**Excused—1**

Hood

**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. 100****Yeas—36**

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

**Nays—1**

Bieda

**Excused—1**

Hood

**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.  
The Senate agreed to the title of the bill.

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:

I rise today to offer an amendment to House Bill No. 4329. As many of you know, this bill came over from the House with nearly unanimous support. In this bill was an appropriation of \$3 million to address a terrible situation that occurred in Macomb County on Christmas Eve last year. That is the sinkhole in Fraser, otherwise known as the 15 Mile interceptor collapse. This amendment that I'm proposing restores the funding that will go to repair the sinkhole and provide for a \$3 million grant.

As a result of the collapsed sewer line, 23 residences have been displaced, three homes have been condemned, underground utilities were damaged, and a large section of 15 Mile Road still needs to be repaired. Millions of gallons of raw sewage was also discharged into the Clinton River. The repair of this sinkhole is a matter of importance and it goes beyond the immediate needs of Macomb County. This is an issue that affects everyone as it stands to negatively impact the Great Lakes, and it's one that needs to be fixed in the near future as the rains that are anticipated in April will only exacerbate the problem.

I want to point out that 11 communities, plus Selfridge Air National Guard Base, are impacted by this situation. This situation impacts 43,000 businesses and more than half a million people in our state. I agree with our new Macomb County Public Works Commissioner and the sense of urgency that addressing this repair necessitates. A \$3 million grant is the first step in the right direction to allow the county to begin fixing what would be a much larger problem soon. I'm particularly concerned with the impact that this has on a larger scale for the Great Lakes, as this feeds into a number of the tributaries that feed into Lake St. Clair. I ask for your support for this amendment.

### Committee Reports

The Committee on Local Government reported

**House Bill No. 4080, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1274a (MCL 380.1274a), as amended by 2003 PA 255.

With the recommendation that the bill pass.

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

Dale W. Zorn  
Chairperson

To Report Out:

Yeas: Senators Zorn, Proos, Brandenburg, Rocca and Young

Nays: None

The bill was referred to the Committee of the Whole.

### COMMITTEE ATTENDANCE REPORT

The Committee on Local Government submitted the following:

Meeting held on Tuesday, March 28, 2017, at 12:30 p.m., Room 1200, Binsfeld Office Building

Present: Senators Zorn (C), Proos, Brandenburg, Rocca and Young

The Committee on Education reported

**Senate Bill No. 271, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1284b (MCL 380.1284b), as amended by 2006 PA 235.

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, Colbeck and Hopgood

Nays: Senator Booher

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 28, 2017, at 12:00 noon, Room 1300, Binsfeld Office Building

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

The Committee on Banking and Financial Institutions reported

**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.

With the recommendation that the bill pass.

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

Darwin L. Booher  
Chairperson

To Report Out:

Yeas: Senators Booher, Nofs, Zorn, MacGregor, Rocca, Hertel and Conyers

Nays: None

The bill was referred to the Committee of the Whole.

## COMMITTEE ATTENDANCE REPORT

The Committee on Banking and Financial Institutions submitted the following:

Meeting held on Tuesday, March 28, 2017, at 2:30 p.m., Room 1200, Binsfeld Office Building

Present: Senators Booher (C), O'Brien, Nofs, Zorn, MacGregor, Rocca, Hertel and Conyers

The Committee on Appropriations reported

**House Bill No. 4329, entitled**

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2017; and to provide for the expenditure of the appropriations.

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.

David S. Hildenbrand  
Chairperson

To Report Out:

Yeas: Senators Hildenbrand, MacGregor, Hansen, Stamas, Schuitmaker, Knollenberg, Booher, Shirkey, Proos, Nofs, Green and Marleau

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 Appropriations submitted the following:

Meeting held on Wednesday, March 29, 2017, at 2:00 p.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building

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

## COMMITTEE ATTENDANCE REPORT

The Subcommittee on State Police and Military Affairs submitted the following:

Meeting held on Tuesday, March 28, 2017, at 8:30 a.m., Rooms 402 and 403, Capitol Building

Present: Senators Nofs (C), Colbeck and Knezek

## COMMITTEE ATTENDANCE REPORT

The Committee on Health Policy submitted the following:

Meeting held on Tuesday, March 28, 2017, at 12:30 p.m., Room 1100, Binsfeld Office Building

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 28, 2017, at 1:00 p.m., Room 405, Capitol Building  
Present: Senators Green (C) and Booher  
Excused: Senator Hopgood

## COMMITTEE ATTENDANCE REPORT

The Subcommittee on Environmental Quality submitted the following:  
Meeting held on Tuesday, March 28, 2017, at 2:00 p.m., Room 405, Capitol 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 28, 2017, at 3:00 p.m., Rooms 402 and 403, Capitol Building  
Present: Senators Green (C), Stamas and Hopgood

## COMMITTEE ATTENDANCE REPORT

The Subcommittee on K-12, School Aid, Education submitted the following:  
Meeting held on Wednesday, March 29, 2017, at 8:30 a.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building  
Present: Senators Hansen (C), Pavlov, and Hopgood

## COMMITTEE ATTENDANCE REPORT

The Subcommittee on Higher Education submitted the following:  
Meeting held on Wednesday, March 29, 2017, at 9:00 a.m., Room 1300, Binsfeld Office Building  
Present: Senators Schuitmaker (C), MacGregor and Hertel

## COMMITTEE ATTENDANCE REPORT

The Committee on Outdoor Recreation and Tourism submitted the following:  
Meeting held on Wednesday, March 29, 2017, at 12:30 p.m., Room 1200, Binsfeld Office Building  
Present: Senators Hansen (C), Zorn, Schmidt and Johnson  
Excused: Senator Green

## COMMITTEE ATTENDANCE REPORT

The Committee on Regulatory Reform submitted the following:  
Meeting held on Wednesday, March 29, 2017, at 1:00 p.m., Room 1100, Binsfeld Office Building  
Present: Senators Rocca (C), Jones, Kowall, MacGregor, Hune, Warren, Hertel and Johnson  
Excused: Senator Knollenberg

## COMMITTEE ATTENDANCE REPORT

The Subcommittee on Licensing and Regulatory Affairs submitted the following:  
Meeting held on Wednesday, March 29, 2017, at 1:30 p.m., Room 1100, Binsfeld Office Building  
Present: Senators Knollenberg (C) and Marleau  
Excused: Senator Young

**Scheduled Meetings**

**Appropriations -**

**Subcommittees -**

**Licensing and Regulatory Affairs** - Thursday, March 30, 2:00 p.m., Room 1100, Binsfeld Office Building (373-2768)  
(CANCELED)

**Transportation** - Thursday, March 30, 9:00 a.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building  
(373-2768)

**Judiciary** - Tuesday, April 18, 3:00 p.m., Room 1300, Binsfeld Office Building (373-5323)

**Transportation** - Thursday, March 30, 8:30 a.m., Room 1100, Binsfeld Office Building (373-5312)

Senator Kowall moved that the Senate adjourn.  
The motion prevailed, the time being 3:49 p.m.

The Assistant President pro tempore, Senator O'Brien, declared the Senate adjourned until Thursday, March 30, 2017,  
at 10:00 a.m.

JEFFREY F. COBB  
Secretary of the Senate

