

**No. 14**  
**STATE OF MICHIGAN**  
**Journal of the Senate**  
**99th Legislature**  
**REGULAR SESSION OF 2017**

---

---

Senate Chamber, Lansing, Tuesday, February 14, 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—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

Father Timothy Cook of St. Demetrios Greek Orthodox Church of Saginaw offered the following invocation:

O Heavenly Master, King of the Ages, You give to the sons of men glory and honor and power over all things that are upon the earth.

Remember, O Lord, this state, these Senators, and all those in public service whom You have allowed to govern upon the earth. Bless these Senators. Grant them profound and lasting peace. O Lord, direct their counsel according to that which is good and well-pleasing in Your sight, that through the faithful conduct of their duties, we may live peaceful and serene lives in all piety and holiness. Direct their ways in the right path, establish them firmly in Your fear, guard their lives, and make their endeavors safe. For every good and perfect gift is from above, coming from You, the Father of lights.

As we prepare to enter the holy and great season of Lent, we ask, O Lord and Master of our lives, to take from us the spirit of sloth, despair, lust for power, and idle talk; and to give to us, Your servants, the spirit of chastity, humility, patience, and love. O Lord and King, grant that we may see our own errors and not judge our brothers, for You are blessed, and to You we give glory, thanksgiving, and worship, to the Father and the Son and the Holy Spirit, now and forever to the ages of ages. Amen.

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

### Motions and Communications

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

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

January 31, 2017

Enclosed is a copy of the following report:

- Performance audit report on the Flint Emergency Expenditures, State of Michigan.

Sincerely,  
Doug Ringler  
Auditor General

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

The following communication was received:  
State Police Department

February 9, 2017

On behalf of the Board of Directors and staff of the Michigan Automobile Theft Prevention Authority (ATPA), it is a pleasure to present the 2016 Annual Report, which shows motor vehicle thefts declined by 1.9 percent in 2015 and 56 percent over the last ten years.

The ATPA's success in the battle against motor vehicle theft is the direct result of the dedication and efforts by law enforcement teams, prosecutors' offices, and non-profit organizations funded through the ATPA. These highly-motivated individuals often go above and beyond the call of duty to recover stolen vehicles and arrest those responsible. As you read the success stories contained in this report, you will find many instances where grantees worked collaboratively to solve crimes.

Some highlights of the report are as follows:

- Michigan motorists are saving \$77 per insured vehicle as a result of lower thefts.
- In fiscal year (FY) 2016, the ATPA teams conducted 1,819 arrests and were involved in the recovery of 3,614 vehicles or parts, with an estimated value of \$38 million.
- Since its inception in 1986, the ATPA has reported a total of 68,304 arrests and recovered 100,676 vehicles and parts worth an estimated \$863 million.
- In FY 2016, the return on investment of the ATPA funds was \$7.47 for every \$1 spent.

In FY 2016, 12 teams (consisting of 32 law enforcement agencies), four prosecutors' offices, and four non-profit organizations received ATPA grant funding. These grantees continue to make motor vehicle theft prevention a high priority. Without the steadfast commitment of local, county, and state participants in this program, the ATPA would not be successful in reducing motor vehicle thefts throughout the state of Michigan.

Sincerely,  
Kriste Etue  
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 Thursday, February 9, and are available at the Michigan Legislature website:

<b>Senate Bill Nos.</b>	<b>122</b>	<b>123</b>	<b>124</b>	<b>125</b>	<b>126</b>	<b>127</b>	<b>128</b>	<b>129</b>	<b>130</b>	<b>131</b>	<b>132</b>	<b>133</b>	<b>134</b>	<b>135</b>
	<b>136</b>	<b>137</b>	<b>138</b>	<b>139</b>	<b>140</b>	<b>141</b>	<b>142</b>	<b>143</b>	<b>144</b>	<b>145</b>	<b>146</b>	<b>147</b>	<b>148</b>	<b>149</b>
	<b>150</b>	<b>151</b>	<b>152</b>	<b>153</b>										
<b>Senate Joint Resolution</b>	<b>E</b>													
<b>House Bill Nos.</b>	<b>4184</b>	<b>4185</b>	<b>4186</b>	<b>4187</b>	<b>4188</b>	<b>4189</b>	<b>4190</b>	<b>4191</b>	<b>4192</b>	<b>4193</b>	<b>4194</b>			
<b>House Joint Resolution</b>	<b>G</b>													

### 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.

10:48 a.m.

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

During the recess, Senators Casperson, Young 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 Warren 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 with a substitute therefor, the following bill:

#### **Senate Bill No. 69, entitled**

A bill to amend 1984 PA 431, entitled "The management and budget act," by amending section 261 (MCL 18.1261), as amended by 2016 PA 204.

Substitute (S-1).

The following is the amendment to the substitute recommended by the Committee of the Whole:

1. Amend page 5, line 17, after "**THE**" by inserting "**PREPARATION FOR AND**".

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

By unanimous consent the Senate returned to the order of

### Third Reading of Bills

The following bill was read a third time:

#### **Senate Bill No. 39, entitled**

A bill to amend 1998 PA 386, entitled "Estates and protected individuals code," by amending section 2801 (MCL 700.2801), as amended by 2016 PA 57.

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. 27****Yeas—36**

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

**Nays—1**

Colbeck

**Excused—1**

Brandenburg

**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**

Senators Ananich, Hopgood and Bieda introduced

**Senate Bill No. 154, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 3101, 3102, 3112, 3113, and 3120 (MCL 324.3101, 324.3102, 324.3112, 324.3113, and 324.3120), section 3101 as amended by 2015 PA 247, section 3112 as amended by 2005 PA 33, section 3113 as amended by 2004 PA 91, and section 3120 as amended by 2015 PA 82, and by adding section 3102a.

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

Senators Young, Hopgood, Ananich and Hertel introduced

**Senate Bill No. 155, entitled**

A bill to amend 1976 PA 399, entitled "Safe drinking water act," by amending section 7 (MCL 325.1007), 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.

Senators Hopgood and Ananich introduced

**Senate Bill No. 156, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 5501 and 5522 (MCL 324.5501 and 324.5522), section 5501 as amended by 1998 PA 245 and section 5522 as amended by 2015 PA 60, and by adding sections 5501b and 5501d.

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

Senators Jones, Ananich, Marleau, Robertson, Colbeck, Hildenbrand, Horn, Conyers, Stamas, MacGregor, O'Brien, Shirkey, Bieda, Green, Schuitmaker, Knezek and Schmidt introduced

**Senate Bill No. 157, entitled**

A bill to require contracts for certain public works projects to have certain provisions; to require competition for the use or supply of certain materials and products on certain public works projects; to impose certain conditions and provide for certain exemptions; and to impose certain powers and duties on certain public entities and certain state and local officials.

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

Senator Jones introduced

**Senate Bill No. 158, entitled**

A bill to amend 1986 PA 119, entitled "An act to regulate the business of buying or receiving used motor vehicle parts; to prescribe the powers and duties of certain state and local officers; and to provide penalties," by amending sections 1 and 2 (MCL 257.1351 and 257.1352), as amended by 2016 PA 112.

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

### Committee Reports

The Committee on Veterans, Military Affairs and Homeland Security reported

**Senate Bill No. 75, entitled**

A bill to amend 1885 PA 152, entitled "An act to authorize the establishment of facilities for former members of the armed forces of the United States in the state of Michigan; to create funds; and to provide for the promulgation of rules," (MCL 36.1 to 36.12) by adding section 11a.

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.

Margaret E. O'Brien  
Chairperson

To Report Out:

Yeas: Senators O'Brien, Emmons, Zorn, Colbeck and Knezek

Nays: None

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

The Committee on Veterans, Military Affairs and Homeland Security reported

**Senate Bill No. 90, entitled**

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

With the recommendation that the bill pass.

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

Margaret E. O'Brien  
Chairperson

To Report Out:

Yeas: Senators O'Brien, Emmons, Zorn, Colbeck and Knezek

Nays: None

The bill was referred to the Committee of the Whole.

### COMMITTEE ATTENDANCE REPORT

The Committee on Veterans, Military Affairs and Homeland Security submitted the following:

Meeting held on Thursday, February 9, 2017, at 2:00 p.m., Room 1300, Binsfeld Office Building

Present: Senators O'Brien (C), Emmons, Zorn, Colbeck and Knezek

### COMMITTEE ATTENDANCE REPORT

The Committee on Education submitted the following:

Meeting held on Thursday, February 9, 2017, at 12:00 noon, Room 1100, Binsfeld Office Building

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

### COMMITTEE ATTENDANCE REPORT

The Committee on Economic Development and International Investment submitted the following:  
 Meeting held on Thursday, February 9, 2017, at 1:30 p.m., Room 1200, Binsfeld Office Building  
 Present: Senators Horn (C), Schmidt, Emmons, MacGregor, Warren, Conyers and Bieda  
 Excused: Senators Brandenburg and Stamas

#### Scheduled Meetings

**Appropriations** - Wednesday, February 15, 2:00 p.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building (373-5307)

#### Subcommittees -

**Agriculture and Rural Development** - Tuesdays, February 21, 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)

**Community Colleges** - Wednesday, February 22, 9:30 a.m., Rooms 402 and 403, Capitol Building (373-2768)

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

**Health and Human Services** - Tuesdays, February 21, 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** - Wednesday, February 15, 8:30 a.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building (373-2768)

**State Police and Military Affairs** - Tuesdays, 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)

**Commerce** - Wednesday, February 15, 8:30 a.m., Room 1200, Binsfeld Office Building (373-5312)

**Economic Development and International Investment** - Thursday, February 16, 1:30 p.m., Room 1200, Binsfeld Office Building (373-5323)

**Elections and Government Reform** - Thursday, February 16, 9:00 a.m., Room 1100, Capitol Building (373-5323)

**Natural Resources** - Wednesday, February 15, 12:30 p.m., Room 1300, Binsfeld Office Building (373-7121)

Senator Kowall moved that the Senate adjourn.  
 The motion prevailed, the time being 10:55 a.m.

The President pro tempore, Senator Schuitmaker, declared the Senate adjourned until Wednesday, February 15, 2017, at 10:00 a.m.

JEFFREY F. COBB  
 Secretary of the Senate