

**No. 57**  
**STATE OF MICHIGAN**  
**Journal of the Senate**  
**99th Legislature**  
**REGULAR SESSION OF 2018**

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Senate Chamber, Lansing, Tuesday, June 5, 2018.

10:00 a.m.

The Senate was called to order by the President, Lieutenant Governor Brian N. Calley.

The roll was called by the Secretary of the Senate, who announced that a quorum was present.

Ananich—present  
Bieda—present  
Booher—present  
Brandenburg—present  
Casperson—excused  
Colbeck—present  
Conyers—present  
Emmons—present  
Green—present  
Gregory—present  
Hansen—present  
Hertel—present  
Hildenbrand—present

Hood—present  
Hopgood—present  
Horn—present  
Hune—present  
Jones—present  
Knezek—present  
Knollenberg—present  
Kowall—present  
MacGregor—present  
Marleau—present  
Meekhof—present  
Nofs—present

O'Brien—present  
Pavlov—present  
Proos—present  
Robertson—present  
Rocca—present  
Schmidt—present  
Schuitmaker—present  
Shirkey—present  
Stamas—present  
Warren—present  
Young—present  
Zorn—present

Thomas Stephenson of Greenville offered the following invocation:

Lord, we thank You for this day and this opportunity to be in Lansing in front of this great state's Senate.

I pray that You bless these Senators today as they do the work of the state and for its people. I pray for unity and cooperation, that these Senators work together for the good of the state. And most importantly, I pray for the people, that they may benefit from the work done today.

Thank You, Lord. Amen

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

### Motions and Communications

Senator Jones entered the Senate Chamber.

Senator Bieda moved that Senators Ananich and Hood be temporarily excused from today's session.

The motion prevailed.

Senator Kowall moved that Senators Booher, Hildenbrand, Proos and Shirkey be temporarily excused from today's session.

The motion prevailed.

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

The motion prevailed.

The following communication was received and read:

Office of the Auditor General

May 31, 2018

Enclosed is a copy of the following report:

- Performance audit report on the Michigan Rehabilitation Services, Michigan Department of Health and Human Services. (431-0246-16)

Sincerely,  
Doug Ringler  
Auditor General

The audit report was referred to the Committee on Government Operations.

The following communication was received and read:

Department of State

June 1, 2018

I, Ruth Johnson, Secretary of State of the State of Michigan, certify that the attached proposed law appeared on the legislative initiative petition filed with the Secretary of State on November 3, 2017 by Protecting Michigan Taxpayers, 2145 Commons Parkway, Okemos, Michigan 48864. I further certify that on June 1, 2018, the Michigan Board of State Canvassers determined that said initiative petition contains "at least the minimum number of valid signatures required under Article 2, Section 9, of the Constitution of the State of Michigan of 1963." I therefore submit to the Michigan State Legislature said legislative proposal for consideration as provided under Article 2, Section 9, of the Constitution of 1963.

Sincerely,  
Ruth Johnson  
Secretary of State

### INITIATION OF LEGISLATION

An initiation of legislation to repeal 1965 PA 166, entitled "An act to require prevailing wages and fringe benefits on state projects; to establish the requirements and responsibilities of contracting agents and bidders; and to prescribe penalties," (MCL 408.551 to 408.558); and to provide for an appropriation for related purposes.

#### THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

Enacting section 1. 1965 PA 166, MCL 408.551 to 408.558, is repealed.

Enacting section 2. For the fiscal year ending September 30, 2018, \$75,000.00 is appropriated from the general fund to the department of licensing and regulatory affairs. The appropriation under this section is designated as a work project under section 451a of the management and budget act, 1984 PA 431, MCL 18.1451a, for the purpose of implementing

and communicating information about the repeal of 1965 PA 166, MCL 408.551 to 408.558, to be accomplished by state employees or by contract with an estimated cost not exceeding \$75,000.00 and an estimated completion date by December 31, 2019.

Enacting section 3. If any part or parts of this act are found to be in conflict with the State Constitution of 1963, the United States Constitution, or federal law, this act shall be implemented to the maximum extent that the State Constitution of 1963, the United States Constitution, and federal law permit. Any provision held invalid or inoperative shall be severable from the remaining portions of this act.

#### CERTIFICATION OF PETITION TO INITIATE LEGISLATION

We, the undersigned members of the Michigan Board of State Canvassers, hereby certify that on June 1, 2018, the legislative initiative petition filed with the Secretary of State on November 3, 2017 by Protecting Michigan Taxpayers, 2145 Commons Parkway, Okemos, Michigan 48864, was certified to contain at least the minimum number of valid signatures required under Article 2, Section 9, of the Constitution of the State of Michigan of 1963. The minimum number of valid signatures required is 252,523.

Norman D. Shinkle  
Chairperson

Julie Matuzak  
Vice-Chairperson

Colleen Pero  
Member

Jeanette Bradshaw  
Member

The initiative petition was received in the Senate on June 1, 2018, at 1:55 p.m.

The communication was referred to the Secretary for record.

The following communication was received:  
Office of Senator Steven M. Bieda

May 30, 2018

Per Senate Rule 1.110(c), I am requesting that my name be added as a co-sponsor to Senate Bills 941 (Sen. Hildenbrand) and 942 (Sen. Hansen) which were introduced on April 12, 2018.

Sincerely,  
Steve Bieda  
State Senator  
9th District

The communication was referred to the Secretary for record.

Senators Booher, Hildenbrand and Proos entered the Senate Chamber.

#### Messages from the Governor

The following message from the Governor was received on June 4, 2018, and read:

EXECUTIVE ORDER  
No. 2018-6

#### Rescission of Executive Order 2018-4

#### State Emergency Medical Services Coordinating Committee

#### Department of Health and Human Services

#### Executive Reorganization

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, Section 2 of Article V of the Michigan Constitution of 1963 empowers the Governor to make changes in the organization of the Executive Branch or in the assignment of functions among its units that he considers necessary for efficient administration; and

WHEREAS, Section 8 of Article V of the Michigan Constitution of 1963 provides that each principal department shall be under the supervision of the Governor unless otherwise provided by the constitution; and

WHEREAS, emergency medical services are a critical component of public health and safety in Michigan; and

WHEREAS, the provision of emergency medical services has become increasingly integrated with other comprehensive systems of care; and

WHEREAS, rural areas in Michigan present unique challenges for the provision of emergency medical services because of the wide dispersal of patients and the heavy reliance on volunteer emergency medical technicians; and

WHEREAS, the State Emergency Medical Services Coordinating Committee (the "Coordinating Committee") within the Department of Health and Human Services (the "Department"), see MCL 333.20915 & MCL 333.20916, plays a vital role in coordinating the exchange of information on emergency medical services and advising the Department on all matters involving the provision of emergency medical services in Michigan; and

WHEREAS, changes to the composition of the Coordinating Committee are necessary for efficient administration and to ensure that the Department continues to have access to subject-matter expertise from a well-rounded Coordinating Committee that will continue to fully support the evolution of emergency medical services in Michigan;

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 Michigan law, order the following:

#### **I. RESCISSION OF EXECUTIVE ORDER 2018-4**

Executive Order 2018-4 is hereby rescinded and replaced by this Order.

#### **II. STATE EMERGENCY MEDICAL SERVICES COORDINATING COMMITTEE**

A. In addition to the voting members of the Coordinating Committee appointed by the director of the Department pursuant to MCL 333.20915(1), the Coordinating Committee shall also include the following three voting members appointed by the director of the Department to three-years terms:

1. One individual representing local law enforcement;
2. One representative nominated by the Michigan Emergency Nurses Association Executive Board; and
3. One representative nominated by the Michigan Pharmacy Association.

B. In addition to the ex officio members serving on the Coordinating Committee pursuant to MCL 333.20915(2), the Coordinating Committee shall also include the following four ex officio members without the right to vote:

1. One representative of the Department, designated by the director of the Department;
2. The State 9-1-1 Administrator;
3. One representative nominated by the Michigan Center for Rural Health; and
4. One representative nominated by the Michigan Office of Highway Safety Planning.

C. After the director of the Department makes new appointments under subsections (1)(a), (1)(b), (1)(c), (1)(d), (1)(e), (1)(f), and (1)(i) of MCL 333.20915, at least one representative from each of the organizations identified must be associated with a county having a population of not more than 50,000.

D. At least one voting member of the Coordinating Committee shall be from a city with a population of not less than 500,000.

#### **III. MISCELLANEOUS**

A. Any suit, action, or other proceeding lawfully commenced by, against, or before any entity affected under this Order shall not abate by reason of the taking effect of this Order.

B. The invalidity of any portion of this Order shall not affect the validity of the remainder of the Order.

In fulfillment of the requirements of Section 2 of Article V of the Michigan Constitution of 1963, this Order shall be effective 60 days after the filing of this Order.

[SEAL]

Given under my hand and the Great Seal of the state of Michigan this 4th day of June, 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:

May 16, 2018

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

#### **Michigan Wheat Promotion Committee**

Jason R. Dunning of 6716 W. 32nd Street, Fremont, Michigan 49412, county of Newaygo, representing District 1, succeeding Dean Kantola, is appointed for a term expiring May 31, 2021.

William Hunt of 12193 E. Richfield Road, Davison, Michigan 48423, county of Genesee, representing District 4, succeeding himself, is reappointed for a term expiring May 31, 2021.

Arthur A. Loeffler of 878 Zehnder Drive, Frankenmuth, Michigan 48734, county of Saginaw, representing District 9, succeeding himself, is reappointed for a term expiring May 31, 2021.

May 21, 2018

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

**Michigan Board of Dentistry**

Joshua S. Goodrich of 10879 New England Road, Constantine, Michigan 49042, county of Saint Joseph, representing the general public, succeeding Laurie Horvath, is appointed for a term expiring June 30, 2021.

May 21, 2018

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

**Michigan Board of Massage Therapy**

Tina W. Latham-Enix of 2900 Cleveland Avenue, #108, St. Joseph, Michigan 49085, county of Berrien, representing massage therapists, succeeding Rachel Viitala, is appointed for a term expiring December 31, 2019.

May 21, 2018

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

**Michigan Board of Medicine**

Cara Poland of 7800 Sandy Hollow Drive, S.E., Alto, Michigan 49302, county of Kent, representing physicians, succeeding Lisa Oca, is appointed for a term expiring December 31, 2021.

May 21, 2018

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

**State Plumbing Board**

Timothy D. Danielak of 336 W. Brown Street, Beaverton, Michigan 48612, county of Gladwin, representing licensed journey plumbers, succeeding Daniel Nixon, is appointed for a term expiring July 31, 2021.

May 25, 2018

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

**Michigan Board of Audiology**

Richard L. Baldwin of 5947 Star Flower Drive, Haslett, Michigan 48840, county of Ingham, representing the general public, succeeding Diantha Hicks, is appointed for a term expiring June 30, 2020.

Melissa L. Somers of 5657 Cherry Court, Petoskey, Michigan 49770, county of Emmet, representing those licensed to practice medicine or osteopathic medicine and surgery who hold a certificate of qualification from the American Board of Otolaryngology, succeeding herself, is reappointed for a term expiring June 30, 2022.

May 31, 2018

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

**Ski Area Safety Board**

James R. Bartlett of 7520 Ridge Road, Harbor Springs, Michigan 49740, county of Emmet, representing Lower Peninsula ski area managers, succeeding himself, is reappointed for a term expiring June 8, 2021.

Timothy P. Meyer of 8287 Valley Forge Drive, Cadillac, Michigan 49601, county of Wexford, representing Lower Peninsula ski area managers, succeeding himself, is reappointed for a term expiring June 8, 2021.

May 31, 2018

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

**Michigan Veterans Facilities Board of Managers**

James L. Ausdemore of 4307 Cordley Lake Road, Pinckney, Michigan 48169, county of Livingston, representing veterans of foreign wars, filling a vacancy, is appointed for a term expiring February 28, 2020.

Harold J. Mast of 4914 Curwood Drive, S.E., Kentwood, Michigan 49508, county of Kent, representing veterans, succeeding James Ausdemore, is appointed for a term expiring February 28, 2020.

Paul Mead of 2724 Old Barn Road, Traverse City, Michigan 49685, county of Grand Traverse, representing AMVETS, succeeding himself, is reappointed for a term expiring February 28, 2021.

Ronald R. Schrieber of 513 Jefferson Road, Roscommon, Michigan 49685, county of Roscommon, representing disabled American veterans, succeeding himself, is reappointed for a term expiring February 28, 2021.

May 31, 2018

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

**Michigan Veterans' Facility Authority Board of Directors**

Larry Yachcik of 712 Apache Drive, Fremont, Michigan 49412, county of Newaygo, representing the interests of one or more congressionally chartered veterans' organizations, succeeding Paul Potter, is appointed for a term expiring April 15, 2021.

Sincerely,  
Rick Snyder  
Governor

The appointments were referred to the Committee on Government Operations.

**Recess**

Senator Kowall moved that the Senate recess subject to the call of the Chair.  
The motion prevailed, the time being 10:06 a.m.

11:19 a.m.

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

During the recess, Senators Hood, Shirkey and Ananich entered the Senate Chamber.

By unanimous consent the Senate proceeded to the order of

**Introduction and Referral of Bills**

Protecting Michigan Taxpayers

**Legislative Initiative Petition**

An initiation of legislation to repeal 1965 PA 166, entitled "An Act to require prevailing wages and fringe benefits on state projects; to establish the requirements and responsibilities of contracting agents and bidders: and to prescribe penalties," (MCL 408.551 to 408.558); and to provide for an appropriation for related purposes.

The initiative petition was read a first and second time by title.

Senator Kowall moved that rule 3.208 be suspended and that the initiative petition be placed on the order of Third Reading of Bills.

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

Senators Ananich, Bieda, Gregory, Conyers, Hopgood, Warren, Hertel and Knezek introduced

**Senate Joint Resolution S, entitled**

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 9 of article II, to clarify the power of referendum when making appropriations and to limit the amendment or repeal of laws proposed by initiative petition and enacted by the legislature.

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

Senator Bieda introduced

**Senate Bill No. 1041, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 17756 (MCL 333.17756), as amended by 1993 PA 73.

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

Senators Hansen and Nofs introduced

**Senate Bill No. 1042, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending sections 506, 520, and 522 (MCL 206.506, 206.520, and 206.522), section 506 as amended by 1996 PA 484 and sections 520 and 522 as amended by 2015 PA 179; and to repeal acts and parts of acts.

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

Senator Hood introduced

**Senate Bill No. 1043, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1308 (MCL 380.1308), as amended by 2016 PA 363.

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

**House Bill No. 4495, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 811d (MCL 257.811d), as amended by 2006 PA 562, and by adding section 811cc.

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. 4745, entitled**

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 163 (MCL 168.163), as amended by 2012 PA 276.

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 Elections and Government Reform.

**House Bill No. 4747, entitled**

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 351 (MCL 168.351).

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 Elections and Government Reform.

**House Bill No. 4748, entitled**

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 349 (MCL 168.349), as amended by 2012 PA 276.

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 Elections and Government Reform.

**House Bill No. 4749, entitled**

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 254 (MCL 168.254), as amended by 2018 PA 120.

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 Elections and Government Reform.

**House Bill No. 4750, entitled**

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 193 (MCL 168.193), as amended by 2012 PA 276.

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 Elections and Government Reform.

**House Bill No. 5199, entitled**

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 842 (MCL 168.842), as amended by 2004 PA 92.

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 Elections and Government Reform.

**House Bill No. 5254, entitled**

A bill to require the fingerprinting of certain public employees for the purpose of receiving criminal history record information from the department of state police and the Federal Bureau of Investigation; to provide for the powers and duties of certain state and local governmental officers and entities; to provide for the collection of fees; and to prohibit the release of certain information and prescribe penalties.

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. 5377, entitled**

A bill to amend 1953 PA 232, entitled "Corrections code of 1953," by amending sections 33e and 35 (MCL 791.233e and 791.235), section 33e as added by 1992 PA 181 and section 35 as amended by 2012 PA 24.

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. 5622, entitled**

A bill to amend 2001 PA 142, entitled "Michigan memorial highway act," (MCL 250.1001 to 250.2080) by adding section 20a.

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. 5739, entitled**

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

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

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

**House Bill No. 5740, entitled**

A bill to establish the Kiwanis fund in the department of treasury; to provide for the distribution of the money from the fund; to prescribe the powers and duties of certain agencies and officials; and to provide for appropriations.

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

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

**House Bill No. 5810, entitled**

A bill to amend 1974 PA 258, entitled "Mental health code," by amending sections 100a, 400, 401, 409, 434, 435, 436, 438, 452, 455, 461, 464a, 468, 469a, 472a, 473, 474, 474a, 475, 475a, 477, 478, 482, and 489 (MCL 330.1100a, 330.1400, 330.1401, 330.1409, 330.1434, 330.1435, 330.1436, 330.1438, 330.1452, 330.1455, 330.1461, 330.1464a, 330.1468, 330.1469a, 330.1472a, 330.1473, 330.1474, 330.1474a, 330.1475, 330.1475a, 330.1477, 330.1478, 330.1482, and 330.1489), sections 100a, 401, 434, 435, 438, 452, 455, 461, 468, 469a, 472a, 474, 474a, and 475 as amended by 2016 PA 320, section 400 as amended by 2004 PA 553, section 409 as amended by 2006 PA 306, section 436 as amended by 1995 PA 290, section 464a as amended by 2014 PA 200, section 473 as amended by 2004 PA 498, section 475a as added and section 482 as amended by 1996 PA 588, and section 477 as amended by 1986 PA 117, and by adding section 308a.

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. 5818, entitled**

A bill to amend 1998 PA 386, entitled "Estates and protected individuals code," by amending section 5314 (MCL 700.5314), as amended by 2017 PA 155.

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. 5819, entitled**

A bill to amend 1974 PA 258, entitled "Mental health code," by amending sections 100a, 400, 415, 416, 419, and 420 (MCL 330.1100a, 330.1400, 330.1415, 330.1416, 330.1419, and 330.1420), sections 100a and 420 as amended by 2016 PA 320, section 400 as amended by 2004 PA 553, section 415 as amended by 2004 PA 557, section 416 as amended by 1995 PA 290, and section 419 as amended by 1984 PA 186.

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. 5820, entitled**

A bill to amend 1974 PA 258, entitled "Mental health code," by amending a subheading of chapter 5 and sections 500, 501, 502, 503, 504, 505, 508, 509, 510, 511, 512, 515, 516, 517, 518, 519, 520, 521, 525, 526, 527, 528, 531, 532, 536, 537, 540, and 541 (MCL 330.1500, 330.1501, 330.1502, 330.1503, 330.1504, 330.1505, 330.1508, 330.1509, 330.1510, 330.1511, 330.1512, 330.1515, 330.1516, 330.1517, 330.1518, 330.1519, 330.1520, 330.1521, 330.1525, 330.1526, 330.1527, 330.1528, 330.1531, 330.1532, 330.1536, 330.1537, 330.1540, and 330.1541), sections 500, 502, 503, 505, 508, 509, 510, 511, 512, 516, 517, 518, 519, 520, 521, 527, 528, 531, 532, 536, 537, 540, and 541 as amended by 1995 PA 290, sections 504 and 515 as amended by 2014 PA 72, and section 525 as amended by 1998 PA 382.

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. 5907, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 1471 and 1472 (MCL 380.1471 and 380.1472), as added by 1996 PA 159.

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 Education.

**Recess**

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

The motion prevailed, the time being 11:25 a.m.

11:41 a.m.

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

By unanimous consent the Senate returned to the order of

**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 Schmidt as Chairperson.

After some time spent therein, the Committee arose; and the President pro tempore, Senator Schuitmaker, having resumed the Chair, the Committee reported back to the Senate, favorably and without amendment, the following bills:

**House Bill No. 5436, entitled**

A bill to amend 2000 PA 146, entitled "Obsolete property rehabilitation act," by amending section 12 (MCL 125.2792).

**Senate Bill No. 962, entitled**

A bill to amend 1979 PA 218, entitled "Adult foster care facility licensing act," by amending sections 3, 4, and 26a (MCL 400.703, 400.704, and 400.726a), sections 3 and 4 as amended by 2016 PA 525 and section 26a as amended by 2017 PA 156.

**House Bill No. 5638, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 32706c (MCL 324.32706c), as added by 2008 PA 181.

**House Bill No. 5391, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 33, 657, 658, 660, and 662 (MCL 257.33, 257.657, 257.658, 257.660, and 257.662), sections 33 and 657 as amended by 2017 PA 139, section 658 as amended by 2012 PA 589, and sections 660 and 662 as amended by 2015 PA 126, and by adding section 13f.

**House Bill No. 5283, entitled**

A bill to amend 1996 PA 381, entitled "Brownfield redevelopment financing act," by amending section 2 (MCL 125.2652), as amended by 2017 PA 46.

**Senate Bill No. 963, entitled**

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

**House Bill No. 5662, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 81133 (MCL 324.81133), as amended by 2016 PA 288.

**Senate Bill No. 999, entitled**

A bill to amend 2010 PA 123, entitled "Uniform real property electronic recording act," by amending sections 4 and 5 (MCL 565.844 and 565.845), section 5 as amended by 2014 PA 569.

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. 5435, entitled**

A bill to amend 2005 PA 210, entitled "Commercial rehabilitation act," by amending section 12 (MCL 207.852).

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. 4360, entitled**

A bill to prohibit a local government, law enforcement agency, or university from operating a motor vehicle storage facility; to prohibit a local government, law enforcement agency, or university from accepting consideration from an authorized vendor that operates a motor vehicle storage facility; to prohibit a local government, law enforcement agency, or university from requiring an authorized vendor to deliver a motor vehicle to a motor vehicle storage facility operated by a different authorized vendor; to provide for exceptions; to prescribe the powers and duties of certain state and local departments, entities, and officials; to prescribe the powers and duties of certain law enforcement agencies; and to provide for remedies and penalties.

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. 664, entitled**

A bill to amend 2003 PA 238, entitled "Michigan notary public act," by amending sections 3, 5, 7, 15, and 27 (MCL 55.263, 55.265, 55.267, 55.275, and 55.287), section 5 as amended by 2006 PA 426, section 15 as amended by 2006 PA 510, and section 27 as amended by 2006 PA 155, and by adding sections 26, 26a, and 54.

Substitute (S-3).

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. 996, entitled**

A bill to amend 2003 PA 238, entitled "Michigan notary public act," by amending the title and sections 1, 5, and 11 (MCL 55.261, 55.265, and 55.271), section 5 as amended by 2006 PA 426 and section 11 as amended by 2006 PA 510, and by adding section 25a.

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. 997, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 2102 (MCL 600.2102), as amended by 2012 PA 361.

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. 998, entitled**

A bill to repeal 1969 PA 57, entitled "Uniform recognition of acknowledgments act," (MCL 565.261 to 565.270).

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. 1036, entitled**

A bill to authorize the department of technology, management, and budget to convey or transfer parcels of state-owned property in Ionia, Grand Traverse, and Tuscola Counties; to prescribe conditions for the conveyances; to provide for the powers and duties of certain state departments in regard to the property; and to provide for the disposition of revenue derived from the conveyances.

Substitute (S-1).

The following is the amendment to the substitute recommended by the Committee of the Whole:

1. Amend page 9, line 18, after "fund" by striking out the balance of the subdivision and inserting a period.

The Senate agreed to the substitute as amended 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

#### **Messages from the House**

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

**Senate Bill No. 35**

**Senate Bill No. 652**

**Senate Bill No. 653**

**Senate Bill No. 654**

**Senate Bill No. 874**

**Senate Bill No. 880**

The motion prevailed.

**Senate Bill No. 1012, entitled**

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 736b, 736c, 736d, 736e, 951a, and 952 (MCL 168.736b, 168.736c, 168.736d, 168.736e, 168.951a, and 168.952), sections 736b, 736d, and 736e as added by 2012 PA 128, section 736c as amended by 2015 PA 268, and section 951a as added and section 952 as amended by 2012 PA 417.

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

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

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

The Senate agreed to the full title.

The bill was referred to the Secretary for enrollment printing and presentation to the Governor.

By unanimous consent the Senate proceeded to the order of

#### **Third Reading of Bills**

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

**House Bill No. 4614**

**House Bill No. 5430**

The motion prevailed.

The following bill was read a third time:

**House Bill No. 4614, entitled**

A bill to amend 1976 PA 451, entitled “The revised school code,” by repealing section 1531e (MCL 380.1531e).

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. 389**

**Yeas—36**

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

**Nays—0**

**Excused—1**

Casperson

**Not Voting—0**

In The Chair: 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 a system of public instruction and elementary and secondary schools; to revise, consolidate, and clarify the laws relating to elementary and secondary education; to provide for the organization, regulation, and maintenance of schools, school districts, public school academies, intermediate school districts, and other public school entities; to prescribe rights, powers, duties, and privileges of schools, school districts, public school academies, intermediate school districts, and other public school entities; to provide for the regulation of school teachers and certain other school employees; to provide for school elections and to prescribe powers and duties with respect thereto; to provide for the levy and collection of taxes; to provide for the borrowing of money and issuance of bonds and other evidences of indebtedness; to establish a fund and provide for expenditures from that fund; to make appropriations for certain purposes; to provide for and prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to provide for licensure of boarding schools; to prescribe penalties; 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. 5430, entitled**

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

The 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. 390****Yeas—36**

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

**Nays—0****Excused—1**

Casperson

**Not Voting—0**

In The Chair: 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, consolidate, and classify the laws relating to the insurance and surety business; to regulate the incorporation or formation of domestic insurance and surety companies and associations and the admission of foreign and alien companies and associations; to provide their rights, powers, and immunities and to prescribe the conditions on which companies and associations organized, existing, or authorized under this act may exercise their powers; to provide the rights, powers, and immunities and to prescribe the conditions on which other persons, firms, corporations, associations, risk retention groups, and purchasing groups engaged in an insurance or surety business may exercise their powers; to provide for the imposition of a privilege fee on domestic insurance companies and associations and the state accident fund; to provide for the imposition of a tax on the business of foreign and alien companies and associations; to provide for the imposition of a tax on risk retention groups and purchasing groups; to provide for the imposition of a tax on the business of surplus line agents; to provide for the imposition of regulatory fees on certain insurers; to provide for assessment fees on certain health maintenance organizations; to modify tort liability arising out of certain accidents; to provide for limited actions with respect to that modified tort liability and to prescribe certain procedures for maintaining those actions; to require security for losses arising out of certain accidents; to provide for the continued availability and affordability of automobile insurance and homeowners insurance in this state and to facilitate the purchase of that insurance by all residents of this state at fair and reasonable rates; to provide for certain reporting with respect to insurance and with respect to certain claims against uninsured or self-insured persons; to prescribe duties for certain state departments and officers with respect to that reporting; to provide for certain assessments; to establish and continue certain state insurance funds; to modify and clarify the status, rights, powers, duties, and operations of the nonprofit malpractice insurance fund; to provide for the departmental supervision and regulation of the insurance and surety business within this state; to provide for regulation over worker’s compensation self-insurers; to provide for the conservation, rehabilitation, or liquidation of unsound or insolvent insurers; to provide for the protection of policyholders, claimants, and creditors of unsound or insolvent insurers; to provide for associations of insurers to protect policyholders and claimants in the event of insurer insolvencies; to prescribe educational requirements for insurance agents and solicitors; to provide for the regulation of multiple employer welfare arrangements; to create an automobile theft prevention authority to reduce the number of automobile thefts in this state; to prescribe the powers and duties of the automobile theft prevention authority; to provide certain powers and duties upon certain officials, departments, and authorities of this state; to provide for an appropriation; to repeal acts and parts of acts; and to provide penalties for the violation of this act.”

The Senate agreed to the full title.

By unanimous consent the Senate returned to the order of  
**Motions and Communications**

Senator Kowall moved that the Committee on Government Operations be discharged from further consideration of the following initiative petition:

**Legislative Initiative Petition**

An initiation of legislation to allow under state law the personal possession and use of marihuana by persons 21 years of age or older; to provide for the lawful cultivation and sale of marihuana and industrial hemp by persons 21 years of age or older; to permit the taxation of revenue derived from commercial marihuana facilities; to permit the promulgation of administrative rules; and to prescribe certain penalties for violations of this act.

On which motion Senator Hood requested the yeas and nays.

The yeas and nays were ordered, 1/5 of the members present voting therefor.

The motion prevailed, a majority of the members voting therefor, as follows:

**Roll Call No. 391**

**Yeas—22**

Booher	Horn	Marleau	Proos
Brandenburg	Hune	Meekhof	Robertson
Emmons	Jones	Nofs	Schmidt
Green	Knollenberg	O'Brien	Shirkey
Hansen	Kowall	Pavlov	Stamas
Hildenbrand	MacGregor		

**Nays—14**

Ananich	Gregory	Knezek	Warren
Bieda	Hertel	Rocca	Young
Colbeck	Hood	Schuitmaker	Zorn
Conyers	Hopgood		

**Excused—1**

Casperson

**Not Voting—0**

In The Chair: Schuitmaker

The initiative petition was placed on the order of Third Reading of Bills.

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 subject to the call of the Chair.

The motion prevailed, the time being 12:06 p.m.



3:16 p.m.

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

### Committee Reports

#### COMMITTEE ATTENDANCE REPORT

The Conference Committee on Agriculture and Rural Development (HB 5568) submitted the following:  
Meeting held on Tuesday, June 5, 2018, at 9:15 a.m., Room 426, Capitol Building  
Present: Senators Green, Stamas and Hopgood

#### COMMITTEE ATTENDANCE REPORT

The Conference Committee on Judiciary (SB 859) submitted the following:  
Meeting held on Tuesday, June 5, 2018, at 9:15 a.m., Harry T. Gast Appropriations Room, Capitol Building  
Present: Senators Proos (C), Schuitmaker and Young

#### COMMITTEE ATTENDANCE REPORT

The Conference Committee on Military and Veterans Affairs (HB 5570) submitted the following:  
Meeting held on Tuesday, June 5, 2018, at 9:15 a.m., Room 352, House Appropriations, Capitol Building  
Present: Senators Nofs, Hildenbrand and Knezek

#### COMMITTEE ATTENDANCE REPORT

The Conference Committee on Corrections (HB 5562) submitted the following:  
Meeting held on Tuesday, June 5, 2018, at 9:30 a.m., Room 424, Capitol Building  
Present: Senators Proos, Knollenberg and Gregory

#### COMMITTEE ATTENDANCE REPORT

The Conference Committee on State Police (HB 5561) submitted the following:  
Meeting held on Tuesday, June 5, 2018, at 9:30 a.m., Room 352, House Appropriations, Capitol Building  
Present: Senators Nofs, Hildenbrand and Knezek

#### COMMITTEE ATTENDANCE REPORT

The Conference Committee on Community Colleges (SB 851) submitted the following:  
Meeting held on Tuesday, June 5, 2018, at 9:45 a.m., Room 1300, Binsfeld Office Building  
Present: Senators Booher (C), Schuitmaker and Knezek

### Scheduled Meetings

**Appropriations** - Wednesday, June 6, 2:00 p.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building (373-5307)

#### Conference Committees -

**Education (SB 853)** - Wednesday, June 6, 3:00 p.m. or later after committees are given leave by the House to meet, Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building (373-2768)

**School Aid (SB 863)** - Wednesday, June 6, 3:15 p.m. or later after committees are given leave by the House to meet, Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building (373-2768)

**Transportation (HB 5572)** - Wednesday, June 6, 3:30 p.m., or later after committees are given leave by the House to meet, Room 352, Capitol Building and Thursday, June 7, 9:00 a.m., Room 426, Capitol Building (373-8080) (CANCELED)

**Criminal Justice Policy Commission** - Wednesday, June 6, 9:00 a.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building (373-0212)

**Economic Development and International Investment** - Thursday, June 7, 1:30 p.m., Room 1200, Binsfeld Office Building (373-5323)

**Families, Seniors and Human Services** - Wednesday, June 6, 3:00 p.m., Room 1300, Binsfeld Office Building (373-5314)

**Insurance** - Wednesday, June 6, 2:00 p.m., Room 1200, Binsfeld Office Building (373-1721)

**Judiciary** - Wednesday, June 6, 8:30 a.m., Room 1300, Binsfeld Office Building (373-5323)

**Outdoor Recreation and Tourism** - Wednesday, June 6, 12:30 p.m., Room 1200, Binsfeld Office Building (373-1721) (CANCELED)

**Oversight** - Thursday, June 7, 8:00 a.m., Room 1200, Binsfeld Office Building (373-5314)

**Senate Fiscal Agency Board of Governors** - Wednesday, June 6, 9:30 a.m., Rooms 402 and 403, Capitol Building (373-2768)

**Transportation** - Wednesday, June 6, 8:30 a.m., Room 1200, Binsfeld Office Building (373-5312)

Senator Kowall moved that the Senate adjourn.  
The motion prevailed, the time being 3:17 p.m.

The President pro tempore, Senator Schuitmaker, declared the Senate adjourned until Wednesday, June 6, 2018, at 10:00 a.m.

JEFFREY F. COBB  
Secretary of the Senate