

No. 29
STATE OF MICHIGAN
Journal of the Senate
99th Legislature
REGULAR SESSION OF 2018

Senate Chamber, Lansing, Thursday, March 15, 2018.

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—present
Casperson—excused
Colbeck—present
Conyers—present
Emmons—present
Green—present
Gregory—present
Hansen—present
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 Lloyd Hemstreet of Coopersville Christian Reformed Church of Coopersville offered the following invocation:

Our Father, who art in heaven, what a privilege it is to come into Your presence. You, O Lord, are the giver of every good and perfect gift, and You have blessed our communities, state, and nation. We give thanks for the many sectors of our economy that are doing well, and ask that You would be near those people and families who are struggling.

We thank You for our education system, and those who serve, training future generations. May You protect and bless our children. May they learn what it means to love You and their neighbor. We thank You for those of old age—our senior citizens, and the wisdom that You have blessed them with. May we honor their lives, listen to their wisdom, and recognize their ongoing value. Father, bless our families. Strengthen the bonds between husbands and wives, and give parents the daily measure of wisdom and patience that they need.

Lord, we pray today for those who serve in public office. We pray that they might serve faithfully. We pray for truth and honesty to mark their service. We ask that You would help them as they seek to encourage that which is good in Your sight and restrain evil. To that end, we ask that You would bless our Governor, Representatives, and the Senators who serve in this room. Lead and guide their hearts in every decision that they make, and may their service continue to be a blessing to our state.

We ask all this in Jesus' name. Amen.

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

Motions and Communications

Senators Green and Schmidt entered the Senate Chamber.

Senator Kowall moved that Senator Nofs be temporarily excused from today's session.
The motion prevailed.

Senator Kowall moved that Senator Casperson be excused from today's session.
The motion prevailed.

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

Messages from the Governor

The following messages from the Governor were received:

Date: March 13, 2018

Time: 11:46 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 393 (Public Act No. 57), being

An act to provide for the recodification and establishment of certain tax increment finance authorities; to prescribe the powers and duties of the authorities; to correct and prevent deterioration in residential, commercial, and industrial areas and certain other areas; to authorize the acquisition and disposal of interests in real and personal property; to authorize the creation and implementation of development plans and development areas; to promote residential and economic growth; to create certain boards; to prescribe the powers and duties of certain boards; to authorize the issuance of bonds and other evidences of indebtedness; to levy certain taxes; to authorize the use of tax increment financing; to prescribe powers and duties of certain state officials; to provide for rule promulgation; to provide for enforcement of this act; and to repeal acts and parts of acts.

(Filed with the Secretary of State on March 14, 2018, at 1:02 p.m.)

Date: March 13, 2018

Time: 11:48 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 645 (Public Act No. 63), being

An act to promote the safety and security of rail fixed guideway public transportation systems operating within this state; to designate the office of rail within the state transportation department as the state safety oversight entity for this state; to provide for the powers and duties of the state safety oversight entity; and to provide for the enforcement of this act.

(Filed with the Secretary of State on March 14, 2018, at 1:14 p.m.)

Date: March 13, 2018
Time: 11:50 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 419 (Public Act No. 58), being

An act to amend 1939 PA 288, entitled “An act to revise and consolidate the statutes relating to certain aspects of the family division of circuit court, to the jurisdiction, powers, and duties of the family division of circuit court and its judges and other officers, to the change of name of adults and children, and to the adoption of adults and children; to prescribe certain jurisdiction, powers, and duties of the family division of circuit court and its judges and other officers; to prescribe the manner and time within which certain actions and proceedings may be brought in the family division of the circuit court; to prescribe pleading, evidence, practice, and procedure in certain actions and proceedings in the family division of circuit court; to provide for appeals from certain actions in the family division of circuit court; to prescribe the powers and duties of certain state departments, agencies, and officers; to provide for certain immunity from liability; and to provide remedies and penalties,” by amending sections 2, 18, 19, 19a, and 19b of chapter XIII (MCL 712A.2, 712A.18, 712A.19, 712A.19a, and 712A.19b), section 2 as amended by 2014 PA 519, section 18 as amended by 2016 PA 191, section 19 as amended by 2008 PA 202, section 19a as amended by 2016 PA 497, and section 19b as amended by 2017 PA 193.

(Filed with the Secretary of State on March 14, 2018, at 1:04 p.m.)

Date: March 13, 2018
Time: 11:52 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 420 (Public Act No. 59), being

An act to amend 1975 PA 238, entitled “An act to require the reporting of child abuse and neglect by certain persons; to permit the reporting of child abuse and neglect by all persons; to provide for the protection of children who are abused or neglected; to authorize limited detainment in protective custody; to authorize medical examinations; to prescribe the powers and duties of the state department of social services to prevent child abuse and neglect; to prescribe certain powers and duties of local law enforcement agencies; to safeguard and enhance the welfare of children and preserve family life; to provide for the appointment of legal counsel; to provide for the abrogation of privileged communications; to provide civil and criminal immunity for certain persons; to provide rules of evidence in certain cases; to provide for confidentiality of records; to provide for the expungement of certain records; to prescribe penalties; and to repeal certain acts and parts of acts,” by amending sections 2 and 18 (MCL 722.622 and 722.638), section 2 as amended by 2016 PA 491 and section 18 as amended by 2010 PA 12.

(Filed with the Secretary of State on March 14, 2018, at 1:06 p.m.)

Date: March 13, 2018
Time: 11:54 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 421 (Public Act No. 60), being

An act to amend 1982 PA 250, entitled “An act to establish the state child abuse and neglect prevention board; to provide the powers and duties of the state child abuse and neglect prevention board; and to prescribe the powers and duties of certain state departments,” by amending section 2 (MCL 722.602).

(Filed with the Secretary of State on March 14, 2018, at 1:08 p.m.)

Date: March 13, 2018
Time: 11:58 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 582 (Public Act No. 62), being

An act to amend 1949 PA 300, entitled “An act to provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or generally accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways; to create certain funds; to provide penalties and sanctions for a violation of this act; to provide for civil liability of manufacturers, the manufacturers of certain devices, the manufacturers of automated technology, upfitters, owners, and operators of vehicles and service of process on residents and nonresidents; to regulate the introduction and use of

certain evidence; to regulate and certify the manufacturers of certain devices; to provide for approval and certification of installers and servicers of certain devices; to provide for the levy of certain assessments; to provide for the enforcement of this act; to provide for the creation of and to prescribe the powers and duties of certain state and local agencies; to impose liability upon the state or local agencies; to provide appropriations for certain purposes; to repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date," by amending sections 675, 803d, and 803h (MCL 257.675, 257.803d, and 257.803h), section 675 as amended by 2013 PA 247 and sections 803d and 803h as amended by 1998 PA 68.

(Filed with the Secretary of State on March 14, 2018, at 1:12 p.m.)

Date: March 13, 2018

Time: 12:01 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 522 (Public Act No. 61), being

An act to amend 1929 PA 199, entitled "An act to authorize and empower villages and townships of this state having a population not exceeding 10,000 inhabitants, to levy a tax for the maintenance or the purchase of lands and maintenance of property for a community center for the benefit of the public, provided the question of such purchase or maintenance, or both purchase and maintenance, as the case may be, is submitted to the duly qualified voters of such villages or townships and is adopted by a majority vote of those participating in said election; and to prescribe penalties and provide remedies," by amending section 3 (MCL 123.43), as amended by 2000 PA 435.

(Filed with the Secretary of State on March 14, 2018, at 1:10 p.m.)

Respectfully,
Rick Snyder
Governor

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, Lieutenant Governor Calley, designated Senator Knollenberg as Chairperson.

After some time spent therein, the Committee arose; and the President, Lieutenant Governor Calley, having resumed the Chair, the Committee reported back to the Senate, favorably and without amendment, the following bills:

House Bill No. 5220, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 224d (MCL 750.224d), as amended by 2010 PA 365.

Senate Bill No. 815, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 801 (MCL 257.801), as amended by 2017 PA 238.

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:

House Bill No. 4922, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 217c (MCL 257.217c), as amended by 2016 PA 369.

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.

During the Committee of the Whole, Senator Nofs entered the Senate Chamber.

By unanimous consent the Senate returned 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. 816

Senate Bill No. 817

House Bill No. 5456

Senate Bill No. 637

Senate Bill No. 894

Senate Bill No. 425

Senate Bill No. 426

Senate Bill No. 427

Senate Bill No. 428

Senate Bill No. 429

The motion prevailed.

The following bill was read a third time:

Senate Bill No. 816, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 435 (MCL 206.435), as amended by 2016 PA 184.

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. 158

Yeas—35

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

Nays—0

Excused—2

Casperson Young

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

Senator Young entered the Senate Chamber.

The following bill was read a third time:

Senate Bill No. 817, entitled

A bill to establish the Michigan World War II Legacy Memorial fund in the department of treasury; to provide for the distribution of the money from the fund; to prescribe the powers and duties of certain agencies and officials; and to provide for appropriations.

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. 159**Yeas—36**

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

Nays—0**Excused—1**

Casperson

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

Senators Booher, Brandenburg, Conyers, Emmons, Hansen, Hertel, Hildenbrand, Hood, Horn, Hune, Jones, Kowall, MacGregor, Meekhof, Nofs, O'Brien, Pavlov, Rocca, Schmidt, Schuitmaker, Stamas, Warren, Young and Zorn were named co-sponsors of the bill.

The following bill was read a third time:

House Bill No. 5456, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," (MCL 600.101 to 600.9947) by adding chapter 30A.

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. 160**Yeas—35**

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

Nays—1

Hood

Excused—1

Casperson

Not Voting—0

In The Chair: President

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 revise and consolidate the statutes relating to the organization and jurisdiction of the courts of this state; the powers and duties of the courts, and of the judges and other officers of the courts; the forms and attributes of civil claims and actions; the time within which civil actions and proceedings may be brought in the courts; pleading, evidence, practice, and procedure in civil and criminal actions and proceedings in the courts; to provide for the powers and duties of certain state governmental officers and entities; to provide remedies and penalties for the violation of certain provisions of this act; to repeal all acts and parts of acts inconsistent with or contravening any of the provisions 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. 637, entitled

A bill to provide for the regulation by state or local government authorities and municipally owned electric utilities of the activities of wireless infrastructure providers and wireless services providers and of wireless facilities, wireless support structures, and utility poles; to regulate rates and fees concerning wireless facilities, wireless support structures, communications service provider pole attachments, and utility poles charged by state or local government authorities and municipally owned electric utilities; to provide for collocation of wireless facilities and of communications service provider pole attachments; to provide for use of public rights-of-way; to regulate certain permitting processes and zoning reviews; to prohibit certain commercially discriminatory actions by state or local government authorities and municipally owned electric utilities; to prohibit state and local government authorities from entering into exclusive arrangements with any person for the right to attach to certain utility poles; to authorize indemnification and insurance requirements; to authorize certain bonding requirements; and to provide for charges for electricity to operate small cell wireless facilities.

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. 161

Yeas—33

Ananich	Hertel	Knollenberg	Robertson
Bieda	Hildenbrand	Kowall	Rocca
Booher	Hood	MacGregor	Schmidt
Brandenburg	Hopgood	Meekhof	Shirkey
Conyers	Horn	Nofs	Stamas
Emmons	Hune	O’Brien	Warren
Green	Jones	Pavlov	Young
Gregory	Knezek	Pros	Zorn
Hansen			

Nays—3

Colbeck	Marleau	Schuitmaker
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Excused—1

Casperson

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

The Assistant President pro tempore, Senator O'Brien, assumed the Chair.

The following bill was read a third time:

Senate Bill No. 894, entitled

A bill to amend 2006 PA 110, entitled "Michigan zoning enabling act," by amending sections 205 and 514 (MCL 125.3205 and 125.3514), section 205 as amended by 2012 PA 389 and section 514 as added by 2012 PA 143.

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. 162**Yeas—34**

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

Nays—2

Colbeck	Schuitmaker
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Excused—1

Casperson

Not Voting—0

In The Chair: O'Brien

The Senate agreed to the title of the bill.

Protest

Senator Colbeck, under his constitutional right of protest (Art. 4, Sec. 18), protested against the passage of Senate Bill Nos. 637 and 894 and moved that the statement he made during the discussion of Senate Bill No. 637 be printed as his reasons for voting “no.”

The motion prevailed.

Senator Colbeck’s statement is as follows:

We all are fully immersed in the so-called internet of things—computers, phones, vehicles, TVs, and even refrigerators and toasters are now connected to the Internet. The benefits of our connected universe are potentially very significant. Unfortunately, there is an increasing body of evidence that suggests the health risks are very significant as well. Now, I don’t bring this concern to you lightly. I am a techie at heart. I have been an early adopter of technology ever since I was knee-high to a grasshopper. I was one of the first Internet-based telecommuters during my work on virtual reality training systems for the Department of Defense. I have boldly gone where many have not gone before as an aerospace engineer designing systems for the International Space Station. In other words, it would be extremely difficult for anyone to make the case that I am an advocate of returning to the days when we banged rocks together to make fire.

Having said that, I have serious concerns regarding evidence of adverse health impacts due to a specific class of technology wonders—wireless transmitters, especially high-frequency, high-power wireless transmitters. The most ubiquitous examples of wireless technology are cell phones, Wi-Fi routers, and smart meters. This technology is found in our homes, our workplaces, hospitals, and in our schools. For techies such as myself, it provides unparalleled convenience by connecting a growing number of devices to the internet of things.

However, it is becoming increasingly evident that this convenience comes at a price, and it comes at a price to the health of many of our citizens, most notably children, babies in the womb, and even adults who suffer from hypersensitivity to wireless transmissions. A few weeks ago, I distributed sample data to each of you from scientific studies of the effects of radio frequency emissions compiled by www.bioinitiative.org that highlight the adverse health effects of various profiles of wireless transmissions. The adverse health effects identified by these studies are very serious. These effects include cancer, neurological problems, immune system disorders, and reproductive harm. It has been demonstrated that radio frequency radiation can have adverse impacts at the cellular level including harmful mutations of human DNA. Most alarming of all is that children are most vulnerable to these adverse impacts, including children in the womb of pregnant mothers. It is for this reason that Wi-Fi in schools represents a particularly significant health risk, not just for students but also for pregnant teachers. Classrooms can have as many as one transmitter for every 10 students. Countries such as France and Israel have responded to these health concerns by passing laws restricting the use of Wi-Fi in schools. Yesterday, this body passed a suite of bills designed to protect Michigan’s children. Today, we are proposing to do the exact opposite and put our children at increased risk.

We are now discussing the deployment of 5G networks throughout our state. 5G networks operate in the 24-90 GHz spectrum. This is a much higher frequency than the current 2.4 GHz or 5 GHz frequencies found in current Wi-Fi networks. High frequency transmissions don’t travel well through solid objects so 5G will likely require one transmitter for every two to ten homes. This is a much higher density than current cell tower distribution which has already been associated with significant health care risks. This legislation makes matters worse. Under these bills, local units of government are prohibited from enacting ordinances that would provide safe havens for citizens with sensitivity to high-frequency radio frequency emissions.

In the wake of the 1996 federal Telecommunications Act, the Federal Communications Commission, not the Centers for Disease Control, is responsible for regulating human exposure standards. The FCC has established maximum power density thresholds for radio frequency emissions in the 24-90 GHz spectrum of 5G networks as 5 mW/cm². This exposure threshold is based upon thermal concerns analogous to microwave cooking but has yet to be defined on the basis of non-thermal concerns. Ionizing radiation has been proven to disrupt basic cell functions at well below the thermal thresholds promoted by the FCC. As a result, any concerns about radiation exposure are routinely greeted with the words, “emissions are well within FCC guidelines.” The issue is that these guidelines indicate acceptable radiation levels which are orders of magnitude above what has been demonstrated as safe when non-thermal effects are considered. The FCC guidelines are clearly insufficient. Many of us are rightly concerned about the hazards of cigarettes, lead levels, PFAS levels, and other harmful substances in our environment. I regret to inform you that we need to add electromagnetic radiation from wireless technology to this list.

In light of the policy initiatives before our body and our representatives in D.C. that would put our current wireless infrastructure on steroids, it is critically important that we evaluate the non-thermal health impacts of this technology before we invest billions of dollars on these systems.

Article IV, Section 51 of the Michigan Constitution states, “The public health and general welfare of the people of the state are hereby declared to be matters of primary public concern. The legislature shall pass suitable laws for the protection and promotion of the public health.” Despite the convenience and the enormous economic growth potential associated

with the internet of things, our primary concern as legislators is not convenience nor economic growth. As much as I love technology, per our Michigan Constitution, the public health and general welfare of the people of the state are supposed to be our primary concerns.

In this light, we need to proceed with caution before we fully immerse our citizens in the internet of things. I urge my colleagues to vote “no” on Senate Bill Nos. 637 and 894.

The following bill was read a third time:

Senate Bill No. 425, entitled

A bill to amend 1954 PA 116, entitled “Michigan election law,” (MCL 168.1 to 168.992) by adding section 509ii.

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. 163

Yeas—35

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

Nays—1

Colbeck

Excused—1

Casperson

Not Voting—0

In The Chair: O’Brien

The Senate agreed to the title of the bill.

Senators Ananich, Bieda, Booher, Brandenburg, Conyers, Gregory, Hansen, Hertel, Hildenbrand, Hood, Hopgood, Horn, Jones, Knezek, Knollenberg, Marleau, Meekhof, Nofs, O’Brien, Schmidt, Schuitmaker, Shirkey, Warren, Young and Zorn were named co-sponsors of the bill.

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 actually wanted to speak in support of this bill. I think it’s a great idea. In fact, I thought it was such a great idea that I introduced the same thing four times in the session, going back to 2012, 2014, 2016, and also earlier this year in 2018. I do think it’s a good bill. I’d like to see this passed. Making voting more efficient, making voting a lot easier, and registering easier is the right thing to do and I wholeheartedly support the passage of this legislation today, although I wish I had my name on it.

The following bill was read a third time:

Senate Bill No. 426, entitled

A bill to amend 1954 PA 116, entitled “Michigan election law,” by amending section 509m (MCL 168.509m), as amended by 2005 PA 71.

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. 164

Yeas—35

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

Nays—1

Colbeck

Excused—1

Casperson

Not Voting—0

In The Chair: O’Brien

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 427, entitled

A bill to amend 1954 PA 116, entitled “Michigan election law,” by amending section 509v (MCL 168.509v), as added by 1994 PA 441.

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. 165

Yeas—35

Ananich	Hertel	Kowall	Rocca
Bieda	Hildenbrand	MacGregor	Schmidt
Booher	Hood	Marleau	Schuitmaker
Brandenburg	Hopgood	Meekhof	Shirkey
Conyers	Horn	Nofs	Stamas

Emmons
Green
Gregory
Hansen

Hune
Jones
Knezek
Knollenberg

O'Brien
Pavlov
Proos
Robertson

Warren
Young
Zorn

Nays—1

Colbeck

Excused—1

Casperson

Not Voting—0

In The Chair: O'Brien

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 428, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 509t (MCL 168.509t), as amended by 2004 PA 92.

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. 166

Yeas—35

Ananich
Bieda
Booher
Brandenburg
Conyers
Emmons
Green
Gregory
Hansen

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—1

Colbeck

Excused—1

Casperson

Not Voting—0

In The Chair: O'Brien

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 429, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 509x (MCL 168.509x), as added by 1994 PA 441.

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. 167**Yeas—35**

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

Nays—1

Colbeck

Excused—1

Casperson

Not Voting—0

In The Chair: O'Brien

The Senate agreed to the title of the bill.

Protest

Senator Colbeck, under his constitutional right of protest (Art. 4, Sec. 18), protested against the passage of Senate Bill Nos. 425, 426, 427, 428, and 429 and moved that the statement he made during the discussion of Senate Bill No. 425 be printed as his reasons for voting "no."

The motion prevailed.

Senator Colbeck's statement is as follows:

I recognize that these bills are trying to provide improved convenience for voters to be able to vote in elections. My issue is that our primary concern needs to be voting integrity. As we saw in the last election, we had an issue with the recount process. A lot of those recount issues dealt with discrepancies between the ballots that we saw in the poll book and what was actually in the machine. There are a lot of vulnerabilities in our system, and there are specific firewalls that are designed to protect the integrity of that system. One of those firewalls is actually providing that ID at the time of registration. You can't do that when you're doing that online. I realize that you're supposed to be doing it before you vote, and these bills are going to go off and encourage that process, but the problem is—and what we found in that last election—is that the area where we have the biggest deficiency is on making sure that we have consistency of adherence to the process and procedures by the poll workers at certain locations—not everywhere, the majority of our poll workers are doing just fine. Where there are gaps, people can take advantage of little loopholes that are being put in place with this legislation.

It's for that reason, and the security of our voting process, that I urge a "no" vote on these bills.

By unanimous consent the Senate proceeded to the order of

Introduction and Referral of Bills

Senator Jones introduced

Senate Bill No. 903, entitled

A bill to require certain individuals to report suspected sexual assaults of postsecondary students; to provide for the protection of postsecondary students who are sexually assaulted; and to prescribe penalties.

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

Senator Jones introduced

Senate Bill No. 904, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 13p of chapter XVII (MCL 777.13p), as amended by 2016 PA 416.

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

Senator Jones introduced

Senate Bill No. 905, entitled

A bill to amend 1998 PA 386, entitled "Estates and protected individuals code," (MCL 700.1101 to 700.8206) by adding section 7509.

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

Senator Brandenburg introduced

Senate Bill No. 906, 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 bill was read a first and second time by title and referred to the Committee on Finance.

Senator Brandenburg introduced

Senate Bill No. 907, 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 bill was read a first and second time by title and referred to the Committee on Finance.

Senators Hertel, Young and MacGregor introduced

Senate Bill No. 908, entitled

A bill to authorize the state administrative board to release certain restrictions on the use of property located in Ingham County that was previously conveyed to the city of Lansing; to provide for the powers and duties of state departments, agencies, and officers in regard to the property; and to provide for the disposition of revenue from the conveyance.

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

Senators Knollenberg, Horn, Colbeck and Hansen introduced

Senate Bill No. 909, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 553a, 1231, 1233, 1233b, and 1531i (MCL 380.553a, 380.1231, 380.1233, 380.1233b, and 380.1531i), section 553a as amended by 2011 PA 277, section 1231 as amended by 2016 PA 192, section 1233 as amended by 2017 PA 151, section 1233b as amended by 1995 PA 289, and section 1531i as added by 2009 PA 202.

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

Senators Knollenberg, Horn, Colbeck and Hansen introduced

Senate Bill No. 910, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 6 and 163 (MCL 388.1606 and 388.1763), section 6 as amended by 2017 PA 108 and section 163 as amended by 2015 PA 85.

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

House Bill No. 5430, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 2266. 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 Insurance.

House Bill No. 5536, entitled

A bill to amend 1953 PA 192, entitled "An act to create a county department of veterans' affairs in certain counties, and to prescribe its powers and duties; and to transfer the powers and duties of the soldiers' relief commission in such counties," (MCL 35.621 to 35.624) by amending the title and by adding section 3a.

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 Veterans, Military Affairs and Homeland Security.

House Bill No. 5591, entitled

A bill to amend 1980 PA 299, entitled "Occupational code," by amending section 2635 (MCL 339.2635), as amended by 2008 PA 531.

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 Regulatory Reform.

House Bill No. 5618, entitled

A bill to amend 1977 PA 89, entitled "State aid to public libraries act," by amending sections 13 and 16 (MCL 397.563 and 397.566), section 16 as amended by 2001 PA 65.

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.

Statements

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

The motion prevailed.

Senator Hertel's statement is as follows:

I rise today to encourage you to co-sponsor two items that are on my desk.

The first is an amendment to our Michigan Constitution to protect Michigan's children by asserting that the child's best interests should be the focus of any child-custody or parental-rights case. Placing the child in the custody of their biological parent is not necessarily the best for them, especially when a parent is neglectful, abusive, or absent from a child's life. In parental-custody cases, too often the state is required to force reunification with biological parents without accounting for the potential impacts on the child involved.

Those of you who know me well know that I experienced this very directly. The greatest thing I've ever done in my life was adopting my son Nathan, and throughout that process, I was his father once he was three years old. I wasn't legally his father until he was six, but we had to go through a long process of terminating one parental rights in order to get there. I can tell you that my greatest fear throughout that entire process, every single day, was the fact that if something happened to my wife, that his biological father—even though he was not part of his life, even though I was the one who raised him, even though I was the one who provided for him, even though I was the one who tucked him in at night, and even though I was the one who bathed and clothed him and spent time with him every day—had more rights than I did if something were to happen. That's clearly unacceptable. Biologically having a child or putting your name on a birth certificate does not make you a mother or father. It does not make you a parent. Being there does. Loving your child does.

Over the past months in my office, I have had the privilege of working with a constituent, Elaine Hardy, who has shared her story. She's in the Gallery right now. Elaine has been a caregiver for her great-nephew Aden since shortly after his birth. Yet four years into his life, after minimal contact and having no relationship with him, Aden's mother visited and took him for ten days, leaving Elaine powerless to have him removed from her care, despite being his power of attorney and primary caregiver. Despite being his home, he was taken from her. Even after CPS found his mother's house to be uninhabitable by children—it was an uninhabitable home for children to live in—Aden was still visited weekly by his mother until a therapist determined these visits to be detrimental. This situation was nearly repeated with Aden's younger brother Asher, except his mother relinquished her rights in that scenario. This entire situation has placed an incredible amount of stress on the children caught in the middle.

While this ordeal has been undoubtedly traumatic for Aden, it is unfortunately not uncommon. It is outrageous that our state emphasizes relationships by blood at the expense of a child's well-being, even when there is, in fact, no relationship at all. As a state, we should be focused on the welfare of our children, and use that as the guiding principle in child-custody and parental-rights cases. While I recognize that some will say that reunifying children with their biological parent is in their best interests, and this might be true in some cases, this is not the case when a parent is neglectful and abusive and has demonstrated no serious commitment to forming a parental relationship. By using the child's best interests as the litmus test, our children will be better served and we will not be subjecting them to toxic situations.

In addition to this joint resolution, I am also introducing a bill which will allow unmarried people to adopt children together. Elaine's situation also demonstrated the necessity of this bill when she and her daughter attempted to adopt Aden and his brother. Because they could not adopt together, this meant that the children would either be split or be in the custody of either Elaine or her daughter. While allowing for adoption between two unmarried people would have certainly lessened the strain on Elaine's family, there are many situations where people would want to pursue this option.

I propose both this joint resolution and this bill so that we can put the children's best interests at heart in all decisions, and I ask you to support my joint resolution and this bill.

Announcements of Printing and Enrollment

The Secretary announced that the following House bills were received in the Senate and filed on Wednesday, March 14:
House Bill Nos. 5430 5536 5591 5618

The Secretary announced the enrollment printing and presentation to the Governor on Wednesday, March 14, for his approval the following bills:

Enrolled Senate Bill No. 638 at 2:04 p.m.

Enrolled Senate Bill No. 353 at 2:06 p.m.

Enrolled Senate Bill No. 442 at 2:08 p.m.

The Secretary announced that the following bills were printed and filed on Wednesday, March 14, and are available at the Michigan Legislature website:

Senate Bill No. 902

House Bill Nos. 5718 5719 5720 5721 5722 5723

Committee Reports

The Committee on Natural Resources reported

Senate Bill No. 891, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 30103 (MCL 324.30103), as amended by 2014 PA 253.

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

Phil Pavlov
Vice Chairperson

To Report Out:

Yeas: Senators 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, March 14, 2018, at 12:30 p.m., Room 1300, Binsfeld Office Building
Present: Senators Pavlov, Robertson, Stamas and Warren
Excused: Senator Casperson (C)

The Committee on Regulatory Reform reported

Senate Bill No. 826, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 16265 and 17708 (MCL 333.16265 and 333.17708), section 17708 as amended by 2016 PA 499, and by adding section 16348a and part 186.

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 and Warren
Nays: Senator Knezek
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, March 14, 2018, at 1:00 p.m., Room 1100, Binsfeld Office Building
Present: Senators Rocca (C), Jones, Knollenberg, Kowall, MacGregor, Warren and Hertel and Knezek

Scheduled Meetings

Appropriations -

Subcommittees -

Agriculture and Rural Development - Tuesday, March 20, 3:00 p.m., Rooms 402 and 403, Capitol Building (373-2768)

General Government - Thursday, March 22, 8:30 a.m., Room 1300, Binsfeld Office Building (373-2768)

Health and Human Services - Tuesday, March 20, 1:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower (373-2768)

K-12, School Aid, Education - Tuesday, March 20, 9:00 a.m. and Wednesday, March 21, 8:30 a.m., (CANCELED)
Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building (373-2768)

State Police and Military Affairs - Tuesday, March 20, 8:30 a.m., Rooms 402 and 403, Capitol Building (373-2768)

Finance - Tuesday, March 20, 2:30 p.m., Room 1100, Binsfeld Office Building (373-5312)

Senator Kowall moved that the Senate adjourn.
The motion prevailed, the time being 10:52 a.m.

The Assistant President pro tempore, Senator O'Brien, declared the Senate adjourned until Tuesday, March 20, 2018, at 10:00 a.m.

JEFFREY F. COBB
Secretary of the Senate