

No. 35
STATE OF MICHIGAN
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99th Legislature
REGULAR SESSION OF 2018

Senate Chamber, Lansing, Thursday, April 12, 2018.

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—present
Casperson—present
Colbeck—present
Conyers—excused
Emmons—present
Green—present
Gregory—present
Hansen—excused
Hertel—present
Hildenbrand—present

Hood—present
Hopgood—present
Horn—present
Hune—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 Terry Boyd of Sycamore Baptist Church of Jackson offered the following invocation:

Father, as we come to You in the name of Jesus Christ, we ask that You be with us as the Senators and these men and women in this room today have to make decisions. I pray that You give them wisdom from You. Help us to have an understanding heart, Lord, where we know that Your word says, “Blessed is the nation whose God is the Lord.” I ask that You give them wisdom on how to conduct the business, how to make the United States safe, and how to put You back into our nation, Lord. There are so many things that are pressing upon them—school shootings and other issues throughout the state of Michigan where they have to make weighted decisions. I pray that You give them clarity—clarity of mind, clarity of thought—as they take these things into consideration. We need a solid foundation in which to base things on, Lord, and I pray that You give these people wisdom. We thank You so much for the opportunity to be in a free state and a free country.

In Jesus Christ’s name. Amen.

The President pro tempore, Senator Schuitmaker, led the members of the Senate in recital of the *Pledge of Allegiance*.

Motions and Communications

Senators Emmons, Green, Nofs and Ananich entered the Senate Chamber.

Senator Kowall moved that Senators Knollenberg and O’Brien be temporarily excused from today’s session. The motion prevailed.

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

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

By unanimous consent the Senate proceeded to the order of

Resolutions

Senators Knollenberg and O’Brien entered the Senate Chamber.

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

Senate Concurrent Resolution No. 10

Senate Resolution No. 30

Senate Resolution No. 105

Senate Concurrent Resolution No. 20

Senate Concurrent Resolution No. 21

The motion prevailed.

Senators Jones, Bieda, Zorn, Knollenberg, Kowall, Hansen and Hildenbrand offered the following resolution:

Senate Resolution No. 152.

A resolution to designate May 2018 as Motorcycle Safety Awareness Month.

Whereas, Michigan has 245,740 registered motorcycles and 499,705 individuals who have operator licenses with a motorcycle endorsement; and

Whereas, The safe operation of a motorcycle requires the use of special skills developed through a combination of training and expertise, the use of good judgment, plus a thorough knowledge of traffic laws and licensing requirements; and

Whereas, The use of proper protective riding apparel is an important part of a motorcycle operator’s responsibility; and

Whereas, Motorcycle safety awareness advocacy is a cooperative effort to decrease the number of injuries and fatalities associated with motorcycling; and

Whereas, The promotion of motorcycle rider education programs available through the Michigan Department of State, including recommendations that motorcycle operators wear the proper gear in addition to driving their vehicles defensively and cautiously, is intended to reduce the number of crashes; and

Whereas, The emergence of spring is synonymous with the return of motorcycle enthusiasts to our state's roadways. Throughout Michigan, motorcyclists have been on the cutting edge of supporting the wise and sensible use of this enjoyable mode of travel. Indeed, the disproportionate number of motorcycle fatalities makes it vitally important to encourage motorcyclists to understand and practice the highest degree of safety. It is also important to remind other drivers that highway safety is beneficial to all parties traveling on public roadways; and

Whereas, Motorcycle Safety Awareness Month encourages motorcycle operators to don proper protective riding attire; to maintain their motorcycles using safety and maintenance checks found in the owner's manual; abide by the laws of the road; and to implement operating techniques providing an additional standard of safety. Additionally, car and truck drivers are informed of the fact that motorcyclists are resuming their travels on our public roadways, and each is advised to be exceptionally vigilant and watchful when approaching or passing a motorcycle on the highway; now, therefore be it

Resolved by the Senate, That the members of this legislative body designate May 2018 as Motorcycle Safety Awareness Month in the state of Michigan. We encourage all of Michigan's citizens to participate in the aims and goals of this effort.

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 Booher, Brandenburg, Casperson, Colbeck, Hood, Marleau, Pavlov, Proos and Schmidt were named co-sponsors of the resolution.

Introduction and Referral of Bills

Senators Ananich, Hertel, Knezek, Hopgood, Bieda, Conyers, Young, Gregory, Hood and Warren introduced **Senate Bill No. 933, entitled**

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2018; and to provide for the expenditure of the appropriations.

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

Senators Hertel, Ananich, Knezek, Hopgood, Bieda, Conyers, Young, Gregory, Hood and Warren introduced **Senate Bill No. 934, entitled**

A bill to amend 1927 PA 372, entitled "An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms, gas ejecting devices, and electro-muscular disruption devices; to prohibit the buying, selling, or carrying of certain firearms, gas ejecting devices, and electro-muscular disruption devices without a license or other authorization; to provide for the forfeiture of firearms and electro-muscular disruption devices under certain circumstances; to provide for penalties and remedies; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; to prohibit certain conduct against individuals who apply for or receive a license to carry a concealed pistol; to make appropriations; to prescribe certain conditions for the appropriations; and to repeal all acts and parts of acts inconsistent with this act," by amending sections 2, 2a, 2b, 12, and 14a (MCL 28.422, 28.422a, 28.422b, 28.432, and 28.434a), section 2 as amended by 2015 PA 200, section 2a as amended by 2016 PA 301, section 2b as amended by 2014 PA 205, section 12 as amended by 2010 PA 209, and section 14a as added by 2010 PA 295.

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

Senators Hertel, Ananich, Knezek, Hopgood, Bieda, Conyers, Young, Gregory, Hood and Warren introduced **Senate Bill No. 935, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending sections 223, 232a, and 237a (MCL 750.223, 750.232a, and 750.237a), section 223 as amended by 2012 PA 242, section 232a as amended by 1990 PA 321, and section 237a as amended by 2017 PA 96.

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

Senators Ananich, Hertel, Knezek, Hopgood, Bieda, Conyers, Young, Gregory, Hood and Warren introduced **Senate Bill No. 936, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending sections 11b and 16m of chapter XVII (MCL 777.11b and 777.16m), section 11b as amended by 2016 PA 234 and section 16m as amended by 2014 PA 192.

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

Senators Knezek, Ananich, Hertel, Hopgood, Bieda, Conyers, Young, Gregory, Hood and Warren introduced
Senate Bill No. 937, entitled

A bill to provide for the issuance of restraining orders prohibiting certain individuals from possessing or purchasing firearms and ordering the seizure of a restrained individual's firearms; to provide for the powers and duties of certain state and local governmental officers and entities; to prescribe penalties; and to provide remedies.

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

Senators Knezek, Ananich, Hertel, Hopgood, Bieda, Conyers, Young, Gregory, Hood and Warren introduced
Senate Bill No. 938, entitled

A bill to amend 1927 PA 372, entitled "An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms, gas ejecting devices, and electro-muscular disruption devices; to prohibit the buying, selling, or carrying of certain firearms, gas ejecting devices, and electro-muscular disruption devices without a license or other authorization; to provide for the forfeiture of firearms and electro-muscular disruption devices under certain circumstances; to provide for penalties and remedies; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; to prohibit certain conduct against individuals who apply for or receive a license to carry a concealed pistol; to make appropriations; to prescribe certain conditions for the appropriations; and to repeal all acts and parts of acts inconsistent with this act," by amending sections 2, 2b, and 5b (MCL 28.422, 28.422b, and 28.425b), section 2 as amended by 2015 PA 200, section 2b as amended by 2014 PA 205, and section 5b as amended by 2015 PA 207.

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

Senators Bieda, Jones, Hopgood, Gregory, Hertel and Knezek introduced
Senate Bill No. 939, entitled

A bill to amend 1967 PA 150, entitled "Michigan military act," by amending section 411 (MCL 32.811), as amended by 2000 PA 472.

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

Senators Hertel, Hansen, Nofs and Gregory introduced
Senate Bill No. 940, entitled

A bill to amend 2001 PA 142, entitled "Michigan memorial highway act," (MCL 250.1001 to 250.2080) by adding section 4b.

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

Senator Hildenbrand introduced
Senate Bill No. 941, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending section 2 (MCL 388.1602), as amended by 2011 PA 62, and by adding article V.

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

Senator Hansen introduced
Senate Bill No. 942, entitled

A bill to amend 1975 PA 222, entitled "Higher education loan authority act," by amending sections 2 and 4 (MCL 390.1152 and 390.1154), section 2 as amended by 1987 PA 206 and section 4 as amended by 2007 PA 34, and by adding section 8a.

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

House Bill No. 4522, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 30 (MCL 206.30), as amended by 2018 PA 38.

The House of Representatives has passed the bill and ordered that it be given immediate effect.

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

House Bill No. 5508, entitled

A bill to amend 1897 PA 230, entitled "An act to provide for the formation of corporations for the purpose of owning, maintaining and improving lands and other property kept for the purposes of summer resorts or for ornament, recreation or amusement, and to repeal all laws or parts of laws in conflict herewith; and to impose certain duties on the department of commerce," (MCL 455.1 to 455.24) by adding section 19.

The House of Representatives has passed the bill and ordered that it be given immediate effect.

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

House Bill No. 5509, entitled

A bill to amend 1982 PA 162, entitled "Nonprofit corporation act," by amending section 123 (MCL 450.2123), as amended by 2014 PA 557.

The House of Representatives has passed the bill and ordered that it be given immediate effect.

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

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 O'Brien 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 bills:

House Bill No. 4905, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 7cc (MCL 211.7cc), as amended by 2017 PA 121.

House Bill No. 5261, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 9o (MCL 211.9o), as amended by 2017 PA 261.

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. 892, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 625k (MCL 257.625k), as amended by 2016 PA 32, and by adding section 62b.

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.

Senator Kowall moved that rule 3.902 be suspended to allow the guests of Senator Stamas admittance to the Senate floor. The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the Senate returned to the order of

Messages from the House

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

Senate Bill No. 35**Senate Bill No. 551**

The motion prevailed.

Senate Bill No. 521, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 649 (MCL 257.649).

The House of Representatives has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The question being on concurring in the committee recommendation to give the bill immediate effect,
 The recommendation was concurred in, 2/3 of the members serving voting therefor.
 The Senate agreed to the full title.
 The bill was referred to the Secretary for enrollment printing and presentation to the Governor.

By unanimous consent the Senate proceeded to the order of
Third Reading of Bills

Senator Kowall moved that the following bills be placed at the head of the Third Reading of Bills calendar:

Senate Bill No. 741

House Bill No. 5001

House Bill No. 5002

Senate Bill No. 757

Senate Bill No. 758

The motion prevailed.

The following bill was read a third time:

Senate Bill No. 741, entitled

A bill to prohibit a local unit of government from enacting or enforcing an ordinance, policy, resolution, or rule that regulates a dog based upon the breed or perceived breed of the dog; and to provide for the powers and duties of certain local governmental entities.

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. 190

Yeas—22

Ananich	Hildenbrand	Knollenberg	O'Brien
Bieda	Hopgood	Kowall	Proos
Booher	Horn	MacGregor	Robertson
Green	Hune	Marleau	Rocca
Gregory	Jones	Meekhof	Schmidt
Hertel	Knezek		

Nays—13

Brandenburg	Hood	Schuitmaker	Warren
Casperson	Nofs	Shirkey	Young
Colbeck	Pavlov	Stamas	Zorn
Emmons			

Excused—2

Conyers	Hansen
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Not Voting—0

In The Chair: Schuitmaker

The Senate agreed to the title of the bill.

The following bill was read a third time:

House Bill No. 5001, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 50507, 50703, 50706, and 51101 (MCL 324.50507, 324.50703, 324.50706, and 324.51101), section 50507 as amended by 2016 PA 248, sections 50703 and 50706 as added by 1995 PA 57, and section 51101 as amended by 2006 PA 383, and by adding part 535; and to repeal acts and parts of acts.

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. 191

Yeas—32

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

Nays—2

Colbeck	Schuitmaker
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Excused—2

Conyers	Hansen
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Not Voting—1

Knezek

In The Chair: Schuitmaker

The question being on concurring in the committee recommendation to give the bill immediate effect,

The recommendation was concurred in, 2/3 of the members serving voting therefor.

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

"An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to protect the people's right to hunt and fish; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, assessments, and donations; to provide certain appropriations; to prescribe penalties and provide remedies; and to repeal acts and parts of acts,".

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 5002, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 7jj (MCL 211.7jj[1]), as amended by 2016 PA 261.

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. 192**Yeas—33**

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

Nays—2

Colbeck	Schuitmaker
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Excused—2

Conyers	Hansen
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Not Voting—0

In The Chair: Schuitmaker

The question being on concurring in the committee recommendation to give the bill immediate effect,

The recommendation was concurred in, 2/3 of the members serving voting therefor.

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to provide for the assessment of rights and interests, including leasehold interests, in property and the levy and collection of taxes on property, and for the collection of taxes levied; making those taxes a lien on the property taxed, establishing and continuing the lien, providing for the sale or forfeiture and conveyance of property delinquent for taxes, and for the inspection and disposition of lands bid off to the state and not redeemed or purchased; to provide for the establishment of a delinquent tax revolving fund and the borrowing of money by counties and the issuance of notes; to define and limit the jurisdiction of the courts in proceedings in connection with property delinquent for taxes; to limit the time within which actions may be brought; to prescribe certain limitations with respect to rates of taxation; to prescribe certain powers and duties of certain officers, departments, agencies, and political subdivisions of this state; to provide for certain reimbursements of certain expenses incurred by units of local government; to provide penalties for the violation of this act; and to repeal acts and parts of acts.”

The Senate agreed to the full title.

The following bill was read a third time:

Senate Bill No. 757, entitled

A bill to amend 2016 PA 407, entitled “Skilled trades regulation act,” by amending section 733 (MCL 339.5733), as amended by 2017 PA 125.

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. 193**Yeas—35**

Ananich	Hertel	Kowall	Rocca
Bieda	Hildenbrand	MacGregor	Schmidt
Booher	Hood	Marleau	Schuitmaker

Brandenburg	Hopgood	Meekhof	Shirkey
Casperson	Horn	Nofs	Stamas
Colbeck	Hune	O'Brien	Warren
Emmons	Jones	Pavlov	Young
Green	Knezek	Proos	Zorn
Gregory	Knollenberg	Robertson	

Nays—0

Excused—2

Conyers	Hansen
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Not Voting—0

In The Chair: Schuitmaker

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 758, entitled

A bill to amend 1972 PA 230, entitled "Stille-DeRossett-Hale single state construction code act," by amending section 28a (MCL 125.1528a), as amended by 2017 PA 126.

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. 194

Yeas—35

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

Nays—0

Excused—2

Conyers	Hansen
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Not Voting—0

In The Chair: Schuitmaker

The Senate agreed to the title of the bill.

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

The motion prevailed.

Senator Proos' statement is as follows:

For those of you in the Gallery, you're joined by a true hero. For those of us in the chamber, we'll be looking up to see just exactly, in the east Gallery, one of these true heroes who we have in our great state of Michigan and specifically in my district—the 21st District of Michigan.

Today I'm honoring, as we all should, Juanito Dela Cruz who served in three wars—World War II, Korea, and Vietnam—and also served at Pearl Harbor. His bravery earned him the good conduct award and medal. His 19 years of service in the United States Navy was marked with bravery, courage, and a willingness to risk his own life. We all have individuals like this in our community who we want to honor and say “thank you.” Today, we have the great honor of being able to welcome him, his family, his church members, and friends here to the Capitol. His devotion and compassion for our nation is obvious.

Juan is an active member at Riverside United Methodist Church. His late wife Millie Dela Cruz often spoke of the time they would spend on the annual Mackinac Bridge Walk between our two peninsulas uniting the north and the south, the Upper Peninsula and Lower Peninsula. He's also traveled many, many distances to unite with his fellow service members, many of whom are no longer with us but we stop to honor today. His true devotion and passion for our state, for our country, and for the armed services that protects the flag that flies proudly over this Capitol and every capitol in the United States and our United States Capitol is an example for others to follow. His service in three wars is one that we can pause to say “thank you” today in the Michigan Senate.

It is with highest praise and recognition that we pause today as members of the Senate, staff, friends, and guests in the Gallery, to honor Juanito Dela Cruz in the east Gallery.

Recess

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

The motion prevailed, the time being 10:33 a.m.

11:40 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

Messages from the House

House Bill No. 4561, entitled

A bill to amend 1933 PA 167, entitled “General sales tax act,” by amending section 4a (MCL 205.54a), as amended by 2017 PA 219.

The House of Representatives has substituted (H-6) the Senate substitute (S-2).

The House of Representatives has concurred in the Senate substitute (S-2) as substituted (H-6) and agreed to the full title.

Pending the order that, under rule 3.202, the bill be laid over one day,

Senator Kowall moved that the rule be suspended.

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

The question being on concurring in the House substitute made to the Senate substitute,

The substitute was concurred in, a majority of the members serving voting therefor, as follows:

Roll Call No. 195

Yeas—35

Ananich	Hertel	Kowall	Rocca
Bieda	Hildenbrand	MacGregor	Schmidt
Booher	Hood	Marleau	Schuitmaker
Brandenburg	Hopgood	Meekhof	Shirkey
Casperson	Horn	Nofs	Stamas
Colbeck	Hune	O'Brien	Warren

Emmons
Green
Gregory

Jones
Knezek
Knollenberg

Pavlov
Proos
Robertson

Young
Zorn

Nays—0

Excused—2

Conyers

Hansen

Not Voting—0

In The Chair: Schuitmaker

House Bill No. 4564, entitled

A bill to amend 1937 PA 94, entitled "Use tax act," by amending section 4 (MCL 205.94), as amended by 2017 PA 218.

The House of Representatives has substituted (H-6) the Senate substitute (S-2).

The House of Representatives has concurred in the Senate substitute (S-2) as substituted (H-6) and agreed to the full title.

Pending the order that, under rule 3.202, the bill be laid over one day,

Senator Kowall moved that the rule be suspended.

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

The question being on concurring in the House substitute made to the Senate substitute,

The substitute was concurred in, a majority of the members serving voting therefor, as follows:

Roll Call No. 196

Yeas—35

Ananich
Bieda
Booher
Brandenburg
Casperson
Colbeck
Emmons
Green
Gregory

Hertel
Hildenbrand
Hood
Hopgood
Horn
Hune
Jones
Knezek
Knollenberg

Kowall
MacGregor
Marleau
Meekhof
Nofs
O'Brien
Pavlov
Proos
Robertson

Rocca
Schmidt
Schuitmaker
Shirkey
Stamas
Warren
Young
Zorn

Nays—0

Excused—2

Conyers

Hansen

Not Voting—0

In The Chair: Schuitmaker

By unanimous consent the Senate proceeded to the order of
Statements

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

The motion prevailed.

Senator Bieda's statement is as follows:

I would like to take this time to honor the memory and legacy of Tony Trupiano who passed away earlier this week on Monday, April 9. From the time Tony was born on March 3, 1961, to Angelo and Rosalie Trupiano, he was loved and gave love.

Following Tony's graduation from Lakeland High School in 1980, he graduated from Alma College in 1984. During his time at Alma College, he began his lifelong practice of developing friendships, serving, advocating for others, becoming a founder, and just loving life. His involvement included student government, the school newspaper, theatre, and fraternity life.

Many knew Tony as a radio talk show host for 22 years; a political speaker; an activist; a restaurant owner; an advocate for the UAW, teachers and nurses unions, and the LGBTQ community; a Congressional and State House of Representatives candidate; a member of the Oakland County Foster Care Review Board and Pontiac General Hospital Board; president of the Dearborn Heights Raiders junior football team; a football team announcer; a husband, father, grandfather, brother, uncle, and family; and a dear friend. But in whatever capacity a person knew Tony, you knew that his passion for people was strong and endless.

During his life, Tony stood up for those without a voice. He was a shining beacon to all he encountered and proved what could be accomplished with a full heart, a positive mindset, and dedication. He loved people and people loved him.

He also loved cooking and food, theatre, music, and, perhaps ironically and fitting for someone who fought for the underdog, he was a big fan of the Detroit Lions. But most of all, he loved the time he spent with his family and friends.

I would like to honor those who were closest to him and will miss him dearly, including his wife of 28 years, Anne; children Christopher, Anthony, and Dominic; daughters-in-law Leah and Tracey; grandchildren Christopher, Giavona, and Lorenzo; and sisters Marion, Ann Marie, and Tina. I know they will remember just how much this gentle soul worked to improve the lives of people throughout our state and our country.

A moment of silence was observed in memory of Tony Trupiano, radio talk show host.

Announcements of Printing and Enrollment

The Secretary announced that the following House bills were received in the Senate and filed on Wednesday, April 11:
House Bill Nos. 4522 5508 5509

The Secretary announced that the following bills were printed and filed on Wednesday, April 11, and are available at the Michigan Legislature website:

Senate Bill Nos. 927 928 929 930 931 932

House Bill Nos. 5779 5780 5781 5782

Committee Reports

The Committee on Judiciary reported

Senate Bill No. 844, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 33a of chapter IX (MCL 769.33a), as added by 2014 PA 465.

With the recommendation that the bill pass.

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

Rick Jones
 Chairperson

To Report Out:

Yeas: Senators Jones, Schuitmaker, Rocca, Emmons and Bieda

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Judiciary reported

House Bill No. 5010, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 24 of chapter VII (MCL 767.24), as amended by 2017 PA 79.

With the recommendation that the bill pass.

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

Rick Jones
Chairperson

To Report Out:

Yeas: Senators Jones, Schuitmaker, Rocca, Emmons and Bieda

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Judiciary reported

House Bill No. 5407, entitled

A bill to amend 1985 PA 87, entitled "William Van Regenmorter crime victim's rights act," by amending sections 15, 43, and 75 (MCL 780.765, 780.793, and 780.825), as amended by 2000 PA 503.

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.

Rick Jones
Chairperson

To Report Out:

Yeas: Senators Jones, Schuitmaker, Rocca, Emmons and Bieda

Nays: None

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

The Committee on Judiciary reported

House Bill No. 5463, entitled

A bill to amend 1967 PA 119, entitled "An act to regulate the sale, distribution, and use of certain chemical agents and devices containing certain chemical agents; and to provide penalties," by amending section 2a (MCL 752.272a), as added by 2000 PA 299.

With the recommendation that the bill pass.

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

Rick Jones
Chairperson

To Report Out:

Yeas: Senators Jones, Schuitmaker, Rocca, Emmons and Bieda

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Judiciary reported

House Bill No. 5464, entitled

A bill to amend 1967 PA 119, entitled "An act to regulate the sale, distribution, and use of certain chemical agents and devices containing certain chemical agents; and to provide penalties," (MCL 752.271 to 752.273) by amending the title, as amended by 2000 PA 299, and by adding section 2b.

With the recommendation that the bill pass.

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

Rick Jones
Chairperson

To Report Out:

Yeas: Senators Jones, Schuitmaker, Rocca, Emmons and Bieda

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Judiciary reported

House Bill No. 5530, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 520o.

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.

Rick Jones
Chairperson

To Report Out:

Yeas: Senators Jones, Schuitmaker, Rocca, Emmons and Bieda
Nays: None

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

The Committee on Judiciary reported

House Bill No. 5531, entitled

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

With the recommendation that the bill pass.

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

Rick Jones
Chairperson

To Report Out:

Yeas: Senators Jones, Schuitmaker, Rocca, Emmons and Bieda
Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Judiciary reported

House Bill No. 5532, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 2950 and 2950a (MCL 600.2950 and 600.2950a), as amended by 2016 PA 296.

With the recommendation that the bill pass.

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

Rick Jones
Chairperson

To Report Out:

Yeas: Senators Jones, Schuitmaker, Rocca, Emmons and Bieda
Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Judiciary submitted the following:

Meeting held on Tuesday, April 10, 2018, at 3:00 p.m., Room 1300, Binsfeld Office Building

Present: Senators Jones (C), Schuitmaker, Rocca, Emmons and Bieda

The Committee on Regulatory Reform reported

Senate Bill No. 803, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 519 (MCL 436.1519).

With the recommendation that the bill pass.

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

Tory Rocca
Chairperson

To Report Out:

Yeas: Senators Rocca, Jones, Knollenberg, Kowall, MacGregor, Hune, Warren, Hertel and Knezek
Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Regulatory Reform reported
Senate Bill No. 804, entitled

A bill to amend 1978 PA 260, entitled "An act to revise and codify the laws relating to blind persons and persons with a visual disability; to create a commission; to prescribe its powers and duties and those of other state agencies relative to blind persons; to provide services, education, training, and assistance to blind persons; to regulate concessions operated by blind persons; to transfer powers, duties, functions, and appropriations; and to repeal acts and parts of acts," by amending section 9 (MCL 393.359) and by adding section 10a.

With the recommendation that the bill pass.

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

Tory Rocca
Chairperson

To Report Out:

Yeas: Senators Rocca, Jones, Knollenberg, Kowall, MacGregor, Hune, Warren, Hertel and Knezek

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Regulatory Reform submitted the following:

Meeting held on Wednesday, April 11, 2018, at 1:00 p.m., Room 1100, Binsfeld Office Building

Present: Senators Rocca (C), Jones, Knollenberg, Kowall, MacGregor, Hune, Warren, Hertel and Knezek.

The Committee on Natural Resources reported

Senate Joint Resolution O, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by amending sections 35 and 35a of article IX, to provide for the use of certain revenues generated from leases for the extraction of nonrenewable resources from state owned lands and to modify the allowable expenditures from the Michigan natural resources trust fund and the Michigan state parks endowment fund.

With the recommendation that the substitute (S-1) be adopted and that the joint resolution then be adopted.

Thomas A. Casperson
Chairperson

To Report Out:

Yeas: Senators Casperson, Pavlov, Robertson and Stamas

Nays: Senator Warren

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

The Committee on Natural Resources reported

Senate Bill No. 763, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 1901, 1902, 1903, and 74119 (MCL 324.1901, 324.1902, 324.1903, and 324.74119), section 1901 as added by 1995 PA 60, section 1902 as amended by 2012 PA 619, section 1903 as amended by 2011 PA 117, and section 74119 as amended by 2002 PA 54, and by adding section 74119a; and to repeal acts and parts of acts.

With the recommendation that the substitute (S-2) be adopted and that the bill then pass.

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

Thomas A. Casperson
Chairperson

To Report Out:

Yeas: Senators Casperson, Pavlov, Robertson and Stamas

Nays: Senator Warren

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

The Committee on Natural Resources reported

Senate Bill No. 931, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 74119 (MCL 324.74119), as amended by 2002 PA 54.

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

Thomas A. Casperson
Chairperson

To Report Out:

Yeas: Senators Casperson, Pavlov, Robertson and Stamas
Nays: Senator Warren
The bill was referred to the Committee of the Whole.

The Committee on Natural Resources reported

Senate Bill No. 932, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 74101 (MCL 324.74101), as amended by 2010 PA 33.

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

Thomas A. Casperson
Chairperson

To Report Out:

Yeas: Senators Casperson, Pavlov, Robertson and Stamas
Nays: Senator Warren
The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Natural Resources submitted the following:

Meeting held on Wednesday, April 11, 2018, at 12:30 p.m., Room 1300, Binsfeld Office Building
Present: Senators Casperson (C), Pavlov, Robertson, Stamas and Warren

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Higher Education submitted the following:

Meeting held on Wednesday, April 11, 2018, at 9:00 a.m., Room 1300, Binsfeld Office Building
Present: Senators Schuitmaker (C), MacGregor and Hertel

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Community Colleges submitted the following:

Meeting held on Wednesday, April 11, 2018, at 9:30 a.m., Room 1300, Binsfeld Office Building
Present: Senators Booher (C), Schuitmaker and Knezek

COMMITTEE ATTENDANCE REPORT

The Joint Subcommittee on Capital Outlay submitted the following:

Meeting held on Wednesday, April 11, 2018, 4:00 p.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building
Present: Senators Booher (C), Nofs, Hertel, Hansen, Schuitmaker and Gregory
Excused: Senator MacGregor

COMMITTEE ATTENDANCE REPORT

The Subcommittee on General Government submitted the following:

Meeting held on Thursday, April 12, 2018, at 9:00 a.m., Room 1300, Binsfeld Office Building
Present: Senators Stamas (C), Nofs, Booher and Young

Scheduled Meetings

Judiciary - Tuesday, April 17, 3:00 p.m., Room 1300, Binsfeld Office Building (373-5323)

State Drug Court Advisory Committee - Tuesday, April 17, 10:00 a.m., Legislative Council Conference Room, 3rd Floor, Boji Tower (373-0212)

Senator Kowall moved that the Senate adjourn.
The motion prevailed, the time being 11:48 a.m.

The President pro tempore, Senator Schuitmaker, declared the Senate adjourned until Tuesday, April 17, 2018, at 10:00 a.m.

JEFFREY F. COBB
Secretary of the Senate

