

No. 78  
STATE OF MICHIGAN  
**Journal of the Senate**  
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REGULAR SESSION OF 2019

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Senate Chamber, Lansing, Tuesday, August 27, 2019.

10:00 a.m.

Pursuant to rule 1.101, in the absence of the Presiding Officers, the Senate was called to order by the Secretary of the Senate.

**Motions and Communications**

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

August 23, 2019

Enclosed is a copy of the following report:

- Investigative audit, we are issuing our investigative audit report on the Michigan Department of Education's Assessment of Digital Literacy Pilot Project Grant and Contract Awarding Processes (919-MDOE-01).

Sincerely,  
Doug Ringler  
Auditor General

The audit report was referred to the Committee on Oversight.

The following communication was received:  
Office of Senator Sean McCann

July 30, 2019

I would like to request that you add my name as a co-sponsor to SB 416 of 2019, introduced by Sen. Jeff Irwin. Please contact my office with any questions and thank you for your assistance.

Sincerely,  
Sen. Sean McCann  
20th District

The communication was referred to the Secretary for record.

The Senate Business Office submitted, pursuant to Senate Rule 1.208, the following report on out-of-state travel by members on Legislative business for the quarter ended September 30, 2018:

Senator Thomas Casperson	September 6-7	Great Lakes Timber Producers Association Annual Logging Conference Oshkosh, Wis.	\$ 100.28
Senator Darwin L. Booher	July 13-18	CSG Midwestern Legislative Conference Winnipeg, Man., Canada	\$ 2,288.86

Senator Hoon-Yung Hopgood	July 28-August 3	NCSL Legislative Summit Los Angeles, Calif.	\$ 2,768.15
Senator Ken Horn	July 13-18	CSG Midwestern Legislative Conference Winnipeg, Man., Canada	\$ 2,044.73

The Senate Business Office submitted, pursuant to Senate Rule 1.208, the following report on out-of-state travel by members on Legislative business for the quarter ended December 30, 2018:

Senator Ken Horn	December 7-8	2018 CSG National Conference Lexington, Ky.	\$ 1,039.32
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The Senate Business Office submitted, pursuant to Senate Rule 1.208, that there was no out-of-state travel by members on Legislative business for the quarters ended March 31, 2019 and June 30, 2019.

### **Messages from the Governor**

The following message from the Governor was received on August 21, 2019, and read:

#### **EXECUTIVE ORDER No. 2019-18**

#### **Department of Health and Human Services**

#### **Michigan Opioids Task Force**

The epidemic of opioid abuse has plagued Michigan for years. While more recent response efforts have made some headway in combating this epidemic, it remains a full-blown public-health crisis, afflicting Michigan residents of all backgrounds, age groups, and income levels. Michigan remains among the states with the highest levels of both opioid prescriptions and opioid overdose deaths, and the abuse of these drugs continues to exact a heavy toll on this state's families, communities, and resources.

Combating an epidemic of this size and impact requires a coordinated and comprehensive approach: one that identifies and confronts the full scope of the epidemic's root causes and contributing factors in Michigan; that pools, optimizes, and augments the efforts and resources on all levels—public and private; local, state, and federal—that are available to address the epidemic; and that raises public awareness of the epidemic, its causes and effects, the resources available to those afflicted by it, and the actions that can be taken to combat it.

The health and well-being of this state and its residents would benefit from a task force devoted to developing and implementing such statewide response actions, and to bringing this crisis under full and lasting control.

Section 51 of article 4 of the Michigan Constitution of 1963 declares the public health and general welfare of the people of the State of Michigan as matters of primary public concern.

Section 1 of article 5 of the Michigan Constitution of 1963 vests the executive power of the State of Michigan in the governor.

Section 8 of article 5 of the Michigan Constitution of 1963 places each principal department of state government under the supervision of the governor unless otherwise provided.

Section 8 of article 5 of the Michigan Constitution of 1963 also obligates the governor to take care that the laws be faithfully executed.

Acting pursuant to the Michigan Constitution of 1963 and Michigan law, I order the following:

#### **1. Creation of the Michigan Opioids Task Force**

(a) The Michigan Opioids Task Force ("Task Force") is created as an advisory body within the Department of Health and Human Services ("Department").

(b) The Task Force shall consist of the following members:

- (1) The director of the Department, or the director's designee from within the Department.
- (2) The chief medical executive of the State of Michigan.
- (3) The director of the Department of Licensing and Regulatory Affairs, or the director's designee from within that department.

- (4) The director of the Michigan State Police, or the director's designee from within that department.
  - (5) The director of the Department of Corrections, or the director's designee from within that department.
  - (6) The director of the Department of Environment, Great Lakes, and Energy, or the director's designee from within that department.
  - (7) The director of the Department of Insurance and Financial Services, or the director's designee from within that department.
  - (8) The director of the Department of Military and Veterans Affairs, or the director's designee from within that department.
  - (9) The director of the Department of Labor and Economic Opportunity, or the director's designee from within that department.
  - (10) The attorney general, or the attorney general's designee from within the Department of Attorney General.
  - (11) The superintendent of public instruction, or the superintendent's designee from within the Department of Education.
- (c) The chief justice of the Michigan Supreme Court, or the chief justice's designee, may also participate as a member of the Task Force.
- (d) Members of the Task Force are ex officio members and serve at the pleasure of the governor.
- (e) The director of the Department shall designate the chairperson of the Task Force.

## **2. Charge to the Task Force**

- (a) The Task Force shall provide recommendations to the director of the Department, and the heads of other departments or agencies, and coordinate activities among departments and agencies.
- (b) The Task Force shall research, identify, recommend, and implement response actions to the opioid epidemic in Michigan, which may include the following:
- (1) Identify and evaluate the epidemic's root causes and contributing factors in Michigan, and the effectiveness of response actions on all levels that have been undertaken or are currently being undertaken. Develop strategies for supporting or otherwise improving the efficacy of those response actions.
  - (2) Identify and evaluate the nature and scope of the epidemic's impact on various locations and communities throughout the state and what response actions would be most effective in helping each of those impacted areas. Develop strategies for implementing those response actions.
  - (3) Identify and evaluate what financial and other resources are available on all levels to combat the epidemic in Michigan. Develop strategies for securing, coordinating, augmenting, and deploying those resources.
  - (4) Develop strategies for increasing public awareness of the epidemic in Michigan, its causes and effects, the resources available to those afflicted by it, and the actions that can be taken to combat it.
  - (5) Develop routine communication and information-sharing protocols between members of the Task Force and stakeholders on all levels.
  - (6) Perform outreach to ensure all stakeholders in impacted areas are informed, educated, and empowered. Stakeholder outreach will include, but is not limited to, residents, community members, other partner organizations, tribal governments, local government officials, and other elected officials representing the impacted areas.
  - (7) Perform outreach to the general public regarding the epidemic and the work of the Task Force.
  - (8) Create measurable goals and objectives along an established timeline.
  - (9) Recommend changes in Michigan law relevant to combating the epidemic.
  - (10) Provide other information and advice and perform other duties as requested by the director of the Department or the governor.
- (c) The Task Force shall report regularly to the governor on its activities.

## **3. Operations of the Task Force**

- (a) The Department shall assist the Task Force in the performance of its duties and provide personnel to staff the Task Force. The budgeting, procurement, and related management functions of the Task Force shall be performed under the direction and supervision of the director of the Department.
- (b) The Task Force shall adopt procedures consistent with Michigan law and this order governing its organization and operations.
- (c) The Task Force shall comply with the Freedom of Information Act, 1976 PA 442, as amended, MCL 15.231 to 15.246.
- (d) The Task Force may select from among its members a vice chairperson.

(e) The Task Force may select from among its members a secretary. Task Force staff shall assist the secretary with recordkeeping responsibilities.

(f) The Task Force shall meet at the call of its chairperson and as otherwise provided in the procedures adopted by the Task Force.

(g) A majority of the members of the Task Force serving constitutes a quorum for the transaction of the business of the Task Force. The Task Force must act by a majority vote of its serving members.

(h) The Task Force may establish advisory workgroups composed of individuals or entities participating in Task Force activities or other members of the public as deemed necessary by the Task Force to assist it in performing its duties and responsibilities. The Task Force may adopt, reject, or modify any recommendations proposed by an advisory workgroup.

(i) The Task Force may, as appropriate, make inquiries, studies, and investigations, hold hearings, and receive comments from the public. The Task Force also may consult with outside experts in order to perform its duties, including experts in the private sector, organized labor, government agencies, and at institutions of higher education.

(j) The Task Force may hire or retain contractors, sub-contractors, advisors, consultants, and agents, and may make and enter into contracts necessary or incidental to the exercise of the powers of the Task Force and the performance of its duties as the director of the Department deems advisable and necessary, consistent with this order and applicable law, rules and procedures, and subject to available funding.

(k) The Task Force may accept donations of labor, services, or other things of value from any public or private agency or person. Any donations shall be received and used in accordance with law.

(l) Members of the Task Force shall serve without compensation, but may receive reimbursement for necessary travel and expenses consistent with applicable law, rules, and procedures, and subject to available funding.

(m) Members of the Task Force shall coordinate all legislative and media contacts that directly involve the work of the Task Force.

#### **4. Implementation**

(a) All departments, committees, commissioners, or officers of this state shall give to the Task Force, or to any member or representative of the Task Force, any necessary assistance required by the Task Force, or any member or representative of the Task Force, in the performance of the duties of the Task Force so far as is compatible with their duties and consistent with this order and applicable law. Free access also must be given to any books, records, or documents in their custody relating to matters within the scope of inquiry, study, or review of the Task Force, consistent with applicable law.

(b) Nothing in this order shall be construed to change the organization of the executive branch of state government or the assignment of functions among its units, in a manner requiring the force of law.

(c) If any portion of this order is found to be unenforceable, the unenforceable provision should be disregarded and the rest of the order should remain in effect as issued.

(d) This order is effective upon filing.

Given under my hand and the Great Seal of the State of Michigan.

Date: August 21, 2019

[SEAL]

Gretchen Whitmer  
Governor

By the Governor:  
Jocelyn Benson  
Secretary of State

The executive order was referred to the Committee on Government Operations.

The following message from the Governor was received and read:

August 21, 2019

I respectfully submit to the Senate the following appointments to office pursuant to Public Act 58 of 1998, MCL 436.1209:

#### **Michigan Liquor Control Commission**

Mr. Patrick M. Gagliardi, a Democrat, of 135 Bessemaur Drive, East Lansing, Michigan 48823, county of Ingham, succeeding Teri Quimby whose term has expired, for a term commencing August 26, 2019 and expiring June 12, 2023.

Ms. GERALYN A. LASHER, a Republican, of 3974 Windy Heights, Okemos, Michigan 48864, county of Ingham, succeeding Andrew Deloney whose term has expired, for a term commencing September 9, 2019 and expiring June 12, 2023.

Respectfully,  
Gretchen Whitmer  
Governor

The appointments were referred to the Committee on Advice and Consent.

The following message from the Governor was received and read:

August 21, 2019

I am writing to inform you of my withdrawal of the following appointment submitted to your office on June 28, 2019, pursuant to Public Act 403 of 2004, MCL 338.3620:

**Michigan Unarmed Combat Commission**

Mr. Nicholas D. Clark of 1013 Andrus Avenue, Lansing, Michigan 48917, county of Ingham, reappointed to represent the general public for a term commencing June 28, 2019 and expiring June 5, 2023.

Respectfully,  
Gretchen Whitmer  
Governor

The message was referred to the Committee on Advice and Consent.

**Announcements of Printing and Enrollment**

The Secretary announced that the following bills and joint resolutions were printed and filed on Tuesday, August 20, and are available on the Michigan Legislature website:

<b>Senate Bill Nos.</b>	<b>391</b>	<b>392</b>	<b>393</b>	<b>395</b>	<b>396</b>	<b>397</b>	<b>398</b>	<b>399</b>	<b>400</b>	<b>401</b>	<b>402</b>	<b>403</b>	<b>404</b>
	<b>405</b>	<b>406</b>	<b>407</b>	<b>408</b>	<b>409</b>	<b>410</b>	<b>411</b>	<b>412</b>	<b>413</b>	<b>414</b>	<b>415</b>	<b>416</b>	<b>417</b>
	<b>418</b>	<b>419</b>	<b>421</b>	<b>422</b>	<b>423</b>	<b>425</b>	<b>426</b>	<b>427</b>	<b>428</b>	<b>429</b>	<b>430</b>	<b>431</b>	<b>435</b>
	<b>436</b>	<b>437</b>	<b>438</b>	<b>439</b>	<b>440</b>	<b>441</b>	<b>442</b>	<b>443</b>	<b>444</b>	<b>445</b>	<b>446</b>	<b>447</b>	<b>448</b>
	<b>449</b>	<b>450</b>	<b>451</b>	<b>452</b>	<b>453</b>								
<b>Senate Joint Resolutions</b>	<b>I</b>		<b>J</b>										

**Scheduled Meetings**

**Advice and Consent** - Thursday, September 12, 12:00 noon, Room 1300, Binsfeld Office Building (517) 373-5312

**Appropriations** - Wednesday, August 28, 2:00 p.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building (517) 373-5307

**Judiciary and Public Safety** - Thursday, August 29, 8:30 a.m., Room 1100, Binsfeld Office Building (517) 373-5312

**Senate Fiscal Agency Board of Governors** - Thursday, September 12, 9:00 a.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building (517) 373-2768

In the absence of all Senators, pursuant to Joint Rule 15, the Secretary of the Senate adjourned the Senate, the time being 10:01 a.m.

In pursuance of the order previously made, the Secretary of the Senate declared the Senate adjourned until Wednesday, August 28, 2019, at 10:00 a.m.

MARGARET O'BRIEN  
Secretary of the Senate

