

**No. 11**  
**STATE OF MICHIGAN**  
**Journal of the Senate**  
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**REGULAR SESSION OF 2017**

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Senate Chamber, Lansing, Tuesday, February 7, 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—present  
Emmons—present  
Green—present  
Gregory—present  
Hansen—present  
Hertel—present  
Hildenbrand—present

Hood—excused  
Hopgood—present  
Horn—present  
Hune—present  
Johnson—excused  
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—excused  
Zorn—present



Senator Kowall moved that rule 3.902 be suspended to allow the guests of Senator Knezek admittance to the Senate floor.

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

Senator Kowall moved that the rules be suspended and that the following bill, now on Committee Reports, be placed on the General Orders calendar for consideration today:

**Senate Bill No. 40**

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

### 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 appointment to office:

**Michigan Board of Occupational Therapists**

Kelli L. King of 1747 Plas Street, S.W., Wyoming, Michigan 49519, county of Kent, representing professional members, succeeding herself, is reappointed for a term expiring December 31, 2020.

February 3, 2017

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

**Budget Director – State Budget Office**

Alton L. Pscholka, Jr. of 5810 Longhorn Trail, Stevensville, Michigan 49127, county of Berrien, is appointed for a term commencing February 9, 2017, and expiring at the pleasure of the Governor.

February 3, 2017

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

**Middle-Eastern American Affairs Commission**

Ronald Haddad of 5500 Calhoun Street, Apt. 912, Dearborn, Michigan 48126, county of Wayne, succeeding Helen Habib, is appointed for a term expiring April 19, 2017.

February 3, 2017

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

**Michigan Board of Respiratory Care**

Jeremy S. Bainbridge of 6220 Patagonia Drive, S.E., Grand Rapids, Michigan 49503, county of Kent, representing respiratory therapists, succeeding himself, is reappointed for a term expiring December 31, 2020.

February 3, 2017

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

**Western Michigan University Board of Control**

Lynn L. Chen-Zhang of 7596 Oakshore Drive South, Portage, Michigan 49024, county of Kalamazoo, succeeding Dana Debel, is appointed for a term expiring December 31, 2018.

Sincerely,  
Rick Snyder  
Governor

The appointments were referred to the Committee on Government Operations.

By unanimous consent the Senate proceeded to the order of

### Resolutions

Senator Johnson offered the following resolution:

**Senate Resolution No. 10.**

A resolution recognizing February 4, 2017, as Cancer Prevention Day.

Whereas, Cancer is the leading cause of death around the world and has touched the lives of nearly everyone, either directly or indirectly; and

Whereas, This disease is the cause of nearly 1 out of every 4 deaths in the United States, and in Michigan, statistics show nearly 469 out of 100,000 citizens are diagnosed with cancer yearly; and

Whereas, More than 1,600 cancer-related deaths are expected nationwide per day, and in 2010, there were approximately 55,660 new cancer cases in the state of Michigan; and

Whereas, About 1.6 million new cancer cases were estimated to be diagnosed nationwide in 2013, with 580,350 Americans estimated to die of cancer; and

Whereas, It is understood that early detection and prevention of cancer leads to healthier individuals, less heartache, and more cost-effective health care; and

Whereas, The Michigan Legislature recognizes the efforts of the Less Cancer Campaign which works to raise awareness for the reduction of cancer risks; now, therefore, be it

Resolved by the Senate, That the members of this legislative body recognize the devastating effect cancer has on families and seek to expand knowledge, encourage early detection, and work with our friends in the medical and scientific fields to put an end to this deadly disease; and be it further

Resolved, That copies of this resolution be transmitted to the members of the Michigan congressional delegation, the United States Secretary of Health and Human Services, and the President and First Lady of the United States of America.

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, Conyers, Hansen, Hopgood, Jones, Knollenberg, Kowall, MacGregor, Marleau, Nofs, Proos and Schmidt were named co-sponsors of the resolution.

### **Introduction and Referral of Bills**

Senators Schuitmaker and Emmons introduced

#### **Senate Bill No. 103, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 1311 and 1561 (MCL 380.1311 and 380.1561), section 1311 as amended by 2016 PA 364 and section 1561 as amended by 2009 PA 204.

The bill was read a first and second time by title and referred to the Committee on Families, Seniors and Human Services.

Senators Schuitmaker and Emmons introduced

#### **Senate Bill No. 104, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1586 (MCL 380.1586).

The bill was read a first and second time by title and referred to the Committee on Families, Seniors and Human Services.

Senators Emmons and Schuitmaker introduced

#### **Senate Bill No. 105, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1310a (MCL 380.1310a), as amended by 2000 PA 230.

The bill was read a first and second time by title and referred to the Committee on Families, Seniors and Human Services.

Senators Emmons and Schuitmaker introduced

#### **Senate Bill No. 106, entitled**

A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending section 2 of chapter XIIA (MCL 712A.2), as amended by 2014 PA 519.

The bill was read a first and second time by title and referred to the Committee on Families, Seniors and Human Services.

Senators Jones, Hansen and Marleau introduced

#### **Senate Bill No. 107, entitled**

A bill to amend 1917 PA 167, entitled "Housing law of Michigan," by amending section 126 (MCL 125.526), as amended by 2016 PA 14.

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

Senators Hune and Warren introduced

**Senate Bill No. 108, entitled**

A bill to provide for the regulation of livestock raised in urban and suburban areas; and to prescribe the powers and duties of certain state and local agencies and officials.

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

Senators Warren and Hune introduced

**Senate Bill No. 109, entitled**

A bill to amend 2006 PA 110, entitled "Michigan zoning enabling act," (MCL 125.3101 to 125.3702) by adding section 205b.

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

Senators Schmidt and Hildenbrand introduced

**Senate Bill No. 110, entitled**

A bill to amend 1988 PA 226, entitled "An act to limit the powers of a local governmental unit regarding the leasing of private residential property," by amending section 1 (MCL 123.411).

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

Senators Horn, MacGregor, Casperson, Zorn, Hansen, Stamas, Schmidt, Green, Jones, Kowall, Hertel, Warren, Young, Knezek and Brandenburg introduced

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

Senators Brandenburg, Horn, MacGregor, Casperson, Zorn, Hansen, Stamas, Schmidt, Green, Jones, Kowall, Hertel, Warren, Young and Knezek introduced

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

Senators Casperson, Horn, MacGregor, Zorn, Hansen, Stamas, Schmidt, Green, Jones, Kowall, Hertel, Warren, Young, Knezek and Brandenburg introduced

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

Senators MacGregor, Horn, Casperson, Zorn, Hansen, Stamas, Schmidt, Green, Jones, Kowall, Hertel, Warren, Young, Knezek and Brandenburg introduced

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

Senators Bieda, Horn, MacGregor, Casperson, Zorn, Hansen, Schmidt, Stamas, Green, Jones, Hertel, Warren, Young, Knezek and Brandenburg introduced

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

Senators Young, Gregory and Conyers introduced

**Senate Bill No. 116, entitled**

A bill to amend 1999 PA 212, entitled “An act to restrict certain governmental entities from requiring individuals to reside within certain geographic areas or specified distances or travel times from their place of employment as a condition of employment or promotion,” by amending the title and section 2 (MCL 15.602).

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

Senators Schmidt, O’Brien, MacGregor, Zorn, Shirkey, Knollenberg, Hansen, Emmons, Nofs, Rocca and Casperson introduced

**Senate Bill No. 117, entitled**

A bill to amend 1954 PA 116, entitled “Michigan election law,” by amending sections 758 and 759 (MCL 168.758 and 168.759), 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 Knollenberg and Meekhof entered the Senate Chamber.

**Recess**

Senator Kowall moved that the Senate recess subject to the call of the Chair.

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

10:35 a.m.

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

By unanimous consent the Senate returned 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 Hildenbrand 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. 40, entitled**

A bill to amend 1984 PA 270, entitled “Michigan strategic fund act,” by amending section 88r (MCL 125.2088r), as amended by 2014 PA 506.

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. 35, entitled**

A bill to amend 1972 PA 382, entitled “Traxler-McCauley-Law-Bowman bingo act,” by amending sections 2, 3, 3a, 4, 4a, 8, 9, 10, 11b, 12, 13, 14, 15, 16, and 19 (MCL 432.102, 432.103, 432.103a, 432.104, 432.104a, 432.108, 432.109, 432.110, 432.111b, 432.112, 432.113, 432.114, 432.115, 432.116, and 432.119), sections 2 and 9 as amended by 2008 PA 401, sections 3, 4a, and 12 as amended by 2012 PA 189, sections 3a, 8, 10, and 11b as amended by 2006 PA 427, sections 4, 13, 14, 15, and 16 as amended by 1999 PA 108, and section 19 as amended by 1995 PA 263, by designating sections 1 to 20 as article 1, and by adding article 2; and to repeal acts and parts of acts.

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

**Statements**

Senator Colbeck stated that had he been present on February 2 when the votes were taken on the passage of the following bills, he would have voted “yea”:

**Senate Bill No. 5**

**Senate Bill No. 6**

**Senate Bill No. 7**  
**Senate Bill No. 8**  
**Senate Bill No. 9**  
**Senate Bill No. 10**  
**Senate Bill No. 11**  
**Senate Bill No. 13**  
**Senate Bill No. 14**  
**Senate Bill No. 15**  
**Senate Bill No. 16**  
**Senate Bill No. 17**  
**Senate Bill No. 18**  
**Senate Bill No. 19**  
**Senate Bill No. 20**  
**Senate Bill No. 21**  
**Senate Bill No. 23**  
**Senate Bill No. 24**  
**Senate Bill No. 50**

Senator Colbeck stated that had he been present on February 2 when the votes were taken on the passage of the following bills, he would have voted “nay”:

**Senate Bill No. 12**  
**Senate Bill No. 22**

### **Committee Reports**

The Committee on Economic Development and International Investment reported

**Senate Bill No. 40, entitled**

A bill to amend 1984 PA 270, entitled “Michigan strategic fund act,” by amending section 88r (MCL 125.2088r), 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 and Conyers

Nays: Senator Bieda

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, February 2, 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

### **Scheduled Meetings**

**Appropriations and House Appropriations** - Wednesday, February 8, 11:00 a.m., Senate Hearing Room, Ground Floor, Boji Tower (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)

**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)

**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 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 9, 1:30 p.m., Room 1200, Binsfeld Office Building (373-5323)

**Education** - Thursday, February 9, 12:00 noon, Room 1100, Binsfeld Office Building (373-5314)

**Michigan Competitiveness** - Wednesday, February 8, 8:30 a.m., Room 1100, Binsfeld Office Building (373-5314) (CANCELED)

**Veterans, Military Affairs and Homeland Security** - Thursday, February 9, 2:00 p.m., Room 1300, Binsfeld Office Building (373-5314)

Senator Kowall moved that the Senate adjourn.  
The motion prevailed, the time being 10:41 a.m.

The President pro tempore, Senator Schuitmaker, declared the Senate adjourned until Wednesday, February 8, 2017, at 10:00 a.m.

JEFFREY F. COBB  
Secretary of the Senate