No. 21 STATE OF MICHIGAN

Journal of the Senate

99th Legislature REGULAR SESSION OF 2018

Senate Chamber, Lansing, Tuesday, February 27, 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—present
Colbeck—present
Conyers—present
Emmons—present
Green—excused
Gregory—present
Hansen—present
Hertel—present
Hildenbrand—present

Hood—present
Hopgood—present
Horn—present
Hune—present
Johnson—excused
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
Schuitmaker—present
Stamas—present
Warren—present
Young—present
Zorn—present

Reverend Ellis Clipton Jr. of St. Clements Episcopal Church of Inkster offered the following invocation:

O Lord, our Governor, whose glory is in all the world, we commend this glorious state of Michigan to Your most righteous and merciful care; that being guided in Your ways, we may be a people living in unity and with love for one another and for You.

Give Your guidance and direction to the Governor and the Lieutenant Governor of this state, so that Michiganders will benefit from their wisdom and decisions, and the peace and prosperity that comes only from You will be our reality. Give grace to these, Your servants, assembled in this place. Especially those who serve as Senators and Representatives of the people; that they may possess the courage, wisdom, and foresight to provide for the needs of all people, and to fulfill the obligations associated with their election with a sense of impartiality and fairness, with compassion and care, and with the love for justice that will touch everyone. Fill all who are employed by this state with an awareness of You. Make them ever mindful of their calling to serve the people of this state; that as they go about their very task and duties, they may be made aware of the importance of their work so that they may pursue it with charity and graciousness to those whom they are called to serve.

We commend to Your gracious care and keeping all who serve in law enforcement throughout the state of Michigan. Defend them day by day with Your heavenly grace, protect their families, strengthen them in their trials, give them courage to face perils that beset them, and grant them a sense of Your abiding presence as they serve. As they honor their charge to serve and protect, we pray that the spirit of the law, as opposed to the letter of the law, will be their motivation. Give to the judges and officers of our courts compassion and understanding and integrity; that human rights may be safeguarded and justice served. We pray for all of those who visit our beautiful state, that they may find in us the radical invitation and welcome You call us to offer.

And finally, O heavenly Father, bless the citizenry of this state. Bless our state with honorable industry, sound learning, and pure manners. Save us from violence, discord, and confusion, from pride and arrogance, and from every evil way. Fashion us into one united people of various races, ages, abilities, and do this regardless of gender or gender identification. Give to all the people of our fair state a thirst for justice, a sense of love for one another, and a deep desire for communal harmony. Whenever differences occur, help us to recognize and accept them not as obstacles to peace, but merely as challenges that we may face; and to seek Your will so that we may move beyond the divisions that can separate us. We know that You will grant this, dear Lord, because we ask it of You in sincerity and faith. May the fulfillment of our prayer be our joy.

We ask this of You, the source of all being, our eternal word, and Holy Spirit. Let us all say: Amen.

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

Motions and Communications

Senator Knollenberg entered the Senate Chamber.

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

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

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

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

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

February 16, 2018

Enclosed is a copy of the following reports:

- Report on Internal Control, Compliance, and Other Matters for the Michigan Judges' Retirement System for the fiscal year ended September 30, 2017 (071-0153-18).
- Report on Internal Control, Compliance, and Other Matters for the Michigan State Police Retirement System for the fiscal year ended September 30, 2017 (071-0154-18).

February 16, 2018

Enclosed is a copy of the following report:

• Report on Internal Control, Compliance, and Other Matters for the Michigan State Employees' Retirement System for the fiscal year ended September 30, 2017 (071-0151-18).

February 21, 2018

Enclosed is a copy of the following report:

• Investigative audit report on Southwestern Michigan Community College's Contributions to the Michigan Public School Employees' Retirement System for Part-Time Student Employees (917-DTMB-01).

> Sincerely, Doug Ringler Auditor General

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

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 October 1, 2017 through December 31, 2017, and are available in the Senate Business Office during business hours for public inspection:

Committee Chairperson

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

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

Senators Bieda and Nofs entered the Senate Chamber.

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

Messages from the Governor

The following messages from the Governor were received and read:

February 12, 2018

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

Pipeline Safety Advisory Board

Anthony W. England of 3520 Blue Heron Court, Ypsilanti, Michigan 48198, county of Washtenaw, representing public universities, succeeding Guy Meadows, is appointed for a term expiring December 31, 2018.

February 16, 2018

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

Child Lead Exposure Elimination Commission

Trina Townsend of 6227 Woodridge Lane, Grand Blanc, Michigan 48439, county of Genesee, representing a member with a background in child and family support, succeeding Mary Challiss, is appointed for a term expiring December 15, 2020.

February 16, 2018

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

Michigan Electronic Recording Commission

Donna M. Krall of 2817 Trafford Street, Royal Oak, Michigan 48073, county of Oakland, representing individuals engaged in the practice of banking, succeeding herself, is reappointed for a term expiring January 1, 2020.

Christian E. Meyer of 1410 Pontiac Road, S.E., Grand Rapids, Michigan 49506, county of Kent, representing attorneys licensed to practice law in the state and whose expertise emphasizes real property matters, succeeding himself, is reappointed for a term expiring January 1, 2020.

Thomas D. Richardson of 3368 Oak Hollow Drive, Ann Arbor, Michigan 48103, county of Washtenaw, representing individuals engaged in the land title profession, succeeding himself, is reappointed for a term expiring January 1, 2020.

Teresa Lucille Walker of 12011 Big Tower Road, Atlanta, Michigan 49709, county of Montmorency, representing county registers of deeds, succeeding Lori Wilson, is appointed for a term expiring January 1, 2020.

February 16, 2018

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

Chair - State Historic Preservation Review Board

Brian Rebain of 779 Seminole, Detroit, Michigan 48214, county of Wayne, is appointed for a term expiring at the pleasure of the Governor.

State Historic Preservation Review Board

Rhonda Baker of 434 108th Street, S.E., Caledonia, Michigan 49316, county of Allegan, representing historical preservation, succeeding herself, is reappointed for a term expiring December 31, 2021.

Janet L. Kreger of 1050 Wall Street, 4f, Ann Arbor, Michigan 48105, county of Washtenaw, representing architectural history, succeeding Theodore Ligibel, is appointed for a term expiring December 31, 2021.

February 16, 2018

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

Michigan Strategic Fund Board of Directors

Terrence Jeffrey Liam Reeves of 1809 Harley Drive, Ann Arbor, Michigan 48103, county of Washtenaw, succeeding Jody Vanderwel, is appointed for a term expiring February 28, 2019.

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 10:12 a.m.

10:57 a.m.

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

During the recess, Senator Young entered the Senate Chamber.

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 Knezek 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 bill:

House Bill No. 4535, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 255 (MCL 257.255), as amended by 2003 PA 9.

The bill 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. 642, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 30 (MCL 206.30), as amended by 2015 PA 161.

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. 5112, entitled**

A bill to amend 2001 PA 142, entitled "Michigan memorial highway act," (MCL 250.1001 to 250.2080) by adding section 16a.

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. 4430, entitled**

A bill to prohibit this state and certain other governmental agents, employees, and entities in this state from assisting a federal agency in obtaining certain forms of data without a warrant; and to prohibit certain uses of certain data collected without a warrant.

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

Messages from the House

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

Senate Bill No. 35 Senate Bill No. 551

The motion prevailed.

Senate Bill No. 400, entitled

A bill to amend 1986 PA 32, entitled "Emergency 9-1-1 service enabling act," by amending sections 102, 201, 312, 401a, 401b, 401c, 401d, 403, 406, 407, and 408 (MCL 484.1102, 484.1201, 484.1312, 484.1401a, 484.1401b, 484.1401c, 484.1401d, 484.1403, 484.1406, 484.1407, and 484.1408), sections 102, 401a, 401b, and 401d as amended by 2012 PA 260, sections 201 and 312 as amended by 2007 PA 164, section 401c as amended by 2012 PA 433, sections 403, 406, and 407 as amended by 2007 PA 165, and section 408 as amended by 2013 PA 113.

Substitute (H-1).

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

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

Roll Call No. 111 Yeas—35

Hertel Ananich Bieda Hildenbrand Booher Hood Brandenburg Hopgood Casperson Horn Conyers Hune **Emmons** Jones Gregory Knezek Hansen Knollenberg

Kowall Rocca MacGregor Schmidt Marleau Schuitmaker Meekhof Shirkey Nofs Stamas Warren O'Brien Pavlov Young Proos Zorn Robertson

Nays—1

Colbeck

Excused—2

Green Johnson

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 full title.

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

Third Reading of Bills

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

House Bill No. 4606

The motion prevailed.

The following bill was read a third time:

House Bill No. 4606, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by repealing section 474 (MCL 750.474). The question being on the passage of the bill,

The bill was defeated, a majority of the members serving not voting therefor, as follows:

Roll Call No. 112 Yeas—16

Ananich	Hertel	Hune	Rocca
Bieda	Hildenbrand	Jones	Shirkey
Conyers	Hood	Knezek	Warren
Gregory	Hopgood	O'Brien	Young

Nays-19

Booher	Hansen	Marleau	Robertson
Brandenburg	Horn	Meekhof	Schmidt
Casperson	Knollenberg	Nofs	Schuitmaker
Colbeck	Kowall	Pavlov	Zorn
Emmons	MacGregor	Proos	

Excused—2

Green Johnson

Not Voting—1

Stamas

In The Chair: Schuitmaker

Senator Kowall moved to reconsider the vote by which the bill was defeated.

The question being on the motion to reconsider,

Senator Kowall moved that further consideration of the bill be postponed for today.

The motion prevailed.

By unanimous consent the Senate proceeded to the order of

Introduction and Referral of Bills

Senators Zorn, Shirkey and Hansen introduced

Senate Bill No. 842, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 17766 (MCL 333.17766), as amended by 2006 PA 416, and by adding sections 7423 and 21418.

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

Senator Bieda introduced

Senate Bill No. 843, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 719 and 722 (MCL 257.719 and 257.722), section 719 as amended by 2015 PA 208 and section 722 as amended by 2016 PA 72.

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

Senators Proos, Bieda, Gregory, Booher, Colbeck, Brandenburg, Hansen, Emmons and Conyers introduced Senate Bill No. 844, entitled

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

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

Senator Casperson introduced

Senate Bill No. 845, entitled

A bill to amend 1976 PA 223, entitled "An act to create an agency concerned with crime victim services; to prescribe its powers and duties; to provide compensation to certain victims of crimes; to provide for the promulgation of rules; and to provide for penalties," by amending section 10 (MCL 18.360), as amended by 2008 PA 390.

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

Senator Hune introduced

Senate Bill No. 846, entitled

A bill to amend 1980 PA 350, entitled "The nonprofit health care corporation reform act," by amending section 654 (MCL 550.1654), as added by 2013 PA 4.

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

Senator Knezek introduced

Senate Bill No. 847, entitled

A bill to amend 1943 PA 240, entitled "State employees' retirement act," by amending sections 24 and 33 (MCL 38.24 and 38.33), section 24 as amended by 2002 PA 93 and section 33 as amended by 2004 PA 109.

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

Senator Hildenbrand introduced

Senate Bill No. 848, entitled

A bill to make, supplement, adjust, and consolidate appropriations for various state departments and agencies, the judicial branch, and the legislative branch for the fiscal years ending September 30, 2019; to provide for certain conditions on appropriations; and to provide for the expenditure of the appropriations.

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

Senator Hildenbrand introduced

Senate Bill No. 849, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 11, 17b, 201, and 236 (MCL 388.1611, 388.1617b, 388.1801, and 388.1836), section 11 as amended by 2017 PA 143, section 17b as amended by 2007 PA 137, and sections 201 and 236 as amended by 2017 PA 108.

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

Senator Green introduced

Senate Bill No. 850, entitled

A bill to make appropriations for the department of agriculture and rural development for the fiscal year ending September 30, 2019; and to provide for the expenditure of the appropriations.

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

Senator Booher introduced

Senate Bill No. 851, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 201 and 201a (MCL 388.1801 and 388.1801a), as amended by 2017 PA 108.

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

Senator Proos introduced

Senate Bill No. 852, entitled

A bill to make appropriations for the department of corrections for the fiscal year ending September 30, 2019; and to provide for the expenditure of the appropriations.

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

Senator Hansen introduced

Senate Bill No. 853, entitled

A bill to make appropriations for the department of education for the fiscal year ending September 30, 2019; and to provide for the expenditure of the appropriations.

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

Senator Green introduced

Senate Bill No. 854, entitled

A bill to make appropriations for the department of environmental quality for the fiscal year ending September 30, 2019; and to provide for the expenditure of the appropriations.

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

Senator Stamas introduced

Senate Bill No. 855, entitled

A bill to make appropriations for the legislature, the executive, the department of attorney general, the department of state, the department of treasury, the department of technology, management, and budget, the department of civil rights, the department of talent and economic development, and certain other state purposes for the fiscal year ending September 30, 2019; to provide for the expenditure of the appropriations; to provide for the disposition of fees and other income received by the state agencies; and to declare the effect of this act.

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

Senator MacGregor introduced

Senate Bill No. 856, entitled

A bill to make appropriations for the department of health and human services for the fiscal year ending September 30, 2019; and to provide for the expenditure of the appropriations.

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

Senator Schuitmaker introduced

Senate Bill No. 857, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 236 and 236a (MCL 388.1836 and 388.1836a), sections 236 and 236a as amended by 2017 PA 108.

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

Senator Knollenberg introduced

Senate Bill No. 858, entitled

A bill to make appropriations for the department of insurance and financial services for the fiscal year ending September 30, 2019; and to provide for the expenditure of the appropriations.

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

Senator Proos introduced

Senate Bill No. 859, entitled

A bill to make appropriations for the judiciary for the fiscal year ending September 30, 2019; and to provide for the expenditure of the appropriations.

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

Senator Knollenberg introduced

Senate Bill No. 860, entitled

A bill to make appropriations for the department of licensing and regulatory affairs for the fiscal year ending September 30, 2019; and to provide for the expenditure of the appropriations.

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

Senator Nofs introduced

Senate Bill No. 861, entitled

A bill to make appropriations for the department of military and veterans affairs for the fiscal year ending September 30, 2019; and to provide for the expenditure of the appropriations.

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

Senator Green introduced

Senate Bill No. 862, entitled

A bill to make appropriations for the department of natural resources for the fiscal year ending September 30, 2019; and to provide for the expenditure of the appropriations.

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

Senator Hansen introduced

Senate Bill No. 863, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 11 and 17b (MCL 388.1611 and 388.1617b), section 11 as amended by 2017 PA 143 and section 17b as amended by 2007 PA 137.

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

Senator Nofs introduced

Senate Bill No. 864, entitled

A bill to make appropriations for the department of state police for the fiscal year ending September 30, 2019; and to provide for the expenditure of the appropriations.

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

Senator Hansen introduced

Senate Bill No. 865, entitled

A bill to make appropriations for the state transportation department for the fiscal year ending September 30, 2019; and to provide for the expenditure of the appropriations.

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

Senator Hildenbrand introduced

Senate Bill No. 866, entitled

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

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

Senator Hildenbrand introduced

Senate Bill No. 867, entitled

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

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

Senator Hildenbrand introduced

Senate Bill No. 868, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 11 and 17b (MCL 388.1611 and 388.1617b), section 11 as amended by 2017 PA 143 and section 17b as amended by 2007 PA 137.

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

Senator Hildenbrand introduced

Senate Bill No. 869, entitled

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2019; and to provide for the expenditure of the appropriations.

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

Senator Hildenbrand introduced

Senate Bill No. 870, entitled

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2019; and to provide for the expenditure of the appropriations.

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

Senators O'Brien, Jones, Horn, Knollenberg, Knezek, Hertel, Bieda, Rocca, Emmons, Conyers, Ananich, Hopgood, Brandenburg, Stamas, Marleau, Colbeck, Zorn, Kowall and Shirkey introduced

Senate Bill No. 871, entitled

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

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

Senators Knezek, O'Brien, Jones, Horn, Knollenberg, Hertel, Bieda, Rocca, Emmons, Conyers, Ananich, Hopgood, Brandenburg, Stamas, Marleau, Colbeck, Zorn and Kowall introduced

Senate Bill No. 872, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 5805 (MCL 600.5805), as amended by 2012 PA 582, and by adding section 5851b.

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

Senators O'Brien, Jones, Horn, Knollenberg, Knezek, Hertel, Bieda, Rocca, Emmons, Conyers, Ananich, Hopgood, Colbeck, Brandenburg, Stamas, Marleau, Zorn, Kowall, MacGregor and Shirkey introduced

Senate Bill No. 873, entitled

A bill to amend 1975 PA 238, entitled "Child protection law," by amending section 3 (MCL 722.623), as amended by 2016 PA 35.

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

Senators Jones, O'Brien, Horn, Knollenberg, Knezek, Hertel, Bieda, Rocca, Emmons, Conyers, Ananich, Hopgood, Colbeck, Brandenburg, Stamas, Marleau, Zorn, Kowall, MacGregor and Shirkey introduced

Senate Bill No. 874, entitled

A bill to amend 1975 PA 238, entitled "Child protection law," by amending section 13 (MCL 722.633), as amended by 2002 PA 14.

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

Senators O'Brien, Jones, Horn, Knollenberg, Knezek, Hertel, Bieda, Rocca, Emmons, Conyers, Ananich, Hopgood, Brandenburg, Stamas, Marleau, Colbeck, Zorn, Kowall and Shirkey introduced

Senate Bill No. 875, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 6431 (MCL 600.6431). The bill was read a first and second time by title and referred to the Committee on Judiciary.

Senators Horn, O'Brien, Jones, Knollenberg, Knezek, Hertel, Bieda, Rocca, Emmons, Conyers, Ananich, Hopgood, Stamas, Brandenburg, Marleau, Colbeck, Zorn, Kowall and Shirkey introduced

Senate Bill No. 876, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 6452 (MCL 600.6452). The bill was read a first and second time by title and referred to the Committee on Judiciary.

Senators Knollenberg, O'Brien, Jones, Horn, Knezek, Hertel, Bieda, Rocca, Emmons, Conyers, Ananich, Hopgood, Colbeck, Brandenburg, Stamas, Marleau, Zorn, Kowall and Shirkey introduced

Senate Bill No. 877, entitled

A bill to amend 1964 PA 170, entitled "An act to make uniform the liability of municipal corporations, political subdivisions, and the state, its agencies and departments, officers, employees, and volunteers thereof, and members of certain boards, councils, and task forces when engaged in the exercise or discharge of a governmental function, for injuries to property and persons; to define and limit this liability; to define and limit the liability of the state when engaged in a proprietary function; to authorize the purchase of liability insurance to protect against loss arising out of this liability; to provide for defending certain claims made against public officers, employees, and volunteers and for paying damages sought or awarded against them; to provide for the legal defense of public officers, employees, and volunteers; to provide for reimbursement of public officers and employees for certain legal expenses; and to repeal acts and parts of acts," (MCL 691.1401 to 691.1419) by adding section 7d.

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

Senators Hertel, O'Brien, Jones, Horn, Knollenberg, Knezek, Bieda, Rocca, Emmons, Conyers, Ananich, Hopgood, Colbeck, Brandenburg, Stamas, Marleau, Zorn, Kowall, MacGregor and Shirkey introduced

Senate Bill No. 878, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 145c (MCL 750.145c), as amended by 2012 PA 583.

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

Senators O'Brien, Jones, Horn, Knollenberg, Knezek, Hertel, Bieda, Rocca, Emmons, Conyers, Ananich, Hopgood, Colbeck, Brandenburg, Stamas, Marleau, Zorn, Kowall, MacGregor and Shirkey introduced

Senate Bill No. 879, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16g of chapter XVII (MCL 777.16g), as amended by 2017 PA 74.

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

Senator Jones introduced

Senate Bill No. 880, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 15g of chapter XVII (MCL 777.15g), as amended by 2017 PA 259.

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

House Bill No. 4053, entitled

A bill to designate the official language of this state; to require the use of the official language in certain documents and at certain public meetings; and to provide the powers and duties of certain state and local agencies and officials.

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. 4298, entitled

A bill to amend 1975 PA 238, entitled "Child protection law," (MCL 722.621 to 722.638) by adding section 8f.

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. 4299, 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.

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. 4300, 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 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. 4321, entitled

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

The 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 Appropriations.

House Bill No. 5190, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 517a (MCL 436.1517a), as amended by 2016 PA 180.

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.

Statements

Senator Nofs stated that had he been present on February 13 when the votes were taken on the passage of the following bills, he would have voted "yea":

House Bill No. 5175 Senate Bill No. 226

Senate Bill No. 459

Senator Nofs stated that had he been present on February 14 when the votes were taken on the passage of the following bills, he would have voted "yea":

House Bill No. 5040 House Bill No. 5041

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House Bill No. 5043
House Bill No. 5044
House Bill No. 5046
House Bill No. 5079
Senate Bill No. 731
Senate Bill No. 732
Senate Bill No. 733
Senate Bill No. 734
Senate Bill No. 735
Senate Bill No. 736
Senate Bill No. 737
Senate Bill No. 738
Senate Bill No. 739
Senate Bill No. 739
Senate Bill No. 740
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Senator Nofs stated that had he been present on February 14 when the votes were taken on concurring in the House substitutes to the following bills, he would have voted "yea":

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Senate Bill No. 625
Senate Bill No. 748
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Senator Nofs stated that had he been present on February 14 when the vote was taken on concurring in the House amendment to the following bill, he would have voted "yea":

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Senate Bill No. 750
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Senator Nofs stated that had he been present on February 15 when the votes were taken on the passage of the following bills, he would have voted "yea":

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House Bill No. 4472
House Bill No. 4536
House Bill No. 4537
House Bill No. 4538
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Senator Nofs stated that had he been present on February 20 when the votes were taken on the passage of the following bills, he would have voted "yea":

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House Bill No. 5216
Senate Bill No. 800
Senate Bill No. 801
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Senator Nofs stated that had he been present on February 21 when the votes were taken on the passage of the following bills, he would have voted "yea":

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House Bill No. 4191
House Bill No. 4536
House Bill No. 4537
House Bill No. 4538
Senate Bill No. 647
Senate Bill No. 671
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Senator Nofs stated that had he been present on February 22 when the votes were taken on the passage of the following bills, he would have voted "yea":

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Senate Bill No. 489
Senate Bill No. 490
Senate Bill No. 797
Senate Bill No. 798
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Senators Bieda and Hertel asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator Bieda's statement is as follows:

I rise to recognize and memorialize a very good friend of mine who passed away over the weekend, and who is a former colleague of ours—Burton Leland—and I know my colleague from the 3rd District, Senator Hood, is going to make a further statement and ask for a moment of silence.

I've known Burton and his family for over 20 years. I started here as a staff member in 1996, and Burton was a State Representative at the time and quickly became one of my favorite Representatives to work with. To say that he was colorful doesn't do the adjective of colorful enough reference. He certainly was vocal and a very colorful individual who cared deeply about his community, cared deeply about others, and was really a joy to work with. I have a lot of great stories about Burton Leland, most of which I won't be able to say on the Senate floor, but he was a lot of fun to work with and he was a real machine on the doors. One of my earliest memories of him was working on several campaigns where he and I went door-to-door in neighborhoods in several different districts. When I first ran for office, he was there with me at the doors and I've never forgotten that.

I want to express my condolences to his family, to his wife Rosanne, and to his sons. Many of us have also served with his son Gabe Leland who is also a very dear friend of mine. It's a sad day for the family, and it's a sad day for those who knew and loved Burton Leland. He truly was a one-of-a-kind individual and I just wanted to say a couple words in remembrance of him.

I know his service is going to be at 2 o'clock today, and there are some other memorial services and shivas planned for the next several days. I know many of us are going to be attending one or several of those services.

A moment of silence was observed in memory of Burton Leland, former member of the Senate and the House of Representatives and Wayne County Commissioner.

Senator Hertel's statement is as follows:

I also would like to rise and give my thoughts on my friend, Senator Burton Leland.

Burton would stop by my office from time to time—I actually had his old office in the Farnum Building. In fact, he would stop by so often that sometimes it seemed he was a constituent of mine. In all honesty, I knew Senator Leland from when I was very young. He was an amazing friend of my father's. I can still close my eyes and picture Burton on the beach with my dad, Morris' dad, Representative Pat Gagliardi, and Representative Joseph Palamara—Burton in his Speedo, so that's an interesting picture—with all of our families around.

I think it's important that we remember that we fight in this room, we battle each other, we go at each other sometimes politically, and we're on the opposite sides of issues, but there's a great opportunity and kinship that comes with serving here and that we should remember that all those fights should never get in the way of friendship and camaraderie in the work that we do and that those friendships last a lifetime and often, I believe, last beyond our lifetime.

I would like to think that tonight, my dad and Senator Leland and Morris' dad are sitting at a beach bar in heaven—a Tiki bar—having a beer, talking about their sons and the work they've done, talking about all of us, and remembering a lifetime of public service and a lifetime of friendship.

Announcements of Printing and Enrollment

The Secretary announced that the following House bills were received in the Senate and filed on Thursday, February 22: **House Bill Nos.** 4053 5190

The Secretary announced the enrollment printing and presentation to the Governor on Thursday, February 22, for his approval the following bills:

Enrolled Senate Bill No. 481 at 2:17 p.m. Enrolled Senate Bill No. 616 at 2:19 p.m.

The Secretary announced that the following bills were printed and filed on Thursday, February 22, and are available at the Michigan Legislature website:

Senate Bill Nos. 839 840 841

House Bill Nos. 5626 5627 5628 5629 5630 5631 5632 5633 5634 5635 5636 5637 5638

Committee Reports

The Committee on Elections and Government Reform reported

Senate Bill No. 809, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 37, 51, 71, 91, 131, 161, 191, 254, 281, 302, 303, 342, 381, 383, 391, 409, 409b, 411, 413, 413a, 431, 433, 433a, 467, 467a, 467b, 467c, 616a, 624, 624a, 631, 635, 642c, 644e, 654a, 657, 667, 668a, 669, 670, 673a, 674, 677, 679, 679a, 682, 683, 690, 694, 719, 741, 743,

762, 764b, 764c, 765, 766, and 957 (MCL 168.37, 168.51, 168.71, 168.91, 168.131, 168.161, 168.191, 168.254, 168.281, 168.302, 168.303, 168.342, 168.381, 168.383, 168.391, 168.409, 168.409b, 168.411, 168.413, 168.413a, 168.431, 168.433, 168.433a, 168.467, 168.467a, 168.467b, 168.467c, 168.616a, 168.624, 168.624a, 168.631, 168.635, 168.642c, 168.644e, 168.654a, 168.657, 168.667, 168.668a, 168.669, 168.670, 168.673a, 168.674, 168.677, 168.679, 168.679a, 168.682, 168.683, 168.690, 168.694, 168.719, 168.741, 168.743, 168.762, 168.764b, 168.764c, 168.765, 168.765, 168.766, and 168.957), section 37 as added by 2002 PA 91, sections 51, 91, 131, and 383 as amended by 1982 PA 505, sections 71, 161, 191, 281, 342, 391, 409, 411, 431, and 467 as amended by 1999 PA 218, sections 254, 303, 409b, 413, 413a, 433, 433a, 467b, 467c, 624, and 644e as amended by 2012 PA 276, section 302 as amended and section 642c as added by 2011 PA 233, section 381 as amended by 1988 PA 116, sections 635 and 690 as amended by 2003 PA 302, section 654a as added by 1994 PA 401, section 668a as added by 2004 PA 96, section 669 as amended by 2000 PA 207, sections 673a and 679 as amended by 1996 PA 583, sections 674, 764b, and 765 as amended by 1996 PA 270, and section 766 as amended by 2012 PA 71; 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.

David B. Robertson Chairperson

To Report Out:

Yeas: Senators Robertson, Emmons, Shirkey, Brandenburg and Hood

Nays: None

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

The Committee on Elections and Government Reform reported

Senate Bill No. 810, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 9940 and 9941 (MCL 600.9940 and 600.9941), section 9940 as amended by 1982 PA 40 and section 9941 as amended by 1981 PA 146.

With the recommendation that the bill pass.

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

David B. Robertson Chairperson

To Report Out:

Yeas: Senators Robertson, Emmons, Shirkey, Brandenburg and Hood

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Elections and Government Reform reported

Senate Bill No. 811, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1811 (MCL 380.1811).

With the recommendation that the bill pass.

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

David B. Robertson Chairperson

To Report Out:

Yeas: Senators Robertson, Emmons, Shirkey, Brandenburg and Hood

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Elections and Government Reform reported

Senate Bill No. 812, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 794b (MCL 168.794b), as amended by 1990 PA 109, and by adding sections 37a, 37b, 765a, 798d, and 840; 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.

David B. Robertson Chairperson

To Report Out:

Yeas: Senators Robertson, Emmons, Shirkey, Brandenburg and Hood

Navs: None

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

The Committee on Elections and Government Reform reported

Senate Bill No. 813, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 11d of chapter XVII (MCL 777.11d), as amended by 2012 PA 278.

With the recommendation that the bill pass.

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

David B. Robertson Chairperson

To Report Out:

Yeas: Senators Robertson, Emmons, Shirkey, Brandenburg and Hood

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Elections and Government Reform reported

Senate Bill No. 814, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 491, 492, 492a, 495, 497, 498, 500a, 500d, 500i, 501, 502, 503, 505, 506, 507a, 509o, 509p, 509r, 514, 516, 519, 520, and 521 (MCL 168.491, 168.492, 168.492a, 168.495, 168.497, 168.498, 168.500a, 168.500d, 168.500i, 168.501, 168.502, 168.503, 168.505, 168.506, 168.507a, 168.509o, 168.509p, 168.509r, 168.514, 168.516, 168.519, 168.520, and 168.521), sections 491, 497, and 507a as amended by 1989 PA 142, section 492 as amended by 2010 PA 253, sections 495 and 500a as amended by 1995 PA 87, section 498 as amended by 2005 PA 71, section 501 as amended by 2014 PA 79, section 505 as amended by 2003 PA 302, sections 509o and 509p as added by 1994 PA 441, section 509r as amended by 2012 PA 270, and section 514 as amended by 2012 PA 271; and to repeal acts and parts of acts.

With the recommendation that the bill pass.

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

David B. Robertson Chairperson

To Report Out:

Yeas: Senators Robertson, Emmons, Shirkey, Brandenburg and Hood

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Elections and Government Reform reported

House Bill No. 4973, entitled

A bill to amend 1976 PA 442, entitled "Freedom of information act," by amending sections 2 and 13 (MCL 15.232 and 15.243), section 2 as amended by 1996 PA 553 and section 13 as amended by 2006 PA 482.

With the recommendation that the bill pass.

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

David B. Robertson Chairperson

To Report Out:

Yeas: Senators Robertson, Emmons, Shirkey, Brandenburg and Hood

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Elections and Government Reform reported

House Bill No. 5012, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 862 and 879 (MCL 168.862 and 168.879), section 862 as amended by 2003 PA 302 and section 879 as amended by 1999 PA 216.

With the recommendation that the bill pass.

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

David B. Robertson Chairperson

To Report Out:

Yeas: Senators Robertson, Emmons, Shirkey and Brandenburg

Nays: Senator Hood

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Elections and Government Reform submitted the following: Meeting held on Thursday, February 22, 2018, at 9:00 a.m., Room 1100, Binsfeld Office Building Present: Senators Robertson (C), Emmons, Shirkey, Brandenburg and Hood

The Committee on Families, Seniors and Human Services reported

Senate Bill No. 752, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending sections 57, 57a, and 57b (MCL 400.57, 400.57a, and 400.57b), section 57 as amended by 2014 PA 375, section 57a as amended by 2012 PA 607, and section 57b as amended by 2015 PA 56.

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.

Judith K. Emmons Chairperson

To Report Out:

Yeas: Senators Emmons, Pavlov, Jones, Casperson and Johnson

Navs: None

The bill and the substitute recommended by the committee were 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, February 21, 2018, at 3:00 p.m., Room 1300, Binsfeld Office Building Present: Senators Emmons (C), Pavlov, Jones, Casperson and Johnson

COMMITTEE ATTENDANCE REPORT

The Committee on Economic Development and International Investment submitted the following: Meeting held on Thursday, February 22, 2018, at 1:30 p.m., Room 1200, Binsfeld Office Building Present: Senators Horn (C), Schmidt, Stamas, Emmons, MacGregor and Warren Excused: Senators Brandenburg, Conyers and Bieda

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Higher Education submitted the following: Meeting held on Thursday, February 22, 2018, at 3:00 p.m., Room 1100, Binsfeld Office Building Present: Senators Schuitmaker (C), MacGregor and Hertel

COMMITTEE ATTENDANCE REPORT

The Subcommittee on State Police and Military Affairs submitted the following: Meeting held on Tuesday, February 27, 2018, at 8:30 a.m., Rooms 402 and 403, Capitol Building Present: Senators Nofs (C), O'Brien and Knezek

Scheduled Meetings

Appropriations - Wednesday, February 28, 2:00 p.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building (373-5307)

Subcommittees -

Agriculture and Rural Development - Tuesdays, March 13 and March 20, 3:00 p.m., Rooms 402 and 403, Capitol Building (373-2768)

Capital Outlay - Wednesday, February 28, 4:00 p.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building (373-2768)

General Government - Thursdays, March 1, March 8, March 15, and March 22, 8:30 a.m., Room 1300, Binsfeld Office Building (373-2768)

Higher Education - Thursday, March 1, 12:30 p.m., Senate Hearing Room, Ground Floor, Boji Tower; and Thursday, March 15, 1:45 p.m., Rooms 402 and 403, Capitol Building (373-2768)

K-12, School Aid, Education - Wednesdays, February 28, and March 21, 8:30 a.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building; Wednesday, March 7, 8:00 a.m., Room 1300, Binsfeld Office Building; and Wednesday, March 14, 8:00 a.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building (373-2768)

K-12, School Aid, Education and House School Aid Appropriations Subcommittee - Thursday, March 1, 8:00 a.m., Room 521, House Office Building (373-2768)

Licensing and Regulatory Affairs - Thursday, March 1, 2:00 p.m., Room 1100, Binsfeld Office Building (373-2768)

State Police and Military Affairs - Tuesdays, March 6, March 13, March 20; and Wednesday, March 14, 8:30 a.m., Rooms 402 and 403, Capitol Building (373-2768)

Transportation - Thursdays, March 1 and March 8, 9:00 a.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building (373-2768)

Criminal Justice Policy Commission - Wednesday, March 7, 9:00 a.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building (373-0212)

Michigan Competitiveness - Wednesday, February 28, 8:30 a.m., Room 1100, Binsfeld Office Building (373-5323)

Natural Resources - Wednesday, February 28, 12:30 p.m., Room 1300, Binsfeld Office Building Remote Access: Learning Resources Center, Room 111, Northern Michigan University, 1401 Presque Isle Avenue, Marquette (373-5312)

Regulatory Reform - Wednesday, February 28, 1:00 p.m., Room 1100, Binsfeld Office Building (373-5323)

Transportation - Thursday, March 1, 8:30 a.m., Room 1100, Binsfeld Office Building (373-5312)

Senator Kowall moved that the Senate adjourn. The motion prevailed, the time being 11:37 a.m.

The President pro tempore, Senator Schuitmaker, declared the Senate adjourned until Wednesday, February 28, 2018, at 10:00 a.m.

JEFFREY F. COBB Secretary of the Senate