

No. 66
STATE OF MICHIGAN
Journal of the Senate
99th Legislature
REGULAR SESSION OF 2018

Senate Chamber, Lansing, Wednesday, September 26, 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—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

Senator John M. Proos of the 21st District offered the following invocation:

Heavenly Father, we gather today in this Senate Chamber as men and women of faith. Faith in Your most Holy Word as we seek Your providential guidance and daily protection. We recognize that without Your protection we stand at risk of the Devil and his evil intentions.

As we seek the protection of our own souls and the souls of those whom we love, we recount the prayer of Saint Michael the Archangel and seek his intercession in the protection of each of us and our families as we pray, "Saint Michael the Archangel, defend us in battle, be our protection against the malice and snares of the devil. May God rebuke him we humbly pray; and do thou, O Prince of the Heavenly host, by the power of God, thrust into hell Satan and all evil spirits who wander through the world for the ruin of souls. Amen."

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

Motions and Communications

Senator Casperson entered the Senate Chamber.

Senator Kowall moved that Senators Meekhof and Pavlov be temporarily excused from today's session. The motion prevailed.

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

The following communication was received and read:
Office of the Senate Majority Leader

September 6, 2018

Pursuant to **Executive Order 2016-18** I appoint the following person to the **Michigan PreK-12 Literacy Commission**:
Cynthia A. Pape, Director - Read Association of Saginaw County

Sincerely,
Arlan Meekhof
30th Senate District
Senate Majority Leader

The communication was referred to the Secretary for record.

The following communications were received and read:
Office of the Auditor General

September 6, 2018

Enclosed is a copy of the following report:
• Performance audit on Children's Protective Services Investigations, Michigan Department of Health and Human Services (431-1285-16).

September 13, 2018

Enclosed is a copy of the following report:
• Report on internal control, compliance, and other matters of the Michigan Military Retirement Provisions for the fiscal year ended September 30, 2017 (071-0158-18).

September 18, 2018

Enclosed is a copy of the following report:
• Performance audit report on Modernization of Legacy IT Systems, Department of Technology, Management and Budget (071-0550-17).

September 20, 2018

Enclosed is a copy of the following report:
• Performance audit report on Transport Permit Activities, Michigan Department of Transportation (591-0171-18).

Sincerely,
Doug Ringler
Auditor General

The audit reports were referred to the Committee on Government Operations.

The following communications were received and read:
Department of State

September 11, 2018

This will acknowledge receipt of the initiative petition to enact the Improved Workforce Opportunity Wage Act which would fix minimum wages for employees within this state; prohibit wage discrimination; provide for a wage deviation board; provide for the administration and enforcement of the act; prescribe penalties for the violation of the act; and supersede certain acts and parts of acts including 2015 PA 138. The initiative petition was approved by the Michigan Senate on September 5, 2018, and filed with the Department of State, Office of the Great Seal, on September 5, 2018, at 11:45 a.m. The initiative petition was approved by the Michigan House of Representatives on September 5, 2018, and filed with the Department of State, Office of the Great Seal, on September 6, 2018, at 10:30 a.m.

The initiative petition has been assigned Public Act Number 337, Public Acts of 2018.

September 11, 2018

This will acknowledge receipt of the initiative petition to provide workers with the right to earn sick time for personal or family health needs, as well as purposes related to domestic violence and sexual assault and school meetings needed as the result of a child's disability, health issues or issues due to domestic violence and sexual assault; to specify the conditions for accruing and using earned sick time; to prohibit retaliation against an employee for requesting, exercising, or enforcing rights granted in this act; to prescribe powers and duties of certain state departments, agencies, and officers; to provide for promulgation of rules; and to provide remedies and sanctions. The initiative petition was approved by the Michigan Senate on September 5, 2018, and filed with the Department of State, Office of the Great Seal, on September 5, 2018, at 11:47 a.m. The initiative petition was approved by the Michigan House of Representatives on September 5, 2018, and filed with the Department of State, Office of the Great Seal, on September 6, 2018, at 10:32 a.m.

The initiative petition has been assigned Public Act Number 338, Public Acts of 2018.

Sincerely,
Ruth Johnson
Secretary of State

The communications were referred to the Secretary for record.

The following communication was received:
Office of Senator Rebekah Warren

September 4, 2018

I would like to request to be listed as a co-sponsor of SB 940, as allowed by the Senate Rule 1.110(c).

If you have any questions or need any additional information, please do not hesitate to contact me at (517) 373-2406 or senrwarren@senate.michigan.gov.

Sincerely,
Rebekah Warren
State Senator
18th District

The communication was referred to the Secretary for record.

The following communication was received:
Office of Senator Rick Jones

September 11, 2018

Please remove my name as co-sponsor of Senate Bill 1117; a bill that would enter into the interstate compact to elect the president by national popular vote.

Sincerely,
Sen. Rick Jones
24th District

The communication was referred to the Secretary for record.

The following communications were received:
Department of State

Administrative Rules
Notices of Filing

September 11, 2018

In accordance with the provisions of Section 46 of Act No. 306 of the Public Acts of 1969, being MCL 24.246, and paragraph 16 of Executive Order 1995-6, this is to advise you that the Michigan Department of Technology, Management

and Budget and the State Office of Regulatory Reinvention filed Emergency Administrative Rule #2018-057-LR (Secretary of State Filing #18-09-01) on this date at 11:35 a.m. for the Department of Licensing and Regulatory Affairs entitled, "Medical Marihuana Facilities Licensing Act."

These rules take effect immediately upon filing with the Secretary of State and shall remain in effect for 6 months.

September 13, 2018

In accordance with the provisions of Section 46 of Act No. 306 of the Public Acts of 1969, being MCL 24.246, and paragraph 16 of Executive Order 1995-6, this is to advise you that the Michigan Department of Technology, Management and Budget and the State Office of Regulatory Reinvention filed Administrative Rule #2018-051-LR (Secretary of State Filing #18-09-02) on this date at 3:51 p.m. for the Department of Licensing and Regulatory Affairs entitled, "Employment Relations Commission - General Rules."

These rules become effective immediately upon filing with the Secretary of State unless adopted under sections 33, 44, 45a(6), or 48 of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

Sincerely,
Ruth Johnson
Secretary of State
Robin L. Houston, Departmental Supervisor
Office of the Great Seal

The communications were referred to the Secretary for record.

The following communication was received:
Office of Senator Mike Kowall

September 25, 2018

Pursuant to Senate Rule 1.110(c), I am asking that my name be removed as a co-sponsor to Senate Bill 1117.

Sincerely,
Mike Kowall
Senate Majority Floor Leader
15th District

The communication was referred to the Secretary for record.

The Secretary announced that pursuant to Rule 2.109 of the Standing Rules of the Senate, the following expense reports have been filed with the Senate Business Office for the quarter from April 1, 2018 through June 30, 2018, and are available in the Senate Business Office during business hours for public inspection:

Committee

Agriculture
Appropriations
Banking and Financial Institutions
Commerce
Economic Development and International Investment
Education
Elections and Government Reform
Energy and Technology
Families, Seniors and Human Services
Finance
Government Operations
Health Policy
Insurance
Judiciary
Local Government
Michigan Competitiveness
Natural Resources
Outdoor Recreation and Tourism
Oversight
Regulatory Reform
Transportation
Veterans, Military Affairs and Homeland Security

Chairperson

Senator Joe Hune
Senator Dave Hildenbrand
Senator Darwin Booher
Senator Wayne Schmidt
Senator Ken Horn
Senator Phil Pavlov
Senator David Robertson
Senator Mike Nofs
Senator Judy Emmons
Senator Jack Brandenburg
Senator Arlan Meekhof
Senator Mike Shirkey
Senator Joe Hune
Senator Rick Jones
Senator Dale Zorn
Senator Mike Shirkey
Senator Tom Casperson
Senator Goeff Hansen
Senator Peter MacGregor
Senator Tory Rocca
Senator Tom Casperson
Senator Margaret O'Brien

Senator Pavlov entered the Senate Chamber.

The President, Lieutenant Governor Calley, assumed the Chair.

Messages from the Governor

The following message from the Governor was received on September 12, 2018, and read:

EXECUTIVE ORDER No. 2018-9

Anti-Fraud Unit

Criminal Justice Agency

Department of Insurance and Financial Services

WHEREAS, Section 1 of Article V of the Michigan Constitution of 1963 vests the executive power of the state of Michigan in the Governor; and

WHEREAS, the Department of Insurance and Financial Services is responsible for the regulation of the insurance and financial services industries in this state; and

WHEREAS, as fraudulent activity and financial crimes in the insurance and financial services markets continues to evolve with changing regulatory practices, it is necessary for the Department of Insurance and Financial Services to have access to available tools that would greatly increase its ability to perform its statutory obligations related to the prevention, investigation and prosecution of acts of fraud in the insurance and financial services markets; and

WHEREAS, the Department of Insurance and Financial Services currently has only limited ability to conduct full and complete criminal background checks for those it regulates; and

WHEREAS, the Department of Insurance and Financial Services seeks to establish an Anti-Fraud Unit dedicated to investigating insurance and financial services fraud and obtaining the information necessary to enforce Michigan law;

NOW, THEREFORE, I, Richard D. Snyder, Governor of the State of Michigan, by virtue of the power and authority vested in the Governor by the Michigan Constitution of 1963 and the laws of the state of Michigan, order the following:

I. CREATION

A. The Director of the Department of Insurance and Financial Services (the "Department") shall create an Anti-Fraud Unit as an administrative unit within the Department.

B. The Director of the Department shall have responsibility for, and direct control of, the Anti-Fraud Unit.

C. The Director of the Department shall arrange for appropriate staffing and funding of the Anti-Fraud Unit.

II. PURPOSE

A. The Anti-Fraud Unit is a criminal justice agency and shall have full access to criminal justice information and criminal justice information systems. The Director of the Department and the Director of the Michigan State Police shall execute the appropriate agreements to adhere to state and federal laws for access to these systems. The Anti-Fraud Unit will investigate criminal and fraudulent activity related to any matter under the jurisdiction and authority of the Department pursuant to Executive Order 2013-1, including but not limited to the following:

The Insurance Code of 1956, as amended, 1956 PA 218, MCL 500.100 *et seq.*

The Worker's Disability Compensation Act of 1969, as amended, 1969 PA 317, MCL 418.101 *et seq.*

1933 PA 66, as amended, MCL 550.1 *et seq.* (governing Emergency Insurance Legislation).

The Prudent Purchaser Act, as amended, 1984 PA 233, MCL 550.51.

The Coordination of Benefits Act, as amended, 1984 PA 64, MCL 550.251 *et seq.*

1963 PA 125, as amended, MCL 550.351 *et seq.* (governing Nonprofit Dental Care Corporations).

1996 PA 386, as amended, MCL 550.521 *et seq.* (governing Viatical Settlement Contracts).

The Credit Insurance Act, as amended, 1958 PA 173, MCL 550.601 *et seq.*

The Third-Party Administrator Act, as amended, 1984 PA 281, MCL 550.901 *et seq.*

The Health Benefit Agent Act, as amended, 1986 PA 252, MCL 550.1001 *et seq.*

The Nonprofit Health Care Corporation Reform Act as amended, 1980 PA 350, MCL 550.1101 *et seq.*

The Insurance Provider Assessment Act, as amended, 2018 PA 175, MCL 550.1751 *et seq.*

The Group Health Plan Act, as amended, 1995 PA 239, MCL 550.1801 *et seq.*
 The Health Care Sharing Ministries Freedom to Share Act, as amended, 2012 PA 530, MCL 550.1861 *et seq.*
 The Patient's Right to Independent Review Act, as amended 2000 PA 251, MCL 550.1901 *et seq.*
 2006 PA 495, as amended, MCL 550.1951 *et seq.* (governing Contracts with State and Local Government Subject to Patient's Right to Independent Review Act).
 1951 PA 35, as amended, MCL 124.1 *et seq.* (governing Intergovernmental Contracts between Municipal Corporations).
 The Public Employees Health Benefit Act, as amended, 2007 PA 106, MCL 124.71 *et seq.* (known as the Public Employees Health Benefit Act).
 1977 PA 315, as amended, MCL 390.1121 *et seq.* Compiled Laws (governing the Indemnification Reserve Fund).
 The Michigan Consumer Protection Act, as amended, 1976 PA 331, MCL 445.901 *et seq.*
 The Banking Code of 1999, as amended, 1999 PA 276, MCL 487.11101 *et seq.*
 The Collective Investment Funds Act, as amended, 1941 PA 174, MCL 555.101 *et seq.*
 The Electronic Funds Transfer Act, as amended, 1978 PA 322, MCL 488.1 *et seq.*
 The Michigan BIDCO Act, as amended, 1986 PA 89, MCL 487.1101 *et seq.*
 The Savings Bank Act, as amended, 1996 PA 354, MCL 487.3101 *et seq.*
 The Credit Union Act, as amended, 2003 PA 215, MCL 490.101 *et seq.*
 1968 PA 41, as amended, MCL 490.51 *et seq.* (governing Credit Union Multiple-Party Accounts).
 1992 PA 31, as amended, MCL 490.81 *et seq.* (governing Beneficiary Accounts in Credit Unions).
 The Consumer Financial Services Act, as amended, 1988 PA 161, MCL 487.2051 *et seq.*
 The Consumer Mortgage Protection Act, as amended, 2002 PA 660, MCL 487.2051 *et seq.*
 The Mortgage, Brokers, Lenders, and Servicers Licensing Act, as amended, 1987 PA 173, MCL 445.1651 *et seq.*
 The Motor Vehicle Sales Finance Act (Ex Sess), as amended, 1950 PA 27, MCL, 492.101 *et seq.*
 The Regulatory Loan Act of 1963, as amended, 1939 PA 21, MCL 493.1 *et seq.*
 The Secondary Mortgage Loan Act, as amended, 1981 PA 125, MCL 493.51 *et seq.*
 1984 PA 379, MCL 493.101 *et seq.* (governing Credit Card Arrangements).
 The Credit Reform Act, 1995 PA 162, MCL 445.1851 *et seq.*
 The Debt Management Act, as amended, 1975 PA 148, MCL 451.411 *et seq.*
 The Deferred Presentment Service Transactions Act, as amended, 2005 PA 244, MCL 487.2121 *et seq.*
 The Guaranteed Asset Protection Waiver Act, as amended, 2009 PA 229, MCL 492.21 *et seq.*
 1977 PA 135, as amended, MCL 445.1601 *et seq.* (governing Mortgage Lending Practices).
 The Mortgage Loan Originator Licensing Act, as amended, 2009 PA 75, MCL 493.131 *et seq.*
 The Money Transmission Services Act, as amended, 2006 PA 250, MCL 487.1001 *et seq.*

B. To execute its responsibilities under this Order, the Anti-Fraud Unit may engage in any or all of the following:

1. Conduct background checks on applicants for licenses and current licensees in accordance with state and federal laws; and
2. Collect and maintain claims of criminal and fraudulent activities in the insurance and financial services industries; and
3. Investigate claims of criminal and fraudulent activity in the insurance and financial services markets that, if true, would constitute a violation of applicable state or federal law, including but not limited to: the Michigan Penal Code, the Michigan Insurance Code, the Michigan Banking Code, or the Michigan Credit Union Act; and
4. Maintain records of its criminal investigations; and
5. Share records of its investigations with other criminal justice agencies; and
6. Review information from other criminal justice agencies to assist in the enforcement and investigation of all matters under the authority of the Director of the Department of Insurance and Financial Services; and
7. Conduct outreach and coordination efforts with local and state law enforcement and regulatory agencies to promote investigation and prosecution of criminal and fraudulent activities in the insurance and financial services industries.

This Executive Order shall become effective upon filing.

[SEAL]

Given under my hand and the Great Seal of the state of Michigan this 11th day of September, in the Year of our Lord Two Thousand Eighteen.

Richard D. Snyder
Governor

By the Governor:
Ruth A. Johnson
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 28, 2018

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

Governor's Task Force on Child Abuse and Neglect

Sterling Riethman of 7181 W. Kl Avenue, Kalamazoo, Michigan 49009, county of Kalamazoo, representing adult former child victims of child abuse or neglect, filling a vacancy, is appointed for a term expiring December 31, 2018.

Rita M. Wieber of 11793 Silverspring Drive, DeWitt, Michigan 48820, county of Clinton, representing parents, succeeding Luann Forbes, is appointed for a term expiring December 31, 2019.

August 28, 2018

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

Michigan Indigent Defense Commission

Thomas P. Boyd of 280 Coppersmith Drive, Mason, Michigan 48854, county of Ingham, nominee of the Michigan Judges Association, succeeding himself, is reappointed for a term expiring April 1, 2022.

Nancy J. Diehl of 1300 E. Lafayette, No. 1206, Detroit, Michigan 48207, county of Wayne, nominee of the State Bar of Michigan, succeeding herself, is reappointed for a term expiring April 1, 2022.

James H. Fisher of 2442 Fletcher Drive, N.E., Grand Rapids, Michigan 49506, county of Kent, nominee of the Michigan Judges Association, succeeding himself, is reappointed for a term expiring April 1, 2022.

Gary Walker of 765 Lakewood Lane, Marquette, Michigan 49855, county of Marquette, representing former prosecuting attorneys or former assistant county prosecuting attorneys, succeeding himself, is reappointed for a term expiring April 1, 2022.

August 28, 2018

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

State Survey and Remonumentation Commission

Karen L. Hahn of 23851 Woodward Avenue, Big Rapids, Michigan 49307, county of Mecosta, representing grant administrators, succeeding herself, is reappointed for a term expiring October 20, 2022.

Jack N. Owens of 11777 Lancewood Drive, Roscommon, Michigan 48653, county of Roscommon, representing surveyors at large, succeeding himself, is reappointed for a term expiring October 20, 2022.

August 30, 2018

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

Board of Barber Examiners

Peter W. Dellisse of 4200 10th Street, Menominee, Michigan 49858, county of Menominee, representing barbers, succeeding Robert Morey, is appointed for a term expiring September 30, 2022.

Jeffrey Jenson of 509 N. Cedar Street, Traverse City, Michigan 49684, county of Grand Traverse, representing barbers, succeeding Jordan Dutcher, is appointed for a term expiring September 30, 2022.

August 30, 2018

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

Michigan Board of Chiropractic

Leigh Ann Elceser of 5760 Meadows Drive, Clarkston, Michigan 48348, county of Oakland, representing professionals, succeeding Thomas Klapp, is appointed for a term commencing January 1, 2019 and expiring December 31, 2022.

Ryan D. Thornton of 7302 Winter View Drive, S.W., Byron Center, Michigan 49315, county of Kent, representing professionals, succeeding Christophe Dean, is appointed for a term commencing January 1, 2019 and expiring December 31, 2022.

September 7, 2018

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

Michigan Board of Optometry

Thomas Terres of 4580 Hawk Hollow Drive, E., Bath, Michigan 48808, county of Clinton, representing the general public, succeeding Kurt Tech, is appointed for a term expiring June 30, 2022.

Sincerely,
Rick Snyder
Governor

The appointments were referred to the Committee on Government Operations.

By unanimous consent the Senate proceeded to the order of

Introduction and Referral of Bills

Senator Zorn introduced

Senate Bill No. 1120, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 40111 and 43513 (MCL 324.40111 and 324.43513), section 40111 as amended by 2015 PA 185 and section 43513 as amended by 2013 PA 108.

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

Senators Jones and Hertel introduced

Senate Bill No. 1121, entitled

A bill to promote the prompt payment for labor, materials, and services provided for the improvement of real property in the private contractual construction industry; to provide for certain contract provisions; and to provide for certain remedies and penalties.

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

Senator Jones introduced

Senate Bill No. 1122, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1176.

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

Senator Ananich introduced

Senate Bill No. 1123, entitled

A bill to amend 2014 PA 138, entitled "Workforce opportunity wage act," by amending section 4a (MCL 408.414a).

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

Senator Colbeck introduced

Senate Bill No. 1124, entitled

A bill to amend 1919 PA 419, entitled "An act to provide for the regulation and control of certain public utilities operated within this state; to create a public utilities commission and to define the powers and duties thereof; to abolish the Michigan railroad commission and to confer the powers and duties thereof on the commission hereby created; to provide for the transfer and completion of matters and proceedings now pending before said railroad commission; and to prescribe penalties for violations of the provisions hereof," by amending sections 5 and 11a (MCL 460.55 and 460.61a).

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

Senator Colbeck introduced

Senate Bill No. 1125, entitled

A bill to amend 1939 PA 3, entitled "An act to provide for the regulation and control of public and certain private utilities and other services affected with a public interest within this state; to provide for alternative energy suppliers; to provide for licensing; to include municipally owned utilities and other providers of energy under certain provisions of this act; to create a public service commission and to prescribe and define its powers and duties; to abolish the Michigan public utilities commission and to confer the powers and duties vested by law on the public service commission; to provide for the powers and duties of certain state governmental officers and entities; to provide for the continuance, transfer, and completion of certain matters and proceedings; to abolish automatic adjustment clauses; to prohibit certain rate increases without notice and hearing; to qualify residential energy conservation programs permitted under state law for certain federal exemption; to create a fund; to encourage the utilization of resource recovery facilities; to prohibit certain acts and practices of providers of energy; to allow for the securitization of stranded costs; to reduce rates; to provide for appeals; to provide appropriations; to declare the effect and purpose of this act; to prescribe remedies and penalties; and to repeal acts and parts of acts," by amending sections 6l, 6m, and 10t (MCL 460.6l, 460.6m, and 460.10t), as amended by 2016 PA 341, and by adding sections 6f, 9e, and 9g.

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

Senator Colbeck introduced

Senate Bill No. 1126, entitled

A bill to amend 1939 PA 3, entitled “An act to provide for the regulation and control of public and certain private utilities and other services affected with a public interest within this state; to provide for alternative energy suppliers; to provide for licensing; to include municipally owned utilities and other providers of energy under certain provisions of this act; to create a public service commission and to prescribe and define its powers and duties; to abolish the Michigan public utilities commission and to confer the powers and duties vested by law on the public service commission; to provide for the powers and duties of certain state governmental officers and entities; to provide for the continuance, transfer, and completion of certain matters and proceedings; to abolish automatic adjustment clauses; to prohibit certain rate increases without notice and hearing; to qualify residential energy conservation programs permitted under state law for certain federal exemption; to create a fund; to encourage the utilization of resource recovery facilities; to prohibit certain acts and practices of providers of energy; to allow for the securitization of stranded costs; to reduce rates; to provide for appeals; to provide appropriations; to declare the effect and purpose of this act; to prescribe remedies and penalties; and to repeal acts and parts of acts,” by amending sections 1 and 3 (MCL 460.1 and 460.3).

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

Senator Schmidt introduced

Senate Bill No. 1127, entitled

A bill to amend 1966 PA 331, entitled “Community college act of 1966,” by amending section 83 (MCL 389.83), as amended by 2003 PA 306.

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

Senator Colbeck introduced

Senate Bill No. 1128, entitled

A bill to amend 1939 PA 3, entitled “An act to provide for the regulation and control of public and certain private utilities and other services affected with a public interest within this state; to provide for alternative energy suppliers; to provide for licensing; to include municipally owned utilities and other providers of energy under certain provisions of this act; to create a public service commission and to prescribe and define its powers and duties; to abolish the Michigan public utilities commission and to confer the powers and duties vested by law on the public service commission; to provide for the powers and duties of certain state governmental officers and entities; to provide for the continuance, transfer, and completion of certain matters and proceedings; to abolish automatic adjustment clauses; to prohibit certain rate increases without notice and hearing; to qualify residential energy conservation programs permitted under state law for certain federal exemption; to create a fund; to encourage the utilization of resource recovery facilities; to prohibit certain acts and practices of providers of energy; to allow for the securitization of stranded costs; to reduce rates; to provide for appeals; to provide appropriations; to declare the effect and purpose of this act; to prescribe remedies and penalties; and to repeal acts and parts of acts,” (MCL 460.1 to 460.11) by adding section 10gg.

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

Senator Stamas introduced

Senate Bill No. 1129, entitled

A bill to amend 2001 PA 34, entitled “Revised municipal finance act,” by amending section 518 (MCL 141.2518), as amended by 2015 PA 46.

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

Senator Stamas introduced

Senate Bill No. 1130, entitled

A bill to amend 1996 PA 376, entitled “Michigan renaissance zone act,” by amending sections 8c and 8e (MCL 125.2688c and 125.2688e), section 8c as amended by 2006 PA 284 and section 8e as amended by 2008 PA 329.

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

The President pro tempore, Senator Schuitmaker, resumed the Chair.

Senators Bieda, Hertel and Warren introduced

Senate Bill No. 1131, entitled

A bill to amend 1974 PA 258, entitled “Mental health code,” (MCL 330.1001 to 330.2106) by adding section 901a.

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

Senator Meekhof introduced

Senate Bill No. 1132, entitled

A bill to amend 2001 PA 142, entitled "Michigan memorial highway act," (MCL 250.1001 to 250.2080) by adding section 29a.

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

House Bill No. 5376, entitled

A bill to amend 1972 PA 230, entitled "Stille-DeRossett-Hale single state construction code act," by amending section 4 (MCL 125.1504), as amended by 2012 PA 504.

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. 5640, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 670 (MCL 257.670), as amended by 2002 PA 534.

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 Transportation.

House Bill No. 5641, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," (MCL 257.1 to 257.923) by adding section 36c.

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 Transportation.

House Bill No. 5643, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 667, 668, and 669 (MCL 257.667, 257.668, and 257.669), sections 667 and 668 as amended by 2002 PA 534 and section 669 as amended by 2015 PA 128.

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 Transportation.

House Bill No. 5647, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 13521 (MCL 333.13521), as amended by 1989 PA 56, and by adding section 13527.

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 Health Policy.

House Bill No. 5836, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 44522, 80141, and 80212 (MCL 324.44522, 324.80141, and 324.80212), section 44522 as amended by 2012 PA 294 and sections 80141 and 80212 as amended by 2012 PA 120; and to repeal acts and parts of acts.

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 Outdoor Recreation and Tourism.

House Bill No. 5866, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 48703, 48705, 48710, 48711, 48712, 48721, and 48734 (MCL 324.48703, 324.48705, 324.48710, 324.48711, 324.48712, 324.48721, and 324.48734), section 48703 as amended by 2012 PA 471, sections 48705 and 48710 as amended by 2018 PA 36, sections 48711, 48712, and 48734 as added by 1995 PA 57, and section 48721 as amended by 2010 PA 30; and to repeal acts and parts of acts.

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 Outdoor Recreation and Tourism.

House Bill No. 5926, entitled

A bill to amend 1953 PA 232, entitled "Corrections code of 1953," by amending section 34d (MCL 791.234d), as amended by 2017 PA 14.

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 Judiciary.

House Bill No. 5950, entitled

A bill to amend 1846 RS 16, entitled "Of the powers and duties of townships, the election and duties of township officers, and the division of townships," (MCL 41.1a to 41.110c) by adding section 72c.

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 Local Government.

House Bill No. 5988, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 80221 (MCL 324.80221), as added by 2000 PA 229.

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 Outdoor Recreation and Tourism.

House Bill No. 5989, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 80213 (MCL 324.80213), as added by 2000 PA 229.

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 Outdoor Recreation and Tourism.

By unanimous consent the Senate returned to the order of

Resolutions

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

Senate Concurrent Resolution No. 10

Senate Resolution No. 105

Senate Concurrent Resolution No. 20

Senate Concurrent Resolution No. 21

Senate Resolution No. 153

Senate Resolution No. 149

The motion prevailed.

Senator Pavlov offered the following resolution:

Senate Resolution No. 179.

A resolution to support the right to hunt, fish, and harvest wildlife.

Whereas, The state of Michigan has a long tradition of outdoor pursuits, including hunting and fishing. Hunting and fishing are preferred means of managing wildlife through sportsmen and women's responsible use of fish and wildlife resources in this state. Hunting and fishing have a significant and positive economic impact on this state; and

Whereas, The right to hunt, fish, and harvest wildlife is a valued part of Michigan's heritage and should be forever preserved for the public good; and

Whereas, The citizens of Michigan have a right, which includes the right to use traditional methods, to hunt, fish, and harvest wildlife, subject only to the laws prescribed by the Legislature and rules prescribed by virtue of the authority of the Legislature to promote wildlife conservation and management and preserve the future of hunting and fishing; now, therefore, be it

Resolved by the Senate, That we support the right to hunt, fish, and harvest wildlife.

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 question being on the adoption of the resolution,

Senator Kowall moved that the resolution be referred to the Committee on Outdoor Recreation and Tourism.

The motion prevailed.

Senators Ananich, Brandenburg, Colbeck, Hansen, Hildenbrand, Horn, Jones, Knollenberg and Proos and were named co-sponsors of the resolution.

Senator Pavlov offered the following resolution:

Senate Resolution No. 180.

A resolution to encourage the Michigan Department of Natural Resources to eliminate the wild turkey hunting license application and drawing system and allow for wild turkey licenses to be sold over-the-counter, on a first-come, first-served basis.

Whereas, During the late 1800s, wild turkeys were disappearing in Michigan and the rest of North America due to over-hunting and destruction of habitat. Conservationists, concerned with the loss of wild turkey as well as many other species, encouraged wildlife restoration and habitat management nationwide in the late 1930s; and

Whereas, The effort to re-establish turkeys in Michigan began in earnest in the 1950s with the introduction of birds from Pennsylvania into Allegan County. In the 1980s, the Michigan Department of Natural Resources (MDNR) repopulated additional areas of the state with turkeys from Iowa and Missouri and transplanted birds from southern Michigan to northern Michigan. Special attention was also paid to restoring wild turkey habitat; and

Whereas, Today, Michigan's wild turkey population is at historic high levels with an estimated population of 200,000 with more than 30,000 wild turkeys harvested each spring. Wild turkeys can be found in every county in Michigan's Lower Peninsula and many areas of the Upper Peninsula; and

Whereas, Hunting is an important tool used by the MDNR to manage the wild turkey population. The MDNR instituted a lottery system allowing hunters to apply to hunt wild turkey in a specific hunting area on specific dates. MDNR limits the number of wild turkeys that may be harvested in any particular hunting area; and

Whereas, In the early years of the reinstated hunting season, not every hunter who participated in the wild turkey drawing was successful. However, the wild turkey population, the number of licenses made available by the MDNR, and the number of hunting areas have increased over the years. Now the MDNR regularly has leftover licenses when the wild turkey drawing is complete. These licenses are available over-the-counter to hunters on a first-come, first-served basis; and

Whereas, Over-the-counter sales eliminate the red tape involved in having to submit an application to participate in a drawing for a permit. One less step is required of the hunter in obtaining a wild turkey hunting license, providing a more convenient and efficient purchase process. With more licenses available than drawing applications, the MDNR should allow hunters to purchase one license which is good for a specific hunting unit over-the-counter until the quota of licenses for that unit is met; now, therefore, be it

Resolved by the Senate, That we encourage the Michigan Department of Natural Resources to eliminate the wild turkey hunting license application and drawing system and allow for wild turkey licenses to be sold over-the-counter, on a first-come, first-served basis; and be it further

Resolved, That copies of this resolution be transmitted to the chief of the Wildlife Division, the Director of the Michigan Department of Natural Resources and the members of the Natural Resources Commission.

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 question being on the adoption of the resolution,

Senator Kowall moved that the resolution be referred to the Committee on Outdoor Recreation and Tourism.

The motion prevailed.

Senators Brandenburg, Hansen, Horn, Knollenberg and Proos were named co-sponsors of the resolution.

Senator Stamas offered the following resolution:

Senate Resolution No. 181.

A resolution recognizing the week of September 23-29, 2018, as Michigan Independent Colleges and Universities Week.

Whereas, Michigan is home to 26 independent colleges and universities serving over 120,000 students; and

Whereas, The state's independent, nonprofit colleges and universities are delivering tremendous investment values for graduates, offering an average 11 to 1 rate of return on a bachelor's degree after just five years; and

Whereas, More than 80 percent of graduates from Michigan's independent colleges and universities choose to live and work in the state after graduation; and

Whereas, There are 39 percent of United States military veterans pursuing an undergraduate degree in Michigan; and

Whereas, A growing number of low-income students are being served by Michigan's independent, nonprofit colleges and universities, with institution-based student grants and scholarships increasing by 99 percent over the past decade; and

Whereas, Michigan's independent colleges and universities provide need-based Federal Pell grants to 45 percent of the undergraduate students; and

Whereas, The state's independent, nonprofit colleges and universities offer greater college access for women, low-income students, and nontraditional/lifelong learners; and

Whereas, Michigan's independent colleges and universities provide individualized support and customized education for all learners, both in the classroom and within the administration; and

Whereas, Michigan's 26 independent, nonprofit college and universities are a vital part of the state's economic landscape, bringing tens of thousands of skilled, educated students into the state's workforce during the past decade and giving them each higher earning potential and greater job security; now, therefore, be it

Resolved by the Senate, That the members of this legislative body recognize the week of September 23-29, 2018, as Michigan Independent Colleges and Universities Week.

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 Ananich, Bieda, Brandenburg, Colbeck, Hansen, Hildenbrand, Horn, Knollenberg, O'Brien and Proos were named co-sponsors of the resolution.

Senator Zorn offered the following resolution:

Senate Resolution No. 182.

A resolution to recognize September 22-29, 2018, as Michigan Trails Week.

Whereas, Our state's wealth of trails provides an abundance of opportunities for residents and visitors to enjoy our state's spectacular natural resources; and

Whereas, Michigan is known as the "Trails State" because of the more than 12,500 miles of designated land trails and 4,280 miles of locally-designated water trails; and

Whereas, The Great Lake to Lake Route One will be the state's first destination trail stretching from South Haven to Port Huron and has also been recognized by the Michigan Senate in Senate Resolution No. 93; and

Whereas, When ultimately completed, the Iron Belle Trail, stretching from Belle Isle in Detroit to Ironwood in the western Upper Peninsula, will also be a destination trail and one of the longest such trails in the nation; and

Whereas, Our state's trails and trail towns will be prominently featured in the new Pure Michigan Trail Designation program that will be helpful in promoting the state's specially-designated trails; and

Whereas, Michigan's trail system plays a significant role in strengthening our economy and supporting thousands of jobs, primarily through small-business owners; and

Whereas, Our state's trail system provides residents with broad access to a low-cost, accessible, and enjoyable way to improve health and reduce obesity, thereby decreasing health care costs; and

Whereas, Trail-related activities including hiking, walking, snowmobiling, running, biking, horseback riding, cross-country skiing, paddling, and using off-road vehicles are among the most popular and growing means of enjoyment of the outdoors; and

Whereas, Michigan hosts more than 5,000 miles of hiking trails designed for walkers, hikers, trail runners, and other outdoor enthusiasts to explore the state's natural areas, including 1,200 miles of the nation's longest National Scenic Trail, known as the North Country National Scenic Trail; and

Whereas, Our state is known as one of the top states for mountain biking, with an unmatched diversity of trail systems and over 1,600 miles of natural surface trails, including an International Mountain Biking Association Ride Center designation in Copper Harbor, in which many people refer to as the Mountain Biking Capital of the Midwest; and

Whereas, Michigan is also known for its vast water resources leading to significant opportunities for water trails throughout the state; and

Whereas, Local units of government and water trail organizations have formed to implement hundreds of miles of water trails that can be enjoyed by many. Statistics demonstrate that paddle-sports are one of the fastest-growing outdoor activities in the United States, attracting people of all ages and abilities, as well as water trail-tourists that contribute millions of dollars to Michigan's economy; and

Whereas, The existence of quality trails helps to strengthen the appeal of communities by boosting quality-of-life amenities that attract businesses and increase property values; and

Whereas, Trails provide alternative, scenic transportation routes that help to decrease road congestion and pollution and also serve to connect communities to each other; and

Whereas, Michigan's rich network of trails throughout the Upper and Lower Peninsulas provide residents and visitors with scenic spaces in which to explore nature, appreciate wildlife, experience solitude, or enjoy time with family and friends; now, therefore, be it

Resolved by the Senate, That the members of this legislative body hereby recognize September 22-29, 2018, as Michigan Trails Week.

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 Ananich, Bieda, Brandenburg, Hansen, Hildenbrand, Horn, Knollenberg, O'Brien and Proos were named co-sponsors of the resolution.

Senator Colbeck offered the following resolution:

Senate Resolution No. 183.

A resolution to memorialize the Michigan Public Service Commission and Michigan State Police to take steps to harden Michigan's electric grid.

Whereas, Electricity is a critically important component of modern life. A reliable power system is essential for public health and safety, a successful economy, and national security. Significant disruptions to electric service hinder communication and commerce, stall transportation, prevent the timely administration of medical care, and limit access to safe food and water; and

Whereas, Our electric grid is vulnerable to natural disasters and human-made threats. Solar storms and severe weather have the ability to knock out power for large portions of the country. Criminals, terrorists, and nation-states have also begun to target electric grids because they are vulnerable to sabotage and interrupting the distribution of power can have cataclysmic effects; and

Whereas, Michigan's electric grid needs to be protected against cyber-intrusions, physical attacks, electromagnetic events, and severe weather. Repairing the grid after an attack or weather event is costlier than taking preventative measures even without accounting for the resulting lost economic productivity, negative health impacts, and public safety consequences; and

Whereas, The Michigan Public Service Commission and Michigan State Police, as the state's public utility regulator and law enforcement and emergency management agency, have a responsibility to ensure the electric grid is protected against malicious attacks and natural disasters; now, therefore, be it

Resolved by the Senate, That we memorialize the Michigan Public Service Commission and Michigan State Police to take steps to harden Michigan's electric grid; and be it further

Resolved, That those steps should include determining the electric grid's specific vulnerabilities and how much hardening them will cost, and developing a plan to proactively protect this vital infrastructure; and be it further

Resolved, That copies of this resolution be transmitted to the commissioners of the Michigan Public Service Commission and the Director of the Michigan State Police.

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 question being on the adoption of the resolution,

Senator Kowall moved that the resolution be referred to the Committee on Energy and Technology.

The motion prevailed.

Senators Brandenburg, Hansen, Knollenberg and Proos were named co-sponsors of the resolution.

Senator Colbeck offered the following resolution:

Senate Resolution No. 184.

A resolution recognizing October 14-20, 2018, as Michigan Homeschool Week.

Whereas, Homeschooling allows parents to choose the best education path for their children; and

Whereas, Families engaged in home-based education are not dependent on public, tax-funded resources for their children's education; and

Whereas, Homeschooled children typically score 15 to 30 percentile points above public school students on standardized academic achievement tests; and

Whereas, There is an active increase in college recruitment for children who are homeschooled; and

Whereas, The home-educated are doing well, typically above average, on measures of social, emotional, and psychological development; and

Whereas, Research based on adults who were home-educated is growing. Thus far, it indicates that they vote and attend public meetings more frequently than the general population; and

Whereas, Adults who were home educated are more politically tolerant than the public schooled in the limited research done so far; now, therefore, be it

Resolved by the Senate, That members of this legislative body hereby recognize October 14-20, 2018, as Michigan Homeschool Week; and be it further

Resolved, That we call this observance to the attention of all our citizens; and be it further

Resolved, That a copy of this resolution be transmitted to the Michigan Christian Homeschool Network organization with our highest esteem.

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, Casperson, Emmons, Hansen, Hildenbrand, Jones, Kowall, MacGregor, Marleau, Nofs, O'Brien, Proos, Robertson, Schmidt, Schuitmaker, Shirkey, Stamas, Zorn, Brandenburg, Horn, Knollenberg and Pavlov were named co-sponsors of the resolution.

Senator Booher offered the following resolution:

Senate Resolution No. 185.

A resolution to recognize October 24, 2018, as National Bioenergy Day.

Whereas, Biomass power is homegrown, Michigan-made domestic energy generated from Michigan resources by Michigan workers; and

Whereas, Such power generation has provided valuable, renewable energy services to the people of the state of Michigan for more than 30 years; and

Whereas, Biomass power generation provides the state with significant renewable energy; and

Whereas, The generation of biomass power is an important employer in communities that rely on local forest resources for economic prosperity, jobs, and quality of life; and

Whereas, Biomass power generation is a baseload generation that provides significant support to the electrical grid and improves its reliability and resiliency; and

Whereas, The generation of biomass power diversifies the state's energy portfolio; and

Whereas, Biomass power generation optimizes the value of Michigan's forest resources by recovering energy from wood fiber that would otherwise go to waste; and

Whereas, Such power provides economically sound, environmentally beneficial tools for keeping Michigan forests healthy and protected from wildfire; now, therefore, be it

Resolved by the Senate, That the members of this legislative body recognize October 24, 2018, as National Bioenergy Day along with its decades of contributions to Michigan's economy, our energy portfolio, forests, and the wise management of wood wastes and byproducts in our Great Lakes State.

Pending the order that, under rule 3.204, the resolution be referred to the Committee on Government Operations, Senator Kowall moved that the rule be suspended.

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

The resolution was adopted.

Senators Bieda, Brandenburg, Hansen, Hildenbrand, Horn, Knollenberg and Proos were named co-sponsors of the resolution.

Senator Schmidt offered the following resolution:

Senate Resolution No. 186.

A resolution recognizing October 5-7, 2018, as Buy Nearby Weekend.

Whereas, Buy Nearby is an ongoing, year-round campaign launched by the Michigan Retailers Association to benefit Michigan communities and their retail businesses; and

Whereas, The campaign, now in its sixth year, encourages Michiganders to buy from retail businesses where they live, work, or visit in Michigan so more shopping dollars stay in our local communities and state economy; and

Whereas, Buy Nearby strives to instill a "Pure Michigan" feeling to the shopping experience and send the message to "Keep your money in the Mitten"; and

Whereas, Retailing is responsible for 877,000 jobs in Michigan, a number that could rise through increased local purchases; and

Whereas, If Michigan shoppers switched just one in ten of their out-of-state purchases to a Michigan retailer, it would create an additional \$1.2 billion in economic activity and nearly 10,600 new jobs, amounting to \$350 million in additional wages; and

Whereas, Each purchase made at a Michigan store keeps more money within Michigan communities, improving the vitality of Michigan's local economies and the quality of life, and directly supports our communities, our schools, and our infrastructure; and

Whereas, The year-round Buy Nearby campaign has designated October 5-7, 2018, as Buy Nearby Weekend, a three-day observance to celebrate local communities and their retail businesses; and

Whereas, Communities and retailers are encouraged to offer special events and other promotions to encourage local shopping and stimulate Michigan's economy on Buy Nearby Weekend; and

Whereas, Residents are encouraged to shop with family and friends and support their communities and local retailers by posting photos and comments on social media; and

Whereas, Buy Nearby Weekend will demonstrate that buying nearby can be fun and rewarding; now, therefore, be it

Resolved by the Senate, That members of this legislative body hereby recognize October 5-7, 2018, Buy Nearby Weekend; and be it further

Resolved, That the people of the state of Michigan are encouraged to buy nearby on these three days and every day.

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 Ananich, Bieda, Hansen, Hildenbrand, Horn, Jones, Knollenberg, O'Brien and Proos were named co-sponsors of the resolution.

Senator Stamas offered the following resolution:

Senate Resolution No. 187.

A resolution recognizing September 2018 as Family Meals Month.

Whereas, Family Meals Month is a national effort to encourage families to pledge to share more meals at home per week; and

Whereas, Family meals are fun, affordable, and healthier than other dining options; and

Whereas, Ninety-two percent of United States consumers say they want to eat healthier meals, yet only 30 percent of American families share dinner every night; and

Whereas, Conversations around dinner tables establish closer relationships and increase parental involvement; and

Whereas, Regular family meals are linked to kids earning higher grades, improving self-esteem, and resisting negative peer pressure; and

Whereas, With each additional family meal shared each week, adolescents are less likely to show symptoms of violence, depression, and suicide, and less likely to use or abuse drugs, run away, or engage in risky behaviors; and

Whereas, Children who grow up sharing family meals are more likely to exhibit prosocial behavior as adults, such as sharing, fairness and respect; and

Whereas, Kids and teens who share meals with their family three or more times per week are significantly less likely to be overweight, more likely to eat healthy foods, and less likely to have eating disorders; and

Whereas, Ninety percent of supermarkets offer fresh and prepared foods, 95 percent offer cooking demos, 86 percent offer cooking classes, and 100 percent offer recipes and meal ideas; now, therefore, be it

Resolved by the Senate, That the members of this legislative body hereby recognize September 2018 as Family Meals Month; and be it further

Resolved, That the people of the state of Michigan are encouraged to add one more family meal per week during this month and throughout the year.

Pending the order that, under rule 3.204, the resolution be referred to the Committee on Government Operations,

Senator Kowall moved that the rule be suspended.

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

The resolution was adopted.

Senators Bieda, Brandenburg, Hansen, Hildenbrand, Horn, Knollenberg, O'Brien and Proos were named co-sponsors of the resolution.

Senators Young and Hertel offered the following resolution:

Senate Resolution No. 188.

A resolution to declare September 25, 2018, as Youth Consent Day.

Whereas, One in five women, at least six percent of men, and over 40 percent of members of the LGBT community enrolled in a Michigan college or university will be sexually assaulted during their time as a student; and

Whereas, Forty-eight percent of middle and high school students between the ages of 12 and 18 reported being sexually harassed at school; and

Whereas, Nearly half of bisexual women who are rape survivors experienced their first rape between ages 11 and 17; and

Whereas, An estimated 80 percent of sexual assaults are not reported when the victim is a college-age female student; and

Whereas, Although the majority of 7th-12th grade girls say that harassment regularly happens and hurts their ability to learn, only 80 percent of U.S. schools report zero percent harassment; and

Whereas, Fewer than 25 percent of women on college campuses who experience rape describe the event as rape; and

Whereas, Young female victims of nonconsensual sexual acts are more likely to experience depression, Posttraumatic stress disorder, self-blame, and alcohol and/or drug abuse; and

Whereas, Despite the existence of nationwide sexual assault prevention programs and the passage of the Campus Sexual Violence Elimination (Campus SaVE) Act by Congress, there is no Michigan-specific awareness day focusing on the issue and importance of consent; and

Whereas, Sexual assault education on college campuses has been shown to increase bystander intervention to prevent sexual assault, improve outcomes for individuals at risk, and increase pro-social attitudes and opposition to rape; and

Whereas, Approximately 25.3 percent of rapes occur due to a personal matter, and the closer the relationship between the female victim and the offender, the less likely the rape will be reported; and

Whereas, Almost 67 percent of sexual assaults are committed by someone known to the victim; and

Whereas, Sexual assaults on college campuses are most likely to occur during the first three months of the school year. Nonconsensual sexual activity is equivalent to sexual assault; now, therefore, be it

Resolved by the Senate, That the members of this legislative body declare September 25, 2018, as Youth Consent Day.

Pursuant to rule 3.204, the resolution was referred to the Committee on Government Operations.

Senator Bieda was named co-sponsor of the resolution.

Senate Concurrent Resolution No. 36.

A concurrent resolution of tribute offered as a memorial for Patricia L. Birkholz, former member of the House of Representatives and the Senate.

(For text of resolution, see Senate Journal No. 64, p. 1590.)

The House of Representatives has adopted the concurrent resolution. The Speaker and the entire membership of the House of Representatives were named co-sponsors.

The concurrent resolution was referred to the Secretary for record.

Senate Concurrent Resolution No. 37.

A concurrent resolution prescribing the legislative schedule.

(For text of resolution, see Senate Journal No. 64, p. 1656.)

The House of Representatives has adopted the concurrent resolution.

The concurrent resolution was referred to the Secretary for record.

By unanimous consent the Senate returned to the order of

Motions and Communications

Senator Kowall moved that rule 2.106 be suspended to allow committees to meet during Senate session. The motion prevailed, a majority of the members serving voting therefor.

Recess

Senator Kowall moved that the Senate recess until 1:00 p.m.

The motion prevailed, the time being 10:32 a.m.

The Senate reconvened at the expiration of the recess and was called to order by the President pro tempore, Senator Schuitmaker.

During the recess, Senator Young entered the Senate Chamber.

Senator Kowall moved that Senator Brandenburg be excused from the balance of today's session.

The motion prevailed.

Recess

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

The motion prevailed, the time being 1:01 p.m.

1:06 p.m.

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

Recess

Senator Kowall moved that the Senate recess until 1:35 p.m.

The motion prevailed, the time being 1:07 p.m.

The Senate reconvened at the expiration of the recess and was called to order by the President pro tempore, Senator Schuitmaker.

During the recess, Senator Ananich entered the Senate Chamber.

Recess

Senator Kowall moved that the Senate recess until 2:00 p.m.
The motion prevailed, the time being 1:36 p.m.

The Senate reconvened at the expiration of the recess and was called to order by the President pro tempore, Senator Schuitmaker.

Recess

Senator Kowall moved that the Senate recess subject to the call of the Chair.
The motion prevailed, the time being 2:01 p.m.

3:07 p.m.

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

During the recess, Senator Meekhof entered the Senate Chamber.

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

House Bill No. 5902

House Bill No. 4668

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

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 pro tempore, Senator Schuitmaker, designated Senator Warren 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:

Senate Bill No. 703, entitled

A bill to amend 2007 PA 25, entitled "Convention and tourism promotion act," by amending the title and section 2 (MCL 141.1322) and by adding sections 1a, 7a, and 7b.

Senate Bill No. 704, entitled

A bill to amend 2010 PA 254, entitled "Regional convention and tourism promotion act," by amending the title and section 2 (MCL 141.1432) and by adding sections 1a, 6a, and 6b.

Senate Bill No. 705, entitled

A bill to amend 1989 PA 244, entitled "Regional tourism marketing act," by amending the title and section 2 (MCL 141.892) and by adding sections 1a, 7a, and 7b.

Senate Bill No. 706, entitled

A bill to amend 1980 PA 383, entitled "Convention and tourism marketing act," by amending the title and sections 2 and 7 (MCL 141.882 and 141.887) and by adding sections 1a, 7a, and 7b.

Senate Bill No. 707, entitled

A bill to amend 1980 PA 395, entitled "Community convention or tourism marketing act," by amending the title and section 2 (MCL 141.872), the title as amended by 1984 PA 59 and section 2 as amended by 2010 PA 82, and by adding sections 1a, 7a, and 7b.

House Bill No. 5403, entitled

A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending section 17b of chapter XIA (MCL 712A.17b), as amended by 2002 PA 625.

Senate Bill No. 974, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16x of chapter XVII (MCL 777.16x), as amended by 2012 PA 323.

Senate Bill No. 1023, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 248 (MCL 257.248), as amended by 2016 PA 425, and by adding section 248l.

Senate Bill No. 917, entitled

A bill to amend 2016 PA 436, entitled "Unmanned aircraft systems act," by amending section 21 (MCL 259.321).

Senate Bill No. 918, entitled

A bill to amend 2016 PA 436, entitled "Unmanned aircraft systems act," by amending section 3 (MCL 259.303) and by adding section 30.

Senate Bill No. 919, entitled

A bill to amend 2016 PA 436, entitled "Unmanned aircraft systems act," (MCL 259.301 to 259.331) by adding section 20.

Senate Bill No. 960, entitled

A bill to amend 2001 PA 142, entitled "Michigan memorial highway act," (MCL 250.1001 to 250.2080) by adding section 21a.

House Bill No. 5923, entitled

A bill to amend 2001 PA 142, entitled "Michigan memorial highway act," (MCL 250.1001 to 250.2080) by adding section 18a.

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. 5402, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 2163a (MCL 600.2163a), as amended by 2012 PA 170.

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.

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:

Senate Bill No. 973, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 478a (MCL 750.478a), as added by 1998 PA 360.

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.

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:

House Bill No. 4887, entitled

A bill to amend 1917 PA 273, entitled "An act to regulate and license pawnbrokers in certain governmental units of this state; and to prescribe certain powers and duties of certain local governmental units and state agencies," by amending

the title and section 10 (MCL 446.210), the title as amended by 2002 PA 469 and section 10 as amended by 1998 PA 233, and by adding section 12.

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.

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:
House Bill No. 5181, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 252a, 252f, and 252g (MCL 257.252a, 257.252f, and 257.252g), section 252a as amended by 2015 PA 48, section 252f as amended by 2008 PA 539, and section 252g as amended by 2012 PA 498.

Substitute (S-2).

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.

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:
Senate Bill No. 921, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 45a.

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.

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:
Senate Bill No. 922, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16b of chapter XVII (MCL 777.16b), as amended by 2017 PA 30.

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.

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:
House Bill No. 5766, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 698 and 717 (MCL 257.698 and 257.717), section 698 as amended by 2017 PA 37 and section 717 as amended by 2014 PA 391.

Substitute (S-4).

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.

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:
House Bill No. 4668, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending sections 221 and 543 (MCL 436.1221 and 436.1543), section 543 as amended by 2016 PA 434, and by adding section 303a.

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.

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:
House Bill No. 5902, entitled

A bill to amend 1939 PA 3, entitled "An act to provide for the regulation and control of public and certain private utilities and other services affected with a public interest within this state; to provide for alternative energy suppliers; to provide for licensing; to include municipally owned utilities and other providers of energy under certain provisions of this act; to create a public service commission and to prescribe and define its powers and duties; to abolish the Michigan public utilities commission and to confer the powers and duties vested by law on the public service commission; to

provide for the powers and duties of certain state governmental officers and entities; to provide for the continuance, transfer, and completion of certain matters and proceedings; to abolish automatic adjustment clauses; to prohibit certain rate increases without notice and hearing; to qualify residential energy conservation programs permitted under state law for certain federal exemption; to create a fund; to encourage the utilization of resource recovery facilities; to prohibit certain acts and practices of providers of energy; to allow for the securitization of stranded costs; to reduce rates; to provide for appeals; to provide appropriations; to declare the effect and purpose of this act; to prescribe remedies and penalties; and to repeal acts and parts of acts,” (MCL 460.1 to 460.11) by adding section 10gg.

Substitute (S-1).

The Senate agreed to the substitute recommended by the Committee of the Whole, and the bill as substituted was placed on the order of Third Reading of Bills.

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

Senator Kowall moved that the rules be suspended and that the following bills, now on the order of Third Reading of Bills, be placed on their immediate passage:

House Bill No. 5902
Senate Bill No. 973
Senate Bill No. 974
House Bill No. 4668
Senate Bill No. 703
Senate Bill No. 704
Senate Bill No. 705
Senate Bill No. 706
Senate Bill No. 707
House Bill No. 5402
House Bill No. 5403
Senate Bill No. 1023
House Bill No. 4887
House Bill No. 5181
Senate Bill No. 917
Senate Bill No. 918
Senate Bill No. 919
Senate Bill No. 921
Senate Bill No. 922
Senate Bill No. 960
House Bill No. 5766

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

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

House Bill No. 4350
House Bill No. 4351
Senate Bill No. 821
House Bill No. 5902
Senate Bill No. 973
Senate Bill No. 974
House Bill No. 4668
Senate Bill No. 703
Senate Bill No. 704
Senate Bill No. 705
Senate Bill No. 706
Senate Bill No. 707
House Bill No. 5402
House Bill No. 5403
Senate Bill No. 1023
House Bill No. 4887
House Bill No. 5181

Senate Bill No. 917
Senate Bill No. 918
Senate Bill No. 919
Senate Bill No. 921
Senate Bill No. 922
Senate Bill No. 960
House Bill No. 5766

The motion prevailed.

The following bill was read a third time:

House Bill No. 4350, entitled

A bill to amend 1937 PA 94, entitled "Use tax act," by amending section 4k (MCL 205.94k), as amended by 2012 PA 429.

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. 561

Yeas—36

Ananich	Hansen	Knollenberg	Robertson
Bieda	Hertel	Kowall	Rocca
Booher	Hildenbrand	MacGregor	Schmidt
Casperson	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

Brandenburg

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 levy, assessment, and collection of a specific excise tax on the storage, use, or consumption in this state of tangible personal property and certain services; to appropriate the proceeds of that tax; to prescribe penalties; and to make appropriations,".

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 4351, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 4x (MCL 205.54x), as amended by 2009 PA 53.

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. 562**Yeas—36**

Ananich	Hansen	Knollenberg	Robertson
Bieda	Hertel	Kowall	Rocca
Booher	Hildenbrand	MacGregor	Schmidt
Casperson	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**

Brandenburg

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 raising of additional public revenue by prescribing certain specific taxes, fees, and charges to be paid to the state for the privilege of engaging in certain business activities; to provide, incident to the enforcement thereof, for the issuance of licenses to engage in such occupations; to provide for the ascertainment, assessment and collection thereof; to appropriate the proceeds thereof; and to prescribe penalties for violations of the provisions of this act.”

The Senate agreed to the full title.

The following bill was read a third time:

Senate Bill No. 821, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending section 803e (MCL 257.803e), as amended by 2011 PA 46.

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. 563**Yeas—36**

Ananich	Hansen	Knollenberg	Robertson
Bieda	Hertel	Kowall	Rocca
Booher	Hildenbrand	MacGregor	Schmidt
Casperson	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

Brandenburg

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. 5902, entitled

A bill to amend 1939 PA 3, entitled “An act to provide for the regulation and control of public and certain private utilities and other services affected with a public interest within this state; to provide for alternative energy suppliers; to provide for licensing; to include municipally owned utilities and other providers of energy under certain provisions of this act; to create a public service commission and to prescribe and define its powers and duties; to abolish the Michigan public utilities commission and to confer the powers and duties vested by law on the public service commission; to provide for the powers and duties of certain state governmental officers and entities; to provide for the continuance, transfer, and completion of certain matters and proceedings; to abolish automatic adjustment clauses; to prohibit certain rate increases without notice and hearing; to qualify residential energy conservation programs permitted under state law for certain federal exemption; to create a fund; to encourage the utilization of resource recovery facilities; to prohibit certain acts and practices of providers of energy; to allow for the securitization of stranded costs; to reduce rates; to provide for appeals; to provide appropriations; to declare the effect and purpose of this act; to prescribe remedies and penalties; and to repeal acts and parts of acts,” (MCL 460.1 to 460.11) by adding section 10gg.

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. 564

Yeas—35

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

Brandenburg

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.
The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 973, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending section 478a (MCL 750.478a), as added by 1998 PA 360.

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. 565**Yeas—34**

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

Nays—2

Colbeck	Young
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Excused—1

Brandenburg

Not Voting—0

In The Chair: Schuitmaker

The Senate agreed to the title of the bill.

Senators Ananich, Bieda, Booher, Caspersion, Hansen, Hildenbrand, Hood, Horn, Knollenberg, Kowall, MacGregor, Nofs, O’Brien, Pavlov, Proos, Robertson, Schmidt, Schuitmaker, Young and Zorn were named co-sponsors of the bill.

The following bill was read a third time:

Senate Bill No. 974, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 16x of chapter XVII (MCL 777.16x), as amended by 2012 PA 323.

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. 566**Yeas—35**

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

Brandenburg

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. 4668, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 221 (MCL 436.1221), as amended by 2018 PA 155, and by adding section 914b.

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. 567**Yeas—35**

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

Nays—1

Young

Excused—1

Brandenburg

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 create a commission for the control of the alcoholic beverage traffic within this state, and to prescribe its powers, duties, and limitations; to provide for powers and duties for certain state departments and agencies; to impose certain taxes for certain purposes; to provide for the control of the alcoholic liquor traffic within this state and to provide for the power to establish state liquor stores; to prohibit the use of certain devices for the dispensing of alcoholic vapor; to provide for the care and treatment of alcoholics; to provide for the incorporation of farmer cooperative wineries and the granting of certain rights and privileges to those cooperatives; to provide for the licensing and taxation of activities regulated under this act and the disposition of the money received under this act; to prescribe liability for retail licensees under certain circumstances and to require security for that liability; to provide procedures, defenses, and remedies regarding violations of this act; to provide for the enforcement and to prescribe penalties for violations of this act; to provide for allocation of certain funds for certain purposes; to provide for the confiscation and disposition of property seized under this act; to provide referenda under certain circumstances; and to repeal acts and parts of acts.”.

The Senate agreed to the full title.

Protest

Senator Young, under his constitutional right of protest (Art. 4, Sec. 18), protested against the passage of House Bill No. 4668 and moved that the statement he made during the discussion of the bill be printed as his reasons for voting “no.”

The motion prevailed.

Senator Young’s statement is as follows:

Madam President, I rise in opposition to this bill. Whether you support legalization of marihuana or not—I think everybody here knows that I do—to ban this in drinks is absurd. How can you say that we’re going to ban marihuana-infused drinks when alcohol is legal and is clearly more dangerous? Forty-six thousand people die from alcohol ingestion a year. Do you want to know how many people die from marihuana? Zero. None.

Now look, I’m not saying that marihuana isn’t dangerous, it is. It has some side effects, but it is safer than what is currently legal. The fact that you have people who have been arrested for this—you have over 700,000 arrests for simple possession in American ever year. Two hundred and fifty thousand people are denied college loans just because of arrests for marihuana possession every year. The prison-industrial complex is growing. You have more African Americans who are in prison now than were in slavery during the 1850s because of this failed drug war. It is time to end this. Enough is enough.

I don’t understand the purpose of this. I don’t understand why we’re doing this. I don’t understand what the benefit from this is going to be. The mantra of the other side, that tired, worn out, same old—how do you not get tired of saying the same thing? Because I’m tired of hearing it—that somehow this is going to be about morality. When did it become moral to lock up people for possession of a plant that has medical benefits that you can’t die from? This is ridiculous. Enough is enough.

Let’s let the people decide whether or not they want to free the weed and how they want to do that, not politicians. Thank you and I encourage everybody to vote this down and let the people decide.

The following bill was read a third time:

Senate Bill No. 703, entitled

A bill to amend 2007 PA 25, entitled “Convention and tourism promotion act,” by amending the title and section 2 (MCL 141.1322) and by adding sections 1a, 7a, and 7b.

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. 568**Yeas—29**

Ananich	Hansen	Jones	Proos
Bieda	Hertel	Knezek	Robertson
Booher	Hildenbrand	Kowall	Schmidt
Casperson	Hood	MacGregor	Stamas
Conyers	Hopgood	Marleau	Warren
Emmons	Horn	Meekhof	Young
Green	Hune	Nofs	Zorn
Gregory			

Nays—7

Colbeck	O'Brien	Rocca	Shirkey
Knollenberg	Pavlov	Schuitmaker	

Excused—1

Brandenburg

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. 704, entitled

A bill to amend 2010 PA 254, entitled "Regional convention and tourism promotion act," by amending the title and section 2 (MCL 141.1432) and by adding sections 1a, 6a, and 6b.

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. 569**Yeas—28**

Ananich	Hansen	Jones	Proos
Booher	Hertel	Knezek	Robertson
Casperson	Hildenbrand	Kowall	Schmidt
Conyers	Hood	MacGregor	Stamas
Emmons	Hopgood	Marleau	Warren
Green	Horn	Meekhof	Young
Gregory	Hune	Nofs	Zorn

Nays—8

Bieda	Knollenberg	Pavlov	Schuitmaker
Colbeck	O'Brien	Rocca	Shirkey

Excused—1

Brandenburg

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. 705, entitled

A bill to amend 1989 PA 244, entitled “Regional tourism marketing act,” by amending the title and section 2 (MCL 141.892) and by adding sections 1a, 7a, and 7b.

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. 570

Yeas—28

Ananich	Gregory	Hune	Proos
Bieda	Hansen	Jones	Robertson
Booher	Hertel	Knezek	Schmidt
Casperson	Hildenbrand	MacGregor	Stamas
Conyers	Hood	Marleau	Warren
Emmons	Hopgood	Meekhof	Young
Green	Horn	Nofs	Zorn

Nays—8

Colbeck	Kowall	Pavlov	Schuitmaker
Knollenberg	O’Brien	Rocca	Shirkey

Excused—1

Brandenburg

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. 706, entitled

A bill to amend 1980 PA 383, entitled “Convention and tourism marketing act,” by amending the title and sections 2 and 7 (MCL 141.882 and 141.887) and by adding sections 1a, 7a, and 7b.

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. 571**Yeas—27**

Ananich	Gregory	Hune	Robertson
Bieda	Hansen	Jones	Schmidt
Booher	Hertel	Knezek	Stamas
Casperson	Hildenbrand	MacGregor	Warren
Conyers	Hood	Meekhof	Young
Emmons	Hopgood	Nofs	Zorn
Green	Horn	Proos	

Nays—9

Colbeck	Marleau	Pavlov	Schuitmaker
Knollenberg	O'Brien	Rocca	Shirkey
Kowall			

Excused—1

Brandenburg

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. 707, entitled

A bill to amend 1980 PA 395, entitled "Community convention or tourism marketing act," by amending the title and section 2 (MCL 141.872), the title as amended by 1984 PA 59 and section 2 as amended by 2010 PA 82, and by adding sections 1a, 7a, and 7b.

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. 572**Yeas—27**

Ananich	Gregory	Hune	Robertson
Bieda	Hansen	Jones	Schmidt
Booher	Hertel	Knezek	Stamas
Casperson	Hildenbrand	MacGregor	Warren
Conyers	Hood	Meekhof	Young
Emmons	Hopgood	Nofs	Zorn
Green	Horn	Proos	

Nays—9

Colbeck	Marleau	Pavlov	Schuitmaker
Knollenberg	O'Brien	Rocca	Shirkey
Kowall			

Excused—1

Brandenburg

Not Voting—0

In The Chair: Schuitmaker

The Senate agreed to the title of the bill.

Senator Kowall moved to reconsider the vote by which the following bill was passed:

Senate Bill No. 704, entitled

A bill to amend 2010 PA 254, entitled “Regional convention and tourism promotion act,” by amending the title and section 2 (MCL 141.1432) and by adding sections 1a, 6a, and 6b.

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

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. 573

Yeas—27

Ananich	Gregory	Hune	Robertson
Bieda	Hansen	Jones	Schmidt
Booher	Hertel	Knezek	Stamas
Casperson	Hildenbrand	MacGregor	Warren
Conyers	Hood	Meekhof	Young
Emmons	Hopgood	Nofs	Zorn
Green	Horn	Proos	

Nays—9

Colbeck	Marleau	Pavlov	Schuitmaker
Knollenberg	O’Brien	Rocca	Shirkey
Kowall			

Excused—1

Brandenburg

Not Voting—0

In The Chair: Schuitmaker

The following bill was read a third time:

House Bill No. 5402, entitled

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending section 2163a (MCL 600.2163a), as amended by 2018 PA 282.

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. 574**Yeas—36**

Ananich	Hansen	Knollenberg	Robertson
Bieda	Hertel	Kowall	Rocca
Booher	Hildenbrand	MacGregor	Schmidt
Casperson	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**

Brandenburg

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 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:

House Bill No. 5403, entitled

A bill to amend 1939 PA 288, entitled “Probate code of 1939,” by amending section 17b of chapter XIIA (MCL 712A.17b), as amended by 2002 PA 625.

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. 575**Yeas—36**

Ananich	Hansen	Knollenberg	Robertson
Bieda	Hertel	Kowall	Rocca
Booher	Hildenbrand	MacGregor	Schmidt
Casperson	Hood	Marleau	Schuitmaker
Colbeck	Hopgood	Meekhof	Shirkey
Conyers	Horn	Nofs	Stamas

Emmons
Green
Gregory

Hune
Jones
Knezek

O'Brien
Pavlov
Proos

Warren
Young
Zorn

Nays—0

Excused—1

Brandenburg

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 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.”

The Senate agreed to the full title.

The following bill was read a third time:

Senate Bill No. 1023, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending section 248 (MCL 257.248), as amended by 2016 PA 425, and by adding section 248*l*.

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. 576

Yeas—35

Ananich
Bieda
Booher
Casperson
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

Brandenburg

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. 4887, entitled

A bill to amend 1917 PA 273, entitled “An act to regulate and license pawnbrokers in certain governmental units of this state; and to prescribe certain powers and duties of certain local governmental units and state agencies,” by amending the title and sections 9, 10, and 11 (MCL 446.209, 446.210, and 446.211), the title as amended by 2002 PA 469, sections 9 and 11 as amended by 2004 PA 585, and section 10 as amended by 1998 PA 233, and by adding section 12.

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. 577**Yeas—35**

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

Brandenburg

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.

The Senate agreed to the title of the bill.

The following bill was read a third time:

House Bill No. 5181, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 252a, 252f, and 252g (MCL 257.252a, 257.252f, and 257.252g), section 252a as amended by 2015 PA 48, section 252f as amended by 2008 PA 539, and section 252g as amended by 2012 PA 498.

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. 578

Yeas—36

Ananich	Hansen	Knollenberg	Robertson
Bieda	Hertel	Kowall	Rocca
Booher	Hildenbrand	MacGregor	Schmidt
Casperson	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

Brandenburg

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 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."

The Senate agreed to the full title.

The following bill was read a third time:

Senate Bill No. 917, entitled

A bill to amend 2016 PA 436, entitled “Unmanned aircraft systems act,” by amending section 21 (MCL 259.321).

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. 579

Yeas—36

Ananich	Hansen	Knollenberg	Robertson
Bieda	Hertel	Kowall	Rocca
Booher	Hildenbrand	MacGregor	Schmidt
Casperson	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

Brandenburg

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. 918, entitled

A bill to amend 2016 PA 436, entitled “Unmanned aircraft systems act,” by amending section 3 (MCL 259.303) and by adding section 30.

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. 580

Yeas—36

Ananich	Hansen	Knollenberg	Robertson
Bieda	Hertel	Kowall	Rocca
Booher	Hildenbrand	MacGregor	Schmidt
Casperson	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

Brandenburg

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. 919, entitled

A bill to amend 2016 PA 436, entitled “Unmanned aircraft systems act,” (MCL 259.301 to 259.331) by adding section 20.

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. 581

Yeas—36

Ananich	Hansen	Knollenberg	Robertson
Bieda	Hertel	Kowall	Rocca
Booher	Hildenbrand	MacGregor	Schmidt
Casperson	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

Brandenburg

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. 921, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” (MCL 750.1 to 750.568) by adding section 45a.

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. 582**Yeas—36**

Ananich	Hansen	Knollenberg	Robertson
Bieda	Hertel	Kowall	Rocca
Booher	Hildenbrand	MacGregor	Schmidt
Casperson	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**

Brandenburg

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. 922, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16b of chapter XVII (MCL 777.16b), as amended by 2017 PA 30.

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. 583**Yeas—36**

Ananich	Hansen	Knollenberg	Robertson
Bieda	Hertel	Kowall	Rocca
Booher	Hildenbrand	MacGregor	Schmidt
Casperson	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**

Brandenburg

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. 960, entitled

A bill to amend 2001 PA 142, entitled “Michigan memorial highway act,” (MCL 250.1001 to 250.2080) by adding section 21a.

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. 584**Yeas—36**

Ananich	Hansen	Knollenberg	Robertson
Bieda	Hertel	Kowall	Rocca
Booher	Hildenbrand	MacGregor	Schmidt
Casperson	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**

Brandenburg

Not Voting—0

In The Chair: Schuitmaker

The Senate agreed to the title of the bill.

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

The motion prevailed.

Senator MacGregor’s statement is as follows:

I have Senator Green and Senator Ananich here with me to help me honor the sacrifice of Trooper O’Neill.

Trooper O’Neill was a Michigan State Trooper and was killed about a year ago—September 20, 2017—while on duty in a motorcycle accident. He was supposed to be married about 15 days later to his fiancée Carli Hicks. Carli is from Burton and that’s Senator Ananich’s district, and he’s helping me out here. Trooper O’Neill is survived by his parents Mike and Kris O’Neill, his sister Sara, and his twin brother Brian, and they’re from Metamora and that’s in Senator Green’s district.

The three of us want to make sure that we take Senate Bill No. 960 very seriously because it’s designating a portion of M-44 in Kent County as the Michigan State Trooper Timothy O’Neill Memorial Highway. He was one of those heroes—one of those first responders—and he certainly lost his life way too soon. So, by naming this highway in his honor, I hope that we remember his life and his service to the state of Michigan. I hope everybody can get behind Senate Bill No. 960 in the memory of Trooper O’Neill.

The following bill was read a third time:

House Bill No. 5766, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending sections 224, 226, 698, 717, and 808 (MCL 257.224, 257.226, 257.698, 257.717, and 257.808), section 224 as amended by 2013 PA 179, section 226 as amended by 2016 PA 425, section 698 as amended by 2018 PA 278, and section 717 as amended by 2018 PA 273; 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. 585

Yeas—36

Ananich	Hansen	Knollenberg	Robertson
Bieda	Hertel	Kowall	Rocca
Booher	Hildenbrand	MacGregor	Schmidt
Casperson	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

Brandenburg

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 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.”. The Senate agreed to the full title.

By unanimous consent the Senate returned to the order of

Resolutions

Senator Kowall offered the following concurrent resolution:

Senate Concurrent Resolution No. 38.

A concurrent resolution prescribing the legislative schedule.

Resolved by the Senate (the House of Representatives concurring), That when the Senate adjourns on Wednesday, September 26, 2018, it stands adjourned until Tuesday, October 2, 2018, at 10:00 a.m.; and when it adjourns on Tuesday, October 2, 2018, it stands adjourned until Wednesday, October 17, 2018, at 10:00 a.m.; and when it adjourns on Wednesday, October 17, 2018, it stands adjourned until Wednesday, November 7, 2018, at 10:00 a.m.

Resolved, that when the House of Representatives adjourns on Thursday, October 4, 2018, it stands adjourned until Wednesday October 17, 2018 at 1:30 p.m.; and when it adjourns on Wednesday, October 17, 2018, it stands adjourned until Wednesday, November 7, 2018, at 1:30 p.m.

Pending the order that, under rule 3.204, the concurrent 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 concurrent resolution was adopted.

By unanimous consent the Senate returned to the order of

Motions and Communications

Senator Kowall moved that, pursuant to rule 1.114, upon receipt of Senate bills returned from the House of Representatives, the Secretary of the Senate be directed to proceed with the enrollment printing and presentation of the bills to the Governor.

The motion prevailed.

By unanimous consent the Senate proceeded to the order of

Statements

Senators Proos, Bieda, Hood and Colbeck asked and was granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator Proos' statement is as follows:

Unfortunately, at this moment of Statements in our session today, I bring another sad note from Southwest Michigan. Earlier this summer the Cass County Treasurer, Linda Pruett, lost her battle with cancer. As a county-wide elected official she was not only a great friend, but certainly a wonderful public servant. It's a great loss to have one of these wonderful public servants leave us all too quickly.

Linda was born in Dowagiac in 1953 and was a lifelong resident of Cass County. In 1971, she graduated from Dowagiac Union High School. A very strong and determined woman, anyone that knew Linda knew well that you were tussling with somebody of great stature and great importance.

She worked as Cass County Treasurer, but prior to that and before her work there, she was in Judge Phillipson's courtroom and for those of us in Southwest Michigan, Judge Phillipson was one who all knew quite well. After some time in that position she moved to the Juvenile Registrar's office, later handled difficult budget decisions, and in particular, the Infant Child Care Fund in Cass County. She excelled in that position and Susan Dobrich, the judge at that time, said she was in fact, the heart and soul of the organization.

In 2002, the position of Cass County Treasurer became available, and despite being an underdog for that position, she became the next County Treasurer. She then took that position as Treasurer, and ran for additional terms in 2004, 2008, 2012, and 2016 to continue that position. She was perfect for the job and those who worked with her knew well that they had her on their side. She excelled at working with individuals in a cooperative fashion. Particularly, in the most recent era of foreclosures, a challenging time in anyone's life, and she showed a passion that was beyond measure.

Linda loved serving the constituents in Cass County. She gave her all to everything she was involved in. She was the chair of the Cass County Republican Party for many years, a member of the Cass County Civitan Club as well as the Special Olympics, was involved in volunteering, and, of course, was a wonderful friend to all.

A moment of silence was observed in memory of Linda Pruett, former Cass County Treasurer.

Senator Bieda's statement is as follows:

Today, I'd like to rise in honor of a very good friend and somebody I've known for a number of years—David DiChiera—who was a composer and the visionary founder of the Detroit Opera House, who passed away on September 18 at age 83.

David was small of stature and surprisingly soft-spoken for a man who came to have such a gigantic impact on Metro Detroit's cultural landscape. Indeed, the word used most often to describe him was "kind," followed quickly by more grandiose terms like "visionary," "groundbreaker," and "risk-taker."

Born in McKeesport, Pennsylvania as the son of Italian immigrants, DiChiera was raised in Los Angeles and graduated with highest honors from UCLA in 1956. He earned a master's degree in composition at UCLA and was selected to be a Fulbright Scholar for studies in Italy. Returning to UCLA, DiChiera worked there as an instructor and received his Ph.D. in musicology. In 1962, David joined the faculty of music at the newly-established Oakland University in Rochester. From 1963 to 1965, he also held the post of assistant dean for Continuing Education in the Arts at Oakland University and was thereafter elected Chairman of the Department of Music.

In 1971, DiChiera became the founding general director of the Michigan Opera Theater. The Michigan Opera Theater eventually grew into a top-10 American opera company, and the glittering \$70 million Detroit Opera House breathed new life into a formerly-dormant downtown neighborhood. The theater became not only a home for great art but a beacon and a symbol for what could be possible in Detroit and the role culture can play in rebuilding the city. David became a role model for all those who dared to dream big. During his career, DiChiera had served as a trustee for the National Institute of Music Theatre and as a board member of the American Arts Alliance. He served as a panel member for the National Endowment for the Arts and chairman for the Opera/Musical Theater Panel.

He is survived by two daughters with Karen VanderKloot DiChiera—Lisa and Christina—and is survived by them and their families which includes three grandchildren as well as Ellen Blumer. David was one of a kind—a true leader and impresario, a writer, a creator, a visionary genius, a big-hearted, hard-working dedicated lover and builder of opera and dance—and he was a humble man. David loved Michigan and, in particular, Detroit. The role he played in its renaissance with the creation of the spectacular Detroit Opera House was immeasurable.

But, it was the people who his life touched that I believe he made his greatest impact. As David himself wrote when he shared his diagnosis of pancreatic cancer in April 2017, "I have lived a rich and rewarding life, and when the time comes, I'll leave it with few regrets. Your friendship is among my greatest treasures. You will always be in my heart and I hope some part of me will always be in yours."

David was a truly genteel, dignified, warm, and visionary leader.

A moment of silence was observed in memory of David DiChiera, founder of the Michigan Opera Theater.

Senator Hood's statement is as follows:

I stand here today to recognize and say "Happy Birthday" to my grand aunt, Eleese Lynch of LaGrange, Georgia. She will be turning 100 years old tomorrow, and she will be celebrating her birthday tomorrow and all through the weekend with family. I wanted to stand up and recognize her as a pillar in our family, but also in her community in LaGrange. I wanted to say "thank you" to her for allowing me and helping me be—through ancestry—being here as I am today.

I just wanted to stand up and say "thank you" to her on this day.

Senator Colbeck's statement is as follows:

In case you haven't noticed, the United States of America doesn't seem to be very united nowadays. Why is that?

Here is the simple answer: I think we've lost a collective appreciation for what's supposed to unite us. This salient fact was quite evident when, over the past two years, I participated in a focus group tasked with evaluating and revising social studies standards for the state of Michigan.

As a condition of my participation, I simply wanted a commitment from focus group members that any standards that were produced by the focus group were politically neutral and accurate. After numerous all-day sessions featuring adult, professional conversations on sensitive topics such as racism, religion, and political views, in May 2018, we released a set of standards that were indeed politically neutral and accurate.

Upon release of these standards to the public for comment, in the middle of a campaign season, all semblance of political neutrality and accuracy was thrown to the wind as the political spin machines of those with no interest in political neutrality or accuracy went to work.

Now, what do I mean by political neutrality? Well, it doesn't mean that we scrub the standards of sensitive topics as some have falsely asserted. Politically neutral simply means that if we include a progressive perspective on an issue, we also

include a more conservative perspective as applicable. In this manner, our teachers and students would be able to have an intellectual debate on sensitive issues that would likely be raised in the public square. Now, if the students were to only hear one perspective on a given issue, they would be ill-equipped to have a mature, well-reasoned discussion with people outside of the classroom on that topic. Furthermore, if students were to hear only one perspective on a given policy issue, it would be fair to say that they were being indoctrinated, not educated. Let me be clear: it is in our best interests as a state to have educated students, not indoctrinated students.

One of the most contentious issues cited by detractors of the standards involved the term “core democratic values”. We know we are in trouble when the values that are supposed to unite us as the United States result in the biggest controversy.

The origins of the controversy stem from the fact that our schools and popular culture have been indoctrinating generations of students to believe that we are a democracy. When one examines the facts, however, the truth is our system of government is a constitutional republic, not a democracy. In our system of government, we elect representatives of the public to make laws. This is the definition of a republic, which stems from the Latin words *res publica*, which means representatives of the people. In a democracy, the people make the laws directly.

Now don't get me wrong, we have democratic processes. We have provisions for democratic elections of our representatives, we have provisions for ballot proposals such as those before us on November 6, but we are not a democracy. The replacement of the term “core democratic values” with “core values” is all about accuracy, not political neutrality.

Some opponents of these standards have no respect for accuracy, however. During a recent public forum that I attended at Martin Luther King Jr. High School in Detroit, a Detroit public school teacher of 30 years announced to the assembly that we are a democracy, and that it says so in the Constitution. In point of fact, Article IV, Section 4 of the Constitution guarantees a republican form of government; there is no provision in our Constitution stating that we are a democracy as she asserted. Sadly, this educator of 30 years has been teaching our next generation of leaders that our Constitution says that we are a democracy.

George Orwell's *1984* is alive and well, but instead of teaching our kids that $2+2=5$, we are teaching them that we are a democracy, not a constitutional republic.

Once it was proven in our focus group that the term “republic” was the most accurate reference for our system of government, those who did have a political agenda started to get desperately creative. They started to make up innovative terms that would preserve the word “democracy” in some form. For example, they proposed the term “representative democracy.” Folks, this is just a long form for the word “republic” that ignores the bounds of the Constitution upon these representatives. Or, they tried to flip the term and say “democratic republic”. In this light, it's difficult not to conclude that there is a political motivation behind the push to keep the word “democracy” front and center in the description of our system of government.

At this time, there is a new group being formed to take the next iteration of public comments and develop a new set of standards. Instead of being called a focus group, it's now being called a task force, but the activity is basically the same. We need to make sure that the end objectives are the same too. Please join me in calling for these new, new standards to satisfy the conditions of being politically neutral and accurate. If we cannot unite behind the objectives of students being taught in a politically neutral and accurate manner, what the heck can we unite behind?

Announcements of Printing and Enrollment

The Secretary announced that the following House bills were received in the Senate and filed on Tuesday, September 25:
House Bill Nos. 5647 5836 5988 5989

The Secretary announced that the following bills were printed and filed on Tuesday, September 25, and are available on the Michigan Legislature website:

**House Bill Nos. 6350 6351 6352 6353 6354 6355 6356 6357 6358 6359 6360 6361 6362 6363
 6364 6365 6366 6367 6368 6369 6370 6371 6372 6373 6374 6375 6376 6377
 6378 6379 6380 6381**

Committee Reports

The Committee on Finance reported

House Bill No. 5680, entitled

A bill to amend 1893 PA 206, entitled “The general property tax act,” by amending sections 27 and 34d (MCL 211.27 and 211.34d), section 27 as amended by 2013 PA 162 and section 34d as amended by 2014 PA 164.

With the recommendation that the bill pass.

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

Jack M. Brandenburg
 Chairperson

To Report Out:

Yeas: Senators Brandenburg, Robertson, Knollenberg, Caspersen, Proos, Bieda and Warren

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Finance reported

Senate Bill No. 1097, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 607 (MCL 206.607), as amended by 2018 PA 38.

With the recommendation that the bill pass.

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

Jack M. Brandenburg
Chairperson

To Report Out:

Yeas: Senators Brandenburg, Robertson, Knollenberg, Caspersen and Proos

Nays: Senators Bieda and Warren

The bill was referred to the Committee of the Whole.

The Committee on Finance reported

House Bill No. 5143, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 9i (MCL 211.9i), as added by 2002 PA 549.

With the recommendation that the bill pass.

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

Jack M. Brandenburg
Chairperson

To Report Out:

Yeas: Senators Brandenburg, Robertson, Knollenberg, Caspersen, Proos, Bieda and Warren

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Finance submitted the following:

Meeting held on Tuesday, September 25, 2018, at 2:30 p.m., Room 1100, Binsfeld Office Building

Present: Senators Brandenburg (C), Robertson, Knollenberg, Caspersen, Proos, Bieda and Warren

The Committee on Energy and Technology reported

House Bill No. 5902, entitled

A bill to amend 1939 PA 3, entitled "An act to provide for the regulation and control of public and certain private utilities and other services affected with a public interest within this state; to provide for alternative energy suppliers; to provide for licensing; to include municipally owned utilities and other providers of energy under certain provisions of this act; to create a public service commission and to prescribe and define its powers and duties; to abolish the Michigan public utilities commission and to confer the powers and duties vested by law on the public service commission; to provide for the powers and duties of certain state governmental officers and entities; to provide for the continuance, transfer, and completion of certain matters and proceedings; to abolish automatic adjustment clauses; to prohibit certain rate increases without notice and hearing; to qualify residential energy conservation programs permitted under state law for certain federal exemption; to create a fund; to encourage the utilization of resource recovery facilities; to prohibit certain acts and practices of providers of energy; to allow for the securitization of stranded costs; to reduce rates; to provide for appeals; to provide appropriations; to declare the effect and purpose of this act; to prescribe remedies and penalties; and to repeal acts and parts of acts," (MCL 460.1 to 460.11) by adding section 10gg.

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.

Michael L. Nofs
Chairperson

To Report Out:

Yeas: Senators Nofs, Proos, Schuitmaker, Hune, Shirkey, Zorn and Hopgood

Nays: Senator Conyers

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

COMMITTEE ATTENDANCE REPORT

The Committee on Energy and Technology submitted the following:

Meeting held on Wednesday, September 26, 2018, at 9:00 a.m., Room 1200, Binsfeld Office Building

Present: Senators Nofs (C), Proos, Horn, Schuitmaker, Hune, Shirkey, Zorn, Hopgood, Knezek and Conyers

The Committee on Regulatory Reform reported

House Bill No. 4668, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending sections 221 and 543 (MCL 436.1221 and 436.1543), section 543 as amended by 2016 PA 434, and by adding section 303a.

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.

Tory Rocca
Chairperson

To Report Out:

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

Nays: None

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

COMMITTEE ATTENDANCE REPORT

The Committee on Regulatory Reform submitted the following:

Meeting held on Wednesday, September 26, 2018, at 11:00 a.m., Room 1200, Binsfeld Office Building

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

COMMITTEE ATTENDANCE REPORT

The Joint Subcommittee on Capital Outlay submitted the following:

Meeting held on Wednesday, September 5, 2018, 4:00 p.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building

Present: Senators Booher (C), Nofs, Hertel, Hansen, Schuitmaker, MacGregor and Gregory

COMMITTEE ATTENDANCE REPORT

The Committee on Elections and Government Reform submitted the following:

Meeting held on Thursday, September 6, 2018, at 8:30 a.m., Room 1300, Binsfeld Office Building

Present: Senators Robertson (C), Emmons, Shirkey and Hood

Excused: Senator Brandenburg

COMMITTEE ATTENDANCE REPORT

The Committee on Energy and Technology submitted the following:

Meeting held on Thursday, September 6, 2018, at 12:30 p.m., Room 1100, Binsfeld Office Building

Present: Senators Nofs (C), Proos, Horn, Shirkey, Zorn, Knezek and Conyers

Excused: Senators Schuitmaker, Hune and Hopgood

COMMITTEE ATTENDANCE REPORT

The Committee on Economic Development and International Investment submitted the following:

Meeting held on Thursday, September 6, 2018, at 1:30 p.m., Room 1200, Binsfeld Office Building

Present: Senators Horn (C), Schmidt, Stamas, Emmons, MacGregor, Warren, Conyers and Bieda

Excused: Senator Brandenburg

COMMITTEE ATTENDANCE REPORT

The Committee on Michigan Competitiveness submitted the following:
Meeting held on Wednesday, September 26, 2018, at 8:30 a.m., Room 1100, Binsfeld Office Building
Present: Senators Shirkey (C), Stamas, Robertson, Proos and Warren

COMMITTEE ATTENDANCE REPORT

The Legislative Council submitted the following:
Meeting held on Wednesday, September 26, 2018, 9:00 a.m., Rooms 402 and 403, Capitol Building
Present: Senators Stamas and Schmidt
Excused: Senators Meekhof (C), Ananich, Hood and Rocca

Scheduled Meetings

Criminal Justice Policy Commission - Wednesday, October 3, 9:00 a.m., Room 426, Capitol Building (373-0212)

Senator Kowall moved that the Senate adjourn.
The motion prevailed, the time being 4:36 p.m.

Pursuant to Senate Concurrent Resolution No. 38, the President pro tempore, Senator Schuitmaker, declared the Senate adjourned until Tuesday, October 2, 2018, at 10:00 a.m.

JEFFREY F. COBB
Secretary of the Senate