

No. 45
STATE OF MICHIGAN
Journal of the Senate
99th Legislature
REGULAR SESSION OF 2018

Senate Chamber, Lansing, Tuesday, May 8, 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—excused
Casperson—present
Colbeck—present
Conyers—present
Emmons—present
Green—present
Gregory—present
Hansen—present
Hertel—present
Hildenbrand—present

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

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

Reverend Dr. Gilbert Morgan of Greater Quinn African Methodist Episcopal Church of Detroit offered the following invocation:

O merciful and gracious God; the God of Abraham, Isaac, and Jacob; the God that sits high and looks low; the lily of the valley and the rose of Sharon; the one who is both alpha and omega; we bless the name of God this morning and we ask You, Lord, humbly, that You would bless these men and women who come to do Your business this morning for the great people of the great state of Michigan. We ask, Lord God, that in their hearts, the needs of the most-needy citizen of the state be on the top of their list of concerns.

We ask a special blessing, Lord God, on the family of our State Superintendent who has passed on. We ask You, in the name of God, that You be with the state of Michigan and every Senator and every one of their families, and most importantly, Lord God, on the districts that they represent. Make them the true representatives of the people in this great democracy under the hand of this great state. Be Your work done at their hands.

We give You thanksgiving for what You have done with the state of Michigan and every city and every county that is a part of our great state. Father, we ask that You forgive us where we have failed the people and where we have failed You, and then sustain us, Lord God, to walk into every day with a spirit doing the work that will make You well-pleased.

This is Your servant's prayer. In the name of Jesus I pray. In the name of Yehoshua. Amen.

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

Motions and Communications

Senator Ananich entered the Senate Chamber.

Senator Kowall moved that Senators Green, Knollenberg and O'Brien be temporarily excused from today's session. The motion prevailed.

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

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

May 1, 2018

Enclosed is a copy of the following report:

- Performance audit report on the Pesticide Program, Pesticide and Plant Pest Management Division, Michigan Department of Agriculture and Rural Development (791-0215-17).

Sincerely,
Doug Ringler
Auditor General

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

The following communication was received:

Office of Senator Marty Knollenberg

May 4, 2018

Per Senate Rule 1.110(c), I am requesting my name be added for co-sponsorship to Senate Bill 969, which was introduced on May 1, 2018 by Senator Rick Jones.

A copy of Senate Bill 969 is included for your reference.

Sincerely,
Marty Knollenberg
State Senator
13th District

The communication was referred to the Secretary for record.

The following communications were received:
Department of State

Administrative Rules
Notices of Filing

May 4, 2018

In accordance with the provisions of Section 46 of Act No. 306 of the Public Acts of 1969, being MCL 24.246, and paragraph 16 of Executive Order 1995-6, this is to advise you that the Michigan Department of Technology, Management and Budget and the State Office of Regulatory Reinvention filed Administrative Rule #2014-075-TY (Secretary of State Filing #18-05-01) on this date at 2:44 p.m. for the Department of Treasury entitled, "Taxpayers Bill of Rights."

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

May 4, 2018

In accordance with the provisions of Section 46 of Act No. 306 of the Public Acts of 1969, being MCL 24.246, and paragraph 16 of Executive Order 1995-6, this is to advise you that the Michigan Department of Technology, Management and Budget and the State Office of Regulatory Reinvention filed Administrative Rule #2014-155-NR (Secretary of State Filing #18-05-02) on this date at 2:44 p.m. for the Department of Natural Resources entitled, "Pure Michigan Trail, Water Trail, and Trail Town Designation."

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

May 4, 2018

In accordance with the provisions of Section 46 of Act No. 306 of the Public Acts of 1969, being MCL 24.246, and paragraph 16 of Executive Order 1995-6, this is to advise you that the Michigan Department of Technology, Management and Budget and the State Office of Regulatory Reinvention filed Administrative Rule #2015-086-LR (Secretary of State Filing #18-05-03) on this date at 2:44 p.m. for the Department of Licensing and Regulatory Affairs entitled, "Architects - General Rules."

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

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

The communications were referred to the Secretary for record.

The Senate Business Office submitted, pursuant to Senate Rule 1.208, the following report on out-of-state travel by members on Legislative business for the quarter ending March 31, 2018:

Senator Ken Horn	December 15-16	CSG National Conference Hotel Las Vegas, NV	\$	122.43
Senator Ken Horn	December 18	CSG 2017 Toll Fellow Graduation Airfare Las Vegas, NV	\$	874.78

Messages from the Governor

The following messages from the Governor were received:

Date: May 2, 2018

Time: 8:30 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 809 (Public Act No. 120), being

An act to amend 1954 PA 116, entitled "An act to reorganize, consolidate, and add to the election laws; to provide for election officials and prescribe their powers and duties; to prescribe the powers and duties of certain state departments,

state agencies, and state and local officials and employees; to provide for the nomination and election of candidates for public office; to provide for the resignation, removal, and recall of certain public officers; to provide for the filling of vacancies in public office; to provide for and regulate primaries and elections; to provide for the purity of elections; to guard against the abuse of the elective franchise; to define violations of this act; to provide appropriations; to prescribe penalties and provide remedies; and to repeal certain acts and all other acts inconsistent with this act,” 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, 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, 168.624, 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, 168.766, 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 2012 PA 523, section 467a as amended by 1981 PA 4, section 624a 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 207, section 677 as amended by 2012 PA 157, section 679a as amended by 2012 PA 271, section 719 as amended by 2017 PA 113, section 764c as added by 2012 PA 270, and section 766 as amended by 2005 PA 71; and to repeal acts and parts of acts.

(Filed with the Secretary of State on May 3, 2018, at 11:16 a.m.)

Date: May 2, 2018

Time: 8:32 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 814 (Public Act No. 125), being

An act to amend 1954 PA 116, entitled “An act to reorganize, consolidate, and add to the election laws; to provide for election officials and prescribe their powers and duties; to prescribe the powers and duties of certain state departments, state agencies, and state and local officials and employees; to provide for the nomination and election of candidates for public office; to provide for the resignation, removal, and recall of certain public officers; to provide for the filling of vacancies in public office; to provide for and regulate primaries and elections; to provide for the purity of elections; to guard against the abuse of the elective franchise; to define violations of this act; to provide appropriations; to prescribe penalties and provide remedies; and to repeal certain acts and all other acts inconsistent with this act,” 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.

(Filed with the Secretary of State on May 3, 2018, at 11:26 a.m.)

Date: May 2, 2018

Time: 8:42 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 810 (Public Act No. 121), being

An act to amend 1961 PA 236, entitled “An act to revise and consolidate the statutes relating to the organization and jurisdiction of the courts of this state; the powers and duties of the courts, and of the judges and other officers of the courts; the forms and attributes of civil claims and actions; the time within which civil actions and proceedings may be brought in the courts; pleading, evidence, practice, and procedure in civil and criminal actions and proceedings in the courts; to provide for the powers and duties of certain state governmental officers and entities; to provide remedies and penalties for the violation of certain provisions of this act; to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act; and to repeal acts and parts of acts,” by amending section 9940 (MCL 600.9940), as amended by 1982 PA 40.

(Filed with the Secretary of State on May 3, 2018, at 11:18 a.m.)

Date: May 2, 2018
Time: 8:44 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 811 (Public Act No. 122), being

An act to amend 1976 PA 451, entitled “An act to provide a system of public instruction and elementary and secondary schools; to revise, consolidate, and clarify the laws relating to elementary and secondary education; to provide for the organization, regulation, and maintenance of schools, school districts, public school academies, intermediate school districts, and other public school entities; to prescribe rights, powers, duties, and privileges of schools, school districts, public school academies, intermediate school districts, and other public school entities; to provide for the regulation of school teachers and certain other school employees; to provide for school elections and to prescribe powers and duties with respect thereto; to provide for the levy and collection of taxes; to provide for the borrowing of money and issuance of bonds and other evidences of indebtedness; to establish a fund and provide for expenditures from that fund; to make appropriations for certain purposes; to provide for and prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to provide for licensure of boarding schools; to prescribe penalties; and to repeal acts and parts of acts,” by amending section 1811 (MCL 380.1811).

(Filed with the Secretary of State on May 3, 2018, at 11:20 a.m.)

Date: May 2, 2018
Time: 8:46 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 812 (Public Act No. 123), being

An act to amend 1954 PA 116, entitled “An act to reorganize, consolidate, and add to the election laws; to provide for election officials and prescribe their powers and duties; to prescribe the powers and duties of certain state departments, state agencies, and state and local officials and employees; to provide for the nomination and election of candidates for public office; to provide for the resignation, removal, and recall of certain public officers; to provide for the filling of vacancies in public office; to provide for and regulate primaries and elections; to provide for the purity of elections; to guard against the abuse of the elective franchise; to define violations of this act; to provide appropriations; to prescribe penalties and provide remedies; and to repeal certain acts and all other acts inconsistent with this act,” by amending section 794b (MCL 168.794b), as amended by 1990 PA 109, and by adding sections 37a, 37b, and 765a; and to repeal acts and parts of acts.

(Filed with the Secretary of State on May 3, 2018, at 11:22 a.m.)

Date: May 2, 2018
Time: 8:48 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 813 (Public Act No. 124), being

An act to amend 1927 PA 175, entitled “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,” by amending section 11d of chapter XVII (MCL 777.11d), as amended by 2012 PA 278.

(Filed with the Secretary of State on May 3, 2018, at 11:24 a.m.)

Date: May 2, 2018
Time: 8:50 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 290 (Public Act No. 130), being

An act to amend 1954 PA 116, entitled “An act to reorganize, consolidate, and add to the election laws; to provide for election officials and prescribe their powers and duties; to prescribe the powers and duties of certain state departments, state agencies, and state and local officials and employees; to provide for the nomination and election of candidates for public office; to provide for the resignation, removal, and recall of certain public officers; to provide for the filling of vacancies in public office; to provide for and regulate primaries and elections; to provide for the purity of elections; to guard against the abuse of the elective franchise; to define violations of this act; to provide appropriations; to prescribe penalties and provide remedies; and to repeal certain acts and all other acts inconsistent with this act,” by amending sections 867 and 881 (MCL 168.867 and 168.881), as amended by 2014 PA 406.

(Filed with the Secretary of State on May 3, 2018, at 11:36 a.m.)

Date: May 2, 2018
Time: 8:52 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 841 (Public Act No. 131), being

An act to amend 1917 PA 72, entitled “An act to define partnerships; the relation of partners to persons dealing with the partnership; the relation of partners to one another; to provide for the dissolution and winding up of partnerships; to prescribe powers and duties of certain state agencies and officials; and to make uniform the law relating to partnerships,” by amending section 46 (MCL 449.46), as added by 1994 PA 323.

(Filed with the Secretary of State on May 3, 2018, at 11:38 a.m.)

Respectfully,
Rick Snyder
Governor

The following messages from the Governor were received and read:

April 25, 2018

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

Michigan Commission on Law Enforcement Standards

Karianne Thomas of 11211 PQ Avenue, E., Scotts, Michigan 49088, county of Kalamazoo, representing the Michigan Association of Chiefs of Police, succeeding Timothy Bourgeois, is appointed for a term expiring December 31, 2018.

April 25, 2018

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

Michigan Board of Medicine

Traci Ruiz of P.O. Box 92, Bath, Michigan 48808, county of Clinton, representing the general public, succeeding Lisa Huta, is appointed for a term expiring December 31, 2021.

April 25, 2018

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

State Board of Professional Surveyors

Andrew Kurncz of 1550 N. Chandler Road, Saint Johns, Michigan 48879, county of Clinton, representing the general public, succeeding Jeffrey Hertrich, is appointed for a term expiring March 31, 2022.

Timothy A. Platz of 17590 Myers Lake Avenue, Sand Lake, Michigan 49343, county of Kent, representing professional surveyors, succeeding Steven Gravlin, is appointed for a term expiring March 31, 2022.

April 25, 2018

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

Michigan Board of Respiratory Care

Michael Dunn of 952 Banmoor Drive, Troy, Michigan 48084, county of Oakland, representing medical directors, succeeding Richard Tooker, is appointed for a term expiring December 31, 2019.

Laurie L. Niemer of 39615 Clearview Street, Harrison Township, Michigan 48045, county of Macomb, representing respiratory therapists, succeeding Cheryl Sherburn, is appointed for a term expiring December 31, 2021.

April 26, 2018

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

Michigan Committee on Juvenile Justice

Nancy Becker Bennett of 3558 Hyacinth Street, Okemos, Michigan 48864, county of Ingham, representing law enforcement and juvenile justice agencies, is appointed for a term expiring December 31, 2018.

Jessica L. Black of 3700 E. Deerfield Road, Apt. Y14, Mount Pleasant, Michigan 48858, county of Isabella, representing persons under the age of 24, is appointed for a term expiring December 31, 2019.

Cameron Clark of 7723 Crystal Drive, Beulah, Michigan 49617, county of Benzie, representing law enforcement and juvenile justice agencies, is appointed for a term expiring December 31, 2018.

Terri T. Gilbert of 4383 Chad Court, Ann Arbor, Michigan 48103, county of Washtenaw, representing public agencies concerned with delinquency prevention or treatment, is appointed for a term expiring December 31, 2020.

Sara McCauley of 411 W. Ninth Street, Traverse City, Michigan 49684, county of Grand Traverse, representing public agencies concerned with delinquency prevention or treatment, is appointed for a term expiring December 31, 2020.

April 30, 2018

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

Child Abuse and Neglect Prevention Board

Michael Talbot of 823 Deer Court, Plymouth, Michigan 48170, county of Wayne, representing the legal community, succeeding Shelley Kester, is appointed for a term expiring December 19, 2019.

Sincerely,
Rick Snyder
Governor

The appointments were referred to the Committee on Government Operations.

Senators O'Brien and Green entered the Senate Chamber.

Recess

Senator Kowall moved that the Senate recess subject to the call of the Chair.
The motion prevailed, the time being 10:07 a.m.

10:56 a.m.

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

During the recess, Senators Young and Knollenberg 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 Young 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 with a substitute therefor, the following bill:

Senate Bill No. 715, entitled

A bill to amend 2016 PA 436, entitled "Unmanned aircraft systems act," by amending section 5 (MCL 259.305).

Substitute (S-2).

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

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

House Bill No. 5407, entitled

A bill to amend 1985 PA 87, entitled "William Van Regenmorter crime victim's rights act," by amending sections 15, 43, and 75 (MCL 780.765, 780.793, and 780.825), as amended by 2000 PA 503.

Substitute (S-3).

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

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:
Senate Bill No. 946, entitled

A bill to create and operate a Going pro talent program; to provide monetary awards to certain employers to train certain employees; to prescribe the duties and powers of certain state agencies and certain state and local officials; to create certain funds; and to provide for the distribution of money.

Substitute (S-1).

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

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

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

Senate Bill No. 728

Senate Bill No. 729

The motion prevailed.

The following bill was read a third time:

Senate Bill No. 728, entitled

A bill to amend 1984 PA 379, entitled "An act to define and regulate certain credit card transactions, agreements, charges, and disclosures; to prescribe the powers and duties of the financial institutions bureau and certain state agencies; to provide for the promulgation of rules; and to provide for fines and penalties," by amending the title and section 1 (MCL 493.101).

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. 278

Yeas—36

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

Nays—0

Excused—1

Brandenburg

Not Voting—0

In The Chair: Schuitmaker

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 729, entitled

A bill to amend 2006 PA 250, entitled "Money transmission services act," by amending sections 2, 3, and 4 (MCL 487.1002, 487.1003, and 487.1004).

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. 279

Yeas—36

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

Nays—0

Excused—1

Brandenburg

Not Voting—0

In The Chair: Schuitmaker

The Senate agreed to the title of the bill.

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

Senate Resolution No. 153

The motion prevailed.

Senators Warren, Hopgood, Hood, Marleau, Bieda and O'Brien offered the following resolution:

Senate Resolution No. 164.

A resolution to support the practice of applied behavior analysis treatment of individuals with autism spectrum disorders. Whereas, At least a dozen health professions and government agencies endorse applied behavior therapy (ABA) as a scientifically proven approach for treating children with autism and related disorders; and

Whereas, Behavior analysis is the scientific study of principles of learning and behavior first developed by B.F. Skinner and colleagues in the 1930s. The field of behavior analysis contains over 80 years of experimental research and over 60 years

of applied research demonstrating the relationships between the environment and behavior, as well as interventions that effectively and efficiently create socially significant improvements in individuals' lives; and

Whereas, The field of behavior analysis has research evidence showing effective and efficient behavior changes in the areas of mental health, education, health and wellness, weight loss programming, medical treatment adherence, gerontology, business management, business leadership, training, and supervision. It has the potential to dramatically affect any area of human behavior; and

Whereas, The practice of ABA in Michigan is conducted by board certified behavior analysts and behavior analytic professionals at various academic degree levels including doctoral, graduate, and baccalaureate levels; and

Whereas, Behavior analysts oversee ABA treatment services for individuals and provide an array of services including assessment of skills and skill deficits, assessment of unsafe or unhealthy behavior, development of behavior plans of care, training of staff in implementation of behavior plans of care, collection of behavior data to monitor the effectiveness of programming, ongoing supervision of staff providing adaptive behavior change protocols, and collaboration with other providers and the individual, and caregivers to ensure treatment success; and

Whereas, Applied behavior analysis (ABA) has gained wide recognition as a safe and effective treatment for autism spectrum disorders. Over the years, the use of ABA therapy has increased dramatically, enabling many individuals with autism to live productive lives; now, therefore, be it

Resolved by the Senate, That we support the practice of applied behavior analysis for the treatment of individuals with autism spectrum disorder; and be it further

Resolved, That copies of this resolution be transmitted to the Michigan congressional delegation, the Governor, and the members of the Michigan Board of Behavior Analysts.

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 Health Policy.

The motion prevailed.

Senators Conyers, Gregory and MacGregor were named co-sponsors of the resolution.

Senators Hopgood, Booher, Marleau, Knezek, Ananich, Gregory, Nofs, Warren, Zorn, Hood, MacGregor, Knollenberg, Bieda, Conyers, Hansen, Brandenburg, Hertel, O'Brien, Rocca and Schmidt offered the following resolution:

Senate Resolution No. 165.

A resolution to declare May 7-11, 2018, as Teacher Appreciation Week.

Whereas, A strong, effective system of free public school education for all children and youth is essential to our democratic system of government; and

Whereas, From the early days of our democracy, the United States of America and the state of Michigan have made considerable progress in the social, technological, and scientific fields due to our system of free and universal public education; and

Whereas, Much of this progress can be attributed to the qualified and dedicated teachers entrusted with the educational development of our children; and

Whereas, Teachers should be accorded high esteem, reflecting the value our community places on public education; and

Whereas, The importance and impact of teachers on children is known nationwide; and

Whereas, It is appropriate that teachers be recognized for their dedication and commitment to educating their students; now, therefore, be it

Resolved by the Senate, That the members of this legislative body declare May 7-11, 2018, as Teacher Appreciation Week.

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

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

The resolution was adopted.

Senators Colbeck and Proos were named co-sponsors of the resolution.

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

The motion prevailed.

Senator Hopgood's statement is as follows:

Today I would like to speak to Senate Resolution No. 165, which would declare May 7-11, 2018, as Teacher Appreciation Week in the state of Michigan. As many of you may know, today is National Teacher Day, established in 1953, which Eleanor Roosevelt lobbied Congress to establish such a day. Knowing that one day was not enough, in 1984, the National

Parent Teacher Association established a week of recognition and appreciation for our teachers. I would like to take this time to recognize the significant impact that teachers have had on all of us, including each and every Senator here today. Some of us in this room wouldn't be here today if it weren't for that one teacher or teachers who pushed us to become involved in our communities or pushed us to always strive for the best.

To honor the hard work that teachers do on a daily basis, I reached out to students and families in my district to ask who their favorite teachers were and why. Over the past few weeks, we've received a flood of submissions. Every single one truly touches my heart and makes me believe that Michigan has the best teachers in America. It's clear, from what the students are saying, that our teachers do more than just teach math, history, science, or literature. They are often life-long mentors. I would like to share just a couple of the submissions with you today.

First, I'd like to share a note from a student that I received in Taylor, thanking Mrs. Bell of Eureka Heights Elementary. The student wrote:

I had the pleasure of being in Mrs. Bell's class for a few years, as she moved up grades as I did! She turned my learning around, and everything I know now in 6th grade I owe to her! I still get to visit with her as my brothers go to Eureka Heights now. I feel she deserves a special thanks and I know any student that her feels the same. I was so lucky to have been put with her in first grade! There's no teacher like Mrs. Bell.

Another student, Allyson Burden, of Adams Upper Elementary in Westland, told us about her favorite teacher, Mrs. Carey. Allyson said:

Dear Mrs. Carey, thank you for everything you do. You always have super funny jokes and help us when need help. You try to be as patient as you can with us and take care of us like we are your children. You always make time to hear everyone out and do your best to make sure we are happy. You always give us an amazing learning experience and you have the "redo" policy so we can get a better grade. You also encourage us to do our best and don't allow us to give up even if we feel like we can't do it. You're the best. I love you.

I want to say thank you to both Mrs. Bell and Mrs. Carey, but also to the students and families for telling me such great things that our teachers are doing. I encourage everyone to take time out this week to show appreciation to teachers in their districts.

Introduction and Referral of Bills

Senators Hildenbrand, MacGregor, Kowall and Schmidt introduced

Senate Bill No. 984, entitled

A bill to amend 2016 PA 92, entitled "An act to amend 1988 PA 378, entitled "An act to preserve personal privacy with respect to the purchase, rental, or borrowing of certain materials; and to provide penalties and remedies for violation of this act," by amending sections 1, 2, 3, 4, and 5 (MCL 445.1711, 445.1712, 445.1713, 445.1714, and 445.1715), section 5 as added by 1989 PA 206," by amending enacting section 2.

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

Senator Hune introduced

Senate Bill No. 985, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 130. The bill was read a first and second time by title and referred to the Committee on Insurance.

Senator Hildenbrand introduced

Senate Bill No. 986, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending section 109h (MCL 400.109h), as added by 2004 PA 248.

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

Senator Hildenbrand introduced

Senate Bill No. 987, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 9709 (MCL 333.9709), as added by 2004 PA 250.

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

House Bill No. 5767, entitled

A bill to amend 1998 PA 58, entitled “Michigan liquor control code of 1998,” (MCL 436.1101 to 436.2303) by adding section 610c.

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

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

House Bill No. 5768, entitled

A bill to amend 1998 PA 58, entitled “Michigan liquor control code of 1998,” (MCL 436.1101 to 436.2303) by adding section 204.

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

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

The motion prevailed.

Senator Hood’s statement is as follows:

On Monday evening, we lost one of Michigan’s most memorable public servants and education advocates—we lost Michigan State Superintendent Brian Whiston. He passed away yesterday evening after a battle with cancer.

He was appointed State Superintendent by the State Board of Education in April 2015. Prior to his appointment, he served as Superintendent of Dearborn Public Schools. Whiston’s involvement in education started long before his role as superintendent, including 11 years as Director of Government and Community Services for the Oakland County ISD. He also served as a local board member for 17 years and held the position of Treasurer and President-Elect of the Michigan Parent Teacher Student Association. He was elected President of the PTSA before having to step down when he was appointed as Superintendent of Dearborn.

Whiston was passionate about ensuring the children of Michigan have an opportunity to learn and receive a quality education for success. Through his dedication, leadership, and service, he has made Michigan schools a better place to learn. He will be greatly missed but forever remembered by the thousands of lives he touched over the years.

I knew Brian and met Brian my first year going into the House of Representatives in 2003. We all stayed over at the Courtyard Marriott where, after a day, we would meet at 5:30 or so in the Courtyard. Folks would be sitting down and having political talks and political conversation and political beverages, and then we would go out to dinner. I spent a lot of time with Brian and others like Bill Hieshetter, who has passed on, and a lot of other folks like Mike Pumford—he hasn’t passed on; some of you know Mike and served with Mike—was there and Matt Thomasevich. We spent a lot of time together and I got to learn a lot about politics and education through Brian and the rest of the group.

When he came down to Dearborn which I represent—we had Dearborn Academy here today—I just learned a lot from Brian; his wit and his humor, and he was just a heck of a guy. I just want to be able to say that he’ll be missed in the education community, but he’ll be missed in our communities and in this state as a whole because he was just one heck of a guy and passionate about education.

A moment of silence was observed in memory of Brian J. Whiston, State Superintendent of Public Instruction.

Senator Jones’ statement is as follows:

The Senate has passed Senate Resolution No. 152, and May is officially Motorcycle Safety Awareness Month. We have over 245,000 registered motorcycles and over 500,000 drivers who have a motorcycle endorsement in the state of Michigan. Motorcycle safety awareness is a cooperative effort to reduce the number of injuries. Spring is the traditional time when the motorcycles are back on the road, and we ask all motorists, all drivers of cars and trucks, to take a few extra seconds and look for that motorcycle. Motorcycle safety awareness also asks motorcycle operators to wear proper attire, maintain their motorcycles at a high-level of operating condition, and abide by the laws of the land.

Take those extra few seconds and look for the bikes.

Announcements of Printing and Enrollment

The Secretary announced that the following House bills were received in the Senate and filed on Thursday, May 3:

House Bill Nos. 5767 5768

The Secretary announced that the following bills were printed and filed on Thursday, May 3, and are available at the Michigan Legislature website:

Senate Bill Nos.	973	974	975	976	977	978	979	980	981	982	983
House Bill Nos.	5924	5925	5926	5927	5928	5929	5930	5931	5932		

Committee Reports

The Committee on Transportation reported

Senate Bill No. 502, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 803f (MCL 257.803f), as amended by 1998 PA 68.

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. 886, entitled

A bill to amend 2006 PA 384, entitled "Driver education provider and instructor act," by amending section 23 (MCL 256.643).

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. 4319, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 803f (MCL 257.803f), as amended by 1998 PA 68.

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.

COMMITTEE ATTENDANCE REPORT

The Committee on Transportation submitted the following:

Meeting held on Thursday, May 3, 2018, at 8:30 a.m., Room 1100, Binsfeld Office Building

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

Scheduled Meetings

Commerce - Wednesday, May 9, 9:00 a.m., Room 1200, Binsfeld Office Building (373-5312)

Economic Development and International Investment - Thursday, May 10, 1:30 p.m., Room 1200, Binsfeld Office Building (373-5323)

Families, Seniors and Human Services - Wednesday, May 9, 3:00 p.m., Room 1300, Binsfeld Office Building (373-5314)
(CANCELED)

Natural Resources - Wednesday, May 9, 12:00 noon, Room 1300, Binsfeld Office Building (373-5312) (CANCELED)

Regulatory Reform - Wednesday, May 9, 1:00 p.m., Room 1100, Binsfeld Office Building (373-5314)

Transportation - Thursday, May 10, 8:30 a.m., Room 1100, Binsfeld Office Building (373-5312)

Senator Kowall moved that the Senate adjourn.
The motion prevailed, the time being 11:22 a.m.

The President pro tempore, Senator Schuitmaker, declared the Senate adjourned until Wednesday, May 9, 2018, at 10:00 a.m.

JEFFREY F. COBB
Secretary of the Senate