

**No. 80**  
**STATE OF MICHIGAN**  
**Journal of the Senate**  
**99th Legislature**  
**REGULAR SESSION OF 2017**

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Senate Chamber, Lansing, Tuesday, October 10, 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—present  
Hopgood—present  
Horn—present  
Hune—present  
Johnson—excused  
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—excused  
Zorn—present

Pastor Mark Wilson of Fowlerville United Brethren Church of Fowlerville offered the following invocation:

Our gracious God, Your glory is in all the earth. We recognize that You have given us great gifts as a nation and as a state. This morning, we commend this great state to Your merciful watch and care. Father, we ask for Your forgiveness where we have wronged You and others. We pray that we will be guided by Your hand of providence and that we may dwell secure in Your peace. I ask that You would save us from evil and discord that would tear us apart and divide us.

I also pray that You would grant wisdom to these leaders who have been elected and entrusted with the authority to govern and serve this great state. May we put our trust in You in times of testing and even in times of prosperity. Father, give them wisdom and strength to know and do what is right. Fill these leaders with the love of truth and righteousness, and make them ever mindful of their calling to serve the people of this great state in honor of You. I ask today that Your grace and Your goodwill will rest on each one of them and that You would bless them and their families.

We pray this through Jesus 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

The President pro tempore, Senator Schuitmaker, assumed the Chair.

Senator Kowall moved that Senators Hildenbrand, Brandenburg, Nofs and O'Brien be temporarily excused from today's session.

The motion prevailed.

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

The motion prevailed.

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

The motion prevailed.

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

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

The following communication was received:

Office of Senator Rebekah Warren

October 4, 2017

I request to be listed as a co-sponsor of Senate Bill 596, as allowed by the Senate Rule 1.110(c).

If you have any questions or need any additional information, please do not hesitate to contact me at (517) 373-2406 or [senrwarren@senate.michigan.gov](mailto:senrwarren@senate.michigan.gov).

Sincerely,  
Rebekah Warren  
State Senator  
18th District

The communication was referred to the Secretary for record.

Senators Kowall and Robertson asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator Kowall's statement is as follows:

It is my honor and pleasure to introduce to the chamber Isaac Munlo, Principal Secretary of the Ministry of Foreign Affairs and International Cooperation of Malawi in Africa. He's here visiting with us today hoping to set up some relationships with our agriculture departments, so those of you who represent parts of the state with large agricultural businesses, I would encourage you to stop by and say "hello."

Senator Robertson's statement is as follows:

I'm delighted also to make Dr. Munlo's acquaintance. I had an opportunity to speak with him only yesterday on both agriculture and mining and learning more about Malawi and the interests in developing relationships with the state of Michigan

on both of those areas and, hopefully, developing partnerships with Michigan firms. We're delighted to have him and Fai Majamanda, and also Julie Day from my district who is here accompanying them and chauffeuring and showing them around here in Lansing. We're delighted to have all of them here, and I ask my colleagues to join me in welcoming them to the Michigan Senate.

### **Messages from the Governor**

The following message from the Governor was received on October 5, 2017, and read:

#### **EXECUTIVE ORDER No. 2017-7**

#### **Department of Agriculture and Rural Development Department of Environmental Quality Department of Health and Human Services Department of Licensing and Regulatory Affairs**

#### **Executive Reorganization**

WHEREAS, Section 1 of Article V of the Michigan Constitution of 1963 vests the executive power of the state of Michigan in the Governor; and

WHEREAS, Section 2 of Article V of the Michigan Constitution of 1963 empowers the Governor to make changes in the organization of the Executive Branch or in the assignment of functions among its units that he considers necessary for efficient administration; and

WHEREAS, Section 8 of Article V of the Michigan Constitution of 1963 provides that each principal department shall be under the supervision of the Governor unless otherwise provided by the Constitution; and

WHEREAS, there is a continued need to reorganize functions among state departments to ensure efficient administration; and

WHEREAS, programs, agencies, and services should be placed among the principal departments on a consistent, logical basis in order to ensure the most efficient use of public dollars and more streamlined services.

NOW, THEREFORE, I, Richard D. Snyder, Governor of the State of Michigan, by virtue of the power and authority vested in the Governor by the Michigan Constitution of 1963 and Michigan law, order the following:

#### **I. DEFINITIONS**

As used in this Order:

A. "Department of Agriculture and Rural Development" means the principal department of state government created as the Department of Agriculture under Section 1 of 1921 PA 13, MCL 285.1, and Section 175 of the Executive Reorganization Act of 1965, 1965 PA 380, MCL 16.275, and renamed the Department of Agriculture and Rural Development under Executive Order No. 2011-2, MCL 285.11.

B. "Department of Environmental Quality" means the principal department of state government created as the Department of Environmental Quality under Executive Order No. 2011-1, MCL 324.99921.

C. "Department of Health and Human Services" means the principal department of state government created as the Department of Health and Human Services under Executive Order No. 2015-4, MCL 400.227.

D. "Department of Licensing and Regulatory Affairs" means the principal department of state government created as the Department of Commerce under Section 225 of the Executive Organization Act of 1965, 1965 PA 380, MCL 16.325, renamed the Department of Consumer and Industry Services under Executive Order 1996-2, MCL 445.2001, renamed the Department of Labor and Economic Growth under Executive Order 2003-18, MCL 445.2011, renamed the Department of Energy, Labor and Economic Growth under Executive Order 2008-20, MCL 445.2025, and renamed the Department of Licensing and Regulatory Affairs under Executive Order 2011-4, MCL 445.2030.

E. "State Budget Director" means the individual appointed by the Governor pursuant to Section 321 of the Management and Budget Act, 1984 PA 431, MCL 18.321.

#### **II. TRANSFER OF RESPONSIBILITIES UNDER PART 124 OF THE MICHIGAN PUBLIC HEALTH CODE TO THE DEPARTMENT OF AGRICULTURE AND RURAL DEVELOPMENT**

A. Any and all authority, powers, duties, functions and responsibilities of the Migrant Labor Housing program, including, but not limited to, the statutory authority, powers, duties, functions and responsibilities set forth in Part 124 of the Public Health Code, 1978 PA 368, as amended, MCL 333.12401 *et seq.*, that were moved to the Department of Health and Human Services by 2015 PA 155, MCL 333.1104(5), are transferred from the Department of Health and Human Services to the Department of Agriculture and Rural Development.

B. All records, personnel, property, unexpended balances of appropriations, allocations, or other funds used, held, employed, available, or to be made available to the Department of Health and Human Services for the activities, powers, duties, functions, and responsibilities transferred to the Department of Agriculture and Rural Development by Section II of this Order are transferred to the Department of Agriculture and Rural Development.

C. The Director of the Department of Agriculture and Rural Development, after consultation with the Director of the Department of Health and Human Services, shall provide executive direction and supervision for the implementation of the transfers. The assigned functions shall be administered under the direction and supervision of the Director of the Agriculture and Rural Development.

D. The directors of the departments shall immediately initiate coordination to facilitate the transfers and shall, if necessary, develop a memorandum of record identifying any pending settlements, issues of compliance with applicable federal and state laws and regulations, or other obligations to be resolved by the Department of Agriculture and Rural Development.

### **III. TRANSFER OF RESPONSIBILITIES UNDER PARTS 133, 135, AND 137 OF THE MICHIGAN PUBLIC HEALTH CODE TO THE DEPARTMENT OF ENVIRONMENTAL QUALITY**

A. Any and all authority, powers, duties, functions, and responsibilities of the Michigan Dry Cleaning Program, the Michigan Indoor Radon Program, and the Radioactive Materials Program, under Parts 133, 135 and 137 of the Public Health Code, 1978 PA 368, as amended, being MCL 333.13301 *et seq.*, MCL 333.13501 *et seq.* and MCL 333.13701 *et seq.*, that were moved to the Department of Health and Human Services by 2015 PA 155, MCL 333.1104(5), are transferred from the Department of Health and Human Services to the Department of Environmental Quality.

B. All records, personnel, property, unexpended balances of appropriations, allocations, or other funds used, held, employed, available, or to be made available to the Department of Health and Human Services for the activities, powers, duties, functions, and responsibilities transferred to the Department of Environmental Quality by Section III of this Order are transferred to the Department of Environmental Quality.

C. The Director of the Department of Environmental Quality, after consultation with the Director of the Department of Health and Human Services, shall provide executive direction and supervision for the implementation of the transfers. The assigned functions shall be administered under the direction and supervision of the Director of the Environmental Quality.

D. The directors of the departments shall immediately initiate coordination to facilitate the transfers and shall, if necessary, develop a memorandum of record identifying any pending settlements, issues of compliance with applicable federal and state laws and regulations, or other obligations to be resolved by the Department of Environmental Quality.

### **IV. TRANSFER OF RESPONSIBILITIES UNDER PART 209 OF THE MICHIGAN PUBLIC HEALTH CODE TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES**

A. Any authority, powers, responsibilities duties, functions, records, contracts, personnel, property, unexpended balances of appropriations, allocations or other funds, including the functions of budgeting and procurement, of the Department of Licensing and Regulatory Affairs relative to the registration, licensing, or regulation of professional occupations arising from Part 209 of the Michigan Public Health Code, 1978 PA 368, MCL 333.20901 to 333.20979, including any board, commission, council, or similar entity providing regulation of health professionals licensed, registered, or certified under Part 209 of Article 17 of the Public Health Code, that were moved to the Department of Licensing and Regulatory Affairs by 2015 PA 155, MCL 333.20104(4), are transferred from the Department of Licensing and Regulatory Affairs to the Department of Health and Human Services.

B. Any authority, powers, duties, functions, and responsibilities of management support within the Department of Licensing and Regulatory Affairs for programs or functions relative to the registration, licensing, or enforcement of professional occupations under Part 209 of the Public Health Code are transferred from the Department of Licensing and Regulatory Affairs to the Department of Health and Human Services.

C. Any authority, powers, duties, functions, and responsibilities of the Department of Licensing and Regulatory Affairs related to the promulgation of rules related to the registration, licensing, or regulation of professional occupations under Part 209 of the Public Health Code are transferred from the Department of Licensing and Regulatory Affairs to the Department of Health and Human Services.

D. All records, personnel, property, unexpended balances of appropriations, allocations, or other funds used, held, employed, available, or to be made available to the Department of Licensing and Regulatory Affairs for the activities, powers, duties, functions, and responsibilities transferred to the Department of Health and Human Services by Section IV of this Order are transferred to the Department of Health and Human Services.

E. The Director of the Department of Health and Human Services, after consultation with the Director of the Department of Licensing and Regulatory Affairs, shall provide executive direction and supervision for the implementation of the transfers. The assigned functions shall be administered under the direction and supervision of the Director of the Health and Human Services.

F. The directors of the departments shall immediately initiate coordination to facilitate the transfers and shall, if necessary, develop a memorandum of record identifying any pending settlements, issues of compliance with applicable federal and state laws and regulations, or other obligations to be resolved by the Department of Health and Human Services.

**V. IMPLEMENTATION**

A. The directors of the departments impacted by this Order shall administer the functions transferred in such ways as to promote efficient administration and shall make internal organizational changes as may be administratively necessary to complete the realignment of responsibilities under this Order.

B. The State Budget Director shall determine and authorize the most efficient manner possible for the handling of financial transactions and records in the state's financial management system for the remainder of the current state fiscal year for transfers made under this Order.

C. All rules, orders, contracts, plans, and agreements relating to the functions transferred by this Order lawfully adopted prior to the effective date of this Order by the responsible state agency shall continue to be effective until revised, amended, or rescinded.

D. Any suit, action, or other proceeding lawfully commenced by, against, or before any entity transferred by this Order shall not abate by reason of the taking effect of this Order. Any lawfully commenced suit, action, or other proceeding may be maintained by, against, or before the appropriate successor of any entity affected by this Order.

E. The invalidity of any portion of this Order shall not affect the validity of the remainder of the Order, which may be given effect without any invalid portion. Any portion of this Order found invalid by a court or other entity with proper jurisdiction shall be severable from the remaining portions of this Order.

In fulfillment of the requirements of Section 2 of Article V of the Michigan Constitution of 1963, this Order shall be effective 60 days after the filing of this Order.

[SEAL]

Given under my hand and the Great Seal of the state of Michigan this 5th day of October, in the Year of our Lord Two Thousand Seventeen.

Richard D. Snyder  
Governor

By the Governor:  
Ruth A. Johnson  
Secretary of State

The executive order was referred to the Committee on Government Operations.

The following messages from the Governor were received and read:

September 14, 2017

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

**State Building Authority Board of Trustees**

James Mburu of 3723 Churchill Avenue, Lansing, Michigan 48911, county of Ingham, succeeding Stephen D'Arcy, is appointed for a term expiring August 21, 2021.

September 14, 2017

Please be advised of the following appointment to office:

**Natural Resources Trust Fund Board**

Erin D. McDonough of 214 E. Riverside Street, Williamston, Michigan 48895, county of Ingham, succeeding herself, is reappointed for a term commencing October 1, 2017, and expiring October 1, 2021.

September 14, 2017

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

**Michigan State Waterways Commission**

Steven D. Arwood of 5665 S. Forest Hill Road, St. Johns, Michigan 48879, county of Clinton, representing the general public, succeeding Gary Marowske, is appointed for a term expiring September 18, 2020.

September 27, 2017

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

**Developmental Disabilities Council**

Colleen Allen of 26500 American Drive, Southfield, Michigan 48034, county of Wayne, representing an individual from a private nonprofit group concerned with services for individuals with developmental disabilities in this state with sufficient authority to engage in policy planning and implementation on behalf of the agency or group, is appointed for an initial term expiring September 30, 2021.

September 27, 2017

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

**Michigan Commission on Law Enforcement Standards**

Duane P. Smith of 1163 Judd Road, Saline, Michigan 48176, county of Washtenaw, representing the Michigan Police Officers Labor Council, succeeding Thomas Zulch, is appointed for a term expiring December 31, 2017.

September 27, 2017

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

**Underwater Salvage and Preserve Committee**

Hannah M. MacDonald of 915 South Third Avenue, Alpena, Michigan 49707, county of Alpena, succeeding Ronald Bloomfield, is appointed for a term expiring August 17, 2019.

September 27, 2017

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

**Michigan Women's Commission**

Margaret Derrer of 1860 Luce Street, S.W., Grand Rapids, Michigan 49534, county of Ottawa, succeeding herself, is reappointed for a term expiring July 15, 2020.

Christine Etienne of 860 Evergreen Court, Petoskey, Michigan 49770, county of Emmet, succeeding herself, is reappointed for a term expiring July 15, 2020.

Krista M. Haroutunian of 41 Burroughs, #405, Detroit, Michigan 48202, county of Wayne, succeeding herself, is reappointed for a term expiring July 15, 2020.

Catherine A. Hendrian of 11449 North Ridge, Plymouth, Michigan 48170, county of Wayne, succeeding Sara Schroeder, is appointed for a term expiring July 15, 2020.

October 2, 2017

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

**Michigan Freedom Trail Commission**

Kerry Lynn Baldwin of 254 College Avenue, S.E., Grand Rapids, Michigan 49503, county of Kent, representing individuals knowledgeable in historic preservation, succeeding James Turner, is appointed for a term expiring February 1, 2021.

October 2, 2017

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

**State Historic Preservation Review Board**

Krysta Ryzewski of 5859 Big Pine Drive, Ypsilanti, Michigan 48197, county of Washtenaw, representing architectural history, succeeding Jennifer Radcliff, is appointed for a term expiring December 31, 2020.

October 2, 2017

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

**Michigan Soybean Promotion Committee**

Laurie Jean Isley of 2683 Grosvenor Highway, Palmyra, Michigan 49268, county of Lenawee, representing District 3 growers, succeeding herself, is reappointed for a term expiring September 23, 2020.

Sarah B. Peterson of 2662 Yankee Street, Niles, Michigan 49120, county of Cass, representing District 1 growers, succeeding herself, is reappointed for a term expiring September 23, 2020.

October 2, 2017

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

**Michigan Truck Safety Commission**

Daniel Blower of 1112 Grant Street, Ypsilanti, Michigan 48197, county of Washtenaw, representing four-year colleges, succeeding himself, is reappointed for a term expiring August 4, 2019.

Sharon Jeannette Conklin of 5425 Easthill Court, N.E., Comstock Park, Michigan 49321, county of Kent, representing private motor carriers, succeeding herself, is reappointed for a term expiring August 4, 2019.

David Scott Goller of 7301 Northland Drive, N.E., Rockford, Michigan 49341, county of Kent, representing organized labor, succeeding himself, is reappointed for a term expiring August 4, 2019.

Jill Skutar of 230 Williamsburg Road, Lansing, Michigan 48917, county of Eaton, representing the Michigan Trucking Association, succeeding Walter Heinritzi, is appointed for a term expiring August 4, 2019.

Amanda Williams of 46 Campau Circle, N.W., Grand Rapids, Michigan 49503, county of Kent, representing the general public, succeeding Robert Ramels, is appointed for a term expiring August 4, 2019.

Timothy Joseph Yungfer of 15374 Classic Drive, Bath, Michigan 48808, county of Clinton, representing the general public, succeeding himself, is reappointed for a term expiring August 4, 2019.

Sincerely,  
Rick Snyder  
Governor

The appointments were referred to the Committee on Government Operations.

The following message from the Governor was received and read:

October 4, 2017

Due to an error on the letter dated July 21, 2017 and filed with your office on August 4, 2017, please be advised of the following corrections appearing in **bold**:

**Michigan Municipal Services Authority**

Kelli D. Scott of 4391 Council Crest Lane, Battle Creek, Michigan 49014, county of Calhoun, succeeding Alan Vanderberg, is appointed for a term expiring at the pleasure of the Governor.

**Michigan Municipal Services Authority Executive Committee**

Kelli D. Scott of 4391 Council Crest Lane, Battle Creek, Michigan 49014, county of Calhoun, representing local public agencies, succeeding Alan Vanderberg, is appointed for a term expiring September 17, **2020**.

Sincerely,  
Rick Snyder  
Governor

The message was referred to the Committee on Government Operations.

Senators Hildenbrand and Nofs entered the Senate Chamber.

**Recess**

Senator Kowall moved that the Senate recess subject to the call of the Chair.  
The motion prevailed, the time being 10:08 a.m.

10:44 a.m.

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

During the recess, Senators Brandenburg, O'Brien and Conyers entered the Senate Chamber.

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

Senator Kowall moved that the rules be suspended and that the following concurrent resolution, now on Committee Reports, be placed on the Resolutions calendar for consideration today:

**House Concurrent Resolution No. 13**

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

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

**Senate Bill No. 529**

**Senate Bill No. 530**

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

By unanimous consent the Senate proceeded to the order of  
**Resolutions**

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

**Senate Concurrent Resolution No. 10**

**House Concurrent Resolution No. 3**

**Senate Resolution No. 30**

The motion prevailed.

**House Concurrent Resolution No. 13.**

A concurrent resolution relative to secondary road patrol funds for counties providing road patrol services to cities and villages.

The question being on the adoption of the concurrent resolution,

The concurrent resolution was adopted.

Senator Meekhof offered the following resolution:

**Senate Resolution No. 103.**

A resolution to congratulate the government and people of the Republic of China (Taiwan) on the celebration of their 106th National Day on October 10, 2017.

Whereas, Relations between the Republic of China (Taiwan) and the United States are marked by strong bilateral trade, education, and cultural exchanges. In 2016, bilateral trade totaled more than \$65.4 billion in exchanged goods, making the U.S. the third-largest trading partner of Taiwan, and Taiwan the tenth-largest trading partner of the United States; and

Whereas, Taiwan and the state of Michigan have long benefited from this relationship. In 2016, Taiwan was the Michigan's sixth-largest market in Asia and Michigan exports to Taiwan amounted to \$298.59 million, a 20 percent increase from 2015. From 2013 to 2016, Michigan imports from Taiwan increased from \$705 million to \$867 million, a 23 percent increase, making the outlook for joint economic and cultural growth in the future bright; and

Whereas, Considering that Taiwan is capable of and willing to fulfill its responsibilities and to collaborate with the world to deal with the challenges of humanitarian aids and disease control. Taiwan's meaningful participation in international organizations benefits the international community as a whole, including the state of Michigan; now, therefore, be it

Resolved by the Senate, That the members of this legislative body congratulate the government and people of the Republic of China (Taiwan) on their 106th National Day on October 10, 2017; and be it further

Resolved, That we continue to support Taiwan's meaningful participation in international organizations which impact the health, safety and well-being of its people, and supports its aspiration to make more contributions in international societies; and be it further

Resolved, That copies of this resolution be transmitted to the U.S. Secretary of State; the Taipei Economic and Cultural Office in Chicago, Illinois; and the members of the Michigan congressional delegation.

Pending the order that, under rule 3.204, the resolution be referred to the Committee on Government Operations,

Senator Kowall moved that the rule be suspended.

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

The resolution was adopted.

Senators Bieda, Booher, Brandenburg, Conyers, Green, Hansen, Hildenbrand, Jones, Knollenberg, Kowall, MacGregor, Pavlov and Schmidt were named co-sponsors of the resolution.

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 Hopgood as Chairperson.

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

**Senate Bill No. 541, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 16221, 16226, 16323, 16601, 16605, 16621, and 16626 (MCL 333.16221, 333.16226, 333.16323, 333.16601, 333.16605, 333.16621, and 333.16626), section 16221 as amended by 2017 PA 75, section 16226 as amended by 2017 PA 81, section 16323 as amended by 2014 PA 305, section 16605 as added by 2006 PA 429, section 16621 as amended by 2002 PA 590, and section 16626 as added by 2012 PA 289, and by adding sections 16651, 16652, 16653, 16654, 16655, 16656, 16657, 16658, 16659, 16660, and 20189.

**Senate Bill No. 571, entitled**

A bill to amend 2014 PA 92, entitled "State essential services assessment act," by amending section 7 (MCL 211.1057), as amended by 2016 PA 107.

**Senate Bill No. 572, entitled**

A bill to amend 2014 PA 93, entitled "Alternative state essential services assessment act," by amending section 7 (MCL 211.1077), as amended by 2016 PA 109.

**Senate Bill No. 573, entitled**

A bill to amend 1974 PA 198, entitled "An act to provide for the establishment of plant rehabilitation districts and industrial development districts in local governmental units; to provide for the exemption from certain taxes; to levy and



collect a specific tax upon the owners of certain facilities; to impose and provide for the disposition of an administrative fee; to provide for the disposition of the tax; to provide for the obtaining and transferring of an exemption certificate and to prescribe the contents of those certificates; to prescribe the powers and duties of the state tax commission and certain officers of local governmental units; and to provide penalties,” by amending section 11a (MCL 207.561a), as amended by 2016 PA 110.

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

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:  
**Senate Bill No. 570, entitled**

A bill to amend 1893 PA 206, entitled “The general property tax act,” by amending sections 9f, 9m, 9n, 9o, 19, and 53b (MCL 211.9f, 211.9m, 211.9n, 211.9o, 211.19, and 211.53b), section 9f as amended by 2016 PA 329, sections 9m and 9n as amended by 2017 PA 42, section 9o as amended by 2013 PA 153, and sections 19 and 53b as amended by 2016 PA 108.

Substitute (S-1).

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

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:  
**Senate Bill No. 529, entitled**

A bill to amend 1939 PA 280, entitled “The social welfare act,” by amending section 117c (MCL 400.117c), as amended by 1998 PA 516, and by adding section 117h; and to repeal acts and parts of acts.

Substitute (S-1).

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

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:  
**Senate Bill No. 530, entitled**

A bill to amend 1939 PA 280, entitled “The social welfare act,” by amending section 117a (MCL 400.117a), as amended by 2017 PA 104.

Substitute (S-1).

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

By unanimous consent the Senate returned to the order of

#### **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. 352, entitled**

A bill to amend 1978 PA 368, entitled “Public health code,” by amending sections 9155 and 9156 (MCL 333.9155 and 333.9156), section 9155 as added by 2012 PA 342 and section 9156 as added by 2012 PA 343.

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. 49, entitled**

A bill to amend 1998 PA 386, entitled “Estates and protected individuals code,” by amending section 5106 (MCL 700.5106), as amended by 2000 PA 463.

The House of Representatives has substituted (H-4) the bill.

The House of Representatives has passed the bill as substituted (H-4), 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. 376**

**Yeas—36**

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

**Nays—0**

**Excused—2**

Johnson	Young
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**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 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 following bills be placed at the head of the Third Reading of Bills calendar:

**House Bill No. 4508**

**House Bill No. 4583**

The motion prevailed.

The following bill was read a third time:

**House Bill No. 4508, entitled**

A bill to create a program under which volunteers may provide services to organizations in this state to respond to cybersecurity incidents; to provide for protection from liability for personal injury and property damage; to provide for the powers and duties of state governmental officers and agencies; and to create the Michigan cyber civilian corps advisory board and prescribe its powers and duties.

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. 377****Yeas—36**

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

**Nays—0****Excused—2**

Johnson	Young
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**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.

The following bill was read a third time:

**House Bill No. 4583, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 21506a and 21510d (MCL 324.21506a and 324.21510d), section 21506a as amended by 2016 PA 467 and section 21510d as added by 2016 PA 380, and by adding section 21519a.

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. 378****Yeas—26**

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

**Nays—10**

Ananich	Gregory	Hopgood	Rocca
Bieda	Hertel	Knezek	Warren
Conyers	Hood		

**Excused—2**

Johnson

Young

**Not Voting—0**

In The Chair: O'Brien

The question being on concurring in the committee recommendation to give the bill immediate effect,

The recommendation was concurred in, 2/3 of the members serving voting therefor.

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

“An act to 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, Hertel, Ananich, Knezek, Gregory and Bieda, under their constitutional right of protest (Art. 4, Sec. 18), protested against the passage of House Bill No. 4583.

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, Hertel, Ananich, Knezek, Gregory and Bieda concurred, is as follows:

I rise to give my “no” vote explanation on House Bill No. 4583. The purpose of this bill is a noble one. Something that we should all care about is cleaning up leaky underground storage tanks. These are the tanks that hold petroleum gas and oil products that sometimes, after a certain period of time or lack of maintenance, can leach those products into the soil and into our groundwater. We should all care about doing everything we can to clean them up. We know that our geology is connected. We are one hydrogeological system, and if our groundwater gets contaminated with these products, it eventually makes its way into our rivers, streams, and our Great Lakes. We need to do everything we can to clean up these sites.

The state has an obligation out of this fund—the Refined Petroleum Fund—to clean up the orphan sites, where companies have gone bankrupt or the owners and operators are not known, and we don’t have enough funds right now to get in front of the orphan sites that we have still sitting on our rolls. Now the bill in front of you today would take funds from those sites and put them toward sites where we actually know who the owners and operators are. We’ve made changes over the last couple of years to their insurance program that helps them cover losses when things like this happen, to make it even more affordable for them to actually have less skin in the game when they have claims.

In the budget that just started on October 1 of this year, we took \$36 million more out of the Refined Petroleum Fund and made that available for the use, again, of these owners and operators who we know who they are and who own these sites. The concern I have is the way the policy is going, we are making it more acceptable for those who actually own these tanks to not take good care of them, because when something happens and they start leaking, the state is going to come in and bail them out. The state should first see what we can do to clean up the orphan sites, and if we have more money left, then, absolutely, let’s try to help those owners and operators who cannot afford to do the cleanups they need to do. But because we have a budget that just started on October 1 that gives them \$36 million more, I think this today is before its time.

I have made my pledge to both the chair of the committee and to the sponsor of this bill from the House, that I would continue to work with them to try to find solutions to help our owners and operators who are known, but right now we have to clean up our orphan sites. I urge my colleagues to consider this and to vote “no.”

**Introduction and Referral of Bills**

Senators Hildenbrand, Knollenberg and Hune introduced

**Senate Bill No. 618, entitled**

A bill to amend 2001 PA 142, entitled "Michigan memorial highway act," (MCL 250.1001 to 250.2080) by adding section 12a.

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

Senators Hertel, Knezek, Schuitmaker, Conyers, Hopgood, Emmons, Jones, Ananich, Bieda and Warren introduced

**Senate Bill No. 619, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1507 (MCL 380.1507), as amended by 2004 PA 165.

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

Senators Hertel, Knezek, Schuitmaker, Conyers, Hopgood, Emmons, Jones, Ananich, Bieda and Warren introduced

**Senate Bill No. 620, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1507b (MCL 380.1507b), as added by 2004 PA 165, and by adding section 1507c.

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

Senator Schmidt introduced

**Senate Bill No. 621, entitled**

A bill to amend 1961 PA 120, entitled "An act to authorize the development or redevelopment of principal shopping districts and business improvement districts; to permit the creation of certain boards; to provide for the operation of principal shopping districts and business improvement districts; to provide for the creation, operation, and dissolution of business improvement zones; and to authorize the collection of revenue and the bonding of certain local governmental units for the development or redevelopment projects," by amending sections 10, 10a, 10c, 10f, 10g, and 10k (MCL 125.990, 125.990a, 125.990c, 125.990f, 125.990g, and 125.990k), as amended by 2013 PA 126.

The bill was read a first and second time by title and referred to the Committee on Economic Development and International Investment.

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

**Senate Bill No. 622, entitled**

A bill to amend 2001 PA 142, entitled "Michigan memorial highway act," (MCL 250.1001 to 250.2080) by adding section 11a.

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

Senator Horn introduced

**Senate Bill No. 623, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 31a (MCL 206.31a), as added by 2011 PA 314.

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

Senator Horn introduced

**Senate Bill No. 624, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 732a and 732b (MCL 257.732a and 257.732b), section 732a as amended by 2016 PA 32 and section 732b as added by 2014 PA 283.

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

Senator Horn introduced

**Senate Bill No. 625, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," (MCL 257.1 to 257.923) by adding section 732c. The bill was read a first and second time by title and referred to the Committee on Michigan Competitiveness.

**House Bill No. 4811, entitled**

A bill to amend 2000 PA 92, entitled "Food law," by amending sections 3119, 4103, and 7112 (MCL 289.3119, 289.4103, and 289.7112), section 3119 as amended by 2016 PA 188 and section 4103 as amended and section 7112 as added by 2012 PA 178.

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 Agriculture.

**House Bill No. 4812, entitled**

A bill to amend 1975 PA 120, entitled "Feed law," by amending sections 3, 4, 5, 6, 13, and 14 (MCL 287.523, 287.524, 287.525, 287.526, 287.533, and 287.534), as amended by 2015 PA 83.

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 Agriculture.

**House Bill No. 4821, entitled**

A bill to amend 1998 PA 386, entitled "Estates and protected individuals code," by amending sections 3203, 3204, and 3414 (MCL 700.3203, 700.3204, and 700.3414), sections 3204 and 3414 as amended by 2000 PA 54.

The House of Representatives has passed the bill and ordered that it be given immediate effect. The bill was read a first and second time by title and referred to the Committee on Judiciary.

**House Bill No. 4822, entitled**

A bill to amend 1998 PA 386, entitled "Estates and protected individuals code," by amending sections 3705, 3715, and 3721 (MCL 700.3705, 700.3715, and 700.3721), sections 3705 and 3715 as amended by 2009 PA 46.

The House of Representatives has passed the bill and ordered that it be given immediate effect. The bill was read a first and second time by title and referred to the Committee on Judiciary.

**House Bill No. 4999, entitled**

A bill to prohibit local units of government from imposing an excise tax on the manufacture, distribution, or sale of food. The House of Representatives has passed the bill and ordered that it be given immediate effect.

The bill was read a first and second time by title.

Senator Kowall moved that rule 3.203 be suspended and that the bill be referred to the Committee of the Whole and placed on the order of General Orders.

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

### Announcements of Printing and Enrollment

The Secretary announced that the following House bills were received in the Senate and filed on Thursday, October 5:  
**House Bill Nos. 4811 4812 4821 4822 4999**

The Secretary announced that the following bills were printed and filed on Thursday, October 5, and are available at the Michigan Legislature website:

**Senate Bill Nos. 616 617**

**House Bill Nos. 5063 5064 5065 5066 5067 5068 5069**

### Committee Reports

The Committee on Appropriations reported

**House Concurrent Resolution No. 13.**

A concurrent resolution relative to secondary road patrol funds for counties providing road patrol services to cities and villages.

(For text of resolution, see Senate Journal No. 74, p. 1426.)

With the recommendation that the concurrent resolution be adopted.

David S. Hildenbrand  
Chairperson

To Report Out:

Yeas: Senators Hildenbrand, MacGregor, Stamas, Schuitmaker, Knollenberg, Booher, Shirkey, Proos, Nofs, Green, Marleau, Gregory, Hopgood, Hertel and Knezek

Nays: None

The concurrent resolution was placed on the order of Resolutions.

#### COMMITTEE ATTENDANCE REPORT

The Committee on Appropriations submitted the following:

Meeting held on Wednesday, October 4, 2017, at 2:00 p.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building

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

Excused: Senators Hansen and Young

The Committee on Oversight reported

**Senate Bill No. 529, entitled**

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending section 117c (MCL 400.117c), as amended by 1998 PA 516, and by adding section 117h; and to repeal acts and parts of acts.

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.

Peter F. MacGregor  
Chairperson

To Report Out:

Yeas: Senators MacGregor, Kowall, Schuitmaker and Stamas

Nays: None

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

The Committee on Oversight reported

**Senate Bill No. 530, entitled**

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending section 117a (MCL 400.117a), as amended by 2017 PA 104.

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.

Peter F. MacGregor  
Chairperson

To Report Out:

Yeas: Senators MacGregor, Kowall, Schuitmaker and Stamas

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 Oversight submitted the following:

Meeting held on Thursday, October 5, 2017, at 8:30 a.m., Room 1200, Binsfeld Office Building

Present: Senators MacGregor (C), Kowall, Schuitmaker and Stamas

Excused: Senator Gregory

The Committee on Transportation reported

**Senate Bill No. 509, entitled**

A bill to amend 2001 PA 142, entitled "Michigan memorial highway act," (MCL 250.1001 to 250.2080) by adding section 10a.

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

Thomas A. Casperson  
Chairperson

To Report Out:

Yeas: Senators Casperson, Horn, Pavlov, Marleau and Conyers  
Nays: None  
The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Transportation submitted the following:  
Meeting held on Thursday, October 5, 2017, at 8:30 a.m., Room 1100, Binsfeld Office Building  
Present: Senators Casperson (C), Horn, Pavlov, Marleau and Conyers

The Committee on Oversight reported

**House Bill No. 4205, entitled**

A bill to amend 1969 PA 306, entitled "Administrative procedures act of 1969," by amending sections 32 and 45 (MCL 24.232 and 24.245), section 32 as amended by 2011 PA 270 and section 45 as amended by 2016 PA 513.

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.

Peter F. MacGregor  
Chairperson

To Report Out:

Yeas: Senators MacGregor, Kowall, Schuitmaker and Stamas  
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 Agriculture submitted the following:  
Meeting held on Thursday, October 5, 2017, at 8:30 a.m., Room 1300, Binsfeld Office Building  
Present: Senators Hune (C), Green, Schmidt, Booher and Ananich

COMMITTEE ATTENDANCE REPORT

The Committee on Energy and Technology submitted the following:  
Meeting held on Thursday, October 5, 2017, at 12:30 p.m., Room 1100, Binsfeld Office Building  
Present: Senators Nofs (C), Proos, Horn, Schuitmaker, Hune, Shirkey, Zorn, Hopgood, Knezek and Conyers

COMMITTEE ATTENDANCE REPORT

The Committee on Economic Development and International Investment submitted the following:  
Meeting held on Thursday, October 5, 2017, at 1:30 p.m., Room 1200, Binsfeld Office Building  
Present: Senators Horn (C), Schmidt, Stamas, Emmons, MacGregor, Warren, Conyers and Bieda  
Excused: Senator Brandenburg

**Scheduled Meetings**

**Appropriations -**

**Subcommittee -**

**K-12, School Aid, Education and House School Aid Appropriations Subcommittee -** Wednesday, October 11, 8:00 a.m., Rooms 402 and 403, Capitol Building (373-2768)



**Commerce** - Wednesday, October 11, 8:30 a.m., Room 1200, Binsfeld Office Building (373-5312)

**Insurance** - Wednesday, October 11, 2:00 p.m., Room 1200, Binsfeld Office Building (373-1721)

**Michigan Competitiveness** - Wednesday, October 11, 8:30 a.m., Room 1100, Binsfeld Office Building (373-5323)

**Natural Resources** - Wednesday, October 11, 12:30 p.m., Room 1300, Binsfeld Office Building (373-5312)

**Outdoor Recreation and Tourism** - Wednesday, October 11, 12:30 p.m., Room 1200, Binsfeld Office Building (373-5314)

**Oversight** - Thursday, October 12, 8:30 a.m., Room 1200, Binsfeld Office Building (373-5314)

**Regulatory Reform** - Wednesday, October 11, 1:00 p.m., Room 1100, Binsfeld Office Building (373-5323)

**State Drug Treatment Court Advisory Committee** - Tuesday, October 17, 10:00 a.m., Legislative Council Conference Room, 3rd Floor, Boji Tower (373-0212)

**Transportation** - Thursday, October 12, 8:30 a.m., Room 1100, Binsfeld Office Building (373-5312)

Senator Kowall moved that the Senate adjourn.  
The motion prevailed, the time being 11:13 a.m.

The Assistant President pro tempore, Senator O'Brien, declared the Senate adjourned until Wednesday, October 11, 2017, at 10:00 a.m.

JEFFREY F. COBB  
Secretary of the Senate

