

No. 5
STATE OF MICHIGAN
Journal of the Senate
99th Legislature
REGULAR SESSION OF 2017

Senate Chamber, Lansing, Tuesday, January 24, 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—excused
Bieda—present
Booher—present
Brandenburg—excused
Casperson—excused
Colbeck—present
Conyers—present
Emmons—present
Green—present
Gregory—present
Hansen—excused
Hertel—present
Hildenbrand—present

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

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

Pastor Steve Smail of Lighthouse Baptist Church of Plainwell offered the following invocation:

Heavenly Father, as we bow before You this morning, we thank You once again for this day. We thank You for this great state which You have given us the privilege to live, to work, and to raise our families.

We thank You for our nation, for the freedoms You have given us, for protection, for the provision and the many blessings that we have in abundance. Thank You for the great history of our Founding Fathers that sought to see us as one nation under God. We thank You this day for our new President, Donald Trump, and our new Vice President, Mike Pence. We pray for wisdom for them as they work this week to continue to assemble their team to lead this country. We pray God for the division that we have seen the last few days in our nation, and I pray for healing and for unity in our country.

I pray for Governor Snyder and Lieutenant Governor Brian Calley, that You would give them wisdom this day for the decisions they make, and I pray that You would bless them and their families. Thank You for those that will serve in the House of Representatives today, I pray, as they meet in just a few hours, that You would give them wisdom for all the decisions they might face today as well.

I thank You, Lord, for those that stand before me here this day, for these Senators that meet here to care for the business of our state. Lord, I thank You for their service to the people of Michigan. I pray that You would give them wisdom to make the important decisions that they might face this day, and the courage to stand for what is right. Lord, please protect and bless them and their families this day.

Before we close this morning, we ask for protection for those that protect us, both in the military and our law enforcement today. Thank You for those that daily put their lives on the line for us. I pray that You give them a safe day.

Once again, we thank You for all that you have done and ask You to bless these people this day. We pray this all in the name of Jesus Christ, our Savior. Amen.

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

Motions and Communications

Senator Bieda moved that Senators Hood, Knezek, Johnson, Young and Ananich be excused from today's session. The motion prevailed.

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

Senator Kowall moved that Senators Brandenburg, Casperson, Hansen, Horn, MacGregor, Meekhof, Rocca, Proos and Knollenberg be excused from today's session. The motion prevailed.

The following communication was received and read:
Office of the Auditor General

January 18, 2017

Enclosed is a copy of the following report:

- Performance audit report on Bottled Water Regulation, Michigan Department of Agriculture and Rural Development and Department of Environmental Quality.

Sincerely,
Doug Ringler
Auditor General

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

The following communication was received:
Civil Service Commission

January 11, 2017

Article XI, Section 5, of the Michigan Constitution of 1963, requires the Civil Service Commission to provide notice to the Governor of increases in rates of compensation authorized by the Commission. The attached summary of costs associated with fiscal year 2018 compensation increases was prepared by the Office of the State Employer. The total additional cost is estimated to be approximately \$135.4 million.

Please do not hesitate to contact me at (517) 373-3020, should you have any questions.

Sincerely,
Janine M. Winters
State Personnel Director

The communication was referred to the Secretary for record.

Senator Kowall moved that rule 3.902 be suspended to allow the guests of Senator Nofs admittance to the Senate floor. The motion prevailed, a majority of the members serving voting therefor.

Senator Kowall moved that the Committee on Health Policy be discharged from further consideration of the following bills:

Senate Bill No. 29, entitled

A bill to amend 2011 PA 142, entitled "Health insurance claims assessment act," by amending section 3 (MCL 550.1733), as amended by 2016 PA 50; and to repeal acts and parts of acts.

Senate Bill No. 30, entitled

A bill to amend 2000 PA 489, entitled "Michigan trust fund act," by amending sections 2 and 6 (MCL 12.252 and 12.256), section 2 as amended by 2016 PA 193, and by adding section 11.

Senate Bill No. 31, entitled

A bill to amend 1937 PA 94, entitled "Use tax act," by amending section 21 (MCL 205.111), as amended by 2015 PA 263.

Senate Bill No. 32, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.713) by adding section 51f.

The motion prevailed, a majority of the members serving voting therefor, and the bills were placed on the order of General Orders.

Senator Kowall moved that the bills be referred to the Committee on Michigan Competitiveness.

The motion prevailed.

Senator Kowall moved that the Committee on Government Operations be discharged from further consideration of the following bill:

Senate Bill No. 43, entitled

A bill to amend 2007 PA 106, entitled "Public employees health benefit act," by amending section 9 (MCL 124.79).

The motion prevailed, a majority of the members serving voting therefor, and the bill was placed on the order of General Orders.

Senator Kowall moved that the bill be referred to the Committee on Insurance.

The motion prevailed.

Senator Hildenbrand entered the Senate Chamber.

Messages from the Governor

The following messages from the Governor were received and read:

January 4, 2017

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

Michigan Iron Industry Museum Advisory Board

Justin A. Carlson of 94 Cedar Lane, Negaunee, Michigan 49866, county of Marquette, representing the township of Negaunee, succeeding himself, is reappointed for a term expiring October 4, 2020.

Susan Hornbogen of 31 Middle Island Point Road, Marquette, Michigan 49855, county of Marquette, representing the general citizenry, succeeding herself, is reappointed for a term expiring October 4, 2020.

Victoria Leonhardt of 1111 Cleveland Avenue, Marquette, Michigan 49855, county of Marquette, representing the general public, succeeding Dale Hemmila, is appointed for a term expiring October 4, 2020.

January 6, 2017

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

Michigan Board of Osteopathic Medicine and Surgery

Craig S. Glines of 14602 Williamsburg Street, Riverview, Michigan 48193, county of Wayne, representing physicians, succeeding Susan Sevensma, is appointed for a term expiring December 31, 2018.

Sheryl A. Thompson of 20470 Crestview Drive, Reed City, Michigan 49677, county of Osceola, representing the general public, succeeding herself, is reappointed for a term expiring December 31, 2020.

David P. Walters of 6451 Brighton Road, Brighton, Michigan 48116, county of Livingston, representing physicians, succeeding himself, is reappointed for a term expiring December 31, 2020.

January 6, 2017

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

Michigan Board of Social Work

Marc J. Milburn of 115 Questview Drive, Houghton Lake, Michigan 48629, county of Roscommon, representing the general public, succeeding himself, is reappointed for a term expiring December 31, 2020.

Brian D. Philson of 7850 Sears Road, Horton, Michigan 49246, county of Jackson, representing professionals, succeeding himself, is reappointed for a term expiring December 31, 2020.

January 9, 2017

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

Mental Health Diversion Council

Christopher Becker of 5800 Highbury Drive, Ada, Michigan 49301, county of Kent, representing prosecutors, succeeding Ronald Schafer, is appointed for a term expiring January 30, 2021.

Larry Cameron of 18301 W. 13 Mile Road, Unit A6, Southfield, Michigan 48076, county of Oakland, representing advocates or consumer representatives, succeeding himself, is reappointed for a term expiring January 30, 2021.

George Strander of 1004 S. Locust Lane, Albion, Michigan 49224, county of Calhoun, representing court administrators, succeeding himself, is reappointed for a term expiring January 30, 2021.

January 18, 2017

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

Michigan Citizen-Community Emergency Response Coordinating Council

Steven Tutt Gorman of 955 Marshall Street, Portland, Michigan 48875, county of Ionia, representing the general public, succeeding William Fales, is appointed for a term expiring December 31, 2020.

Phillip D. Schertzing of 3580 Donamere Drive, Lansing, Michigan 48906, county of Clinton, representing individuals with technical expertise related to emergency response, succeeding himself, is reappointed for a term expiring December 31, 2020.

January 18, 2017

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

Michigan Board of Cosmetology

Danielle Jo Kruithoff of 6549 Creekwood Drive, Holland, Michigan 49423, county of Allegan, representing cosmetologists, succeeding herself, is reappointed for a term expiring December 31, 2020.

Kathryn C. Wilkinson of 3561 Crooked Lake Road, Howell, Michigan 48843, county of Livingston, representing cosmetologists actively engaged in the teaching of cosmetology, succeeding Angela Haley, is appointed for a term expiring December 31, 2020.

January 18, 2017

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

Hispanic/Latino Commission of Michigan

Esperanza Cantu of 2060 Oakshire Avenue, Berkley, Michigan 48072, county of Oakland, succeeding herself, is reappointed for a term expiring December 10, 2019.

Jose A. Lopez of 7117 Rowan Street, Detroit, Michigan 48209, county of Wayne, succeeding himself, is reappointed for a term expiring December 10, 2019.

Monica B. Reyes of 950 Shattuck Drive, Saginaw, Michigan 48604, county of Saginaw, succeeding herself, is reappointed for a term expiring December 10, 2019.

Kelsey V. Switzer of 2739 Berry Drive, Bloomfield Township, Michigan 48304, county of Oakland, succeeding herself, is reappointed for a term expiring December 10, 2019.

Sincerely,
Rick Snyder
Governor

The appointments were referred to the Committee on Government Operations.

Introduction and Referral of Bills

Senators Jones, Hertel, Schuitmaker and Nofs introduced

Senate Bill No. 53, entitled

A bill to amend 1965 PA 203, entitled "Michigan commission on law enforcement standards act," (MCL 28.601 to 28.615) by adding sections 9e and 9f.

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

Senators Bieda, Ananich, Hopgood, Hertel, Conyers and Gregory introduced

Senate Bill No. 54, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," (MCL 168.1 to 168.992) by adding section 496a.

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

Senators Bieda, Rocca, Ananich, Hopgood, Hertel, Conyers and Gregory introduced

Senate Bill No. 55, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 758, 759, and 759b (MCL 168.758, 168.759, and 168.759b), section 758 as amended by 1996 PA 207 and section 759 as amended by 2012 PA 523.

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

Senators Bieda, Ananich, Hopgood, Hertel, Conyers and Gregory introduced

Senate Bill No. 56, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 509v, 509w, and 509x (MCL 168.509v, 168.509w, and 168.509x), as added by 1994 PA 441.

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

Senators Ananich, Hertel, Bieda, Hopgood, Conyers, Gregory, Schuitmaker and Rocca introduced

Senate Bill No. 57, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 5478a.

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

Senators Hertel, Bieda, Hopgood, Conyers, Gregory, Schuitmaker and Rocca introduced

Senate Bill No. 58, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 5478b.

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

Senators Hertel, Conyers, Jones, Gregory, Bieda, Ananich, Hopgood and Warren introduced

Senate Bill No. 59, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.713) by adding sections 275 and 675.

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

Senators Hertel, Conyers, Jones, Horn, Gregory, Bieda, Ananich, Hopgood and Warren introduced

Senate Bill No. 60, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.713) by adding section 275.

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

Senator Booher introduced

Senate Bill No. 61, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 703 (MCL 380.703), as amended by 2003 PA 299.

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

Senators Hertel and Ananich introduced

Senate Bill No. 62, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 5475a (MCL 333.5475a), as added by 2004 PA 434.

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

Senators Ananich and Hertel introduced

Senate Bill No. 63, entitled

A bill to amend 1976 PA 399, entitled "Safe drinking water act," by amending section 5 (MCL 325.1005), as amended by 1998 PA 56.

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

Scheduled Meetings

Appropriations - Wednesday, January 25, 2:00 p.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building (373-1801)

Subcommittees -

Agriculture and Rural Development - Tuesdays, February 21, March 7, March 14 and March 21, 3:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower; February 28, 3:00 p.m., Room 405, Capitol Building (373-2768)

State Police and Military Affairs - Tuesdays, February 14, February 21, March 7 and March 21, 8:30 a.m., Rooms 402 and 403; February 28 and March 14, Room 405, Capitol Building (373-2768)

Michigan Competitiveness - Thursday, January 26, 9:00 a.m., Room 1200, Binsfeld Office Building (373-5314)

Senate Fiscal Agency Board of Governors - Thursday, January 26, 9:30 a.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building (373-2768)

State Drug Treatment Court Advisory Committee - Tuesday, January 31, 10:00 a.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building (373-0212)

Senator Kowall moved that the Senate adjourn.

The motion prevailed, the time being 10:11 a.m.

The President, Lieutenant Governor Calley, declared the Senate adjourned until Wednesday, January 25, 2017, at 10:00 a.m.

JEFFREY F. COBB
Secretary of the Senate

