

**No. 18**  
**STATE OF MICHIGAN**  
**Journal of the Senate**  
**99th Legislature**  
**REGULAR SESSION OF 2017**

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Senate Chamber, Lansing, Wednesday, February 22, 2017.

10:00 a.m.

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

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

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

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

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

Bishop Urundi Knox of Ebenezer Ministries of Burton offered the following invocation:

Creator and Sustainer of all that is and will ever be, please accept our thanks for this day and all its blessings. We ask that You continue to guide and direct these men and women who use their education, their knowledge, their wisdom, and their influence to help shape our government and move our communities forward. We thank You for this system and for giving them words and ideas so that they can continue to be leaders of this wonderful state of Michigan and of this great country. We bow and we ask that You grant each of them the ability to fulfill their responsibility to uplift our state, this country, and our fellow man and woman. We ask that You continue to give them a plethora of great ideas so that future generations may build with confidence a stronger, wiser America and a better world. Bless these leaders, their minds, and all those that will speak and hear in these governed halls. This we pray. Amen.

The President pro tempore, Senator Schuitmaker, led the members of the Senate in recital of the *Pledge of Allegiance*.

### Motions and Communications

Senator Green entered the Senate Chamber.

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

Senator Bieda moved that Senators Conyers, Hood and Gregory be excused from today's session. The motion prevailed.

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

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

The following communication was received are read:

Office of the Auditor General

February 10, 2017

Enclosed is a copy of the following report:

- Performance audit report on Bureau of Services for Blind Persons, Department of Licensing and Regulatory Affairs.

Sincerely,  
Doug Ringler  
Auditor General

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

The following communications were received:

Department of State

Administrative Rules  
Notices of Filing

February 16, 2017

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2016-061-LR (Secretary of State Filing #17-02-01) on this date at 3:56 p.m. for the Department of Licensing and Regulatory Affairs entitled, "General Rules - Public Health Code."

These rules become effective immediately upon filing with the Secretary of State unless adopted under section 33, 44 or 45a of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

February 16, 2017

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2016-064-IF (Secretary of State Filing #17-02-02) on this date at 3:56 p.m. for the Department of Insurance and Financial Services entitled, "Assigned Claims Plan."

These rules become effective immediately upon filing with the Secretary of State unless adopted under section 33, 44 or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

February 16, 2017

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2016-043-LR (Secretary of State Filing #17-02-03) on this date at 3:56 p.m. for the Department of Licensing and Regulatory Affairs entitled, "Part 90. Permit-Required Confined Spaces."

These rules take effect immediately upon filing with the Secretary of State unless adopted under section 33, 44 or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

February 16, 2017

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2016-044-LR (Secretary of State Filing #17-02-04) on this date at 3:56 p.m. for the Department of Licensing and Regulatory Affairs entitled, "Part 490. Permit-Required Confined Spaces."

These rules take effect immediately upon filing with the Secretary of State unless adopted under section 33, 44 or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

February 16, 2017

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2016-041-LR (Secretary of State Filing #17-02-05) on this date at 3:56 p.m. for the Department of Licensing and Regulatory Affairs entitled, "Part 91. Process Safety Management of Highly Hazardous Chemicals."

These rules take effect immediately upon filing with the Secretary of State unless adopted under section 33, 44 or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

February 16, 2017

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Licensing and Regulatory Affairs and the State Office of Regulatory Reinvention filed Administrative Rule #2016-049-LR (Secretary of State Filing #17-02-06) on this date at 3:56 p.m. for the Department of Licensing and Regulatory Affairs entitled, "Part 14. Conveyors."

These rules take effect immediately upon filing with the Secretary of State unless adopted under section 33, 44 or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

Sincerely,  
Ruth Johnson  
Secretary of State  
Robin L. Houston, Departmental Supervisor  
Office of the Great Seal

The communications were referred to the Secretary for record.

The Secretary announced that the following bills were printed and filed on Tuesday, February 21, and are available at the Michigan Legislature website:

<b>Senate Bill Nos.</b>	<b>169</b>	<b>170</b>	<b>171</b>	<b>172</b>	<b>173</b>	<b>174</b>	<b>175</b>						
<b>House Bill Nos.</b>	<b>4251</b>	<b>4252</b>	<b>4253</b>	<b>4254</b>	<b>4255</b>	<b>4256</b>	<b>4257</b>	<b>4258</b>	<b>4259</b>	<b>4260</b>	<b>4261</b>	<b>4262</b>	<b>4263</b>

Senators Knezek and Johnson 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 President pro tempore, Senator Schuitmaker, designated Senator Hopgood as Chairperson.

After some time spent therein, the Committee arose; and the President pro tempore, Senator Schuitmaker, having resumed the Chair, the Committee reported back to the Senate, favorably and without amendment, the following bill:

**Senate Bill No. 97, entitled**

A bill to authorize certain public authorities to develop certain eligible projects and to enter into certain agreements; to impose certain conditions on those agreements; to impose certain powers and duties on certain state and local officials and employees; to authorize the financing of certain eligible projects; and to exempt certain property from certain taxes.

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

By unanimous consent the Senate returned to the order of  
**Third Reading of Bills**

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

**Senate Bill No. 111**

**Senate Bill No. 112**

**Senate Bill No. 113**

**Senate Bill No. 114**

**Senate Bill No. 115**

The motion prevailed.

The following bill was read a third time:

**Senate Bill No. 111, entitled**

A bill to amend 1996 PA 381, entitled "Brownfield redevelopment financing act," by amending sections 2, 8a, 11, 13, 13b, 15, and 16 (MCL 125.2652, 125.2658a, 125.2661, 125.2663, 125.2663b, 125.2665, and 125.2666), as amended by 2016 PA 471, and by adding sections 13c and 14a.

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. 35**

**Yeas—27**

Ananich	Hildenbrand	Kowall	Robertson
Bieda	Hopgood	MacGregor	Schmidt
Booher	Horn	Marleau	Shirkey
Casperson	Johnson	Meekhof	Stamas
Green	Jones	Nofs	Warren
Hansen	Knezek	O'Brien	Zorn
Hertel	Knollenberg	Pros	

**Nays—6**

Colbeck	Hune	Rocca	Schuitmaker
Emmons	Pavlov		

**Excused—5**

Brandenburg	Gregory	Hood	Young
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. 112, entitled**

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

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. 36****Yeas—27**

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

**Nays—6**

Colbeck	Hune	Rocca	Schuitmaker
Emmons	Pavlov		

**Excused—5**

Brandenburg	Gregory	Hood	Young
Conyers			

**Not Voting—0**

In The Chair: Schuitmaker

The Senate agreed to the title of the bill.

Senator Young entered the Senate Chamber.

The following bill was read a third time:

**Senate Bill No. 113, entitled**

A bill to amend 1933 PA 167, entitled “General sales tax act,” by amending section 4d (MCL 205.54d), as amended by 2014 PA 53.

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. 37****Yeas—28**

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

**Nays—6**

Colbeck	Hune	Rocca	Schuitmaker
Emmons	Pavlov		

**Excused—4**

Brandenburg	Conyers	Gregory	Hood
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**Not Voting—0**

In The Chair: Schuitmaker

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 114, entitled**

A bill to amend 1937 PA 94, entitled "Use tax act," (MCL 205.91 to 205.111) by adding section 4dd.

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. 38****Yeas—29**

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

**Nays—5**

Colbeck	Hune	Pavlov	Rocca
Emmons			

**Excused—4**

Brandenburg

Conyers

Gregory

Hood

**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. 115, entitled**

A bill to amend 1996 PA 376, entitled “Michigan renaissance zone act,” by amending section 9 (MCL 125.2689), as amended by 2011 PA 315.

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. 39****Yeas—28**

Ananich

Hildenbrand

Kowall

Robertson

Bieda

Hopgood

MacGregor

Schmidt

Booher

Horn

Marleau

Shirkey

Casperson

Johnson

Meekhof

Stamas

Green

Jones

Nofs

Warren

Hansen

Knezek

O’Brien

Young

Hertel

Knollenberg

Pros

Zorn

**Nays—6**

Colbeck

Hune

Rocca

Schuitmaker

Emmons

Pavlov

**Excused—4**

Brandenburg

Conyers

Gregory

Hood

**Not Voting—0**

In The Chair: Schuitmaker

The Senate agreed to the title of the bill.

By unanimous consent the Senate proceeded to the order of

**Introduction and Referral of Bills**

Senator Casperson introduced

**Senate Bill No. 176, entitled**

A bill to amend 1996 PA 299, entitled “An act to regulate tourist-oriented directional signs on certain rural roads; and to impose certain duties upon the state transportation department,” by amending section 1 (MCL 247.401), as amended by 2004 PA 528.

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

Senators Colbeck, Jones, Robertson and Emmons introduced

**Senate Bill No. 177, entitled**

A bill to amend 1984 PA 431, entitled "The management and budget act," by amending sections 261 and 268 (MCL 18.1261 and 18.1268), section 261 as amended by 2016 PA 376 and section 268 as amended by 2007 PA 183.

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

Senators Stamas, Zorn, Knezek, Hildenbrand, Robertson, Hansen, Booher, Marleau and Hopgood introduced

**Senate Bill No. 178, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 811e and 811h (MCL 257.811e and 257.811h), as amended by 2016 PA 327, and by adding sections 811cc, 811dd, 811ee, 811ff, and 811gg.

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

Senator Booher introduced

**Senate Bill No. 179, entitled**

A bill to provide for a capital outlay program; to set forth the provisions for its implementation within the budgetary process; to make appropriations for planning and construction at state institutions and the acquisition of land; to provide for the elimination of fire hazards at the institutions; to provide for certain special maintenance, remodeling, alteration, renovation, or demolition of and additions to projects at state institutions; to provide for elimination of occupational safety and health hazards at state agencies and institutions; to provide for the award of contracts; and to provide for the expenditure of certain appropriations under the supervision of the director of the department of technology, management, and budget and the state administrative board.

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

### Committee Reports

The Committee on Local Government reported

**Senate Bill No. 102, entitled**

A bill to authorize, facilitate, and regulate the acquisition and disposal of certain property and gifts of certain property by certain entities to community foundations; to validate all transfers made before the enactment of this act; and to repeal acts and parts of acts.

With the recommendation that the bill pass.

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

Dale W. Zorn  
Chairperson

To Report Out:

Yeas: Senators Zorn, Proos, Rocca and Young

Nays: None

The bill was referred to the Committee of the Whole.

### COMMITTEE ATTENDANCE REPORT

The Committee on Local Government submitted the following:

Meeting held on Tuesday, February 21, 2017, at 12:30 p.m., Room 1200, Binsfeld Office Building

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

Excused: Senator Brandenburg

### COMMITTEE ATTENDANCE REPORT

The Subcommittee on Judiciary submitted the following:

Meeting held on Tuesday, February 21, 2017, at 9:00 a.m., Room 405, Capitol Building

Present: Senator Proos (C)

Excused: Senators Schuitmaker and Young



## COMMITTEE ATTENDANCE REPORT

The Committee on Education submitted the following:

Meeting held on Tuesday, February 21, 2017, at 12:00 noon, Room 1100, Binsfeld Office Building

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

## COMMITTEE ATTENDANCE REPORT

The Subcommittee on Environmental Quality submitted the following:

Meeting held on Tuesday, February 21, 2017, at 2:00 p.m., Room 405, Capitol Building

Present: Senators Green (C), MacGregor and Hopgood

## COMMITTEE ATTENDANCE REPORT

The Subcommittee on Health and Human Services submitted the following:

Meeting held on Tuesday, February 21, 2017, at 2:30 p.m., Senate Hearing Room, Ground Floor, Boji Tower

Present: Senators Marleau (C), MacGregor, Proos, Shirkey, Nofs, Hertel and Gregory

## COMMITTEE ATTENDANCE REPORT

The Subcommittee on K-12, School Aid, Education submitted the following:

Meeting held on Wednesday, February 22, 2017, at 8:30 a.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building

Present: Senators Hansen (C), Pavlov and Hopgood

## COMMITTEE ATTENDANCE REPORT

The Subcommittee on Community Colleges submitted the following:

Meeting held on Wednesday, February 22, 2017, at 9:30 a.m., Room 402 and 403, Capitol Building

Present: Senators Booher (C), Schuitmaker and Knezek

**Scheduled Meetings****Appropriations -****Subcommittees -**

**Agriculture and Rural Development** - Tuesdays, March 7, March 14 and March 21, 3:00 p.m., Rooms 402 and 403; February 28, 3:00 p.m., Room 405, Capitol Building (373-2768)

**General Government** - Thursdays, February 23, March 2, March 16 and March 23, 8:30 a.m. and March 9, 9:00 a.m., Room 1300, Binsfeld Office Building (373-2768)

**Health and Human Services** - Tuesdays, March 7, 2:30 p.m., Senate Hearing Room, Ground Floor, Boji Tower and February 28, 2:00 p.m., Room 1100, Binsfeld Office Building; Thursdays, February 23 and March 2, 2:30 p.m., Senate Hearing Room, Ground Floor, Boji Tower (373-2768)

**K-12, School Aid, Education** - Wednesdays, March 8, March 15, March 22 and March 29, 8:30 a.m.; Tuesday, February 28, 2:00 p.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building (373-2768)

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

**Transportation** - Tuesday, February 28; Thursdays, March 2, March 9, March 16, March 23 and March 30, 9:00 a.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building (373-2768)

**Economic Development and International Investment and House Communications and Technology** - Thursday, February 23, 1:30 p.m., Senate Hearing Room, Ground Floor, Boji Tower (373-5323)

**Elections and Government Reform** - Thursday, February 23, 9:00 a.m., Room 1100, Binsfeld Office Building (373-5323)

Senator Kowall moved that the Senate adjourn.  
The motion prevailed, the time being 10:24 a.m.

The President pro tempore, Senator Schuitmaker, declared the Senate adjourned until Thursday, February 23, 2017, at 10:00 a.m.

JEFFREY F. COBB  
Secretary of the Senate