

**No. 31**  
**STATE OF MICHIGAN**  
**Journal of the Senate**  
**99th Legislature**  
**REGULAR SESSION OF 2018**

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Senate Chamber, Lansing, Wednesday, March 21, 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—excused  
Conyers—present  
Emmons—present  
Green—excused  
Gregory—present  
Hansen—excused  
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

Reverend Jim Pope of First Presbyterian Church of Flint offered the following invocation:

O God, whose will is good and gracious and whose law is truth, we ask You to guide and bless this body and its leadership in this great state. May the men and women here lead in such a way that this state becomes a place where justice is dispensed; where equitable treatment under the law is practiced freely; and where the sins of pettiness, greed, and selfishness are absolved forever. Give all those present hearts that break for the suffering of the weak so that we might act fervently on their behalf. May we discover in daily living the reflection of Your image in our tangible acts of justice, compassion, and mercy.

O God, dispense wisdom upon Your servants as they speak for those who often feel as if they do not have a voice. Guide those present with wisdom to handle the many issues that our state faces. May their choices inspire others to act with compassion, justice, and mercy.

O God, we are thankful for those gathered here this morning and their service to the people of the state of Michigan. May You give them clarity in their decision-making; support in their times of uncertainty; and joy when compassion, justice, and mercy are dispensed. Please bless each member and their families for their tireless work for the people of this great state. May each member receive, embrace, and share Your love, joy, and peace in all that they do in service to others.

We ask all of this in the name of Jesus. Amen.

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

### Motions and Communications

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

Senator Kowall moved that Senators Colbeck, Green and Hansen be excused from today's session.  
The motion prevailed.

Senator Casperson entered the Senate Chamber.

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

The following communication was received and read:  
Office of the Auditor General

March 14, 2018

Enclosed is a copy of the following report:

- Performance audit report on Pavement Operations, Michigan Department of Transportation (591-0310-17).

Sincerely,  
Doug Ringler  
Auditor General

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

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

**House Bill No. 5678**

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

By unanimous consent the Senate proceeded to the order of  
**Resolutions**

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

**Senate Concurrent Resolution No. 10**

**Senate Resolution No. 30**

**Senate Resolution No. 105**

**Senate Concurrent Resolution No. 20**

**Senate Concurrent Resolution No. 21**

The motion prevailed.

Senator Bieda offered the following resolution:

**Senate Resolution No. 144.**

A resolution to declare March 27, 2018, as Education Day.

Whereas, Excellence in education is vital to the success of our nation and our state; and

Whereas, In the great state of Michigan we seek the betterment of our citizens and look to instill each child and adolescent with a good education; and

Whereas, By preparing our students for the responsibilities and opportunities of the future, education develops their intellect through lessons in literacy, math, and science; and

Whereas, One shining example for all people of what education ought to be was provided by the Rebbe, Rabbi Menachem Mendel Schneerson, of righteous memory, a global spiritual leader who dedicated his life to the betterment of mankind; and

Whereas, The Rebbe was a tireless advocate for youth around the world who emphasized the importance of education and good character and who also instilled the hope for a brighter future into the lives of countless people in America and across the globe; and

Whereas, In general, the Rebbe taught that education should not be limited to the acquisition of knowledge and preparation for a career or in common parlance “to make a better living,” and that we must think in terms of a “better living” not only for the individual, but also for the society as a whole, and that the educational system must therefore pay more attention, indeed the main attention, to the building of character, with emphasis on moral and ethical values; and

Whereas, In recognition of the Rebbe’s outstanding and lasting contributions toward improvements in world education, morality, and acts of charity, he has been awarded the Congressional Gold Medal; and

Whereas, The United States Congress established the Rebbe’s birth date as a national day to raise awareness and strengthen the education of our children; and

Whereas, The President of the United States paid recognition to the Rebbe’s vision each year on that day by proclaiming it “Education and Sharing Day U.S.A.”; and

Whereas, The character of our young people is strengthened by serving a cause greater than self and by the anchor of virtues including courage and compassion. By instilling a spirit of service in our children, we create a more optimistic future for them and our state; and

Whereas, This year marks the 60th anniversary of the establishment of Chabad Lubavitch of Michigan by the Rebbe; and

Whereas, Since 1958, Chabad Lubavitch, of Michigan, promoted the values of education in Michigan through its centers and institutions across the state; now, therefore, be it

Resolved by the Senate, That the members of this legislative body declare March 27, 2018, as Education Day, and call upon government officials, educators, volunteers, and citizens to reach out to young people and work to create a better, brighter, and more hopeful future for all.

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

Senator Kowall moved that the rule be suspended.

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

The resolution was adopted.

Senators Brandenburg, Hood, Hopgood and Knollenberg were named co-sponsors of the resolution.

Senator Robertson offered the following resolution:

**Senate Resolution No. 145.**

A resolution to urge the United States Congress to repeal the rule on payday and certain other loans submitted by the Consumer Financial Protection Bureau.

Whereas, Numerous studies affirm the need for small-dollar, closed-end credit in communities across the country. Particularly in Michigan, demand is strong for more, not fewer, of these credit options. Additionally, lenders of the products employ thousands of workers nationwide, invest in their communities, and pay millions in local and state taxes. The industry is regulated by all 50 states, the District of Columbia, and Native American tribes; and

Whereas, On October 5, 2017, the Consumer Financial Protection Bureau (CFPB) finalized a controversial, complicated, and burdensome rule on payday and certain other loans that would effectively deny millions of hardworking people access to these consumer credit products. The rule purports to prescribe safeguards against predatory lending practices but actually will hurt the very people it intends to help—low-income consumers who have limited or spotty credit histories and few borrowing options during emergencies—through its onerous requirements; and

Whereas, Several advocacy organizations oppose the rule, including the Southern Christian Leadership Conference (SCLC), whose first president was civil rights giant the Reverend Dr. Martin Luther King Jr. Current SCLC president Charles J. Steele stated that “whether the CFPB likes it or not, the fact is that short-term, small-dollar lenders are often the only financial institutions willing to serve communities of color and poor people”; and

Whereas, A bipartisan group of many members of Congress introduced House Joint Resolution 122 to use Congressional Review Act authority to disapprove the CFPB rule and preclude the agency from issuing a similar edict in the future; now, therefore, be it

Resolved by the Senate, That we urge the United States Congress to repeal the rule on payday and certain other loans submitted by the Consumer Financial Protection Bureau; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

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

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

The question being on the adoption of the resolution,

Senator Kowall moved that the resolution be referred to the Committee on Banking and Financial Institutions.

The motion prevailed.

Senator Brandenburg was named co-sponsor of the resolution.

Senator Conyers offered the following resolution:

**Senate Resolution No. 146.**

A resolution recognizing March 26-30, 2018, as Lewis College of Business Week.

Whereas, Historically Black Colleges and Universities week in the United States of America and specifically the legacy of Lewis College of Business located in Detroit. This will recognize March 26-30, 2018, as HBCU Week; and

Whereas, Lewis College of Business (LCB) was an institution of higher education in Detroit; and

Whereas, It was also the first historically black college in Michigan. Founded in 1928, it specialized in business-related topics; and

Whereas, LCB brought state-of-the-art, accredited, business education to its students and was an open admission, two-year college, presenting both academic and technical programs. Its certificates and associate degrees provided easy entry into the job market or gave transfer privileges to a senior institution; and

Whereas, The main function of LCB was to supply opportunities in higher education for qualified applicants. The college provided a business-related curriculum in Computer Information, Business Administration, and Office Information Systems; and

Whereas, The long-term objective of the college was to continue granting degrees. Although the academic program of the college focuses on technical business skills, the students learn the skills and attitudes to become world citizens; and

Whereas, During the past 70 years, over 2,500 students have graduated from LCB, and close to 27,000 students have attended this institution; and

Whereas, LCB has always impressed upon its students the value of continued growth through education. The acceptance of this counsel is evidenced by the alumni who have earned Bachelors, Masters, and Doctorate degrees. Unfortunately LCB had to close in 2013; now, therefore, be it

Resolved by the Senate, That the members of this legislative body recognize Lewis College of Business and HBCU Week on March 26-30, 2018; and be it further

Resolved, That a copy of this resolution be transmitted to Dr. Marjorie Lewis Harris and her sister Phyllis Lewis Ponders, daughters of Violet T. Lewis, Founder of Lewis College of Business.

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

Senator Kowall moved that the rule be suspended.

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

The resolution was adopted.

Senators Bieda, Brandenburg, Hopgood and Knollenberg were named co-sponsors of the resolution.

Senator Conyers offered the following resolution:

**Senate Resolution No. 147.**

A resolution to urge the Governor of Michigan and the Congress of the United States to demand Wendell Brown be released from detention in China.

Whereas, Wendell Brown, a former resident of Detroit, moved to China in 2015 in order to coach football, teach English, and operate his own fitness company. He is a peaceful man and an ambassador for American values; and

Whereas, Brown has been held in a Chinese jail since September 2016 without being convicted of any crime. Brown was arrested following an altercation in a bar in which he was accused of hitting a man. Brown has consistently maintained he was acting in self-defense, merely raising his arms to block a barrage of bottles being thrown at him. Brown's trial took place in July 2017 and the judge has still not rendered a verdict; and

Whereas, Detaining Brown for a year and a half under these circumstances is a gross miscarriage of justice requiring immediate remedy. Brown should not have to miss any more holidays or important family moments; now, therefore, be it

Resolved by the Senate, That we urge the Governor of Michigan and the Congress of the United States to demand Wendell Brown be released from detention in China; and be it further

Resolved, That copies of this resolution be transmitted to the Governor, the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

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

Senators Bieda and Hopgood were named co-sponsors of the resolution.

### Introduction and Referral of Bills

Senator Young entered the Senate Chamber.

Senator Hildenbrand introduced

#### **Senate Bill No. 912, entitled**

A bill to make appropriations for various state departments and agencies; the judicial branch, and the legislative branch for the fiscal years ending September 30, 2019; to provide anticipated appropriations for the fiscal year ending September 30, 2020; to provide for certain conditions on appropriations; 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. 913, entitled**

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 6, 11, 11a, 11j, 11k, 11m, 11s, 15, 18, 19, 20, 20d, 20f, 20m, 21f, 21h, 22a, 22b, 22d, 22m, 22n, 24, 24a, 24c, 25e, 25f, 25g, 26a, 26b, 26c, 31a, 31d, 31f, 32d, 32p, 35a, 39, 39a, 41, 51a, 51c, 51d, 53a, 54, 54b, 56, 61a, 61b, 62, 64b, 67, 74, 81, 94, 94a, 98, 99h, 99r, 99s, 104c, 107, 147, 147a, 147b, 147c, 147e, 152a, 160, 163, 166b, 201, 206, 207a, 207b, 207c, 209, 210b, 217, 225, 226, 229a, 236, 236b, 236c, 241, 242, 245, 252, 256, 263, 264, 265, 265a, 267, 268, 269, 270, 274c, 276, 277, 278, 279, 280, 281, 282, 289, and 296 (MCL 388.1606, 388.1611, 388.1611a, 388.1611j, 388.1611k, 388.1611m, 388.1611s, 388.1615, 388.1618, 388.1619, 388.1620, 388.1620d, 388.1620f, 388.1620m, 388.1621f, 388.1621h, 388.1622a, 388.1622b, 388.1622d, 388.1622m, 388.1622n, 388.1624, 388.1624a, 388.1624c, 388.1625e, 388.1625f, 388.1625g, 388.1626a, 388.1626b, 388.1626c, 388.1631a, 388.1631d, 388.1631f, 388.1632d, 388.1632p, 388.1635a, 388.1639, 388.1639a, 388.1641, 388.1651a, 388.1651c, 388.1651d, 388.1653a, 388.1654, 388.1654b, 388.1656, 388.1661a, 388.1661b, 388.1662, 388.1664b, 388.1667, 388.1674, 388.1681, 388.1694, 388.1694a, 388.1698, 388.1699h, 388.1699r, 388.1699s, 388.1704c, 388.1707, 388.1747, 388.1747a, 388.1747b, 388.1747c, 388.1747e, 388.1752a, 388.1760, 388.1763, 388.1766b, 388.1801, 388.1806, 388.1807a, 388.1807b, 388.1807c, 388.1809, 388.1810b, 388.1817, 388.1825, 388.1826, 388.1829a, 388.1836, 388.1836b, 388.1836c, 388.1841, 388.1842, 388.1845, 388.1852, 388.1856, 388.1863, 388.1864, 388.1865, 388.1865a, 388.1867, 388.1868, 388.1869, 388.1870, 388.1874c, 388.1876, 388.1877, 388.1878, 388.1879, 388.1880, 388.1881, 388.1882, 388.1889, and 388.1896) sections 6, 11a, 11j, 11k, 11m, 11s, 15, 18, 20, 20d, 20f, 20m, 22a, 22b, 22d, 24, 24a, 24c, 25f, 25g, 26a, 26b, 26c, 31d, 31f, 32p, 39, 39a, 41, 51a, 51c, 51d, 53a, 54, 54b, 56, 61a, 61b, 62, 64b, 67, 74, 81, 94, 94a, 98, 99s, 147, 147b, 147c, 152a, 201, 206, 207a, 207b, 207c, 209, 210b, 217, 225, 226, 229a, 236, 236b, 236c, 241, 245, 252, 256, 263, 264, 265, 265a, 267, 268, 269, 270, 274c, 276, 277, 278, 279, 280, 281, and 282 as amended and 21h, 22m, 22n, 147e, and 160 as added by 2017 PA 108, sections 11, 21f, 25e, 31a, 32d, 35a, 99h, 99r, 104c, 107, 147a, and 166b as amended by 2017 PA 143, section 19 as amended by 2016 PA 533, section 163 as amended by 2015 PA 85, section 242 as amended by 2012 PA 201, section 289 as amended by 2013 PA 60, section 296 as added by 2011 PA 62, and by adding sections 23f, 54c, 54d, 61d, 210e, and 265b; 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 Appropriations.

Senator Robertson introduced

#### **Senate Bill No. 914, entitled**

A bill to amend 1978 PA 59, entitled "Condominium act," by amending sections 6, 15, 56, 57, 90, and 91 (MCL 559.106, 559.115, 559.156, 559.157, 559.190, and 559.191), section 6 as amended by 2000 PA 379, section 15 as added by 1982 PA 4, section 57 as amended by 2013 PA 134, section 90 as amended by 2002 PA 283, and section 91 as amended by 1982 PA 538, and by adding section 57b.

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

Senator Casperson introduced

#### **Senate Bill No. 915, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 717 and 722 (MCL 257.717 and 257.722), section 717 as amended by 2014 PA 391 and section 722 as amended by 2017 PA 80.

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

Senator Kowall introduced

**Senate Bill No. 916, entitled**

A bill to amend 1917 PA 350, entitled “An act to regulate and license second hand dealers and junk dealers; and to prescribe penalties for the violation of the provisions of this act,” by amending sections 1, 2, 3, 4, and 5 (MCL 445.401, 445.402, 445.403, 445.404, and 445.405), sections 1 and 2 as amended by 2008 PA 432, section 3 as amended by 2006 PA 675, and sections 4 and 5 as amended by 2008 PA 428.

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

Senators MacGregor, Jones, Booher and Casperson introduced

**Senate Bill No. 917, entitled**

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

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

Senators Casperson, Jones, MacGregor and Booher introduced

**Senate Bill No. 918, entitled**

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

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

Senators Jones, MacGregor, Booher and Casperson introduced

**Senate Bill No. 919, entitled**

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

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

Senators Booher, Jones, MacGregor and Casperson introduced

**Senate Bill No. 920, entitled**

A bill to amend 2016 PA 436, entitled “Unmanned aircraft systems act,” (MCL 259.301 to 259.331) by adding section 21a.

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

Senators Booher, Jones, MacGregor and Casperson introduced

**Senate Bill No. 921, entitled**

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

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

Senators Booher, Jones, MacGregor and Casperson introduced

**Senate Bill No. 922, entitled**

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

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

Senators Proos, Zorn, Pavlov, Horn, Hansen and Schmidt introduced

**Senate Bill No. 923, entitled**

A bill to amend 1998 PA 58, entitled “Michigan liquor control code of 1998,” (MCL 436.1101 to 436.2303) by adding section 234.

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

By unanimous consent the Senate returned to the order of

**Motions and Communications**

Senator Kowall moved that the Committee on Local Government be discharged from further consideration of the following bill:

**Senate Bill No. 756, entitled**

A bill to regulate the creation of stormwater management utilities by local units of government; to regulate the adoption and content of stormwater utility ordinances; to provide for the allocation of the costs of planning, constructing, operating,



maintaining, financing, and administering a stormwater system to real property served by the system; to provide for the establishment and collection of stormwater utility fees; to provide for the reduction or elimination of fees; to provide for appeals; and to prescribe the powers and duties of certain local governmental officers and entities.

The motion prevailed, a majority of the members serving voting therefor, and the bill was placed on the order of General Orders.

Senator Kowall moved that the bill be referred to the Committee on Natural Resources.

The motion prevailed.

### Recess

Senator Kowall moved that the Senate recess subject to the call of the Chair.  
The motion prevailed, the time being 10:15 a.m.

10:30 a.m.

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

By unanimous consent the Senate returned to the order of

### Third Reading of Bills

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

**House Bill No. 5257**

**House Bill No. 5258**

**House Bill No. 5097**

The motion prevailed.

The following bill was read a third time:

**House Bill No. 5257, entitled**

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” (MCL 750.1 to 750.568) by adding section 409b.

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. 171

**Yeas—34**

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

**Nays—0**

**Excused—3**

Colbeck

Green

Hansen

**Not Voting—0**

In The Chair: President

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

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

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to revise, consolidate, codify, and add to the statutes relating to crimes; to define crimes and prescribe the penalties and remedies; to provide for restitution under certain circumstances; to provide for the competency of evidence at the trial of persons accused of crime; to provide immunity from prosecution for certain witnesses appearing at criminal trials; to provide for liability for damages; and to repeal certain acts and parts of acts inconsistent with or contravening any of the provisions of this act.”.

The Senate agreed to the full title.

The following bill was read a third time:

**House Bill No. 5258, entitled**

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 16t of chapter XVII (MCL 777.16t), as amended by 2013 PA 216.

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. 172****Yeas—34**

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

**Nays—0****Excused—3**

Colbeck	Green	Hansen
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**Not Voting—0**

In The Chair: President

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

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

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to revise, consolidate, and codify the laws relating to criminal procedure and to define the jurisdiction, powers, and duties of courts, judges, and other officers of the court under the provisions of this act; to provide laws relative to



the rights of persons accused of criminal offenses and ordinance violations; to provide for the arrest of persons charged with or suspected of criminal offenses and ordinance violations; to provide for bail of persons arrested for or accused of criminal offenses and ordinance violations; to provide for the examination of persons accused of criminal offenses; to regulate the procedure relative to grand juries, indictments, informations, and proceedings before trial; to provide for trials of persons complained of or indicted for criminal offenses and ordinance violations and to provide for the procedure in those trials; to provide for judgments and sentences of persons convicted of criminal offenses and ordinance violations; to establish a sentencing commission and to prescribe its powers and duties; to provide for procedure relating to new trials and appeals in criminal and ordinance violation cases; to provide a uniform system of probation throughout this state and the appointment of probation officers; to prescribe the powers, duties, and compensation of probation officers; to provide penalties for the violation of the duties of probation officers; to provide for procedure governing proceedings to prevent crime and proceedings for the discovery of crime; to provide for fees of officers, witnesses, and others in criminal and ordinance violation cases; to set forth miscellaneous provisions as to criminal procedure in certain cases; to provide penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act.”

The Senate agreed to the full title.

The following bill was read a third time:

**House Bill No. 5097, entitled**

A bill to amend 1909 PA 283, entitled “An act to revise, consolidate, and add to the laws relating to the establishment, opening, discontinuing, vacating, closing, altering, improvement, maintenance, and use of the public highways and private roads; the condemnation of property and gravel therefor; the building, repairing and preservation of bridges; maintaining public access to waterways under certain conditions; setting and protecting shade trees, drainage, and cutting weeds and brush within this state; providing for the election or appointment and defining the powers, duties, and compensation of state, county, township, and district highway officials; and to prescribe penalties and provide remedies,” by amending section 19b of chapter IV (MCL 224.19b), as amended by 2016 PA 456.

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. 173**

**Yeas—29**

Ananich	Hopgood	MacGregor	Rocca
Booher	Horn	Meekhof	Schmidt
Brandenburg	Hune	Nofs	Schuitmaker
Casperson	Jones	O’Brien	Shirkey
Conyers	Knezek	Pavlov	Stamas
Emmons	Knollenberg	Proos	Young
Hertel	Kowall	Robertson	Zorn
Hildenbrand			

**Nays—5**

Bieda	Hood	Marleau	Warren
Gregory			

**Excused—3**

Colbeck	Green	Hansen
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**Not Voting—0**

The question being on concurring in the committee recommendation to give the bill immediate effect,  
The recommendation was concurred in, 2/3 of the members serving voting therefor.  
The Senate agreed to the title of the bill.

By unanimous consent the Senate proceeded to the order of

### **General Orders**

Senator Kowall moved that the Senate resolve itself into the Committee of the Whole for consideration of the General Orders calendar.

The motion prevailed, and the President, Lieutenant Governor Calley, designated Senator MacGregor as Chairperson.

After some time spent therein, the Committee arose; and the Assistant President pro tempore, Senator O'Brien, having assumed the Chair, the Committee reported back to the Senate, favorably and without amendment, the following bills:

#### **Senate Bill No. 839, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 63207 (MCL 324.63207), as added by 2004 PA 449.

#### **House Bill No. 4633, entitled**

A bill to amend 1968 PA 319, entitled "An act to provide a uniform crime reporting system; to provide for the submitting of such report to the department of state police; to require submission of the report by certain police agencies; to require the reporting on wanted persons and stolen vehicles; to require the reporting of information regarding certain persons and unidentified bodies of deceased persons; to prescribe certain powers and duties of law enforcement agencies; and to vest the director of the department of state police with certain authority," by amending section 8 (MCL 28.258), as amended by 2006 PA 450.

#### **House Bill No. 5282, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 323 (MCL 257.323), as amended by 2016 PA 117.

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:

#### **Senate Bill No. 840, entitled**

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

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. 881, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 3116 (MCL 324.3116).

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.

### **Statements**

Senators Conyers and Bieda asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator Conyers' statement is as follows:

I wanted to speak a bit to the resolution that we had placed in committee today. Senate Resolution No. 147 is a resolution to urge the Governor of Michigan and the Congress of the United States to demand Wendell Brown be released from detention in China. Wendell Brown is a former resident of Detroit.

Whereas, Brown has been held in a Chinese jail since September 2016 without being convicted of any crime. He has consistently maintained that he was acting in self-defense. Brown's trial took place in a Chinese court in July of 2017—almost one year ago—and the judge has still not rendered a verdict.

Whereas, detaining Brown for a year and a half under these circumstances is a gross mischaracterization of justice requiring an immediate remedy. Brown should not have to miss any more holidays, important family moments, or moments with his children and mother. Specifically, this former resident of Detroit moved to China in 2015 as a cultural ambassador of our great sport of football to coach and teach the people English and operate his own fitness company. He is a peaceful man and an ambassador of American values.

We urge the Governor of Michigan and the Congress of the United States to demand Wendell Brown be released from detention in China; and be it further resolved, that the United States House of Representatives and the United States Senate should take action immediately to remove this American man from Chinese detention.

Senator Bieda's statement is as follows:

It's kind of a happy occasion. I just wanted to commend my friends Kevin and Lisa Hrit on the birth of their son Carson Mark Hrit on March 19. I fully expect to see Carson here in the year 2048 as a future State Senator; knowing his family's interest in politics and the community, I think that's a goal that hopefully is not too low of a standard to set for him. I just wanted to congratulate my friends on the birth of their son on March 19, and his name is Carson Mark Hrit.

I think sometimes it's those little joys in life of our friends and family when they add a new addition to the family that we should take some time and honor that as well.

### Announcements of Printing and Enrollment

The Secretary announced that the following bills and joint resolution were printed and filed on Tuesday, March 20, and are available at the Michigan Legislature website:

**Senate Bill No. 911**

**Senate Joint Resolution Q**

**House Bill Nos. 5734 5735 5736 5737**

### Committee Reports

The Committee on Health Policy reported

**House Bill No. 5678, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 7303a (MCL 333.7303a), as amended by 2017 PA 249.

With the recommendation that the bill pass.

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

Mike Shirkey  
Chairperson

To Report Out:

Yeas: Senators Shirkey, O'Brien, Marleau, Jones, Robertson, Hertel and Knezek

Nays: None

The bill was referred to the Committee of the Whole.

### COMMITTEE ATTENDANCE REPORT

The Committee on Health Policy submitted the following:

Meeting held on Tuesday, March 20, 2018, at 12:30 p.m., Room 1100, Binsfeld Office Building

Present: Senators Shirkey (C), O'Brien, Marleau, Jones, Robertson, Hertel, Knezek and Hopgood

Excused: Senators Hune and Stamas

The Committee on Education reported

**Senate Bill No. 889, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 1233b and 1531 (MCL 380.1233b and 380.1531), section 1233b as amended by 1995 PA 289 and section 1531 as amended by 2015 PA 159.

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

Phillip J. Pavlov  
Chairperson

**To Report Out:**

Yeas: Senators Pavlov, Knollenberg, Booher, Hune and Hopgood

Nays: None

The bill was referred to the Committee of the Whole.

**COMMITTEE ATTENDANCE REPORT**

The Committee on Education submitted the following:

Meeting held on Tuesday, March 20, 2018, at 12:00 noon, Room 1300, Binsfeld Office Building

Present: Senators Pavlov (C), Knollenberg, Booher, Hune and Hopgood

**COMMITTEE ATTENDANCE REPORT**

The Subcommittee on Health and Human Services submitted the following:

Meeting held on Tuesday, March 20, 2018, at 1:00 p.m., Senate Hearing Room, Boji Tower

Present: Senators MacGregor (C), Marleau, Proos, Shirkey, Gregory, Nofs and Hertel

**COMMITTEE ATTENDANCE REPORT**

The Subcommittee on Agriculture and Rural Development submitted the following:

Meeting held on Tuesday, March 20, 2018, at 2:30 p.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building

Present: Senators Green (C), Stamas and Hopgood

**COMMITTEE ATTENDANCE REPORT**

The Committee on Michigan Competitiveness submitted the following:

Meeting held on Wednesday, March 21, 2018, at 8:30 a.m., Room 1100, Binsfeld Office Building

Present: Senators Shirkey (C), Stamas, Robertson, Proos and Warren

**Scheduled Meetings**

**Appropriations -**

**Subcommittees -**

**Community Colleges** - Wednesday, April 11, 9:30 a.m., Room 1300, Binsfeld Office Building (373-2768)

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

**Transportation** - Thursday, March 22, 9:00 a.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building (373-2768)

**Education -**

**Subcommittee -**

**Michigan Merit Curriculum** - Thursday, March 22, 3:00 p.m., Room 1200, Binsfeld Office Building (373-5312)

**Energy and Technology** - Thursday, March 22, 11:30 a.m., Room 1100, Binsfeld Office Building (373-1721)

Senator Kowall moved that the Senate adjourn.  
The motion prevailed, the time being 10:53 a.m.

The Assistant President pro tempore, Senator O'Brien, declared the Senate adjourned until Thursday, March 22, 2018, at 10:00 a.m.

JEFFREY F. COBB  
Secretary of the Senate

