

No. 71
STATE OF MICHIGAN
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102nd Legislature
REGULAR SESSION OF 2023

Senate Chamber, Lansing, Tuesday, September 5, 2023.

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 communications were received and read:
Office of the Auditor General

August 24, 2023

Enclosed is a copy of the following report:

- Performance audit report on Selected Activities Related to Complaint Intake and Investigation Timeliness, Michigan Department of Civil Rights (151-0200-22).

August 24, 2023

Enclosed is a copy of the following report:

- Performance audit on the Cannabis Regulatory Agency, Department of Licensing and Regulatory Affairs (641-0433-22).

Sincerely,
Doug Ringler
Auditor General

The audit reports were referred to the Committee on Oversight.

The following communication was received:
Law Enforcement Standards Commission

September 1, 2023

Attached please find the Commission's report required by PA 1 of 2023 regarding the supplemental appropriation to establish mandatory in-service training.

Jacquelyn Beeson
Executive Secretary

The communication was referred to the Secretary for record.

Messages from the Governor

The following message from the Governor was received on August 25, 2023, and read:

EXECUTIVE ORDER
No. 2023-7

Declaration of State of Emergency

Beginning on August 24, 2023, areas in lower Michigan experienced several stormfronts that brought heavy rain and spawned tornadoes. As a result of the flooding, wind, and other storm impact, the counties of

Wayne and Monroe have experienced road and bridge closures; downed trees and power lines; damage to building structures, embankments, and road surfaces; overwhelmed storm water and sewer systems; flooding of residential structures; and deposits of silt and debris. The tornadoes have additionally caused damage to homes and injury to people.

Local officials in the impacted counties have taken several actions to respond to the situation, including but not limited to activating the emergency response and recovery aspects of their emergency operations plans, issuing emergency public information, and otherwise utilizing local resources to address these conditions. Despite these measures, local resources are insufficient to respond to the widespread flooding and related damages. State assistance is necessary to effectively respond to, and recover from, the impacts of this flooding.

Section 1 of article 5 of the Michigan Constitution of 1963 vests the executive power of the State of Michigan in the governor. Under the Emergency Management Act, 1976 PA 390, as amended, MCL 30.403(4), “[t]he governor shall, by executive order or proclamation, declare a state of emergency if he or she finds that an emergency has occurred or that the threat of an emergency exists.”

Therefore, acting under the Michigan Constitution of 1963 and Michigan law, including the Emergency Management Act, 1976 PA 390, as amended, MCL 30.401 to 30.421, I order the following:

1. A state of emergency is declared for the counties of Wayne and Monroe.

2. The Emergency Management and Homeland Security Division of the Department of State Police shall coordinate and maximize all state efforts and may call upon all state departments to utilize available resources to assist in the designated area pursuant to the Michigan Emergency Management Plan.

3. The state of emergency is terminated at such time as the threats to public health, safety, and property caused by the emergency no longer exist, and appropriate programs have been implemented to recover from the effects of this emergency, but in no case later than September 22, unless extended as provided by the Emergency Management Act.

Date: August 25, 2023

Time: 12:22 p.m.

[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 on August 29, 2023, and read:

EXECUTIVE ORDER
No. 2023-8

Declaration of State of Emergency

On August 25, 2023, I issued Executive Order 2023-7 declaring a state of emergency for the counties of Wayne and Monroe due to storms that brought heavy rain and spawned seven tornadoes in different parts of the state. These same storms also caused widespread damage in the counties of Eaton, Livingston, and Ingham, including in the city of Lansing; and in the city of South Lyon (in Oakland County). These jurisdictions have experienced road and bridge closures; downed trees and power lines; damage to building structures, embankments, and road surfaces; overwhelmed storm water and sewer systems; flooding of residential structures; and/or deposits of silt and debris.

Local officials in the impacted jurisdictions have taken several actions to respond to the situation, including but not limited to, activating the emergency response and recovery aspects of their emergency operations plans, issuing emergency public information, and otherwise utilizing local resources to address these conditions. Despite these measures, local resources are insufficient to respond to the storm damage. State assistance is necessary to effectively respond to, and recover from, the impacts of these storms.

Section 1 of article 5 of the Michigan Constitution of 1963 vests the executive power of the State of Michigan in the governor. Under the Emergency Management Act, 1976 PA 390, as amended, MCL 30.403(4), “[t]he governor shall, by executive order or proclamation, declare a state of emergency if he or she finds that an emergency has occurred or that the threat of an emergency exists.”

Therefore, acting under the Michigan Constitution of 1963 and Michigan law, including the Emergency Management Act, 1976 PA 390, as amended, MCL 30.401 to 30.421, I order the following:

1. In addition to the counties of Wayne and Monroe, a state of emergency is also declared for the counties of Eaton, Livingston, and Ingham (which will include the city of Lansing) as well as for the city of South Lyon in Oakland County.

2. The Emergency Management and Homeland Security Division of the Department of State Police shall coordinate and maximize all state efforts and may call upon all state departments to utilize available resources to assist in the designated areas pursuant to the Michigan Emergency Management Plan.

3. The state of emergency is terminated at such time as the threats to public health, safety, and property caused by the emergency no longer exist, and appropriate programs have been implemented to recover from the effects of this emergency, but in no case later than September 25th, unless extended as provided by the Emergency Management Act.

Date: August 28, 2023

Time: 3:50 p.m.

[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 on August 31, 2023, and read:

EXECUTIVE ORDER
No. 2023-9

Declaration of State of Emergency

On August 25, 2023, I issued Executive Order 2023-7 declaring a state of emergency for the counties of Wayne and Monroe due to storms that brought heavy rain and spawned seven tornadoes in different parts of the state. On August 28, 2023, I issued Executive Order 2023-8 extending the state of emergency to the counties of Eaton, Livingston, and Ingham and to the city of South Lyon (in Oakland County). The same storms also caused widespread damage in the counties of Kent and Ionia resulting in road and bridge closures; downed trees and power lines; damage or flooding to building structures, embankments, and road surfaces; overwhelmed storm water and sewer systems; and/or deposits of silt and debris.

Local officials in the impacted jurisdictions have taken several actions to respond to the situation, including but not limited to, activating the emergency response and recovery aspects of their emergency operations plans, issuing emergency public information, and otherwise utilizing local resources to address these conditions. Despite these measures, local resources are insufficient to respond to the storm damage. State assistance is necessary to effectively respond to, and recover from, the impacts of these storms.

Section 1 of article 5 of the Michigan Constitution of 1963 vests the executive power of the State of Michigan in the governor. Under the Emergency Management Act, 1976 PA 390, as amended, MCL 30.403(4), “[t]he governor shall, by executive order or proclamation, declare a state of emergency if he or she finds that an emergency has occurred or that the threat of an emergency exists.”

Therefore, acting under the Michigan Constitution of 1963 and Michigan law, including the Emergency Management Act, 1976 PA 390, as amended, MCL 30.401 to 30.421, I order the following:

1. In addition to the jurisdictions named in EO 2023-7 and 2023-8, a state of emergency is also declared for the counties of Kent and Ionia.

2. The Emergency Management and Homeland Security Division of the Department of State Police shall coordinate and maximize all state efforts and may call upon all state departments to utilize available resources to assist in the designated areas pursuant to the Michigan Emergency Management Plan.

3. The state of emergency is terminated at such time as the threats to public health, safety, and property caused by the emergency no longer exist, and appropriate programs have been implemented to recover from

the effects of this emergency, but in no case later than September 27th, unless extended as provided by the Emergency Management Act.

Date: August 30, 2023

Time: 8:09 a.m.

[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 messages from the Governor were received and read:

August 24, 2023

I respectfully submit to the Senate the following appointments to office pursuant to Public Act 198 of 2003, MCL 285.317:

Farm Produce Insurance Authority

Gerald Heck of 4345 West Albain Road, Monroe, Michigan 48161, Monroe County, reappointed to represent the largest Michigan organization exclusively representing wheat producers in Michigan, for a term commencing August 24, 2023, and expiring June 20, 2026.

Terry Page of 2324 Somers Road, Lyons, Michigan 48851, Ionia County, reappointed to represent the largest Michigan organization representing general farm interests in Michigan, for a term commencing August 24, 2023, and expiring June 20, 2026.

August 24, 2023

I respectfully submit to the Senate the following appointment to office pursuant to Public Act 332 of 2020, MCL 460.623:

Propane Commission

Wayne Kohley of 3935 Lake Point Drive, Norton Shores, Michigan 49441, Muskegon County, appointed to represent individuals engaged in the retail propane industry in this state, for a term commencing August 24, 2023, and expiring July 1, 2025.

August 24, 2023

I respectfully submit to the Senate the following appointment to office pursuant to Public Act 317 of 1969, MCL 418.213, Executive Order No. 2003-18, MCL 445.2011, and Executive Reorganization Order No. 2019-3, MCL 125.1998:

Workers' Compensation Board of Magistrates

Michael Cantor of 5512 Brompton Court, West Bloomfield, Michigan 48322, Oakland County, succeeding Luke McMurray who has resigned, appointed for a term commencing August 24, 2023, and expiring January 26, 2027.

August 31, 2023

I respectfully submit to the Senate the following appointment to office pursuant to Public Act 345 of 1990, MCL 54.263:

State Survey and Remonumentation Commission

Patrick Johnson of 8843 East Barx Road, Chase, Michigan 49623, Lake County, succeeding Jack Owens whose term has expired, appointed to represent surveyors from throughout the state, for a term commencing August 31, 2023, and expiring October 20, 2026.

September 5, 2023

I respectfully submit to the Senate the following appointment to office pursuant to Article V § 3 of the Michigan Constitution of 1963:

Director of the Michigan Department of Natural Resources

M. Scott Bowen of 2235 Shawnee Drive, S.E., Grand Rapids, Michigan 49506, Kent County, is appointed for a term commencing September 5, 2023, and expiring at the pleasure of the Governor.

Respectfully,
Gretchen Whitmer
Governor

The appointments were referred to the Committee on Government Operations.

Announcements of Printing and Enrollment

The Secretary announced that the following bills were printed and filed on Wednesday, August 23, and are available on the Michigan Legislature website:

House Bill Nos. 4927 4928 4929 4930 4931 4932 4933 4934

The Secretary announced that the following bills and joint resolution were printed and filed on Thursday, August 24, and are available on the Michigan Legislature website:

Senate Bill Nos. 462 463 464 465

Senate Joint Resolution D

House Bill No. 4935

Scheduled Meetings

Senate Fiscal Agency Governing Board – Tuesday, September 19, 8:30 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.

The Secretary of the Senate declared the Senate adjourned until Wednesday, September 6, 2023, at 10:00 a.m.

DANIEL OBERLIN
Secretary of the Senate

