

No. 98
STATE OF MICHIGAN
Journal of the Senate
99th Legislature
REGULAR SESSION OF 2017

Senate Chamber, Lansing, Tuesday, December 5, 2017.

10:00 a.m.

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

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

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

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

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

Pastor Joseph Dorais of Emmanuel Baptist Church of Gladwin offered the following invocation:

Gracious Heavenly Father, we thank You for this day which You have given to us. Thank You for the season which reminds us of having and showing peace and goodwill to those all around us. We thank You for blessing us and allowing us to live in this beautiful and great state of Michigan.

Father, I pray for those who are serving and leading us here in our state—for Governor Snyder and our executive branch, for all who are part of our judicial branch, and for those in our legislative branch. I pray especially this morning for these men and women who are part of our Michigan State Senate. God, grant them wisdom as they face many important and, at times, difficult decisions that affect our state. Help them as they serve the people of their districts, from our urban centers to rural communities in both the Lower and Upper Peninsulas. Give them guidance for the various committees they serve on together. Grant them wisdom to help us resolve problems that our state faces. Help them to craft bills that will allow us to live at peace with one another, and help them to be responsible stewards fiscally with those funds that have been entrusted. Lord, we thank You for their service and sacrifice. Bless them and give them strength for the many hours they work. Give them safety and protect them, especially the many miles they travel between their districts to here in Lansing. I pray this in Christ's name. Amen.

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

Motions and Communications

Senators Brandenburg and Ananich entered the Senate Chamber.

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

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

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

Recess

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

11:33 a.m.

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

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

By unanimous consent the Senate proceeded to the order of

General Orders

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

The motion prevailed, and the Assistant President pro tempore, Senator O'Brien, designated Senator Robertson 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 bill:

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 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. 638, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending sections 1103 and 1105 (MCL 500.1103 and 500.1105), as amended by 2000 PA 283, and by adding section 1106.

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 proceeded to the order of
Resolutions

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

Senate Concurrent Resolution No. 10

Senate Resolution No. 30

Senate Resolution No. 105

The motion prevailed.

Senate Concurrent Resolution No. 25.

A concurrent resolution to memorialize the Congress of the United States to expand federal tax exemptions and contribution limits for state-sponsored education savings accounts and to allow federal education funding to be deposited into student-specific education savings accounts.

The question being on the adoption of the concurrent resolution,

The concurrent resolution was adopted.

House Concurrent Resolution No. 16.

A concurrent resolution to waive the legislative notice requirement for increases in rates of compensation for certain employees in the state classified service.

Whereas, The *Constitution of the State of Michigan of 1963* provides in Article XI, Section 5:

Increases in rates of compensation authorized by the commission may be effective only at the start of a fiscal year and shall require prior notice to the governor, who shall transmit such increases to the legislature as part of his budget. The legislature may, by a majority vote of the members elected to and serving in each house, waive the notice and permit increases in rates of compensation to be effective at a time other than the start of a fiscal year.

; and

Whereas, As a result of recently completed negotiations, a settlement has been reached on a three-year contract between the state and the Michigan State Police Troopers Association regarding compensation and other terms and conditions of employment. This settlement, the first year of which will be effective for fiscal year 2017-2018, was reached past the time when the governor could transmit the increase as part of the budget; and

Whereas, The State Personnel Director, with the consent of the chair of the Civil Service Commission, granted interim approval of the collective bargaining agreement on November 14, 2017; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That, pursuant to Article XI, Section 5 of the *Constitution of the State of Michigan of 1963*, the Michigan Legislature waives the prior notice requirement to permit increases in rates of compensation for certain members of the Department of State Police as set in the contract settled between the Michigan State Police Troopers Association and the state and the Civil Service Commission; and be it further

Resolved, That copies of this resolution be transmitted to the Civil Service Commission.

The House of Representatives has adopted the concurrent resolution.

Pending the order that, under rule 3.204, the concurrent resolution be referred to the Committee on Government Operations, Senator Kowall moved that the rule be suspended.

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

The question being on the adoption of the concurrent resolution,

Senator Kowall moved that the concurrent resolution be referred to the Committee on Appropriations.

The motion prevailed.

Senator Hildenbrand was named co-sponsor of the concurrent resolution.

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

Senator Rocca offered the following resolution:

Senate Resolution No. 113.

A resolution recognizing December 3-9, 2017 as Cancer Screen Week.

Whereas, In 2017, the American Cancer Society estimates more than 600,000 people will lose their lives to cancer in the United States; and

Whereas, The American Cancer Society estimates that 21,050 people in Michigan will die from cancer in 2017; and

Whereas, The National Cancer Institute estimates up to 210,000 deaths in United States could be avoided with early and appropriate cancer screening; and

Whereas, The cancer death rate dropped 25 percent between 1991 and 2014 because of reductions in smoking and advances in early detection and treatment; and

Whereas, According to the American Cancer Society, the five-year relative survival rate for cancers found at the local stage are about: 55 percent of lung cancers; 90 percent of colon and rectum cancers; 91 percent of cervical cancers; and 99 percent of breast cancer; and 98 percent for melanoma cancers; and

Whereas, Many of these cancers are often preventable, and early detection and treatment are critical as cancer does not always cause symptoms, and many occur in people with no family history; and

Whereas, Specific cancer types disproportionately affect different populations. Breast cancer is the most common form of cancer among black women; prostate cancer rates in black men are double those of other men, and the likelihood of developing colorectal cancer for Alaska Natives is about double that of other Americans; cervical cancer is more prevalent among Hispanic and African-American women; two out of three people diagnosed with lung cancer are 65 or older; and melanoma, the deadliest form of skin cancer, is among the most common cancers in young adults; and

Whereas, According to the U.S. Centers for Disease Control and Prevention, rates of screening for many cancer types in recommended populations remain substantially below Healthy People 2020 targets; and

Whereas, It is critical to reinforce the need for people to discuss their individual risk factors for cancer with their healthcare providers and understand the recommendations for, and benefits of, cancer screening; now, therefore, be it

Resolved by the Senate, That December 3-9, 2017, be recognized as Cancer Screen Week; and be it further

Resolved, That the members of this legislative body encourage the people of Michigan to visit cancerscreenweek.org for cancer screening resources and talk to their healthcare providers about their risk factors for all cancer types including, but not limited to, breast, cervical, colon, lung, prostate, and skin cancers and recommended screening options.

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, Hansen, Hildenbrand, Knollenberg, Proos and Zorn were named co-sponsors of the resolution.

Introduction and Referral of Bills

Senator Pavlov introduced

Senate Bill No. 702, entitled

A bill to amend 2017 PA 98, entitled "Educational instruction access act," by amending section 5 (MCL 123.1045).

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

Senators Schmidt and Horn introduced

Senate Bill No. 703, entitled

A bill to amend 2007 PA 25, entitled "Convention and tourism promotion act," by amending the title and section 2 (MCL 141.1322) and by adding sections 1a, 7a, and 7b.

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

Senators Schmidt and Horn introduced

Senate Bill No. 704, entitled

A bill to amend 2010 PA 254, entitled "Regional convention and tourism promotion act," by amending the title and section 2 (MCL 141.1432) and by adding sections 1a, 6a, and 6b.

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

Senators Schmidt and Horn introduced

Senate Bill No. 705, entitled

A bill to amend 1989 PA 244, entitled "Regional tourism marketing act," by amending the title and section 2 (MCL 141.892) and by adding sections 1a, 7a, and 7b.

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

Senators Schmidt and Horn introduced

Senate Bill No. 706, entitled

A bill to amend 1980 PA 383, entitled "Convention and tourism marketing act," by amending the title and sections 2 and 7 (MCL 141.882 and 141.887) and by adding sections 1a, 7a, and 7b.

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

Senators Schmidt and Horn introduced

Senate Bill No. 707, entitled

A bill to amend 1980 PA 395, entitled "Community convention or tourism marketing act," by amending the title and section 2 (MCL 141.872), the title as amended by 1984 PA 59 and section 2 as amended by 2010 PA 82, and by adding sections 1a, 7a, and 7b.

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

Senators Schmidt, Knezek and Robertson introduced

Senate Bill No. 708, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 12m of chapter XVII (MCL 777.12m), as amended by 2015 PA 213.

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

Senators Schmidt, Knezek and Robertson introduced

Senate Bill No. 709, entitled

A bill to amend 1988 PA 426, entitled "An act to regulate dangerous animals; to provide for the confinement, tattooing, or destruction of dangerous animals; and to provide penalties for the owners or keepers of dangerous animals that attack human beings," by amending the title and sections 1, 2, and 3 (MCL 287.321, 287.322, and 287.323) and by adding sections 4, 5, 6, 7, and 8.

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

Senators Knezek, Schmidt and Robertson introduced

Senate Bill No. 710, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 49 (MCL 750.49), as amended by 2006 PA 129.

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

Senators Stamas, Brandenburg, Emmons, Robertson, Green, Conyers, Casperson and Schmidt introduced

Senate Bill No. 711, entitled

A bill to amend 1978 PA 639, entitled "Hertel-Law-T. Stopczynski port authority act," by amending sections 2, 8, and 9 (MCL 120.102, 120.108, and 120.109).

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

Senator Stamas introduced

Senate Bill No. 712, entitled

A bill to amend 1976 PA 442, entitled "Freedom of information act," by amending section 5 (MCL 15.235), as amended by 2014 PA 563.

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

House Bill No. 4332, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending sections 50 and 50b (MCL 750.50 and 750.50b), section 50 as amended by 2007 PA 152 and section 50b as amended by 2008 PA 339.

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. 4333, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending sections 16b, 34, 40, 46, and 49 of chapter XVII (MCL 777.16b, 777.34, 777.40, 777.46, and 777.49), section 16b as amended by 2017 PA 30, section 34 as added by 1998 PA 317, section 40 as amended by 2014 PA 350, section 46 as amended by 1999 PA 227, and section 49 as amended by 2002 PA 137.

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. 4523, entitled

A bill to repeal 1970 PA 202, entitled "Explosives act of 1970," (MCL 29.41 to 29.55).

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. 4524, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 6312 (MCL 600.6312), as added by 1995 PA 249.

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. 4671, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 509o (MCL 168.509o), as added by 1994 PA 441, and by adding section 645a.

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 Elections and Government Reform.

House Bill No. 4950, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 635 (MCL 206.635), as added by 2011 PA 38.

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 Finance.

House Bill No. 5047, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 607 (MCL 206.607), as amended by 2011 PA 306.

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 Finance.

House Bill No. 5071, entitled

A bill to require institutions of higher education to make certain disclosures to students concerning their federal student loans; and to provide for the powers and duties of certain state and local governmental officers and entities.

The House of Representatives has passed the bill.
The bill was read a first and second time by title and referred to the Committee on Education.

House Bill No. 5137, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding sections 204b and 204c.

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. 5138, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16k of chapter XVII (MCL 777.16k), as amended by 2004 PA 524.

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. 5144, entitled

A bill to amend 2016 PA 281, entitled "Medical marihuana facilities licensing act," by amending the title and sections 102, 201, 205, 501, 502, 503, 504, 505, 602, and 801 (MCL 333.27102, 333.27201, 333.27205, 333.27501, 333.27502, 333.27503, 333.27504, 333.27505, 333.27602, and 333.27801).

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. 5200, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 1301 and 48705 (MCL 324.1301 and 324.48705), section 1301 as amended by 2014 PA 215 and section 48705 as added by 1995 PA 57.

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 Natural Resources.

By unanimous consent the Senate returned to the order of

Motions and Communications

The following communication was received and read:

Office of the Auditor General

November 22, 2017

Enclosed is a copy of the following report:

- Performance audit report on the Design and Construction Division, Department of Technology, Management and Budget (071-0125-16).

Sincerely,
Doug Ringler
Auditor General

The audit report was referred to the Committee on Government Operations.

The following communications were received:

Office of Senator Steven M. Bieda

November 29, 2017

Per Senate Rule 1.110(c), I am requesting that my name be added as a co-sponsor to Senate Bill 209 which was introduced on March 2, 2017, by Senator Coleman Young II and is currently in the Senate General Orders calendar.

November 29, 2017

Per Senate Rule 1.110(c), I requesting that my name be added as a co-sponsor to Senate Bill 467 which was introduced on June 15, 2017, by Senator Coleman Young II and is currently in the Senate Transportation Committee.

Sincerely,
Steve Bieda
State Senator
9th District

The communications were referred to the Secretary for record.

The Secretary announced that pursuant to Rule 2.109 of the Standing Rules of the Senate, the following expense reports have been filed with the Senate Business Office for the quarter from April 1, 2017 through June 30, 2017, and are available in the Senate Business Office during business hours for public inspection:

Committee

Agriculture
Appropriations
Banking and Financial Institutions
Commerce
Economic Development and International Investment
Education

Chairperson

Senator Joe Hune
Senator Dave Hildenbrand
Senator Darwin Booher
Senator Wayne Schmidt
Senator Ken Horn
Senator Phil Pavlov

Elections and Government Reform	Senator David Robertson
Energy and Technology	Senator Mike Nofs
Families, Seniors and Human Services	Senator Judy Emmons
Finance	Senator Jack Brandenburg
Government Operations	Senator Arlan Meekhof
Health Policy	Senator Mike Shirkey
Insurance	Senator Joe Hune
Judiciary	Senator Rick Jones
Local Government	Senator Dale Zorn
Michigan Competitiveness	Senator Mike Shirkey
Natural Resources	Senator Tom Casperson
Outdoor Recreation and Tourism	Senator Goeff Hansen
Oversight	Senator Peter MacGregor
Regulatory Reform	Senator Tory Rocca
Transportation	Senator Tom Casperson
Veterans, Military Affairs and Homeland Security	Senator Margaret O'Brien

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

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

- Senate Bill No. 544**
- Senate Bill No. 545**
- Senate Bill No. 546**
- Senate Bill No. 547**
- Senate Bill No. 548**
- Senate Bill No. 549**
- Senate Bill No. 649**

The motion prevailed.

The following bill was read a third time:

Senate Bill No. 544, entitled

A bill to amend 2000 PA 161, entitled "Michigan education savings program act," (MCL 390.1471 to 390.1486) by amending the title and by adding part 2.

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. 474

Yeas—23

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

Nays—14

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

Excused—1

Conyers

Not Voting—0

In The Chair: Schuitmaker

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 545, entitled

A bill to amend 2000 PA 161, entitled “Michigan education savings program act,” (MCL 390.1471 to 390.1486) by adding sections 21 and 22.

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. 475**Yeas—23**

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

Nays—14

Ananich	Hood	Knezek	Warren
Bieda	Hopgood	O’Brien	Young
Gregory	Johnson	Rocca	Zorn
Hertel	Jones		

Excused—1

Conyers

Not Voting—0

In The Chair: Schuitmaker

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 546, entitled

A bill to amend 2000 PA 161, entitled “Michigan education savings program act,” (MCL 390.1471 to 390.1486) by adding sections 23, 24, and 25.

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. 476**Yeas—23**

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

Nays—14

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

Excused—1

Conyers

Not Voting—0

In The Chair: Schuitmaker

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 547, entitled

A bill to amend 2000 PA 161, entitled "Michigan education savings program act," by amending sections 1, 2, 3, 7, 8, 12, 13, and 14 (MCL 390.1471, 390.1472, 390.1473, 390.1477, 390.1478, 390.1482, 390.1483, and 390.1484), sections 2 and 7 as amended by 2010 PA 6, sections 3 and 12 as amended by 2007 PA 153, and section 8 as amended by 2004 PA 387, and by designating sections 1 to 16 as part 1.

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. 477**Yeas—23**

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

Nays—14

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

Excused—1

Conyers

Not Voting—0

In The Chair: Schuitmaker

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 548, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1210.

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. 478**Yeas—22**

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

Nays—15

Ananich	Hood	Jones	Warren
Bieda	Hopgood	Knezek	Young
Gregory	Horn	O'Brien	Zorn
Hertel	Johnson	Rocca	

Excused—1

Conyers

Not Voting—0

In The Chair: Schuitmaker

The Senate agreed to the title of the bill.

Protests

Senators Hopgood, Gregory, Hood, Bieda, Ananich, Johnson, Young, Knezek and Hertel, under their constitutional right of protest (Art. 4, Sec. 18), protested against the passage of Senate Bill Nos. 544, 545, 546, 547, and 548.

Senator Hopgood moved that the statement he made during the discussion of Senate Bill No. 544 be printed as his reasons for voting “no.”

The motion prevailed.

Senator Hopgood’s statement, in which Senators Gregory, Hood, Bieda, Ananich, Johnson, Young, Knezek and Hertel concurred, is as follows:

I rise to offer my “no” vote explanation to Senate Bill Nos. 544 through 549, which is discriminatory tax-cut legislation under debate today.

Barely a week after Congress passed tax cuts for the wealthiest one-percent, here we are with yet another tax present for them, just in time for the holidays. Senate Bill Nos. 544 through 549 fulfill Betsy DeVos’ promise to bring a full-fledged voucher program to our state that gives the ultra-wealthy a tax break at the expense of everyday workers. So, when proponents of this legislation claim it’s another way to provide additional funding for education without costing more money, they’re playing a financial shell game with our budget. All you have to do is take a look at the numbers because they don’t lie. The nonpartisan Senate Fiscal Agency has even estimated that the initial cost to create the new Enhanced Michigan Education Savings Program could be anywhere between \$60 and \$100 million, but it doesn’t end there. Apparently it’s not enough to blow \$100 million to give the wealthiest one-percent a tax cut. Senate Bill No. 549 is expected to decrease state revenues by \$13.7 million. That’s right, another \$13-plus million back into the pockets of the elite in our state.

Overall, we’re potentially talking about well over \$100 million that would be better spent to uplift our elementary, middle, and high schools. That’s over \$100 million to hire more teachers and reduce overcrowding, which means more jobs. That’s over \$100 million to build 21st-century schools to give our students a head start against graduates from other states and countries, which means more jobs and better opportunities. If we just started investing in our education programs to begin with, there would be no reason to create special savings accounts for affluent folks to send their children to private schools. This legislation will further deteriorate the financial situation at every school across our state and inhibit our children’s college preparedness.

I urge my colleagues to vote “no” on giving tax breaks to the rich at the expense of our children.

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

By unanimous consent the Senate returned to the order of

Motions and Communications

Senator Stamas 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 Stamas moved that the Senate recess until 2:30 p.m.

The motion prevailed, the time being 12:07 p.m.

The Senate reconvened at the expiration of the recess and pursuant to rule 1.101, in the absence of the Presiding Officers, the Senate was called to order by the Secretary of the Senate.

By unanimous consent the Senate proceeded to the order of

Statements

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

The motion prevailed.

Senator Ananich’s statement is as follows:

I am rising because I was planning on offering an amendment to Senate Bill No. 549. My amendment is pretty simple; hopefully I can offer it when the time arises to take up that bill. I’m a little disappointed that bill was not part of the package that passed earlier.

My amendment is very simple—it is about tax fairness. I think this week more than ever, Michigan families need a tax break. Let’s give the exact same amount to everyone. Everyone gets an increase in their personal exemption. It’s simple. It’s easy. Everyone knows what is likely to come out of Washington, D.C.—not simple, not fair. Some get millions, others even billions, while working people pay more. I think it is more than fair to do it this way. No more rigged tax deals that gut working families. Let’s do it the right way. No more broken promises.

I urge my colleagues on the other side of the aisle to take up my amendment when we come back and take on Senate Bill No. 549.

Announcements of Printing and Enrollment

The Secretary announced that the following House bills were received in the Senate and filed on Thursday, November 30:
House Bill Nos. 4332 4333 4523 4524 4671 4950 5047 5071 5137 5138 5144 5200

The Secretary announced the enrollment printing and presentation to the Governor on Thursday, November 30, for his approval the following bill:

Enrolled Senate Bill No. 509 at 2:48 p.m.

The Secretary announced that the following bills were printed and filed on Thursday, November 30, and are available at the Michigan Legislature website:

Senate Bill Nos.	674	675	676	677	678	679	680	681	682	683	684	685	686	687
	688	689	690	691	692	693	694	695	696	697	698	699	700	701
House Bill Nos.	5285	5286	5287	5288	5289	5290	5291	5292	5293	5294	5295	5296	5297	5298
	5299	5300	5301	5302	5303	5304	5305	5306	5307	5308	5309	5310	5311	5312
	5313	5314	5315	5316										

Committee Reports

The Committee on Oversight reported

House Bill No. 5165, entitled

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

With the recommendation that the bill pass.

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

Peter F. MacGregor
 Chairperson

To Report Out:

Yeas: Senators MacGregor, Kowall, Schuitmaker, Stamas and Gregory

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Oversight reported

House Bill No. 5166, entitled

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

With the recommendation that the bill pass.

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

Peter F. MacGregor
 Chairperson

To Report Out:

Yeas: Senators MacGregor, Kowall, Schuitmaker, Stamas and Gregory

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Oversight reported

House Bill No. 5167, entitled

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

With the recommendation that the bill pass.

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

Peter F. MacGregor
 Chairperson

To Report Out:

Yeas: Senators MacGregor, Kowall, Schuitmaker, Stamas and Gregory

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Oversight reported

House Bill No. 5168, entitled

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

With the recommendation that the bill pass.

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

Peter F. MacGregor
Chairperson

To Report Out:

Yeas: Senators MacGregor, Kowall, Schuitmaker, Stamas and Gregory

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Oversight reported

House Bill No. 5169, entitled

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

With the recommendation that the bill pass.

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

Peter F. MacGregor
Chairperson

To Report Out:

Yeas: Senators MacGregor, Kowall, Schuitmaker, Stamas and Gregory

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Oversight reported

House Bill No. 5170, entitled

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

With the recommendation that the bill pass.

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

Peter F. MacGregor
Chairperson

To Report Out:

Yeas: Senators MacGregor, Kowall, Schuitmaker, Stamas and Gregory

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Oversight reported

House Bill No. 5171, entitled

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

With the recommendation that the bill pass.

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

Peter F. MacGregor
Chairperson

To Report Out:

Yeas: Senators MacGregor, Kowall, Schuitmaker, Stamas and Gregory

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Oversight reported

House Bill No. 5172, entitled

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

With the recommendation that the bill pass.

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

Peter F. MacGregor
Chairperson

To Report Out:

Yeas: Senators MacGregor, Kowall, Schuitmaker, Stamas and Gregory

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Oversight submitted the following:

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

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

The Committee on Families, Seniors and Human Services reported

House Bill No. 4751, entitled

A bill to amend 1981 PA 216, entitled "An act to provide for the rights and liabilities of married women with respect to certain real and personal property; to abrogate the common law disabilities of married women with respect to certain contracts; to prescribe the payment and satisfaction of judgments rendered upon certain written contracts; and to repeal certain acts and parts of acts," by amending section 8 (MCL 557.28).

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.

Judith K. Emmons
Chairperson

To Report Out:

Yeas: Senators Emmons, Pavlov, Jones and Casperson

Nays: None

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

The Committee on Families, Seniors and Human Services reported

House Bill No. 4802, entitled

A bill to amend 1897 PA 180, entitled "An act to provide for the issuance of marriage licenses and certificates without publicity in certain cases; and to provide criminal and civil penalties for violation of this act," by amending sections 3 and 4 (MCL 551.203 and 551.204).

With the recommendation that the bill pass.

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

Judith K. Emmons
Chairperson

To Report Out:

Yeas: Senators Emmons, Pavlov, Jones, Casperson and Johnson

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Families, Seniors and Human Services submitted the following:

Meeting held on Wednesday, November 29, 2017, at 3:00 p.m., Room 1300, Binsfeld Office Building

Present: Senators Emmons (C), Pavlov, Jones, Casperson and Johnson

The Committee on Transportation reported

Senate Bill No. 477, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 653a and 653b (MCL 257.653a and 257.653b), section 653a as added by 2000 PA 458 and section 653b as added by 2008 PA 464.

With the recommendation that the substitute (S-2) be adopted and that the bill then 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 and the substitute recommended by the committee were referred to the Committee of the Whole.

The Committee on Transportation reported

Senate Bill No. 521, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 649 (MCL 257.649).

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.

Thomas A. Casperson
Chairperson

To Report Out:

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

Nays: None

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

The Committee on Transportation reported

Senate Bill No. 568, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 661a (MCL 257.661a).

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.

The Committee on Transportation reported

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.

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.

The Committee on Transportation reported

Senate Bill No. 640, entitled

A bill to amend 1982 PA 432, entitled "Motor bus transportation act," by amending section 4 (MCL 474.104), as amended by 2016 PA 349.

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.

The Committee on Transportation reported

Senate Bill No. 645, entitled

A bill to promote the safety and security of rail fixed guideway public transportation systems operating within this state; to designate the office of rail within the state transportation department as the state safety oversight entity for this state; to provide for the powers and duties of the state safety oversight entity; and to provide for the enforcement of this act.

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.

The Committee on Transportation reported

House Bill No. 4907, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 811f (MCL 257.811f), as amended by 2006 PA 562.

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, November 30, 2017, at 8:30 a.m., Room 1100, Binsfeld Office Building

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

The Committee on Economic Development and International Investment reported

Senate Bill No. 393, entitled

A bill to provide for the establishment of certain tax increment finance authorities; to prescribe the powers and duties of the authorities; to correct and prevent deterioration in residential, commercial, and industrial areas and certain other areas; to authorize the acquisition and disposal of interests in real and personal property; to authorize the creation and implementation of development plans and development areas; to promote residential and economic growth; to create certain boards; to prescribe the powers and duties of certain boards; to authorize the issuance of bonds and other evidences of indebtedness; to levy certain taxes; to authorize the use of tax increment financing; to prescribe powers and duties of certain state officials; to provide for rule promulgation; to provide for enforcement of this act; 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.

Kenneth B. Horn
Chairperson

To Report Out:

Yeas: Senators Horn, Schmidt, Stamas, Emmons, MacGregor, Warren, Conyers and Bieda

Nays: None

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

The Committee on Economic Development and International Investment reported

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.

With the recommendation that the bill pass.

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

Kenneth B. Horn
Chairperson

To Report Out:

Yeas: Senators Horn, Schmidt, Stamas, Emmons, MacGregor, Warren, Conyers and Bieda

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Economic Development and International Investment reported

House Bill No. 4207, entitled

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

With the recommendation that the bill pass.

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

Kenneth B. Horn
Chairperson

To Report Out:

Yeas: Senators Horn, Schmidt, Stamas, Emmons, MacGregor, Warren, Conyers and Bieda

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Economic Development and International Investment submitted the following:
Meeting held on Thursday, November 30, 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

COMMITTEE ATTENDANCE REPORT

The Committee on Education submitted the following:
Meeting held on Tuesday, December 5, 2017, at 12:00 noon, Room 1300, Binsfeld Office Building
Present: Senators Pavlov (C), Booher, Hune and Hopgood
Excused: Senator Knollenberg

Scheduled Meetings

Administrative Rules - Wednesday, December 6, 8:30 a.m., Rooms 402 and 403, Capitol Building (373-5773)

Appropriations - Wednesday, December 6, 1:30 p.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building (373-1801)

Subcommittee -

Capital Outlay - Wednesday, December 6, 12:00 noon, Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building (373-2768)

Criminal Justice Policy Commission - Wednesday, December 6, 9:00 a.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building (373-0212)

Economic Development and International Investment - Thursday, December 7, 1:30 p.m., Room 1200, Binsfeld Office Building (373-5323)

Education -

Subcommittee -

Michigan Merit Curriculum - Wednesday, December 6, 3:00 p.m., Room 1100, Binsfeld Office Building (373-5312)
(CANCELED)

Families, Seniors and Human Services - Wednesday, December 6, 12:00 noon, Room 1100, Binsfeld Office Building (373-5323)

Michigan Veterans Trust Fund Board of Trustees - Tuesday, December 12, 10:30 a.m., Lansing State Office, 222 N. Washington Avenue, 5th Floor (284-5299)

Natural Resources - Wednesday, December 6, 12:30 p.m., Room 1300, Binsfeld Office Building (373-5312)

Outdoor Recreation and Tourism - Wednesday, December 6, 12:30 p.m., Room 1200, Binsfeld Office Building (373-1721)

Regulatory Reform - Wednesday, December 6, 1:00 p.m., Room 1100, Binsfeld Office Building (373-5323)

Transportation - Thursday, December 7, 8:30 a.m., Room 1100, Binsfeld Office Building (373-5312)

Senator Kowall moved that the Senate adjourn.
The motion prevailed, the time being 2:32 p.m.

The Secretary of the Senate declared the Senate adjourned until Wednesday, December 6, 2017, at 10:00 a.m.

JEFFREY F. COBB
Secretary of the Senate

