

No. 65
STATE OF MICHIGAN
Journal of the Senate
99th Legislature
REGULAR SESSION OF 2018

Senate Chamber, Lansing, Tuesday, September 25, 2018.

10:00 a.m.

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

Senator Kowall moved that the Senate adjourn, pursuant to rule 1.205.
The motion prevailed, the time being 10:01 a.m.

Announcements of Printing and Enrollment

The Secretary announced that the following House bills were received in the Senate and filed on Thursday, September 6:
House Bill Nos. 5376 5640 5641 5643 5866 5926 5950

The Secretary announced that the following initiative petitions were filed with the Secretary of State:

Legislative Initiative Petition

An initiation of legislation 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 2014 PA 138.

(Filed with the Secretary of State on Wednesday, September 5, 2018, at 11:45 a.m.)

Legislative Initiative Petition

An initiation of legislation 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.

(Filed with the Secretary of State on Wednesday, September 5, 2018, at 11:47 a.m.)

The Secretary announced that the following bills and joint resolution were printed and filed on Wednesday, September 5, and are available at the Michigan Legislature website:

**Senate Bill Nos. 1073 1074 1075 1076 1077 1078 1079 1080 1081 1082 1083 1084 1085 1086
1087 1088 1089 1090 1091 1092 1093 1094 1095 1096 1097 1098 1099 1100
1101 1102 1103 1104 1105 1106 1107 1108 1109 1110 1111 1112 1113 1114
1115 1116 1117 1118 1119**

House Bill Nos.	6291	6292	6293	6294	6295	6296	6297	6298	6299	6300	6301	6302	6303	6304
	6305	6306	6307	6308	6309	6310	6311	6312	6313	6314	6315	6316	6317	6318
	6319	6320	6321	6322	6323	6324								
House Joint Resolution	MM													

The Secretary announced that the following bills were printed and filed on Thursday, September 6, and are available at the Michigan Legislature website:

House Bill Nos.	6325	6326	6327	6328	6329	6330	6331	6332	6333	6334	6335	6336	6337	6338
	6339	6340	6341	6342	6343	6344	6345	6346	6347	6348	6349			

Committee Reports

The Committee on Commerce reported

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 248I.

With the recommendation that the bill pass.

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

Wayne A. Schmidt
Chairperson

To Report Out:

Yeas: Senators Schmidt, Kowall, MacGregor, O'Brien and Hertel

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Commerce reported

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.

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.

Wayne A. Schmidt
Chairperson

To Report Out:

Yeas: Senators Schmidt, Kowall, MacGregor, O'Brien and Hertel

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 Commerce submitted the following:

Meeting held on Wednesday, September 5, 2018, at 9:00 a.m., Room 1200, Binsfeld Office Building

Present: Senators Schmidt (C), Kowall, MacGregor, O'Brien and Hertel

The Committee on Government Operations reported

Senate Joint Resolution R, entitled

A joint resolution applying to the Congress of the United States to call a convention to propose an amendment to the constitution of the United States to impose fiscal restraints on the federal government, limit the power and jurisdiction of the federal government, and limit the terms of office for federal officials and members of Congress.

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

Arlan B. Meekhof
Chairperson

To Report Out:

Yeas: Senators Meekhof, Hansen and Kowall

Nays: Senators Ananich and Hood

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

The Committee on Judiciary reported

Senate Bill No. 1017, entitled

A bill to codify the liability of possessors of real property for injuries to invitees and licensees.

With the recommendation that the bill pass.

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

Rick Jones
Chairperson

To Report Out:

Yeas: Senators Jones, Schuitmaker and Emmons

Nays: Senator Bieda

The bill was referred to the Committee of the Whole.

The Committee on Judiciary reported

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.

With the recommendation that the substitute (S-1) be adopted and that the bill then pass.

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

Rick Jones
Chairperson

To Report Out:

Yeas: Senators Jones, Schuitmaker, Emmons and Bieda

Nays: None

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

The Committee on Judiciary reported

House Bill No. 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.

With the recommendation that the bill pass.

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

Rick Jones
Chairperson

To Report Out:

Yeas: Senators Jones, Schuitmaker, Emmons and Bieda

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Oversight reported

Senate Bill No. 1037, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," (MCL 400.1 to 400.119b) by adding section 111n.

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.

Peter F. MacGregor
Chairperson

To Report Out:

Yeas: Senators MacGregor, Kowall and Stamas

Nays: None

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

The Committee on Oversight reported

Senate Bill No. 1038, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," (MCL 400.1 to 400.119b) by adding section 111m.

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.

Peter F. MacGregor
Chairperson

To Report Out:

Yeas: Senators MacGregor, Kowall and Stamas

Nays: None

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

The Committee on Oversight reported

Senate Bill No. 1039, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," (MCL 400.1 to 400.119b) by adding section 105g.

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.

Peter F. MacGregor
Chairperson

To Report Out:

Yeas: Senators MacGregor, Kowall and Stamas

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 Oversight submitted the following:

Meeting held on Thursday, September 6, 2018, at 8:30 a.m., Room 1200, Binsfeld Office Building

Present: Senators MacGregor (C), Kowall and Stamas

Excused: Senators Schuitmaker and Gregory

The Committee on Families, Seniors and Human Services reported

House Bill No. 5750, entitled

A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending sections 1, 2, and 3 of chapter XII (MCL 712.1, 712.2, and 712.3), sections 1 and 3 as amended by 2006 PA 488 and section 2 as added by 2000 PA 232.

With the recommendation that the bill pass.

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

Judith K. Emmons
Chairperson

To Report Out:

Yeas: Senators Emmons, Pavlov, Jones and Casperson

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Families, Seniors and Human Services reported

House Bill No. 5751, entitled

A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending sections 5, 7, 10, 17, and 20 of chapter XII (MCL 712.5, 712.7, 712.10, 712.17, and 712.20), section 5 as added by 2000 PA 232, sections 7 and 10 as amended by 2006 PA 488, section 17 as amended by 2010 PA 348, and section 20 as amended by 2003 PA 245, and by adding section 3a.

With the recommendation that the bill pass.

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

Judith K. Emmons
Chairperson

To Report Out:

Yeas: Senators Emmons, Pavlov, Jones and Casperson

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Families, Seniors and Human Services reported

House Bill No. 5953, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 2843 (MCL 333.2843), as amended by 2013 PA 79.

With the recommendation that the bill pass.

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

Judith K. Emmons
Chairperson

To Report Out:

Yeas: Senators Emmons, Pavlov, Jones and Casperson

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Families, Seniors and Human Services reported

House Bill No. 5954, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 135 (MCL 750.135), as amended by 2002 PA 689.

With the recommendation that the bill pass.

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

Judith K. Emmons
Chairperson

To Report Out:

Yeas: Senators Emmons, Pavlov, Jones and Casperson

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Families, Seniors and Human Services submitted the following:

Meeting held on Wednesday, September 5, 2018, at 3:00 p.m., Room 1300, Binsfeld Office Building

Present: Senators Emmons (C), Pavlov, Jones and Casperson

Excused: Senator Gregory

The Committee on Transportation reported

Senate Bill No. 396, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 722 and 725 (MCL 257.722 and 257.725), section 722 as amended by 2016 PA 72 and section 725 as amended by 2016 PA 454, and by adding section 719d.

With the recommendation that the substitute (S-5) be adopted and that the bill then pass.

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

Thomas A. Casperson
Chairperson

To Report Out:

Yeas: Senators Casperson, Horn, Pavlov and Marleau

Nays: Senator Conyers

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

The Committee on Transportation reported

Senate Bill No. 917, entitled

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

With the recommendation that the bill pass.

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

Thomas A. Casperson
Chairperson

To Report Out:

Yeas: Senators Casperson, Horn, Pavlov, Marleau and Conyers

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Transportation reported

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.

With the recommendation that the bill pass.

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

Thomas A. Casperson
Chairperson

To Report Out:

Yeas: Senators Casperson, Horn, Pavlov, Marleau and Conyers

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Transportation reported

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.

With the recommendation that the bill pass.

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

Thomas A. Casperson
Chairperson

To Report Out:

Yeas: Senators Casperson, Horn, Pavlov, Marleau and Conyers

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Transportation reported

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.

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.

Thomas A. Casperson
Chairperson

To Report Out:

Yeas: Senators Casperson, Horn, Pavlov, Marleau and Conyers

Nays: None

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

The Committee on Transportation reported

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.

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.

Thomas A. Casperson
Chairperson

To Report Out:

Yeas: Senators Casperson, Horn, Pavlov, Marleau and Conyers

Nays: None

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

The Committee on Transportation reported

Senate Bill No. 940, entitled

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

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

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

Thomas A. Casperson
Chairperson

To Report Out:

Yeas: Senators Casperson, Horn, Pavlov, Marleau and Conyers

Nays: None

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

The Committee on Transportation reported

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.

With the recommendation that the bill pass.

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

Thomas A. Casperson
Chairperson

To Report Out:

Yeas: Senators Casperson, Horn, Pavlov, Marleau and Conyers

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Transportation reported

Senate Bill No. 964, entitled

A bill to amend 1972 PA 106, entitled "Highway advertising act of 1972," by amending sections 2, 3, 4, 6, 7, 7a, 9, 17, 17a, 19, and 23 (MCL 252.302, 252.303, 252.304, 252.306, 252.307, 252.307a, 252.309, 252.317, 252.317a, 252.319, and 252.323), sections 2, 4, 6, 7, 7a, and 17 as amended and section 17a as added by 2014 PA 2 and sections 3, 9, and 19 as amended by 2006 PA 448, and by adding section 8; and to repeal acts and parts of acts.

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.

Thomas A. Casperson
Chairperson

To Report Out:

Yeas: Senators Casperson, Horn, Pavlov and Marleau

Nays: Senator Conyers

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

The Committee on Transportation reported

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.

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.

Thomas A. Casperson
Chairperson

To Report Out:

Yeas: Senators Casperson, Horn, Pavlov, Marleau and Conyers

Nays: None

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

The Committee on Transportation reported

House Bill No. 5090, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 724 (MCL 257.724), as amended by 2016 PA 450.

With the recommendation that the bill pass.

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

Thomas A. Casperson
Chairperson

To Report Out:

Yeas: Senators Casperson, Horn, Pavlov, Marleau and Conyers

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Transportation reported

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.

With the recommendation that the substitute (S-4) be adopted and that the bill then pass.

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

Thomas A. Casperson
Chairperson

To Report Out:

Yeas: Senators Casperson, Horn, Pavlov, Marleau and Conyers

Nays: None

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

The Committee on Transportation reported

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.

With the recommendation that the bill pass.

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

Thomas A. Casperson
Chairperson

To Report Out:

Yeas: Senators Casperson, Horn, Pavlov, Marleau and Conyers

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Transportation submitted the following:

Meeting held on Thursday, September 6, 2018, at 8:30 a.m., Room 1100, Binsfeld Office Building

Present: Senators Casperson (C), Horn, Pavlov, Marleau and Conyers

COMMITTEE ATTENDANCE REPORT

The Senate Fiscal Agency Board of Governors submitted the following:

Meeting held on Thursday, September 6, 2018, at 9:00 a.m., Rooms 402 and 403, Capitol Building

Present: Senators Hildenbrand (C), Meekhof, MacGregor and Ananich

Excused: Senator Gregory

Scheduled Meetings

Appropriations - Wednesday, September 26, 11:00 a.m., Room 1100, Binsfeld Office Building (373-5307)

Subcommittee -

Capital Outlay - Wednesday, September 26, 3:30 p.m. or immediately following Senate Appropriations, Room 1100, Binsfeld Office Building (373-2768)

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

Education - Wednesday, September 26, 12:15 p.m., Room 1200, Binsfeld Office Building (373-1721)

Energy and Technology - Wednesday, September 26, 9:00 a.m., Room 1200, Binsfeld Office Building (373-1721)

Judiciary - Wednesday, September 26, 9:00 a.m., Room 1300, Binsfeld Office Building (373-5323)

Legislative Council - Wednesday, September 26, 9:00 a.m., Rooms 402 and 403, Capitol Building (373-0212)

Michigan Competitiveness - Wednesday, September 26, 8:30 a.m., Room 1100, Binsfeld Office Building (373-5323)

Natural Resources - Wednesday, September 26, 12:00 noon, Room 1300, Binsfeld Office Building (373-5312)

Regulatory Reform - Wednesday, September 26, 11:00 a.m., Room 1200, Binsfeld Office Building (373-5323)

The President, Lieutenant Governor Calley, declared the Senate adjourned until Wednesday, September 26, 2018, at 10:00 a.m.

JEFFREY F. COBB
Secretary of the Senate

