

No. 9
STATE OF MICHIGAN
Journal of the Senate
99th Legislature
REGULAR SESSION OF 2017

Senate Chamber, Lansing, Wednesday, February 1, 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—excused
Casperson—present
Colbeck—present
Conyers—present
Emmons—present
Green—present
Gregory—present
Hansen—present
Hertel—present
Hildenbrand—present

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

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

Pastor David Pompo of Living Grace Community Church of Davison offered the following invocation:

Lord God, thank You for making us all stewards of this great state. Thank You for two beautiful peninsulas which border four great lakes, four sister states, and Canada. Thank You for so many lakes and streams making us over 40 percent fresh water. Thank You for majestic forests, abundant wildlife, and countless other natural resources. Thank You for nearly 10 million souls, great agriculture and industry, universities, churches, and a strong history of innovation. Thank You for the bedrock foundation this state sits on, like the faith of many of our people, founded on the “Rock of Ages.” And thank You for gifts of leadership, administration, discernment, and knowledge present here today and in times past, by which we can govern wisely. Thank You, Michigan is truly a type of Promised Land.

Now, Joshua was charged to bring his nation into the Promised Land: to settle it, to organize it, and to maintain it. This would take courage and strength. Senators and all in authority in our state and nation, we need an extra measure of courage and strength to love our fellow man, to maintain the land, and govern the people. The Lord charged Joshua to be strong and courageous, and to depend upon His Word. Listen to a few verses from Joshua chapter 1: 5-9: “just as I was with Moses, so I will be with you. I will not leave you or forsake you. Be strong and courageous, for you shall cause this people to inherit that land that I swore to their father to give them. Only by strong and very courageous, being careful to do according to all the Law that Moses My servant commanded you. Do not turn from it to the right hand or to the left, that you may have good success wherever you go. Have I not commanded you? Be strong and courageous.” Let us be strong and courageous as we are true to our convictions; not cold or lukewarm, but passionately hot as we do our jobs.

And now, Lord, I pray for the Governor, Lieutenant Governor, the House, and each member of this honorable body, that You would grant them all the wisdom, knowledge, and discernment that they need to govern. I pray that love for all men is with them in all their deliberations and decisions. I pray for peace and unity in service for them and for all in our state and country. Amen.

Now, in Jesus’ name, may the Lord bless you and keep you, and make His face to shine upon you and give you peace. God bless you, God bless the state of Michigan, and God bless the United States of America. Amen.

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

Motions and Communications

Senator Booher entered the Senate Chamber.

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

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

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

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

The following communications were received:
Department of State

Administrative Rules Notices of Filing

January 20, 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 #2016-045-LR (Secretary of State Filing #17-01-07) on this date at 3:56 p.m. for the Department of Licensing and Regulatory Affairs entitled, “Part 30. Telecommunications for Construction.”

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.

January 20, 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 #2016-046-LR (Secretary of State Filing #17-01-08) on this date at 3:56 p.m. for the Department of Licensing and Regulatory Affairs entitled, "Part 50. Telecommunications for General Industry."

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.

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 following communication was received:
Domestic and Sexual Violence Prevention and Treatment Board

January 23, 2017

As per the Child Advocacy Center Act, Public Act 544 of 2008, the Michigan Domestic and Sexual Violence Prevention and Treatment Board is required to "provide an annual report of incomes and expenditures to the secretary of the senate and the clerk of the house of representatives."

Please note that Public Act 544 of 2008 did not allow for expenditures from the fund prior to April 1, 2011. Attached please find a *Statement of Revenues, Expenditures and Changes in Fund Balances* through year end September 30, 2016.

Please feel free to contact me for any additional information or questions. My direct line is (517) 241-5114. Thank you.

Sincerely,
Debi Cain
Executive Director

The communication was referred to the Secretary for record.

The Secretary announced that the following bills and joint resolutions were printed and filed on Tuesday, January 31, and are available at the Michigan Legislature website:

Senate Bill Nos.	70	71	72	73	74	75	76	77	78	79	81				
Senate Joint Resolution		C													
House Bill Nos.	4114	4115	4116	4117	4118	4119	4120	4121	4122	4123	4124	4125	4126	4127	
	4128	4129	4130	4131	4132	4133	4134	4135							
House Joint Resolutions		B	C												

General Orders

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

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

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

Senate Bill No. 5, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 1 of chapter I (MCL 761.1), as amended by 2007 PA 20, and by adding section 21a to chapter XVI.

Senate Bill No. 6, entitled

A bill to amend 1988 PA 511, entitled "Community corrections act," by amending sections 2 and 4 (MCL 791.402 and 791.404), as amended by 2014 PA 466.

Senate Bill No. 7, entitled

A bill to amend 1953 PA 232, entitled "Corrections code of 1953," (MCL 791.201 to 791.285) by adding section 8a.

Senate Bill No. 8, entitled

A bill to provide for the use of evidence-based supervision practices for probation and parole supervision; to prescribe the powers and duties of certain state departments and local agencies; to require the adoption of certain rules; to regulate the use of funds by certain state departments and local agencies; and to require certain reports.

Senate Bill No. 9, entitled

A bill to amend 1953 PA 232, entitled "Corrections code of 1953," (MCL 791.201 to 791.285) by adding section 69b.

Senate Bill No. 10, entitled

A bill to amend 1953 PA 232, entitled "Corrections code of 1953," (MCL 791.201 to 791.285) by adding section 31b.

Senate Bill No. 13, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," (MCL 760.1 to 777.69) by adding section 4b to chapter XI.

Senate Bill No. 14, entitled

A bill to establish and implement a work opportunity employer reimbursement program; and to prescribe the powers and duties of certain state agencies and officials.

Senate Bill No. 15, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 2 of chapter XI (MCL 771.2), as amended by 2010 PA 351.

Senate Bill No. 16, entitled

A bill to amend 1953 PA 232, entitled "Corrections code of 1953," (MCL 791.201 to 791.285) by adding chapter IIIB.

Senate Bill No. 17, entitled

A bill to create the supervising region incentive program act; to create the supervising region incentive fund; to provide for expenditures from the fund; and to provide for the powers and duties of certain state and local governmental officers and entities.

Senate Bill No. 18, entitled

A bill to amend 1953 PA 232, entitled "Corrections code of 1953," (MCL 791.201 to 791.285) by adding section 84.

Senate Bill No. 19, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending section 10b (MCL 400.10b), as amended by 2011 PA 198.

Senate Bill No. 20, entitled

A bill to amend 1953 PA 232, entitled "Corrections code of 1953," by amending sections 33 and 34d (MCL 791.233 and 791.234d), section 33 as amended by 1998 PA 320 and section 34d as added by 2014 PA 359.

Senate Bill No. 21, entitled

A bill to amend 1989 PA 196, entitled "An act to abolish the criminal assessments commission; to prescribe certain duties of the crime victim services commission; to create the crime victim's rights fund; to provide for expenditures from the fund; to provide for assessments against criminal defendants and certain juvenile offenders; to provide for payment of crime victim's rights services; and to prescribe the powers and duties of certain state and local agencies and departments," by amending section 4 (MCL 780.904), as amended by 2015 PA 9.

Senate Bill No. 22, entitled

A bill to amend 1953 PA 232, entitled "Corrections code of 1953," (MCL 791.201 to 791.285) by adding section 62d.

Senate Bill No. 23, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending sections 3, 4, 5, and 6 of chapter XIA (MCL 771A.3, 771A.4, 771A.5, and 771A.6), as added by 2012 PA 616, and by adding a heading for chapter XIA.

Senate Bill No. 24, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," (MCL 600.101 to 600.9947) by adding section 1086.

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. 11, entitled

A bill to create the criminal justice data collection and management program act; to describe the criminal justice data collection and management program; to provide for certain grants; and to provide for the powers and duties of certain state and local governmental officers and entities.

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. 12, entitled

A bill to amend 1953 PA 232, entitled "Corrections code of 1953," by amending section 44 (MCL 791.244), as amended by 1999 PA 191, and by adding section 44a.

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 amendments, the following bill:

Senate Bill No. 50, entitled

A bill to amend 1953 PA 232, entitled "Corrections code of 1953," (MCL 791.201 to 791.285) by adding section 65j.

The following are the amendments recommended by the Committee of the Whole:

1. Amend page 1, line 9, after "A" by inserting "MINIMUM".

2. Amend page 1, line 10, after "PRISONER." by inserting "HOWEVER, THE LEGISLATURE MAY NEGOTIATE THE MINIMUM RATE OF REIMBURSEMENT UNDER THIS SUBSECTION WITH THE COUNTIES PARTICIPATING IN THE JAIL BED SAVINGS PROGRAM AND ALLOT ANY ADJUSTMENT IN THE MINIMUM RATE PROPORTIONALLY TO THE COUNTIES PARTICIPATING IN THE JAIL BED SAVINGS PROGRAM UPON APPROPRIATION."

3. Amend page 2, line 4, after "DEPARTMENT" by striking out "SHALL" and inserting "MAY".

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

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

Resolutions

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

Senate Concurrent Resolution No. 4

The motion prevailed.

Senators Johnson and Young entered the Senate Chamber.

Senators Knezek, Bieda, Horn, Conyers, Gregory, Nofs, Ananich, MacGregor, Schmidt, Jones, Hansen, Colbeck, Hertel, Hopgood, Johnson, Emmons, O'Brien, Young, Warren, Hune, Proos, Rocca, Marleau and Booher offered the following resolution:

Senate Resolution No. 8.

A resolution to commemorate February 1, 2017, as Blue Star Mother's Day.

Whereas, Blue Star Mothers of America, Inc., is a national organization of mothers whose sons and daughters serve honorably in the nation's armed forces; and

Whereas, Blue Star Mothers of America, Inc., was founded in Flint, Michigan, in 1942; and

Whereas, The purposes and activities of Blue Star Mothers of America, Inc., include all of the following:

- Perpetuating the memory of the men and women who have served our country as members of the armed forces;
- Welcoming home returning veterans;
- Visiting wounded veterans in hospitals and rehabilitation centers;
- Assisting in veterans ceremonies;
- Attending patriotic rallies and meetings;
- Maintaining true allegiance to the government of the United States;
- Upholding the American institutions of freedom, justice, and equal rights;
- Caring for the unsupported mothers who gave their sons and daughters to the service of the nation; and
- Providing moral support for members.

; now, therefore, be it

Resolved by the Senate, That the members of this legislative body commemorate February 1, 2017, as Blue Star Mother's Day in the state of Michigan. We recognize the contributions that Blue Star Mothers of America, Inc., has made to our state and nation.

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 Casperson, Hildenbrand, Knollenberg, Kowall, Meekhof, Robertson, Schuitmaker, Shirkey, Stamas and Zorn were named co-sponsors of the resolution.

Senators Schuitmaker, Emmons, O'Brien and Warren offered the following resolution:

Senate Resolution No. 9.

A resolution proclaiming February 2017, as American Heart Month and February 3, 2017, as Wear Red Day in the state of Michigan.

Whereas, Cardiovascular diseases kill one in three women in the United States, yet 80 percent of cardiovascular diseases may be prevented; and

Whereas, Cardiovascular diseases and stroke kill one woman every 80 seconds in the United States; and

Whereas, An estimated 44 million women in the United States are affected by cardiovascular diseases; and

Whereas, 90 percent of women have one or more risk factors for developing heart disease or stroke; and

Whereas, Women are less likely to call 911 for themselves when experiencing symptoms of a heart attack than they are if someone else were having a heart attack; and

Whereas, Only 36 percent of African-American women and 34 percent of Hispanic women know that heart disease is their greatest health risk, compared with 65 percent of Caucasian women; and

Whereas, The American Heart Association's Go Red For Women[®] movement motivates women to learn their family history and to meet with a healthcare provider to determine their risk for cardiovascular diseases and stroke; and

Whereas, Women involved with the Go Red For Women movement live healthier lives; and

Whereas, Go Red For Women encourages women to take control of their heart health by knowing and managing these five numbers:

1. Total Cholesterol
2. HDL (good) Cholesterol
3. Blood Pressure
4. Blood Sugar
5. Body Mass Index (BMI); now, therefore, be it

Resolved by the Senate, That we hereby proclaim February 2017, as American Heart Month and February 3, 2017, as Wear Red Day; and be it further

Resolved, That we urge all citizens to show their support for women and the fight against heart disease by commemorating this day by wearing the color red. By increasing awareness, speaking up about heart disease, and empowering women to reduce their risk for cardiovascular disease, we can save thousands of lives each year.

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, Casperson, Colbeck, Conyers, Green, Gregory, Hansen, Hertel, Hildenbrand, Hopgood, Horn, Hune, Johnson, Knezek, Knollenberg, Kowall, MacGregor, Marleau, Meekhof, Nofs, Pavlov, Proos, Robertson, Rocca, Schmidt, Shirkey, Stamas, Young and Zorn were named co-sponsors of the resolution.

House Concurrent Resolution No. 1.

A concurrent resolution to approve an extension of the state of emergency in the county of Macomb and the township of Clinton.

Whereas, On December 24, 2016, a local state of emergency was declared to address a sewer line collapse and the resulting sinkhole in the city of Fraser. The collapse and sinkhole caused widespread and severe damage and the loss of property. Until the sewer lines are stabilized, repaired, and replaced, there is an imminent threat for further widespread and severe damage in more than 11 highly-populated communities; and

Whereas, Governor Snyder declared a state of emergency on January 6, 2017, for the county of Macomb, including the city of Fraser. The state of emergency was later amended to include the township of Clinton by the State Director of Emergency Management and Homeland Security, with the concurrence of the Governor. The state of emergency is scheduled to expire on February 3, 2017; and

Whereas, It is in the best interest of the state of Michigan to continue to provide resources to the county of Macomb, township of Clinton, and the city of Fraser. Local, state, and community partners are working together to take appropriate actions in response to the emergency. It remains necessary to maintain sufficient resources to protect public health, safety, property, and to lessen or avert the threat of more severe and long-lasting impacts on the community; and

Whereas, Pursuant to the *Constitution of the State of Michigan of 1963* and section 3 of the Emergency Management Act, 1976 PA 390, MCL 30.403, Governor Snyder requested on January 27, 2017, that the legislature approve an extension of the state of emergency through March 31, 2017; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we approve Governor Snyder's request for an extension of the state of emergency in the county of Macomb and the township of Clinton declared on January 6, 2017, for an additional 56 days; and be it further

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

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 concurrent resolution was adopted, a majority of the members serving voting therefor.

Senators Bieda, Hansen, Kowall, Marleau, Nofs, Rocca, Schmidt and Schuitmaker were named co-sponsors of the concurrent resolution.

Introduction and Referral of Bills

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

Senators Warren, Hertel, Hopgood and Gregory introduced

Senate Joint Resolution D, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 2 of article VIII, to prohibit public schools from being operated on a for-profit basis or by a for-profit entity.

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

Senators Schmidt, Nofs, Marleau, Jones, Hansen and Proos introduced

Senate Bill No. 80, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 625a and 625c (MCL 257.625a and 257.625c), section 625a as amended by 2015 PA 11 and section 625c as amended by 2014 PA 315.

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

Senators Bieda, Gregory, Conyers, Johnson and Young introduced

Senate Bill No. 82, entitled

A bill to amend 1996 PA 463, entitled “An act to establish guidelines for the decennial adoption of redistricting plans for the senate and house of representatives; to provide original jurisdiction to the supreme court to review redistricting plans enacted by the legislature for compliance with those guidelines; and to provide a procedure for the supreme court to use to redistrict the senate and house of representatives under certain circumstances,” by amending sections 1, 1a, and 2 (MCL 4.261, 4.261a, and 4.262), section 1a as added and section 2 as amended by 1999 PA 223; and to repeal acts and parts of acts.

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

Senators Bieda, Ananich, Gregory, Conyers, Johnson and Young introduced

Senate Bill No. 83, entitled

A bill to amend 1976 PA 442, entitled “Freedom of information act,” by amending section 2 (MCL 15.232), as amended by 1996 PA 553.

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

Senator Johnson introduced

Senate Bill No. 84, entitled

A bill to establish a bill of rights for the homeless; and to provide a remedy for violation of those rights.

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

Senator Johnson introduced

Senate Bill No. 85, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” (MCL 760.1 to 777.69) by adding section 12 to chapter III.

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

Senator Johnson introduced

Senate Bill No. 86, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending section 411 (MCL 750.411), as amended by 2000 PA 339.

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

Senator Johnson introduced

Senate Bill No. 87, entitled

A bill to create a water affordability program; to create a water affordability fund to provide assistance to low-income state residents for water services; and to prescribe the powers and duties of certain state departments.

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

Senator Johnson introduced

Senate Bill No. 88, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending sections 319, 682, and 907 (MCL 257.319, 257.682, and 257.907), section 319 as amended by 2016 PA 32, section 682 as amended by 2012 PA 263, and section 907 as amended by 2015 PA 126.

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

Senators Gregory, Bieda, Conyers, Ananich, Nofs, Hansen, Hopgood, Kowall, Johnson and O’Brien introduced

Senate Bill No. 89, entitled

A bill to amend 1967 PA 281, entitled “Income tax act of 1967,” (MCL 206.1 to 206.713) by adding section 672.

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

Senators Knezek, Bieda, Horn, Conyers, Gregory, Nofs, Ananich, Jones, Schmidt, MacGregor, Hansen, Colbeck, Hertel, Hopgood, Johnson, Emmons, O'Brien, Young, Warren, Hune, Proos, Rocca, Marleau and Booher introduced

Senate Bill No. 90, entitled

A bill to designate February 1 of each year as "Blue Star Mothers Day".

The bill was read a first and second time by title and referred to the Committee on Veterans, Military Affairs and Homeland Security.

Senators Warren, Knezek, Gregory, Conyers, Ananich, Jones, Hertel, Bieda, Hopgood, Johnson, Schmidt and O'Brien introduced

Senate Bill No. 91, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 4a (MCL 205.54a), as amended by 2016 PA 431.

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

Senators Knezek, Warren, Gregory, Conyers, Ananich, Jones, Hertel, Bieda, Hopgood, Johnson, Schmidt and O'Brien introduced

Senate Bill No. 92, entitled

A bill to amend 1937 PA 94, entitled "Use tax act," by amending section 4 (MCL 205.94), as amended by 2016 PA 432.

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

Senator Casperson introduced

Senate Bill No. 93, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1279h.

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

Senators Hildenbrand, Ananich, Robertson, Kowall, Proos, MacGregor, Colbeck, Stamas, Marleau, Schuitmaker, Hune, Knollenberg, Hansen, Nofs, Schmidt, Emmons and Pavlov introduced

Senate Bill No. 94, entitled

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

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

Senators Robertson, Ananich, Hildenbrand, Kowall, Proos, MacGregor, Colbeck, Stamas, Marleau, Schuitmaker, Hune, Knollenberg, Hansen, Nofs, Schmidt, Emmons and Pavlov introduced

Senate Bill No. 95, entitled

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

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

Statements

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

The motion prevailed.

Senator Knezek's statement is as follows:

Earlier today, I joined my colleague, Senator Warren, to reintroduce two bills that would eliminate the sales tax and the use tax on feminine hygiene products here in the state of Michigan. This is the second year in a row that we've introduced this legislation, but this year I am proud to report that these bills have been introduced with support from both Democrats and Republicans.

Now inevitably, when I talk about this legislation, when I talk about it with folks in Lansing and in the community, I'm met with a few laughs and even more questions. But after a brief dialogue, I'm always pleased to see just how many people support this legislation as well as support the women that it will affect. I am often asked, "David, you are a man. You're never going to get your period. Why are you introducing legislation like this?" And to that I respond that I was not elected only to represent the men in my district. The interests of women will always be on equal grounds with me.

And secondly, though I will never know what it is like to experience menstruation, I listen to the women who do. And the women who do have shared with me this issue surrounding taxation on feminine hygiene products.

Now the reason that tampons and pads are subjected to sales tax and use tax in Michigan is because they're classified as a luxury item in our tax code. I think you'd be hard-pressed to find a single woman in this state or any other state that would describe having her period as a luxurious experience. The mere fact that feminine hygiene products are classified as such is representative of the fact that the people predominantly writing our tax code in Michigan will never experience having a period themselves, but that's another story.

Madam President, this is a very simple issue. Women are subjected to extra taxes every single month as they seek to address their healthcare needs. And make no mistake, feminine hygiene products are not simply a matter of convenience, they are a matter of medical necessity. Women have no choice but to purchase these items every month of every year, some for 30 or 40 years. After a while, that adds up. In Michigan alone, we collect almost \$5 million per year off of the taxes on tampons and pads. Not only is eliminating this tax the right thing to do—mind you, we do not tax canes, we do not tax eyeglasses, or other medically necessary items. In fact, we don't tax some medically unnecessary items as well, like erectile dysfunction medication.

But in addition to the issue of equity is one of economics. By repealing this tax, we are putting \$5 million back into the pockets of Michigan women, and the men who, like me, have gone to the store to buy these products for their girlfriends and their wives. \$5 million back into the pockets of Michiganders. That's \$5 million being injected back into the Michigan economy, \$5 million that's going to help create jobs that we need in this state, \$5 million back into the hands of Michigan residents who have lost their jobs, haven't seen their wages increase, and are struggling to make ends meet.

Madam President, it is time to give the residents of Michigan some much needed tax relief. It is time to respect the healthcare needs of women. It is time to repeal the "tampon tax."

Committee Reports

COMMITTEE ATTENDANCE REPORT

The Committee on Education submitted the following:

Meeting held on Tuesday, January 31, 2017, at 12:00 noon, Room 1100, Binsfeld Office Building

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

Scheduled Meetings

Appropriations -

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)

Community Colleges - Wednesday, February 22, 9:30 a.m., Rooms 402 and 403, 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)

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 - Thursday, February 2, 1:30 p.m., Room 1200, Binsfeld Office Building (373-5323)

Senator Kowall moved that the Senate adjourn.

The motion prevailed, the time being 10:46 a.m.

The Assistant President pro tempore, Senator O'Brien, declared the Senate adjourned until Thursday, February 2, 2017, at 10:00 a.m.

JEFFREY F. COBB
Secretary of the Senate