

No. 64
STATE OF MICHIGAN
Journal of the Senate
99th Legislature
REGULAR SESSION OF 2018

Senate Chamber, Lansing, Wednesday, September 5, 2018.

10:00 a.m.

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

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

Ananich—present
Bieda—present
Booher—present
Brandenburg—present
Casperson—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

Senator Michael W. Kowall of the 15th District offered the following invocation:

Dear heavenly Father, we come before You acknowledging our great need. We know that, apart from You, we are nothing and can do nothing. We recognize that we have important work before us today as well as over the next several weeks. With that understanding, we ask You to empower us to work together in a spirit of humility and cooperation. Help us to acknowledge the dignity of our fellow legislators on both sides of the aisle as we work toward common goals and solutions. Keep ever before us, the many blessings You have bestowed upon us and upon our great state. We ask, now, for Your wisdom, patience, and strength for the work at hand.

Thank You, Lord, for hearing our prayer. In Jesus' name, we pray. Amen.

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

Motions and Communications

Senator Green entered the Senate Chamber.

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

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. 105

Senate Concurrent Resolution No. 20

Senate Concurrent Resolution No. 21

Senate Resolution No. 153

Senate Resolution No. 149

The motion prevailed.

Senators Knollenberg, Brandenburg and O'Brien entered the Senate Chamber.

Senator Meekhof offered the following concurrent resolution:

Senate Concurrent Resolution No. 36.

A concurrent resolution of tribute offered as a memorial for Patricia L. Birkholz, former member of the House of Representatives and the Senate.

Whereas, It is with great sorrow that we learned of the passing of Senator Patricia Birkholz, a highly respected member of this legislative body for eight years and of the Michigan House of Representatives for six years. She will be remembered for her dedicated public service, ability to work with colleagues from both sides of the aisle, and her commitment to protecting Michigan's environment for both current and future generations; and

Whereas, Patty was born in Allegan, graduated from Western Michigan University, and worked as a speech pathologist before beginning her career in public service as a member of the Saugatuck Township Parks and Recreation Commission in 1972. She would serve at the local and county levels for 24 years during which she was Saugatuck Township trustee, Saugatuck Township treasurer, and Allegan County treasurer; and

Whereas, When Patty was elected to the Michigan Legislature in 1996, she was the first woman state representative elected from Allegan County. She was quickly recognized for her legislative insight, work ethic, and consensus-building ability. She was named the 1997 Rookie of the Year by the Michigan Manufacturers Association, the 2001 Legislator of the Year by the Michigan Township Association, and one of the 50 Most Influential Women in Western Michigan in 2002 by the Grand Rapids Business Journal. While in the Michigan House of Representatives, she was chosen by her colleagues to serve as the Assistant Republican Floor Leader from 1997 to 1998 and then as the first female Republican Speaker Pro Tempore from 1999 to 2002; and

Whereas, She was elected to the Michigan Senate in 2002 and became the first female elected President Pro Tempore, a position she held from 2003 to 2006. During her time in the Michigan Senate, her knowledge and passion for Michigan's environment were especially valuable in her responsibilities as chair of the Natural Resources and Environmental Affairs Committee. Among her many notable achievements was passage of the Great Lakes-St. Lawrence River Basin Water

Resources Compact, water withdrawal assessment laws, strict ballast water standards, and the creation of the Michigan Recreation Passport as a new mechanism to fund state parks; and

Whereas, While known as a champion of Michigan's natural resources and the environment, Patty was also a fierce advocate for children, families, and local governments. She was proud of her work to promote early childhood education, fight methamphetamine use, and consolidate Michigan planning laws. Patty was also the author of legislation to develop renewable energy standards, create safe havens for abandoned babies, and institute a tax check-off to fund breast cancer research; and

Whereas, After leaving the Legislature, her passion and commitment to Michigan's land and water resources continued as Governor Rick Snyder appointed her director of the Office of the Great Lakes and as Michigan's representative to the Great Lakes Commission. She was also appointed by former President Barack Obama to the National Sea Grant Advisory Board; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That we offer this expression of our highest tribute to honor the memory of Patricia L. Birkholz, a member of the House of Representatives from 1997 to 2002 and a member of the Senate from 2003 to 2010; and be it further

Resolved, That copies of this resolution be transmitted to the Birkholz family as evidence of our lasting esteem for her memory.

Pending the order that, under rule 3.204, the concurrent 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 concurrent resolution was adopted by a unanimous standing vote of the Senate.

Senator Kowall moved that rule 3.204 be suspended to name the entire membership of the Senate and the Lieutenant Governor as co-sponsors of the concurrent resolution.

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

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

The motion prevailed.

Senator Meekhof's statement is as follows:

It is indeed an honor to stand before you today and talk about one of our colleagues. I rise today to acknowledge the life and work of a colleague and a friend. Senator Patty Birkholz passed away earlier this year after a short battle with cancer. Her family is present with us today to honor her work and her memory. They're up here in the Gallery. There are Eric and Laurie, son and daughter-in-law; Hayden and Anna, her granddaughters—Anna started kindergarten yesterday so she got to skip school today—and Renee Mulcrone and Mike Troutman, both cousins. We're glad that they could join us here in the Capitol to honor the legacy of Senator Birkholz.

As was said, Senator Birkholz served in the House from 1997-2002 and was elected the first female Republican Speaker pro tempore. She was elected to the Michigan Senate in 2002 and served two terms from 2003-2008. In addition to her legislative offices, Ms. Birkholz served as a Saugatuck Township Parks and Commission member, Saugatuck Township Trustee, and Allegan County Treasurer. She also served as President of the Saugatuck Dunes Friends of the State Park, on the Michigan State Parks Citizens Advisory Committee, and the Oxbow Board of Directors.

Upon leaving the Legislature, Senator Birkholz was appointed Director of the Office of the Great Lakes by Governor Rick Snyder and as the Michigan representative on the Great Lakes Commission. President Barack Obama appointed Senator Birkholz to the National Sea Grant Advisory Board, a position she held until her death.

In 2010, a 291-acre portion of the 1,000-acre Saugatuck Dunes State Park was renamed the "Patricia Birkholz Natural Area" by the DNR. Senator Birkholz was a champion for the protection of our natural resources. On a more personal note, she reached out to me when I was a member of the House and included me on legislation and helped me to pass a significant public act while I was a member of the minority. Those of you who have a recreation pass on your license plate, those were the bills.

There are few among us who will be fortunate enough to leave a legacy like the one left by Senator Birkholz. I ask that we all rise for a moment of silence to remember a great lady and a true public servant. Join me as I present a Tribute to the family and have your picture taken with the family.

A moment of silence was observed in memory of Patricia L. Birkholz, former member of the House of Representatives and Senate.

Senator MacGregor offered the following resolution:

Senate Resolution No. 174.

A resolution to recognize July 2018 as Craft Beer Month.

Whereas, Michigan craft brewers are a vibrant affirmation and expression of Michigan's entrepreneurial traditions, operating as community-based small businesses and providing employment for more than 14,000 workers; and

Whereas, Michigan has craft brewers in every region of the state and more than 300 craft brewers statewide; and

Whereas, Michigan ranks fifth in the nation for overall number of breweries, microbreweries, and brewpubs; and

Whereas, The Michigan Brewers Guild celebrates Michigan Craft Beer Month each year by hosting a Summer Festival in July; and

Whereas, Craft brewers in Michigan support state agriculture by purchasing hops, malted barley, wheat, beet sugar, cherries, apples, and numerous other fruits, herbs, spices, and vegetables grown in Michigan; and

Whereas, Michigan craft brewers promote Michigan's spirit of independence through a renaissance in handcrafted beers, like those first brought to Michigan by European settlers and produced here by our forefathers, including Bernhard Stroh, for the enjoyment of the citizenry; and

Whereas, Striving to educate legal drinking-age residents, Michigan craft brewers convey awareness about the differences in beer flavor, aroma, color, alcohol content, body, and other complex variables, beer history, and gastronomic qualities of beer; and

Whereas, Michigan craft brewers champion the message of responsible enjoyment to their customers and work within their communities to prevent alcohol abuse and underage drinking; and

Whereas, Craft brewers in Michigan produce more than 100 distinct styles of flavorful beers, the quality and diversity of which have made Michigan the envy of many states, contributing to balanced trade with increased Michigan exports and promoting Michigan tourism; and

Whereas, Michigan craft brewers have been a successful business model by contributing more than \$600 million in labor income with a total economic contribution of more than \$2 billion, thriving and expanding in furthering their economic importance to the state; and

Whereas, Michigan craft brewers are vested in the future, health, and welfare of their communities as employers providing a diverse array of quality local jobs; as contributors to the local tax base; and as committed sponsors of a broad range of vital community institutions and philanthropic causes, including not-for-profit housing development associations, chambers of commerce, humane societies, athletic teams, and medical research; now, therefore, be it

Resolved by the Senate, That the members of this legislative body recognize July 2018 as Craft Beer Month. We recognize the contributions that Michigan craft brewers have made to the state's communities, economy, and history; and be it further

Resolved, That we commend Michigan craft brewers for providing jobs, improving the balance of trade, supporting Michigan agriculture, and educating residents about the history and culture of beer while also promoting the responsible consumption of beer as a beverage of moderation.

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 Ananich, Bieda, Brandenburg, Conyers, Hansen, Horn, Jones, Knollenberg, Marleau, O'Brien, Proos, Rocca, Hopgood, Warren and Zorn were named co-sponsors of the resolution.

Senators Bieda, Warren and Rocca offered the following resolution:

Senate Resolution No. 175.

A resolution to memorialize the Congress of the United States to enact legislation that requires disposable wipes be clearly labeled as "non-flushable."

Whereas, Disposable wipes have become increasingly popular among consumers for their convenience and effectiveness. Baby wipes, make-up remover wipes, antibacterial wipes, and many others have become staples in many households; and

Whereas, The disposal of wipes down toilets is a significant problem for municipal sewer systems and treatment facilities. The vast majority of wipes do not break down once flushed and clog screens, pumps, and other machinery. Removing these wipes is a costly process for systems in Michigan and throughout the country, and it is ultimately the users of the sewer system that pay for it through higher rates; and

Whereas, Greater public awareness with issues concerning flushing of wipes is the first step to addressing this problem. While public service messages and videos have been produced to educate consumers, the simplest and most effective method would be to ensure that disposable wipes are clearly labeled as "non-flushable"; now, therefore, be it

Resolved by the Senate, That we memorialize the Congress of the United States to enact legislation that requires disposable wipes be clearly labeled as "non-flushable"; 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.

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

Senators Conyers, Hansen and Zorn were named co-sponsors of the resolution.

By unanimous consent the Senate returned to the order of
Messages from the Governor

The following messages from the Governor were received:

Date: June 12, 2018
Time: 4:08 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 871 (Public Act No. 182), 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 24 of chapter VII (MCL 767.24), as amended by 2018 PA 148.

(Filed with the Secretary of State on June 12, 2018, at 4:22 p.m.)

Date: June 12, 2018
Time: 4:11 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 872 (Public Act No. 183), 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 5805 (MCL 600.5805), as amended by 2012 PA 582, and by adding section 5851b.

(Filed with the Secretary of State on June 12, 2018, at 4:42 p.m.)

Respectfully,
Brian Calley
Acting and Lieutenant Governor

The following messages from the Governor were received:

Date: June 19, 2018
Time: 8:00 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 731 (Public Act No. 191), being

An act to amend 1956 PA 55, entitled “An act to authorize the jeopardy assessment of personal property taxes; to establish the terms, limitations and conditions upon which the date for payment of personal property taxes may be accelerated; to provide for the collection of such taxes, and to establish a lien therefor; and to establish the liability of the purchaser of personal property for personal property taxes,” by amending sections 3 and 4 (MCL 211.693 and 211.694).

(Filed with the Secretary of State on June 20, 2018, at 1:12 p.m.)

Date: June 19, 2018
Time: 8:02 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 732 (Public Act No. 192), being

An act to amend 1929 PA 236, entitled “An act to provide for the recording of waivers of priority of mortgages, and to make such record thereof constructive notice to all persons dealing with mortgages, the lien of which has been waived and with the property described in said mortgage; also to provide for the fees for the recording thereof,” by amending section 1 (MCL 565.391).

(Filed with the Secretary of State on June 20, 2018, at 1:14 p.m.)

Date: June 19, 2018
Time: 8:04 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 733 (Public Act No. 193), being

An act to amend 1970 PA 132, entitled “An act to provide for the filing of surveys in the office of the register of deeds relative to land divisions; and to prescribe the conditions of the survey,” by amending sections 1 and 3 (MCL 54.211 and 54.213), section 3 as amended by 1992 PA 183.

(Filed with the Secretary of State on June 20, 2018, at 1:16 p.m.)

Date: June 19, 2018
Time: 8:06 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 734 (Public Act No. 194), being

An act to amend 1991 PA 133, entitled “An act to allow the use and recording of certain documents regarding trusts in the case of real property that is conveyed or otherwise affected by a trust; and to prescribe their effect,” by amending section 4 (MCL 565.434).

(Filed with the Secretary of State on June 20, 2018, at 1:18 p.m.)

Date: June 19, 2018
Time: 8:08 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 735 (Public Act No. 195), being

An act to amend 1846 RS 65, entitled “Of alienation by deed, and the proof and recording of conveyances, and the canceling of mortgages,” by amending section 48 (MCL 565.48).

(Filed with the Secretary of State on June 20, 2018, at 1:20 p.m.)

Date: June 19, 2018
Time: 8:10 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 736 (Public Act No. 196), being

An act to amend 1937 PA 103, entitled “An act to prescribe certain conditions relative to the execution of instruments entitled to be recorded in the office of the register of deeds,” by amending section 3 (MCL 565.203), as amended by 2015 PA 131.

(Filed with the Secretary of State on June 20, 2018, at 1:22 p.m.)

Date: June 19, 2018
Time: 8:12 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 737 (Public Act No. 197), being

An act to amend 1937 PA 103, entitled “An act to prescribe certain conditions relative to the execution of instruments entitled to be recorded in the office of the register of deeds,” by amending section 1 (MCL 565.201), as amended by 2014 PA 347; and to repeal acts and parts of acts.

(Filed with the Secretary of State on June 20, 2018, at 1:24 p.m.)

Date: June 19, 2018
Time: 8:14 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 738 (Public Act No. 198), being

An act to amend 1917 PA 19, entitled “An act to authorize and empower the public domain commission to issue certificates of correction in certain cases, and to have the same recorded in the office of the register of deeds in any county wherein the lands affected by such certificate may be located,” by amending section 1 (MCL 322.381).

(Filed with the Secretary of State on June 20, 2018, at 1:26 p.m.)

Date: June 19, 2018
Time: 8:16 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 739 (Public Act No. 199), being

An act to amend 1895 PA 215, entitled “An act to provide for the incorporation of cities of the fourth class; to provide for the vacation of the incorporation thereof; to define the powers and duties of such cities and the powers and duties of the municipal finance commission or its successor agency and of the department of treasury with regard thereto; to provide for the levy and collection of taxes, borrowing of money, and issuance of bonds and other evidences of indebtedness by cities; to define the application of this act and provide for its amendment by cities subject thereto; to validate such prior amendments and certain prior actions taken and bonds issued by such cities; and to prescribe penalties and provide remedies,” by repealing section 27 of article XXV (MCL 105.27).

(Filed with the Secretary of State on June 20, 2018, at 1:28 p.m.)

Date: June 19, 2018
Time: 8:18 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 740 (Public Act No. 200), being

An act to amend 1957 PA 185, entitled “An act to authorize the establishing of a department and board of public works in counties; to prescribe the powers and duties of any municipality subject to the provisions of this act; to authorize the incurring of contract obligations and the issuance and payment of bonds or notes; to provide for a pledge by a municipality of its full faith and credit and the levy of taxes without limitation as to rate or amount to the extent necessary; to validate obligations issued; and to prescribe a procedure for special assessments and condemnation,” by repealing section 55 (MCL 123.785).

(Filed with the Secretary of State on June 20, 2018, at 1:30 p.m.)

Date: June 19, 2018
Time: 8:30 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 1012 (Public Act No. 190), 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 736b, 736c, 736d, 736e, 951a, and 952 (MCL 168.736b, 168.736c, 168.736d, 168.736e, 168.951a, and 168.952), sections 736b, 736d, and 736e as added by 2012 PA 128, section 736c as amended by 2015 PA 268, and section 951a as added and section 952 as amended by 2012 PA 417.

(Filed with the Secretary of State on June 20, 2018, at 1:10 p.m.)

Date: June 19, 2018
Time: 8:32 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 887 (Public Act No. 201), being

An act to amend 1937 PA 94, entitled “An act to provide for the levy, assessment, and collection of a specific excise tax on the storage, use, or consumption in this state of tangible personal property and certain services; to appropriate the proceeds of that tax; to prescribe penalties; and to make appropriations,” (MCL 205.91 to 205.111) by adding section 4ee.

(Filed with the Secretary of State on June 20, 2018, at 1:32 p.m.)

Date: June 21, 2018
Time: 3:45 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 848 (Public Act No. 207), being

An act to make, supplement, adjust, and consolidate appropriations for various state departments and agencies, capital outlay, the judicial branch, and the legislative branch for the fiscal years ending September 30, 2018 and September 30, 2019 and for other fiscal years; to provide for certain conditions on appropriations; to provide for the expenditure of the appropriations; and to repeal acts and parts of acts.

(Filed with the Secretary of State on June 21, 2018, at 4:06 p.m.)

Date: June 22, 2018
Time: 9:12 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 897 (Public Act No. 208), being

An act to amend 1939 PA 280, entitled “An act to protect the welfare of the people of this state; to provide general assistance, hospitalization, infirmary and medical care to poor or unfortunate persons; to provide for compliance by this state with the social security act; to provide protection, welfare and services to aged persons, dependent children, the blind, and the permanently and totally disabled; to administer programs and services for the prevention and treatment of delinquency, dependency and neglect of children; to create a state department of social services; to prescribe the powers and duties of the department; to provide for the interstate and intercounty transfer of dependents; to create county and district departments of social services; to create within certain county departments, bureaus of social aid and certain divisions and offices thereunder; to prescribe the powers and duties of the departments, bureaus and officers; to provide for appeals in certain cases; to prescribe the powers and duties of the state department with respect to county and district departments; to prescribe certain duties of certain other state departments, officers, and agencies; to make an appropriation; to prescribe penalties for the violation of the provisions of this act; and to repeal certain parts of this act on specific dates,” by amending section 105d (MCL 400.105d), as added by 2013 PA 107, and by adding sections 107a and 107b.

(Filed with the Secretary of State on June 22, 2018, at 1:56 p.m.)

Date: June 25, 2018
Time: 4:54 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 330 (Public Act No. 212), being

An act to amend 1949 PA 300, entitled “An act to provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or generally accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways; to create certain funds; to provide penalties and sanctions for a violation of this act; to provide for civil liability of manufacturers, the manufacturers of certain devices, the manufacturers of automated technology, upfitters, owners, and operators of vehicles and service of process on residents and nonresidents; to regulate the introduction and use of certain evidence; to regulate and certify the manufacturers of certain devices; to provide for approval and certification of installers and servicers of certain devices; to provide for the levy of certain assessments; to provide for the enforcement of this act; to provide for the creation of and to prescribe the powers and duties of certain state and local agencies; to impose liability upon the state or local agencies; to provide appropriations for certain purposes; to repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date,” by amending section 904 (MCL 257.904), as amended by 2018 PA 50.

(Filed with the Secretary of State on June 26, 2018, at 1:34 p.m.)

Date: June 25, 2018
Time: 4:56 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 622 (Public Act No. 215), being

An act to amend 2001 PA 142, entitled “An act to consolidate prior acts naming certain Michigan highways; to provide for the naming of certain highways; to prescribe certain duties of the state transportation department; and to repeal acts and parts of acts and certain resolutions,” (MCL 250.1001 to 250.2080) by adding section 12b.

(Filed with the Secretary of State on June 26, 2018, at 1:40 p.m.)

Date: June 25, 2018
Time: 4:58 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 459 (Public Act No. 219), being

An act to amend 2001 PA 142, entitled “An act to consolidate prior acts naming certain Michigan highways; to provide for the naming of certain highways; to prescribe certain duties of the state transportation department; and to repeal acts and parts of acts and certain resolutions,” (MCL 250.1001 to 250.2080) by adding section 20a.

(Filed with the Secretary of State on June 26, 2018, at 1:48 p.m.)

Date: June 25, 2018
Time: 5:00 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 672 (Public Act No. 213), being

An act to amend 1963 PA 181, entitled “An act to promote safety upon highways open to the public by regulating the operation of certain vehicles; to provide consistent regulation of these areas by state agencies and local units of government; to establish the qualifications of persons necessary for the safe operation of such vehicles; to establish certain violations of shippers offering certain materials for transportation; to limit the hours of service of persons engaged in operating such vehicles; to require the keeping of records of such operations; to provide penalties for the violation of this act; to prescribe the powers and duties of certain state agencies; and to repeal acts and parts of acts,” by amending section 5 (MCL 480.15), as amended by 2017 PA 116.

(Filed with the Secretary of State on June 26, 2018, at 1:36 p.m.)

Date: June 25, 2018
Time: 5:02 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 1016 (Public Act No. 222), being

An act to amend 1967 PA 281, entitled “An act to meet deficiencies in state funds by providing for the imposition, levy, computation, collection, assessment, reporting, payment, and enforcement by lien and otherwise of taxes on or measured by net income and on certain commercial, business, and financial activities; to prescribe the manner and time of making reports and paying the taxes, and the functions of public officers and others as to the taxes; to permit the inspection of the records of taxpayers; to provide for interest and penalties on unpaid taxes; to provide exemptions, credits and refunds of the taxes; to prescribe penalties for the violation of this act; to provide an appropriation; and to repeal acts and parts of acts,” by amending section 635 (MCL 206.635), as amended by 2018 PA 31.

(Filed with the Secretary of State on June 26, 2018, at 1:54 p.m.)

Date: June 26, 2018
Time: 11:02 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 889 (Public Act No. 233), 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 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.

(Filed with the Secretary of State on June 27, 2018, at 9:22 a.m.)

Date: June 26, 2018
Time: 11:10 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 942 (Public Act No. 228), being

An act to amend 1975 PA 222, entitled “An act to establish the Michigan higher education student loan authority for the purpose of providing loans to eligible students and to parents of students; to prescribe its powers and duties; to authorize the authority to borrow money and issue bonds which are subject to or exempt from federal income taxation and to provide for the disposition of those funds; to exempt the bonds from taxation; to authorize the authority to acquire loans made to eligible students or to parents of students; and to authorize persons, corporations, and associations to make gifts to the authority,” by amending sections 2 and 4 (MCL 390.1152 and 390.1154), section 2 as amended by 1987 PA 206 and section 4 as amended by 2007 PA 34, and by adding section 8a.

(Filed with the Secretary of State on June 27, 2018, at 9:12 a.m.)

Date: June 26, 2018
Time: 11:12 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 684 (Public Act No. 230), 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 1278b (MCL 380.1278b), as amended by 2014 PA 209.

(Filed with the Secretary of State on June 27, 2018, at 9:16 a.m.)

Date: June 26, 2018
Time: 11:14 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 685 (Public Act No. 231), 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 1277 (MCL 380.1277), as amended by 2016 PA 532.

(Filed with the Secretary of State on June 27, 2018, at 9:18 a.m.)

Date: June 26, 2018
Time: 11:16 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 175 (Public Act No. 232), 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 1278a (MCL 380.1278a), as amended by 2015 PA 186.

(Filed with the Secretary of State on June 27, 2018, at 9:20 a.m.)

Date: June 26, 2018

Time: 2:40 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 941 (Public Act No. 227), being

An act to amend 1979 PA 94, entitled “An act to make appropriations to aid in the support of the public schools, the intermediate school districts, community colleges, and public universities of the state; to make appropriations for certain other purposes relating to education; to provide for the disbursement of the appropriations; to authorize the issuance of certain bonds and provide for the security of those bonds; to prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to create certain funds and provide for their expenditure; to prescribe penalties; and to repeal acts and parts of acts,” by amending section 2 (MCL 388.1602), as amended by 2011 PA 62, and by adding article V.

(Filed with the Secretary of State on June 27, 2018, at 9:10 a.m.)

Date: June 27, 2018

Time: 2:35 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 1000 (Public Act No. 237), being

An act to amend 1994 PA 451, entitled “An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to protect the people’s right to hunt and fish; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, assessments, and donations; to provide certain appropriations; to prescribe penalties and provide remedies; and to repeal acts and parts of acts,” by amending sections 504, 506, 511, 705, 4113, 8206, 43540a, 47102, 48735, 71507, 72118, 80205, and 81129 (MCL 324.504, 324.506, 324.511, 324.705, 324.4113, 324.8206, 324.43540a, 324.47102, 324.48735, 324.71507, 324.72118, 324.80205, and 324.81129), section 504 as amended by 2009 PA 47, section 705 as added by 1995 PA 60, section 4113 as amended by 2010 PA 302, section 8206 as added by 2001 PA 176, section 43540a as added by 2005 PA 116, section 47102 as added by 1995 PA 57, section 48735 as amended by 2003 PA 270, section 71507 as added by 1995 PA 58, section 72118 as added by 2016 PA 288, section 80205 as amended by 2012 PA 61, and section 81129 as amended by 2013 PA 249; and to repeal acts and parts of acts.

(Filed with the Secretary of State on June 27, 2018, at 2:56 p.m.)

Date: June 27, 2018

Time: 2:37 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 302 (Public Act No. 238), being

An act to amend 1994 PA 451, entitled “An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to protect the people’s right to hunt and fish; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, assessments, and donations; to provide certain appropriations; to prescribe penalties and provide remedies; and to repeal acts and parts of acts,” by amending the heading of subpart 1 of part 21 and sections 504, 1901, 1903, 2010, 2101, 2104, 2126, 2130, 2131, 2132, 2136, 40501, 52502, 52503, and 52506 (MCL 324.504, 324.1901, 324.1903, 324.2010, 324.2101, 324.2104, 324.2126, 324.2130, 324.2131, 324.2132, 324.2136, 324.40501, 324.52502, 324.52503, and 324.52506), section 504 as amended by 2009 PA 47, sections 1901, 2101, 2130, and 2136 as added by 1995 PA 60, section 1903 as amended by 2018 PA 166, section 2010 as

added by 2004 PA 587, section 2104 as amended by 1998 PA 28, section 2126 as amended by 2011 PA 323, sections 2131 and 2132 as amended by 2012 PA 622, section 40501 as amended by 2008 PA 416, and sections 52502, 52503, and 52506 as added by 2004 PA 125, and by adding sections 2132a, 2137, and 2138.

(Filed with the Secretary of State on June 27, 2018, at 2:58 p.m.)

Date: June 27, 2018

Time: 2:39 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 303 (Public Act No. 239), being

An act to amend 1994 PA 451, entitled “An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to protect the people’s right to hunt and fish; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, assessments, and donations; to provide certain appropriations; to prescribe penalties and provide remedies; and to repeal acts and parts of acts,” by amending sections 2134, 2135, 2154, and 51106 (MCL 324.2134, 324.2135, 324.2154, and 324.51106), sections 2134 and 2135 as added by 1995 PA 60 and sections 2154 and 51106 as amended by 2012 PA 604.

(Filed with the Secretary of State on June 27, 2018, at 3:00 p.m.)

Date: June 27, 2018

Time: 8:00 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 1001 (Public Act No. 287), being

An act to amend 1994 PA 203, entitled “An act to establish certain standards for foster care and adoption services for children and their families; and to prescribe powers and duties of certain state agencies and departments and adoption facilitators,” by amending section 8 (MCL 722.958), as amended by 2015 PA 106.

(Filed with the Secretary of State on June 29, 2018, at 1:02 p.m.)

Date: June 27, 2018

Time: 8:02 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 1002 (Public Act No. 288), being

An act to amend 1984 PA 22, entitled “An act to establish the Michigan civilian conservation corps; to prescribe the powers and duties of certain state officers, agencies, and departments; to create and provide for the use of an endowment fund; and to provide for appropriations,” by amending section 12a (MCL 409.312a), as amended by 2012 PA 578.

(Filed with the Secretary of State on June 29, 2018, at 1:04 p.m.)

Date: June 27, 2018

Time: 8:04 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 1003 (Public Act No. 289), being

An act to amend 2001 PA 267, entitled “An act to define and regulate milk, cream, frozen desserts, and related foods and by-products of those foods under certain circumstances; to prescribe certain powers and duties of certain state agencies and officers; to prohibit the sale of unclean and unsanitary milk and manufactured dairy products and their use in the manufacture of food products; to prohibit unclean and unsanitary conditions of milk and milk processing establishments; to establish production and handling standards of sanitary milk and dairy products for manufacturing and manufactured dairy products; to regulate the sale and transportation of milk and dairy products for manufacturing purposes; to issue licenses and permits to certain persons and provide for the revocation or suspension of licenses and permits under certain circumstances; to impose certain fees; to require certain security devices under certain circumstances; to establish inspection requirements; to promulgate rules; to set certain standards for milk and dairy products, processing, and pasteurization; to provide for penalties and remedies; and to repeal acts and parts of acts,” by amending section 110a (MCL 288.670a), as amended by 2008 PA 147.

(Filed with the Secretary of State on June 29, 2018, at 1:06 p.m.)

Date: June 27, 2018
Time: 8:06 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 1004 (Public Act No. 290), being

An act to repeal 1881 PA 33, entitled “An act to provide for the publication of monthly crop and stock reports,” (MCL 285.21 to 285.22).

(Filed with the Secretary of State on June 29, 2018, at 1:08 p.m.)

Date: June 27, 2018
Time: 8:08 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 1005 (Public Act No. 291), being

An act to amend 1969 PA 287, entitled “An act to regulate pet shops, animal control shelters, and animal protection shelters; to establish uniform procedures and minimum requirements for adoption of dogs, cats, and ferrets; and to prescribe penalties and civil fines and to provide remedies,” by amending section 4 (MCL 287.334), as amended by 2007 PA 79.

(Filed with the Secretary of State on June 29, 2018, at 1:10 p.m.)

Date: June 27, 2018
Time: 8:10 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 1006 (Public Act No. 292), being

An act to amend 1981 PA 93, entitled “An act to define certain farm uses, operations, practices, and products; to provide certain disclosures; to provide for circumstances under which a farm shall not be found to be a public or private nuisance; to provide for certain powers and duties for certain state agencies and departments; and to provide for certain remedies for certain persons,” by amending section 4 (MCL 286.474), as amended by 1999 PA 261.

(Filed with the Secretary of State on June 29, 2018, at 1:12 p.m.)

Date: June 27, 2018
Time: 8:12 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 1007 (Public Act No. 293), being

An act to amend 2000 PA 92, entitled “An act to codify the licensure and regulation of certain persons engaged in processing, manufacturing, production, packing, preparing, repacking, canning, preserving, freezing, fabricating, storing, selling, serving, or offering for sale food or drink for human consumption; to prescribe powers and duties of the department of agriculture and rural development; to provide for delegation of certain powers and duties to certain local units of government; to provide exemptions; to regulate the labeling, manufacture, distribution, and sale of food for protection of the consuming public and to prevent fraud and deception by prohibiting the misbranding, adulteration, manufacture, distribution, and sale of foods in violation of this act; to provide standards for food products and food establishments; to provide for immunity to certain persons under certain circumstances; to provide for enforcement of the act; to provide penalties and remedies by violation of the act; to provide for fees; to provide for promulgation of rules; and to repeal acts and parts of acts,” by amending section 4116 (MCL 289.4116), as amended by 2007 PA 114.

(Filed with the Secretary of State on June 29, 2018, at 1:14 p.m.)

Date: June 27, 2018
Time: 8:14 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 1008 (Public Act No. 294), being

An act to amend 1955 PA 162, entitled “An act to provide for the licensing and inspection of agricultural liming material and to regulate the sale thereof; and to prescribe penalties for the violations of the provisions of this act,” by amending section 5 (MCL 290.535).

(Filed with the Secretary of State on June 29, 2018, at 1:16 p.m.)

Date: June 27, 2018
Time: 8:16 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 1009 (Public Act No. 295), being

An act to amend 1953 PA 232, entitled “An act to revise, consolidate, and codify the laws relating to probationers and probation officers, to pardons, reprieves, commutations, and paroles, to the administration of correctional institutions, correctional farms, and probation recovery camps, to prisoner labor and correctional industries, and to the supervision and inspection of local jails and houses of correction; to provide for the siting of correctional facilities; to create a state department of corrections, and to prescribe its powers and duties; to provide for the transfer to and vesting in said department of powers and duties vested by law in certain other state boards, commissions, and officers, and to abolish certain boards, commissions, and offices the powers and duties of which are transferred by this act; to allow for the operation of certain facilities by private entities; to prescribe the powers and duties of certain other state departments and agencies; to provide for the creation of a local lockup advisory board; to provide for a lifetime electronic monitoring program; to prescribe penalties for the violation of the provisions of this act; to make certain appropriations; to repeal certain parts of this act on specific dates; and to repeal all acts and parts of acts inconsistent with the provisions of this act,” by amending sections 11a, 40, and 65c (MCL 791.211a, 791.240, and 791.265c), section 11a as amended by 1998 PA 204, section 40 as added by 2006 PA 487, and section 65c as amended by 1993 PA 34.

(Filed with the Secretary of State on June 29, 2018, at 1:18 p.m.)

Date: June 27, 2018
Time: 8:18 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 1010 (Public Act No. 296), being

An act to amend 1964 PA 286, entitled “An act to provide for the organization, powers, and duties of the state transportation commission and the state transportation department; to provide for the appointment, powers, and duties of the state transportation director; to abolish the office of state highway commissioner and the commissioner’s advisory board and to transfer their powers and duties; to provide for penalties and remedies; and to repeal certain acts and parts of acts,” by amending section 13 (MCL 247.813).

(Filed with the Secretary of State on June 29, 2018, at 1:20 p.m.)

Date: June 27, 2018
Time: 8:20 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 1011 (Public Act No. 297), being

An act to amend 1945 PA 327, entitled “An act relating to aeronautics in this state; providing for the development and regulation of aeronautics; creating a state aeronautics commission; prescribing powers and duties; providing for the licensing, registration, and supervision and control of all aircraft, airports and landing fields, schools of aviation, flying clubs, airmen, aviation instructors, airport managers, manufacturers, dealers, and commercial operation in intrastate commerce; providing for rules pertaining thereto; prescribing a privilege tax for the use of the aeronautical facilities on the lands and waters of this state; providing for the acquisition, development, and operation of airports, landing fields, and other aeronautical facilities by this state, by political subdivisions, or by airport authorities; providing for the incorporation of airport authorities and providing for the powers, duties, and obligations of airport authorities; providing for the transfer of airport management to airport authorities, including the transfer of airport liabilities, employees, and operational jurisdiction; providing jurisdiction of crimes, torts, and contracts; providing police powers for those entrusted to enforce this act; providing for civil liability of owners, operators, and others; making hunting from aircraft unlawful; providing for a repair station operators lien; providing for appeals from rules or orders issued by the commission; providing for the transfer from the Michigan board of aeronautics to the aeronautics commission all properties and funds held by the board of aeronautics; providing for a state aeronautics fund and making an appropriation therefor; prescribing penalties; and making uniform the law with reference to state development and regulation of aeronautics,” by repealing section 32 (MCL 259.32).

(Filed with the Secretary of State on June 29, 2018, at 1:22 p.m.)

Date: June 27, 2018
Time: 9:12 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 915 (Public Act No. 273), being

An act to amend 1949 PA 300, entitled “An act to provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or

generally accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways; to create certain funds; to provide penalties and sanctions for a violation of this act; to provide for civil liability of manufacturers, the manufacturers of certain devices, the manufacturers of automated technology, upfitters, owners, and operators of vehicles and service of process on residents and nonresidents; to regulate the introduction and use of certain evidence; to regulate and certify the manufacturers of certain devices; to provide for approval and certification of installers and servicers of certain devices; to provide for the levy of certain assessments; to provide for the enforcement of this act; to provide for the creation of and to prescribe the powers and duties of certain state and local agencies; to impose liability upon the state or local agencies; to provide appropriations for certain purposes; to repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date,” 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.

(Filed with the Secretary of State on June 29, 2018, at 10:50 a.m.)

Date: June 27, 2018

Time: 9:14 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 836 (Public Act No. 274), being

An act to amend 1949 PA 300, entitled “An act to provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or generally accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways; to create certain funds; to provide penalties and sanctions for a violation of this act; to provide for civil liability of manufacturers, the manufacturers of certain devices, the manufacturers of automated technology, upfitters, owners, and operators of vehicles and service of process on residents and nonresidents; to regulate the introduction and use of certain evidence; to regulate and certify the manufacturers of certain devices; to provide for approval and certification of installers and servicers of certain devices; to provide for the levy of certain assessments; to provide for the enforcement of this act; to provide for the creation of and to prescribe the powers and duties of certain state and local agencies; to impose liability upon the state or local agencies; to provide appropriations for certain purposes; to repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date,” by amending section 722 (MCL 257.722), as amended by 2017 PA 80.

(Filed with the Secretary of State on June 29, 2018, at 10:52 a.m.)

Date: June 27, 2018

Time: 9:16 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 640 (Public Act No. 275), being

An act to amend 1982 PA 432, entitled “An act to regulate persons who transport passengers by motor bus; to prescribe powers and duties for the state transportation department; to impose certain fees; to impose penalties; and to repeal acts and parts of acts,” by amending section 4 (MCL 474.104), as amended by 2016 PA 349.

(Filed with the Secretary of State on June 29, 2018, at 10:54 a.m.)

Date: June 27, 2018

Time: 9:22 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 344 (Public Act No. 241), 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,” (MCL 380.1 to 380.1852) by adding section 1278d.

(Filed with the Secretary of State on June 28, 2018, at 2:14 p.m.)

Date: June 27, 2018

Time: 9:24 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 343 (Public Act No. 242), 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 1278c (MCL 380.1278c), as added by 2014 PA 288.

(Filed with the Secretary of State on June 28, 2018, at 2:16 p.m.)

Date: June 27, 2018

Time: 9:28 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 988 (Public Act No. 244), being

An act to amend 1939 PA 280, entitled “An act to protect the welfare of the people of this state; to provide general assistance, hospitalization, infirmary and medical care to poor or unfortunate persons; to provide for compliance by this state with the social security act; to provide protection, welfare and services to aged persons, dependent children, the blind, and the permanently and totally disabled; to administer programs and services for the prevention and treatment of delinquency, dependency and neglect of children; to create a state department of social services; to prescribe the powers and duties of the department; to provide for the interstate and intercounty transfer of dependents; to create county and district departments of social services; to create within certain county departments, bureaus of social aid and certain divisions and offices thereunder; to prescribe the powers and duties of the departments, bureaus and officers; to provide for appeals in certain cases; to prescribe the powers and duties of the state department with respect to county and district departments; to prescribe certain duties of certain other state departments, officers, and agencies; to make an appropriation; to prescribe penalties for the violation of the provisions of this act; and to repeal certain parts of this act on specific dates,” by amending section 117a (MCL 400.117a), as amended by 2018 PA 22.

(Filed with the Secretary of State on June 28, 2018, at 2:20 p.m.)

Date: June 27, 2018

Time: 9:30 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 1015 (Public Act No. 245), being

An act to amend 1978 PA 368, entitled “An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to provide for the levy of taxes against certain health facilities or agencies; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and

services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for the implementation of federal law; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to provide for an appropriation and supplements; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates,” by amending section 20161 (MCL 333.20161), as amended by 2016 PA 189.

(Filed with the Secretary of State on June 28, 2018, at 2:22 p.m.)

Date: June 27, 2018

Time: 10:20 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 197 (Public Act No. 252), being

An act to amend 1967 PA 281, entitled “An act to meet deficiencies in state funds by providing for the imposition, levy, computation, collection, assessment, reporting, payment, and enforcement by lien and otherwise of taxes on or measured by net income and on certain commercial, business, and financial activities; to prescribe the manner and time of making reports and paying the taxes, and the functions of public officers and others as to the taxes; to permit the inspection of the records of taxpayers; to provide for interest and penalties on unpaid taxes; to provide exemptions, credits and refunds of the taxes; to prescribe penalties for the violation of this act; to provide an appropriation; and to repeal acts and parts of acts,” by amending section 435 (MCL 206.435), as amended by 2016 PA 184.

(Filed with the Secretary of State on June 28, 2018, at 2:36 p.m.)

Date: June 27, 2018

Time: 10:22 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 196 (Public Act No. 253), being

An act to amend 2008 PA 525, entitled “An act to establish the fostering futures scholarship trust fund in the department of treasury; to provide for the distribution of the money from the fund; to prescribe the powers and duties of certain agencies and officials; and to provide for appropriations,” by amending section 9 (MCL 722.1029), as amended by 2014 PA 530.

(Filed with the Secretary of State on June 28, 2018, at 2:38 p.m.)

Date: June 27, 2018

Time: 10:28 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 816 (Public Act No. 256), being

An act to amend 1967 PA 281, entitled “An act to meet deficiencies in state funds by providing for the imposition, levy, computation, collection, assessment, reporting, payment, and enforcement by lien and otherwise of taxes on or measured by net income and on certain commercial, business, and financial activities; to prescribe the manner and time of making reports and paying the taxes, and the functions of public officers and others as to the taxes; to permit the inspection of the records of taxpayers; to provide for interest and penalties on unpaid taxes; to provide exemptions, credits and refunds of the taxes; to prescribe penalties for the violation of this act; to provide an appropriation; and to repeal acts and parts of acts,” by amending section 435 (MCL 206.435), as amended by 2016 PA 184.

(Filed with the Secretary of State on June 28, 2018, at 2:44 p.m.)

Date: June 27, 2018

Time: 10:30 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 817 (Public Act No. 257), being

An act to establish the Michigan World War II Legacy Memorial fund in the department of treasury; to provide for the distribution of the money from the fund; to prescribe the powers and duties of certain agencies and officials; and to provide for appropriations.

(Filed with the Secretary of State on June 28, 2018, at 2:46 p.m.)

Date: June 27, 2018
Time: 10:42 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 946 (Public Act No. 260), being

An act 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.

(Filed with the Secretary of State on June 28, 2018, at 2:52 p.m.)

Date: June 27, 2018
Time: 10:44 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 226 (Public Act No. 261), 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 2559 (MCL 600.2559), as amended by 2012 PA 558.

(Filed with the Secretary of State on June 28, 2018, at 2:54 p.m.)

Date: June 28, 2018
Time: 6:32 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 888 (Public Act No. 328), being

An act to amend 1980 PA 300, entitled “An act to provide a retirement system for the public school employees of this state; to create certain funds for this retirement system; to provide for the creation of a retirement board; to prescribe the powers and duties of the retirement board; to prescribe the powers and duties of certain state departments, agencies, officials, and employees; to authorize and make appropriations for the retirement system; to prescribe penalties and provide remedies; and to repeal acts and parts of acts,” by amending sections 5 and 124 (MCL 38.1305 and 38.1424), section 5 as amended by 2017 PA 92 and section 124 as amended by 2012 PA 300, and by adding section 42a.

(Filed with the Secretary of State on July 2, 2018, at 1:06 p.m.)

Date: June 28, 2018
Time: 6:34 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 916 (Public Act No. 329), being

An act 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.

(Filed with the Secretary of State on July 2, 2018, at 1:08 p.m.)

Date: June 28, 2018
Time: 6:38 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 757 (Public Act No. 331), being

An act to amend 2016 PA 407, entitled “An act to revise, consolidate, and classify the laws of this state regarding the regulation of certain occupations in the skilled trades and to regulate persons and activities relative to those occupations; to create a board for each of those occupations; to establish the powers and duties of certain state and local governmental officers and entities, including the boards created under this act; to provide for the promulgation of rules; to provide for fees; to provide for penalties and civil fines; and to repeal acts and parts of acts,” by amending section 733 (MCL 339.5733), as amended by 2017 PA 125.

(Filed with the Secretary of State on July 2, 2018, at 1:12 p.m.)

Date: June 28, 2018
Time: 6:40 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 758 (Public Act No. 332), being

An act to amend 1972 PA 230, entitled “An act to create a construction code commission and prescribe its functions; to authorize the director to promulgate rules with recommendations from each affected board relating to the construction, alteration, demolition, occupancy, and use of buildings and structures; to prescribe energy conservation standards for the construction of certain buildings; to provide for statewide approval of premanufactured units; to provide for the testing of new devices, materials, and techniques for the construction of buildings and structures; to define the classes of buildings and structures affected by the act; to provide for administration and enforcement of the act; to create a state construction code fund; to prohibit certain conduct; to establish penalties, remedies, and sanctions for violations of the act; to repeal acts and parts of acts; and to provide an appropriation,” by amending section 28a (MCL 125.1528a), as amended by 2017 PA 126.

(Filed with the Secretary of State on July 2, 2018, at 1:14 p.m.)

Date: June 28, 2018
Time: 6:42 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 908 (Public Act No. 333), being

An act to authorize the state administrative board to accept from the city of Lansing property located in Ingham County; to reconvey the property to the city of Lansing with certain restrictions on the use of the property removed; to provide for the powers and duties of state departments, agencies, and officers in regard to the property; and to provide for the disposition of revenue from the conveyance.

(Filed with the Secretary of State on July 2, 2018, at 1:16 p.m.)

Date: June 28, 2018
Time: 6:44 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 1036 (Public Act No. 334), being

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

(Filed with the Secretary of State on July 2, 2018, at 1:18 p.m.)

Date: June 28, 2018
Time: 6:50 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 178 (Public Act No. 326), being

An act to amend 1949 PA 300, entitled “An act to provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or generally accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways; to create certain funds; to provide penalties and sanctions for a violation of this act; to provide for civil liability of manufacturers, the manufacturers of certain devices, the manufacturers of automated technology, upfitters, owners, and operators of vehicles and service of process on residents and nonresidents; to regulate the introduction and use of certain evidence; to regulate and certify the manufacturers of certain devices; to provide for approval and certification of installers and servicers of certain devices; to provide for the levy of certain assessments; to provide for the enforcement of this act; to provide for the creation of and to prescribe the powers and duties of certain state and local agencies; to impose liability upon the state or local agencies; to provide appropriations for certain purposes; to repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date,” by amending sections 811e and 811h (MCL 257.811e and 257.811h), as amended by 2016 PA 327, and by adding sections 811cc, 811dd, 811ee, and 811ff.

(Filed with the Secretary of State on July 2, 2018, at 1:02 p.m.)

Date: June 28, 2018
Time: 2:45 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 652 (Public Act No. 267), being

An act to amend 1969 PA 306, entitled “An act to provide for the effect, processing, promulgation, publication, and inspection of state agency rules, determinations, and other matters; to provide for the printing, publishing, and distribution of certain publications; to provide for state agency administrative procedures and contested cases and appeals from contested cases in licensing and other matters; to create and establish certain committees and offices; to provide for declaratory judgments as to rules; to repeal certain acts and parts of acts; and to repeal certain parts of this act on a specific date,” by amending sections 33, 39a, 41, 42, 43, 44, 47, and 48 (MCL 24.233, 24.239a, 24.241, 24.242, 24.243, 24.244, 24.247, and 24.248), sections 33 and 47 as amended and section 39a as added by 1999 PA 262, sections 41 and 42 as amended by 2004 PA 491, section 43 as amended by 1989 PA 288, section 44 as amended by 2016 PA 513, and section 48 as amended by 2012 PA 181, and by adding sections 65, 66, and 88.

(Filed with the Secretary of State on June 29, 2018, at 9:06 a.m.)

Date: June 28, 2018
Time: 2:47 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 653 (Public Act No. 268), being

An act to amend 1994 PA 451, entitled “An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to protect the people’s right to hunt and fish; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, assessments, and donations; to provide certain appropriations; to prescribe penalties and provide remedies; and to repeal acts and parts of acts,” by amending sections 1301, 1307, and 1311 (MCL 324.1301, 324.1307, and 324.1311), section 1301 as amended by 2018 PA 36 and sections 1307 and 1311 as amended by 2013 PA 98, and by adding sections 1313, 1315, and 1317.

(Filed with the Secretary of State on June 29, 2018, at 9:08 a.m.)

Date: June 28, 2018
Time: 2:49 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 654 (Public Act No. 269), being

An act to amend 1994 PA 451, entitled “An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to protect the people’s right to hunt and fish; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, assessments, and donations; to provide certain appropriations; to prescribe penalties and provide remedies; and to repeal acts and parts of acts,” (MCL 324.101 to 324.90106) by adding part 26.

(Filed with the Secretary of State on June 29, 2018, at 9:10 a.m.)

Date: June 28, 2018
Time: 2:53 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 542 (Public Act No. 270), being

An act to amend 1994 PA 451, entitled “An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to protect the people’s right to hunt and fish; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, assessments, and donations; to provide certain appropriations; to prescribe penalties and provide remedies; and to repeal acts and parts of acts,” (MCL 324.101 to 324.90106) by adding section 8316b.

(Filed with the Secretary of State on June 29, 2018, at 9:12 a.m.)

Respectfully,
Rick Snyder
Governor

The following message from the Governor was received:

June 21, 2018

Today I have signed Enrolled Senate Bill 848, which makes appropriations for various departments and agencies, the judicial branch, and the legislative branch for the fiscal year ending September 30, 2019. The Fiscal Year 2019 appropriations in Enrolled Senate Bill 848 total \$39.9 billion and provide funding for critical services throughout the state.

Enrolled Senate Bill 848 also makes supplemental appropriations for various departments and agencies for the fiscal year ending September 30, 2018 and includes Capital Outlay construction authorizations for several universities and community colleges. The Fiscal Year 2018 appropriations in Enrolled Senate Bill 848 total negative \$512.0 million.

I have considered the enforceability of boilerplate provisions as I provide direction to the departments in implementing appropriations contained in Enrolled Senate Bill 848. Among the various provisions that are considered unenforceable, I note the following: section 234 (Article VI), section 983 (Article VIII), section 1305 (Article X), and section 382 (Article XVII). Section 650 (Article X) is also deemed unenforceable, but I would note that the state is on track to comply with the spirit of that language.

Enrolled Senate Bill 848 also contains boilerplate sections that include statements of legislative intent. We will take these legislative preferences into consideration as departments and agencies implement the appropriations. These legislative intent statements, however, do not impose conditions on appropriations and are non-binding on departments and agencies implementing the appropriations.

I commend the Legislature for completing its work on a fiscally responsible budget ahead of schedule for the eighth consecutive year. This omnibus appropriations bill sets clear funding priorities for the upcoming year and supports programs critical to Michigan's success.

Respectfully,
Rick Snyder
Governor

The following message from the Governor was received on July 12, 2018, and read:

EXECUTIVE ORDER
No. 2018-7

**Transfer of Refugee Services Functions
Creation of the Chairpersons Council**

**Department of Health and Human Services
Department of Licensing and Regulatory Affairs
Michigan Office for New Americans**

Executive Reorganization

WHEREAS, Section 1 of Article V of the Michigan Constitution of 1963 vests the executive power in the Governor; and

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

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

WHEREAS, there is a continued need to reorganize functions among state departments to ensure efficient administration; and

WHEREAS, the Department of Health and Human Services has established an Office of Refugee Services to coordinate and administer the provision of social services and other services to refugees in Michigan; and

WHEREAS, the Michigan Office for New Americans, created within the Executive Office of the Governor by Executive Order 2014-2, and transferred to the Department of Licensing and Regulatory Affairs by Executive Order 2014-12, MCL 125.1995, is charged with the responsibility for coordinating all executive branch programs related to the provision of services for immigrants, including the provision of services to refugees;

NOW, THEREFORE, I, Richard D. Snyder, Governor of the state of Michigan, by virtue of the powers and authority vested in the Governor by the Michigan Constitution of 1963 and Michigan law, order the following:

I. TRANSFER OF REFUGEE SERVICES FUNCTIONS

A. Except as otherwise provided in this order, all authority, powers, duties, functions, and responsibilities for the administration of refugee services undertaken by the Office of Refugee Services within the Department of Health and Human

services are transferred to the Michigan Office for New Americans within the Department of Licensing and Regulatory Affairs.

B. The administrative functions transferred to the Michigan Office for New Americans as provided in this Order include, but are not limited to, the following:

- Administration of Refugee Social Services;
- Administration of contracts with Refugee Service Agencies for the Unaccompanied Refugee Minors Program;
- Administration of federal funding for refugee services not otherwise listed;
- Coordination of services to refugees provided by other entities;
- Training state employees in the provision of refugee services;
- Federal reporting and outcome analysis; and
- Preparation and submission of the State Plan for Refugee Services.

C. The following responsibilities shall remain with the Department of Health and Human services:

- Administration of Refugee Cash Assistance;
- Administration of Refugee Medical Assistance & other health programming; and
- Administration of the Repatriation Program.

D. The authority, powers, duties, functions, and responsibilities transferred to the Michigan Office for New Americans as provided in this Order are administrative in nature and do not include the direct service delivery functions performed by employees of the Michigan Department of Health and Human Services assigned to local field offices.

E. All records, personnel, property, unexpended balances of appropriations, allocations, or other funds used, held, employed, available, or to be made available to the Department of Health and Human Services necessary for the activities, powers, duties, functions, and responsibilities transferred by this Order are transferred to the Department of Licensing and Regulatory Affairs.

F. All personnel necessary for performance of the administrative functions transferred by this Order are transferred from the Department of Health and Human Services to the Department of Licensing and Regulatory Affairs.

II. CREATION OF THE CHAIRPERSONS COUNCIL

A. The Chairpersons Council is created within the Office for New Americans as an advisory body charged with providing advice and counsel to the Office for New Americans regarding its mission and services.

B. The Chairpersons Council shall consist of the Chairperson of the Asian Pacific American Affairs Commission, the Chairperson of the Hispanic/Latino Commission of Michigan, and the Chairperson of the Commission on Middle Eastern American Affairs.

C. The Chairpersons Council shall meet at the call of any of its members, and not less than four times per year.

D. The Chairpersons Council shall be staffed and assisted as necessary by personnel from the Office for New Americans as directed by the Office for New Americans.

E. Members of the Chairpersons Council shall serve without compensation. Subject to the approval of the Office for New Americans and available funding, members of the Chairpersons Council may receive reimbursement for necessary travel and expenses according to relevant statutes and the rules and procedures of the Department of Licensing and Regulatory Affairs.

III. IMPLEMENTATION

A. The Director of the Department of Licensing and Regulatory Affairs, after consultation with the Director of the Department of Health and Human Services, shall provide executive direction and supervision for the implementation of the transfer. The Director of the Department of Licensing and Regulatory Affairs shall administer any assigned functions to promote efficient administration and shall make internal organizational changes as may be administratively necessary to complete the realignment of responsibilities prescribed by this Order.

B. The directors of the departments effected by this order shall immediately initiate coordination to facilitate the transfers and shall develop a memorandum of record identifying any pending settlements, issues of compliance with applicable federal and state laws and regulations, or other obligations to be resolved by the Department of Licensing and Regulatory Affairs.

C. The State Budget Director shall determine and authorize the most efficient manner possible for the handling of financial transactions and records in the state's financial management system for the remainder of the current state fiscal year for transfers made under this Order.

IV. MISCELLANEOUS

A. The position of Director of the Michigan Office for New Americans created by Sec. I. B. of Executive Order 2014-2 is eliminated.

B. All rules, orders, contracts, plans, and agreements relating to the functions transferred by this Order lawfully adopted prior to the effective date of this Order by the responsible state department shall continue to be effective until revised, amended, or rescinded.

C. Any suit, action, or other proceeding lawfully commenced by or against any department identified in Section I of this order prior to the effective date of this Order shall not abate by reason of the taking effect of this Order. Any lawfully

commenced suit, action, or other proceeding may be maintained by, against, or before the appropriate successor of any entity affected by this Order.

D. The invalidity of any portion of this Order shall not affect the validity of the remainder of the Order, which may be given effect without any invalid portion. Any portion of this Order found invalid by a court or other entity with proper jurisdiction shall be severable from the remaining portions of this Order.

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

[SEAL]

Given under my hand and the Great Seal of the state of Michigan this 12th day of July, in the Year of our Lord Two Thousand Eighteen.

Richard D. Snyder
Governor

By the Governor:
Ruth A. Johnson
Secretary of State

The executive order was referred to the Committee on Government Operations.

The following message from the Governor was received on August 10, 2018, and read:

EXECUTIVE ORDER
No. 2018-8

Naming the Brian J. Whiston Memorial Fountain

WHEREAS, Brian J. Whiston dedicated a lifetime of public service to the students of Michigan, which spanned several decades at the state, regional, and local levels, and was highlighted by his tenure as State Superintendent of Public Instruction for Michigan from 2015 until his untimely death in 2018; and

WHEREAS, prior to his appointment as State Superintendent of Public Instruction, Brian J. Whiston served as Superintendent of Dearborn Public Schools—the third largest school district in Michigan—where his innovation and collaboration became a catalyst for marked improvement in student achievement; and

WHEREAS, Brian J. Whiston’s dedication to student learning started long before his time in Dearborn. During his 11 years as Director of Government and Community Services for the Oakland County Intermediate School District, he consistently demonstrated his ability to work with state government to bring financial resources to schools; led his department to improved student achievement; and helped make all schools in the county successful. He also served as a local school board member for 17 years and held the position of Treasurer and President-Elect of the Michigan Parent Teacher Student Association (PTSA). He was elected President of the PTSA before stepping down upon his appointment as the Superintendent at Dearborn; and

WHEREAS, Brian J. Whiston’s leadership to foster a holistic, inclusive, and innovative approach to education required skill and courage as he led the effort to make Michigan a Top 10 education state in 10 years; working collaboratively with educators, students, parents, business, labor, and policy leaders in Michigan to forge the goals and strategies that will drive achievement and success for Michigan in the 21st Century; and

WHEREAS, Brian J. Whiston was the architect of the groundbreaking Partnership Model of working with struggling schools to craft partnership agreements with state, regional, and local organizations and resources to help improve the academic outcomes of their students; and

WHEREAS, Brian J. Whiston was a key driver in closing the talent gap in Michigan through the adoption and early implementation of the Career Pathways Alliance and the Marshall Plan for Talent; and

WHEREAS, Brian J. Whiston led the Michigan Department of Education to keep a total focus on providing a quality education for every child in Michigan, and fostered a culture at the department of inclusive decision-making; customer service; cross-agency collaboration; professional development; self-empowered innovation and improvement; and love and appreciation of each employee’s daily work; and

WHEREAS, Brian J. Whiston’s impact on the Michigan Department of Education; Michigan’s system of education and talent development; educators and students will be felt for many generations in Michigan.

NOW, THEREFORE, I Rick Snyder, Governor of the State of Michigan, pursuant to the powers vested in me by the Constitution of the State of Michigan of 1963 and laws of the State of Michigan, do hereby order that the state-owned fountain structure, on the Capital Plaza between the John A. Hannah Building and the Ottawa Building, situated on the vacated portion of Michigan Avenue between blocks 104 and 107 of the original plat of the City of Lansing, be named and shall henceforth be known as the “Brian J. Whiston Memorial Fountain,” and that all state departments and agencies cooperate in the suitable marking and identification of that structure in honor of this eminent Michigan citizen.

This Order shall be effective upon filing.

[SEAL]

Given under my hand and the Great Seal of the state of Michigan this 9th day of August, in the Year of our Lord Two Thousand Eighteen.

Richard D. Snyder
Governor

By the Governor:
Ruth A. Johnson
Secretary of State

The executive order was referred to the Committee on Government Operations.

The following messages from the Governor were received and read:

June 5, 2018

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

Board of Real Estate Appraisers

James T. Hartman of 5432 Jo Pass, East Lansing, Michigan 48823, county of Ingham, representing certified general real estate appraisers, succeeding himself, is reappointed for a term expiring June 30, 2022.

Phyllis Howard of 570 W. Clay Road, #204, Muskegon, Michigan 49441, county of Muskegon, representing the general public, succeeding herself, is reappointed for a term expiring June 30, 2022.

Thomas F. Watson of 4411 N. Jefferson Road, Midland, Michigan 48642, county of Midland, representing state licensed real estate appraisers, succeeding Maureen Mausolf, is appointed for a term expiring June 30, 2022.

June 22, 2018

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

Michigan State Council for Interstate Juvenile Supervision

John D. Tomlinson of 4119 Park Avenue West, Fort Gratiot, Michigan 48059, county of Saint Clair, representing the judicial branch, succeeding himself, is reappointed for a term expiring February 12, 2022.

June 26, 2018

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

Interim Director - Michigan Office for New Americans

Karen Phillippi of 41416 Ivywood Lane, Plymouth, Michigan 48170, county of Wayne, is appointed for a term commencing July 1, 2018, and expiring at the pleasure of the Governor.

June 28, 2018

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

Michigan State Board of Accountancy

Paul M. Balas of 4087 Parkstone Court, Troy, Michigan 48098, county of Oakland, representing certified public accountants, succeeding Matthew Howell, is appointed for a term expiring June 30, 2022.

Shelly Gower of 26168 Pillsbury Street, Farmington Hills, Michigan 48334, county of Oakland, representing certified public accountants, succeeding Michael Swartz, is appointed for a term expiring June 30, 2022.

June 28, 2018

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

Michigan Board of Acupuncture

Renee Hubbs of 218 McGarry Drive, Lansing, Michigan 48911, county of Ingham, representing acupuncturists, succeeding herself, is reappointed for a term expiring June 30, 2022.

Elizabeth M. Lukasik of 1192 Arbor Drive, East Lansing, Michigan 48823, county of Ingham, representing the general public, succeeding Sarah Wernert, is appointed for a term expiring June 30, 2022.

June 28, 2018

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

Chair - Commission on Services to the Aging

Dona J. Wishart of P.O. Box 2101, Gaylord, Michigan 49734, county of Otsego, is appointed for a term expiring at the pleasure of the Governor

Commission on Services to the Aging

Milton Doucette of N7635 Arbutus Street, Au Train, Michigan 49806, county of Alger, representing Democrats, succeeding Margot Roedel, is appointed for a term expiring July 28, 2020.

Laura K. Latosch of 715 W. Breckenridge Street, Ferndale, Michigan 48220, county of Oakland, representing Democrats, succeeding herself, is reappointed for a term expiring July 28, 2021.

Peter A. Lichtenberg of 31817 Valley View Street, Farmington, Michigan 48336, county of Oakland, representing Democrats, succeeding himself, is reappointed for a term expiring July 28, 2021.

Linda K. Strohl of P.O. Box 354, Sawyer, Michigan 49125, county of Berrien, representing Independents, succeeding herself, is reappointed for a term expiring July 28, 2021.

Dona J. Wishart of P.O. Box 2101, Gaylord, Michigan 49734, county of Otsego, representing Republicans, succeeding herself, is reappointed for a term expiring July 28, 2021.

June 28, 2018

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

Child Abuse and Neglect Prevention Board

Reginald J. Bluestein of 21745 Piper Street, Eastpointe, Michigan 48021, county of Wayne, representing the religious community, filling a vacancy, is appointed for a term expiring December 19, 2019.

June 28, 2018

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

Michigan Community Service Commission

Anne M. Mervenne of 1316 S. Main Street, Royal Oak, Michigan 48067, county of Oakland, representing Republicans and businesses, succeeding Fred Mester, is appointed for a term expiring October 1, 2020.

June 28, 2018

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

Elevator Safety Board

Domenico Policicchio of 43067 Hidden Cove Court, #1406, Novi, Michigan 48375, county of Oakland, representing the general public, succeeding Brett Karl, is appointed for a term expiring July 22, 2022.

June 28, 2018

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

Fire Fighters Training Council

Greg W. Janik of 3208 Silver Acres Drive, Saugatuck, Michigan 49453, county of Allegan, a nominee of the Michigan Municipal League, filling a vacancy, is appointed for a term expiring January 31, 2022.

June 28, 2018

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

Governor's Council on Physical Fitness, Health and Sports

Wayman P. Britt of 973 Paradise Lake Drive, S.E., Grand Rapids, Michigan 49546, county of Kent, succeeding Brian Townsend, is appointed for a term expiring April 30, 2019.

Andre Hutson of 6250 Pine Hollow Drive, East Lansing, Michigan 48823, county of Ingham, succeeding James Pivarnik, is appointed for a term expiring April 30, 2020.

Scott M. Przystas of 1404 Sheldon Road, Grand Haven, Michigan 49417, county of Ottawa, succeeding himself, is reappointed for a term expiring April 30, 2020.

Laureen Anne Rospond of 11654 Hidden Ridge Drive, DeWitt, Michigan 48820, county of Clinton, succeeding Lindsey DesArmo, is appointed for a term expiring April 30, 2020.

Andrew Younger of 714 Plumtree Lane, Fenton, Michigan 48430, county of Genesee, succeeding himself, is reappointed for a term expiring April 30, 2020.

Rick Ferkel of 5347 N. Loomis Road, Mount Pleasant, Michigan 48858, county of Isabella, succeeding Thomas Goodwin, is appointed for a term expiring April 30, 2020.

Cameron C. Gordon of 5790 Cherrywood Boulevard, Apt. 1702, West Bloomfield, Michigan 48322, county of Oakland, succeeding Anuja Rajendra, is appointed for a term expiring April 30, 2020.

Justin S. Zatkoff of 23230 Industrial Park Drive, Farmington Hills, Michigan 48335, county of Oakland, succeeding himself, is reappointed for a term expiring April 30, 2020.

June 28, 2018

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

Marihuana Advisory Panel

Randall J. Buchman of 7850 Shea Road, Ira, Michigan 48023, county of Saint Clair, representing growers, is appointed for a term expiring December 20, 2019.

Steven Haddad of 6322 Aspen Ridge, West Bloomfield, Michigan 48322, county of Oakland, representing transporters, is appointed for a term expiring December 20, 2019.

Shaun Mansour of 45709 Rathmore Drive, Macomb, Michigan 48044, county of Macomb, representing provisional centers, is appointed for a term expiring December 20, 2019.

Paul D. Weisberger of 211 E. Nine Mile, Unit 313, Ferndale, Michigan 48220, county of Oakland, representing processors, is appointed for a term expiring December 20, 2019.

Jevin D. Weyenberg of 5817 Cheshire Street, Portage, Michigan 49002, county of Kalamazoo, representing registered medical marijuana patients or medical marijuana primary caregivers, succeeding Paul Samways, is appointed for a term expiring December 20, 2019.

Lorri White of 8290 Pettysville Road, Pinckney, Michigan 48169, county of Livingston, representing safety compliance facilities, this is an initial term, is appointed for a term expiring December 20, 2019.

June 28, 2018

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

Michigan Board of Nursing Home Administrators

Paul J. Barber of 6240 N. Broadway, Freeport, Michigan 49325, county of Barry, representing nursing home administrators, succeeding himself, is reappointed for a term expiring June 30, 2022.

Ian Koffler of 4641 Thornberry Hill Court, N.E., Grand Rapids, Michigan 49525, county of Kent, representing the general public, succeeding himself, is reappointed for a term expiring June 30, 2022.

June 28, 2018

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

Michigan Board of Pharmacy

Cynthia Boston of 45419 Cass Avenue, Utica, Michigan 48317, county of Macomb, representing pharmacy technicians, succeeding herself, is reappointed for a term expiring June 30, 2022.

Kathleen M. Burgess of 29 Elm Court, Grosse Pointe Farms, Michigan 48236, county of Wayne, representing the general public, succeeding herself, is reappointed for a term expiring June 30, 2022.

Charles T. Mollien of 1706 Steff Court, S.W., Wyoming, Michigan 49519, county of Kent, representing pharmacists, succeeding himself, is reappointed for a term expiring June 30, 2022.

Tyler P. Paesens of 23593 Church Road, Battle Creek, Michigan 49017, county of Calhoun, representing the general public, succeeding Jonathan Pignataro, is appointed for a term expiring June 30, 2022.

June 28, 2018

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

Michigan PreK-12 Literacy Commission

Punita Dani Thurman of 41294 Carriage Hill Drive, Novi, Michigan 48375, county of Oakland, nominee of the Senate Minority Leader, filling a vacancy, is appointed for a term expiring October 31, 2018.

June 29, 2018

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

Michigan Board of Nursing

Jackeline Iseler of 874 Washtenaw Street, N.E., Grand Rapids, Michigan 49505, county of Kent, representing clinical nurse specialists, succeeding herself, is reappointed for a term expiring June 30, 2022.

Jason B. Puscas of 10 Witherell Street, Apt. 1203, Detroit, Michigan 48226, county of Wayne, representing the general public, succeeding Lars Egede-Nissen, is appointed for a term expiring June 30, 2022.

Donald S. Richardson of 2646 Manor Drive, S.E., East Grand Rapids, Michigan 49506, county of Kent, representing the general public, succeeding Kristoffer Tobbe, is appointed for a term expiring June 30, 2022.

Victoria Sachs of 3526 Dobie Road, Okemos, Michigan 48864, county of Ingham, representing the general public, succeeding herself, is reappointed for a term expiring June 30, 2022.

Cerise S. Tounsel of 4436 Pinehurst Drive, West Bloomfield, Michigan 48322, county of Oakland, representing the general public, succeeding Reginald Armstrong, is appointed for a term expiring June 30, 2022.

June 29, 2018

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

Board of Real Estate Brokers and Salespersons

Hassan M. Ahmad of 6845 Highview Road, Dearborn Heights, Michigan 48127, county of Wayne, representing professionals, succeeding Samuel Sterk, is appointed for a term expiring June 30, 2022.

Karen E. Greenwood of 1810 Farmbrook Drive, Troy, Michigan 48098, county of Oakland, representing professionals, succeeding herself, is reappointed for a term expiring June 30, 2022.

July 2, 2018

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

Michigan Board of Audiology

Teresa A. Zwolan of 4050 Brookview Court, Ann Arbor, Michigan 48108, county of Washtenaw, representing professionals, succeeding herself, is reappointed for a term expiring June 30, 2022.

July 2, 2018

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

Correctional Officers' Training Council

Robert W. Davis of 901 Sapphire Way, Saginaw, Michigan 48603, county of Saginaw, representing the general public, succeeding himself, is reappointed for a term expiring March 29, 2021.

Francine Wresinski of 2586 Sanibel Hollow, Holt, Michigan 48842, county of Ingham, representing the Department of Technology, Management & Budget, succeeding herself, is reappointed for a term expiring March 29, 2021.

July 2, 2018

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

Michigan Board of Counseling

Katie Bozek of 1243 Parkhurst Avenue, N.W., Grand Rapids, Michigan 49504, county of Kent, representing statutorily regulated health professions, succeeding herself, is reappointed for a term expiring June 30, 2022.

Harold L. Koviak of 4271 E. Burt Lake Road, Cheboygan, Michigan 49721, county of Cheboygan, representing the general public, succeeding Therese Empie, is appointed for a term expiring June 30, 2021.

Jana M. Simmons of 265 W. Oakridge Street, Ferndale, Michigan 48220, county of Oakland, representing the general public, succeeding herself, is reappointed for a term expiring June 30, 2022.

July 2, 2018

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

Michigan Board of Dentistry

Lori D. Barnhart of 1026 Oak Drive, Lennon, Michigan 48449, county of Shiawassee, representing dental assistants, succeeding Kelly Molloy, is appointed for a term expiring June 30, 2022.

Grace A. Curcuru of 33670 24 Mile Road, New Baltimore, Michigan 48047, county of Macomb, representing a dentist who is a dental school faculty member and holds a health profession specialty certification, succeeding Deborah Priestap, is appointed for a term expiring June 30, 2022.

Irene Tseng of 37118 Muirfield Drive, Livonia, Michigan 48152, county of Wayne, representing dentists, succeeding Diane Hines, is appointed for a term expiring June 30, 2022.

July 2, 2018

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

Underground Storage Tank Authority Board

Brian D. Eggers of 693 S. Linwood Beach Road, Linwood, Michigan 48634, county of Bay, representing individuals from a statewide business association that includes owners or operators of refined petroleum underground storage tanks, succeeding himself, is reappointed for a term expiring May 25, 2021.

Gregory B. Gould of 15980 Gary Lane, Livonia, Michigan 48154, county of Wayne, representing petroleum refiners, succeeding himself, is reappointed for a term expiring May 25, 2021.

July 9, 2018

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

Michigan Early Stage Venture Investment Corporation Board of Directors

Robert Manilla of 10115 Heartwood Lane, Clarkston, Michigan 48348, county of Oakland, nominee of the Senate Majority Leader, succeeding himself, is reappointed for a term expiring June 13, 2021.

July 9, 2018

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

Michigan Board of Optometry

Sandra L. Doud of 2749 Pineview Trail, Brighton Township, Michigan 48114, county of Livingston, representing optometrists, succeeding herself, is reappointed for a term expiring June 30, 2022.

Teresa Seim of 75388 Vineyard Way, Lawton, Michigan 49065, county of Van Buren, representing optometrists, succeeding Gregory Patera, is appointed for a term expiring June 30, 2022.

July 12, 2018

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

Board of Health and Safety Compliance and Appeals

Kevin Lepak of 5626 Edgar Road, Clarkston, Michigan 48346, county of Oakland, representing management in the general industry, succeeding himself, is reappointed for a term expiring March 18, 2022.

George R. VanCoppennolle of 2055 Fairfield Road, Adrian, Michigan 49221, county of Lenawee, representing labor in the general industry, succeeding himself, is reappointed for a term expiring March 18, 2022.

July 16, 2018

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

Chair - Governor's Task Force on Child Abuse and Neglect

Tana Bridge of 6838 Kings Mill Drive, Canton, Michigan 48187, county of Wayne, succeeding John Homan, is appointed for a term commencing November 1, 2018, and expiring at the pleasure of the Governor.

July 16, 2018

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

Michigan Infrastructure Council

Marco A. Bruzzano of 1724 Hermitage Road, Ann Arbor, Michigan 48104, county of Washtenaw, is appointed for a term expiring December 31, 2020.

Jon A. Kangas of 128 W. Fairbanks Street, Marquette, Michigan 49855, county of Marquette, is appointed for a term expiring December 31, 2019.

Erin Kuhn of 316 Morris Avenue, Suite 340, Muskegon, Michigan 49440, county of Muskegon, is appointed for a term expiring December 31, 2021.

Palencia Mobley of 18307 Ardmore Drive, Detroit, Michigan 48235, county of Wayne, is appointed for a term expiring December 31, 2020.

David E. Wresinski of 2586 Sanibel Hollow, Holt, Michigan 48842, county of Ingham, is appointed for a term expiring December 31, 2021.

July 16, 2018

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

Chair - Middle-Eastern American Affairs Commission

Manal Boukzam Saab of 14025 Swanee Beach Drive, Fenton, Michigan 48430, county of Genesee, is appointed for a term expiring at the pleasure of the Governor.

Middle-Eastern American Affairs Commission

Fadwa Alawieh Hammoud of 800 N. Elizabeth Street, Dearborn, Michigan 48128, county of Wayne, succeeding herself, is reappointed for a term expiring April 19, 2022.

Martin Manna of 4276 Derry Road, Bloomfield Hills, Michigan 48302, county of Oakland, succeeding Wendy Acho, is appointed for a term expiring April 19, 2022.

Michael J. Romaya of 6953 Merrick Court, West Bloomfield, Michigan 48322, county of Oakland, succeeding himself, is reappointed for a term expiring April 19, 2022.

Manal Boukzam Saab of 14025 Swanee Beach Drive, Fenton, Michigan 48430, county of Genesee, succeeding herself, is reappointed for a term expiring April 19, 2022.

July 16, 2018

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

Midwest U.S. - Japan Association Board

Lindsay Kirchinger of 5305 S. New Lothrop Road, Durand, Michigan 48429, county of Shiawassee, representing a public sector director from the state of Michigan, succeeding Mark P. Kinsler, is appointed for a term expiring December 31, 2020.

Terry Helgesen of 24777 Denso Drive, P.O. Box 5047, Southfield, Michigan 48086, county of Oakland, representing a private sector director from the state of Michigan, succeeding Bruce Brownlee, is appointed for a term expiring December 31, 2020.

July 26, 2018

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

Michigan Board of Acupuncture

Jonell Underwood of 2397 E. Dexter Trail, Dansville, Michigan 48819, county of Ingham, representing the general public, succeeding herself, is reappointed for a term expiring June 30, 2022.

July 26, 2018

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

Chair - Committee on the Purchase of Goods and Services from Community Rehabilitation Organizations

Todd Culver of 5599 Wood Valley Drive, Haslett, Michigan 48840, county of Ingham, representing a statewide nonprofit concerned with community rehabilitation organizations, succeeding himself, is reappointed for a term expiring at the pleasure of the Governor.

Committee on the Purchase of Goods and Services from Community Rehabilitation Organizations

Meelad A. Ellis of 4347 Blackberry Lane, Lansing, Michigan 48917, county of Eaton, representing members at large, succeeding himself, is reappointed for a term expiring March 31, 2020.

Karsten K. Bekemeier of 2399 Kings Cross, East Lansing, Michigan 48823, county of Ingham, representing Michigan Rehabilitation Services, succeeding himself, is reappointed for a term expiring March 31, 2020.

Genevieve Hayes of 1923 Bonnieview Drive, Royal Oak, Michigan 48073, county of Oakland, representing the purchasing division of the department, succeeding herself, is reappointed for a term expiring March 31, 2020.

Todd Culver of 5599 Wood Valley Drive, Haslett, Michigan 48840, county of Ingham, representing a statewide nonprofit concerned with community rehabilitation organizations, succeeding himself, is reappointed for a term expiring March 31, 2020.

July 26, 2018

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

Michigan Board of Counseling

Mary Billman of 5570 East Grove Drive, S.E., Kentwood, Michigan 49512, county of Kent, representing the general public, succeeding Kimberly Easterle Mattes, is appointed for a term expiring June 30, 2022.

Walter Harper of 3700 McKellar Road, Rose City, Michigan 48654, county of Ogemaw, representing the general public, succeeding Carol Giacoletto, is appointed for a term expiring June 30, 2022.

July 26, 2018

Please be advised of the following appointments to office:

Early Childhood Investment Corporation

Hiram E. Fitzgerald of 700 Windy Rush Lane, DeWitt, Michigan 48820, county of Clinton, succeeding himself, is reappointed for a term expiring July 22, 2022.

Kristen McDonald of 2600 Center Avenue, Bay City, Michigan 48708, county of Bay, succeeding herself, is reappointed for a term expiring July 22, 2022.

July 26, 2018

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

Michigan Electronic Recording Commission

Patricia M. Niepoth of 834 S. Intermediate Lake Road, Central Lake, Michigan 49622, county of Antrim, representing county registers of deeds, succeeding Lori Jarvis, is appointed for a term expiring January 1, 2019.

July 26, 2018

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

Michigan Employment Relations Commission

Robert S. LaBrant of 12411 Pine Ridge Drive, Perry, Michigan 48872, county of Shiawassee, representing Republicans, succeeding himself, is reappointed for a term expiring June 30, 2021.

July 26, 2018

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

Michigan Council on Future Mobility

Dean Brandon Roderick Tucker of 750 Hilltop Lane, Toledo, Ohio 43615, is appointed for a term expiring at the pleasure of the Governor.

July 26, 2018

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

Governor's Council on Physical Fitness, Health and Sports

Nicholas Payne of 2109 Rockway Drive, Lansing, Michigan 48910, county of Ingham, succeeding Paul Barbeau, is appointed for a term expiring April 30, 2020.

July 26, 2018

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

Michigan Board of Occupational Therapists

Gregory R. Zimmerman of 19600 Golfview Drive, Big Rapids, Michigan 49307, county of Mecosta, representing the general public, succeeding Jennifer Colombo, is appointed for a term expiring December 31, 2021.

July 26, 2018

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

Michigan Board of Osteopathic Medicine and Surgery

Molly McLogan of 4727 Stiles Creek, N.E., Grand Rapids, Michigan 49525, county of Kent, representing the general public, succeeding Kathryn Hoover, is appointed for a term expiring December 31, 2019.

July 26, 2018

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

Michigan Board of Podiatric Medicine and Surgery

Joseph T. Martin of 5711 Ladderback Drive, Holt, Michigan 48842, county of Ingham, representing the general public, succeeding Nathan Tallman, is appointed for a term expiring June 30, 2022.

Jay O. Meyer of 3720 Autumnwood Lane, Okemos, Michigan 48864, county of Ingham, representing podiatrists, succeeding himself, is reappointed for a term expiring June 30, 2022.

July 26, 2018

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

Port Authority Advisory Committee

Robert Innis of 50586 Tahoe Way, Canton, Michigan 48187, county of Wayne, nominee of the Speaker of the House, succeeding Paul Rogers, is appointed for a term expiring at the pleasure of the Governor.

Mark Pontti of 1007 N. Evergreen, Iron Mountain, Michigan 49801, county of Dickinson, representing the Upper Peninsula, succeeding William Fajda, is appointed for a term expiring at the pleasure of the Governor.

July 26, 2018

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

Board of Real Estate Brokers and Salespersons

Natalie J. Rowe of 6013 Salem Lane, Portage, Michigan 49002, county of Kalamazoo, representing professionals, succeeding Alan Daniels, is appointed for a term expiring June 30, 2020.

July 26, 2018

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

Michigan Veterans' Trust Fund Board of Directors

James R. Dempsey of 11717 Island Lake Road, Dexter, Michigan 48130, county of Washtenaw, representing disabled American veterans, succeeding Shawn Wilson, is appointed for a term expiring February 25, 2020.

James Tighe of 543 Catalpa Drive, Birmingham, Michigan 48009, county of Oakland, representing veterans, succeeding himself, is reappointed for a term expiring February 25, 2021.

August 6, 2018

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

Board of Law Examiners

Brian R. Sullivan of 30 Lee Gate Lane, Grosse Pointe Farms, Michigan 48236, county of Wayne, succeeding Joseph Farah, is appointed for a term expiring June 30, 2023.

August 28, 2018

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

Certificate of Need Commission

John Lindsey Dood of 5765 Crystal Court, Interlochen, Michigan 49643, county of Grand Traverse, representing Republicans and nursing homes, succeeding Gail Clarkston, is appointed for a term expiring April 9, 2021.

Melisa Jeanne Oca of 415 Sumark Way, Ann Arbor, Michigan 48103, county of Washtenaw, representing Independents and individuals licensed under Part 170 to engage in the practice of medicine, succeeding Luis Tomatis, is appointed for a term expiring April 9, 2021.

August 28, 2018

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

Environmental Permit Review Commission

Tony Anthony of 41235 Clermont Avenue, Novi, Michigan 48375, county of Oakland, is appointed for a term expiring August 28, 2021.

Dennis B. Bittner of 7893 Co. 426 M.5 Road, Gladstone, Michigan 49837, county of Delta, is appointed for a term expiring August 28, 2020.

Theodore Bornhorst of 901 Agate Street, Houghton, Michigan 49931, county of Houghton, is appointed for a term expiring August 28, 2021.

Jamie P. Buckingham of 1644 Gale Road, Eaton Rapids, Michigan 48827, county of Ingham, is appointed for a term expiring August 28, 2020.

Bryan A. Burroughs of 1679 West Cutler Road, DeWitt, Michigan 48820, county of Clinton, is appointed for a term expiring August 28, 2022.

Matthew J. Germane of 3600 Bullard Road, Hartland, Michigan 48353, county of Livingston, is appointed for a term expiring August 28, 2022.

Mark Siegfried Henne of 5070 Barton Road, Williamston, Michigan 48895, county of Ingham, is appointed for a term expiring August 28, 2020.

Jeffery Alan King of 5628 Longbridge Road, Pentwater, Michigan 49449, county of Oceana, is appointed for a term expiring August 28, 2021.

Dirk S. Mammen of 10878 Wood View Terrace, Traverse City, Michigan 49686, county of Grand Traverse, is appointed for a term expiring August 28, 2021.

Lori Myott of 1740 Stonebluff Drive, Grand Ledge, Michigan 48837, county of Eaton, is appointed for a term expiring August 28, 2022.

Evan Pratt of 1626 Harbal Drive, Ann Arbor, Michigan 48105, county of Washtenaw, is appointed for a term expiring August 28, 2021.

Mark Prein of 2564 Mason Ridge Court, N.E., Grand Rapids, Michigan 49525, county of Kent, is appointed for a term expiring August 28, 2020.

Bradley Clark Venman of 220 Park Meadows Drive, Lansing, Michigan 48917, county of Eaton, is appointed for a term expiring August 28, 2022.

August 29, 2018

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

Autism Council

Mary Frances-Taylor Chaliman of 1537 Haddon Hall Drive, Holt, Michigan 48842, county of Ingham, representing the Michigan Department of Health and Human Services, succeeding herself, is reappointed for a term expiring September 30, 2022.

George Mellos of 28890 Village Lane, Farmington Hills, Michigan 48334, county of Oakland, representing the Michigan Department of Health and Human Services, succeeding himself, is reappointed for a term expiring September 30, 2022.

Amy Miilu of 11483 Petrie Road, Portland, Michigan 48875, county of Ionia, representing the Michigan Department of Insurance and Financial Services, succeeding Karin Gyger, is appointed for a term expiring September 30, 2022.

Joanne Winkelman of 6138 Worlington Road, Bloomfield Hills, Michigan 48301, county of Oakland, representing the Michigan Department of Education, succeeding herself, is reappointed for a term expiring September 30, 2022.

August 29, 2018

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

Child Lead Exposure Elimination Commission

Joanna Kica of 2446 Houghton Hollow Drive, Lansing, Michigan 48911, county of Ingham, representing the general public, succeeding Jeffrey Harthun, is appointed for a term expiring December 15, 2021.

August 29, 2018

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

Data Collection Agency Governing Board

John W. Schrock of 1042 W. Colonial Park Drive, Grand Ledge, Michigan 48837, county of Eaton, representing the Executive Branch of state government, succeeding himself, is reappointed for a term expiring December 31, 2019.

August 29, 2018

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

Chair - Michigan Film Office Advisory Council

William J. Ludwig of 515 Greenwood Street, Birmingham, Michigan 48009, county of Oakland, is appointed for a term expiring at the pleasure of the Governor.

Michigan Film Office Advisory Council

William J. Ludwig of 515 Greenwood Street, Birmingham, Michigan 48009, county of Oakland, representing residents of the state, succeeding himself, is reappointed for a term expiring September 30, 2022.

Niki Adams of 5182 Witherspoon Way, Mason, Michigan 48852, county of Ingham, representing broad areas of film and motion picture making, production of television programs and commercials, and related industries in Michigan, succeeding herself, is reappointed for a term expiring September 30, 2022.

August 29, 2018

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

Middle-Eastern American Affairs Commission

Suzanne K. Sukkar of 5544 Amber Way, Ypsilanti, Michigan 48197, county of Washtenaw, succeeding herself, is reappointed for a term expiring April 19, 2022.

August 29, 2018

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

Michigan Veterans' Trust Fund Board of Directors

Melissa L. LaBruzzy of 11250 Paw Paw Heights, Schoolcraft, Michigan 49087, county of Kalamazoo, representing veterans, succeeding Brandi McBride, is appointed for a term expiring February 25, 2021.

Sincerely,
Rick Snyder
Governor

The appointments were referred to the Committee on Government Operations.

The following messages from the Governor were received and read:

July 26, 2018

Due to an error on the letter dated July 16, 2018, and filed with your office on July 19, 2018, please be advised of the following correction appearing in **bold** print.

Michigan Infrastructure Council

Marco A. Bruzzano of 1724 Hermitage Road, Ann Arbor, Michigan 48104, county of Washtenaw, is appointed for a term expiring December 31, **2021**.

Jon A. Kangas of 128 W. Fairbanks Street, Marquette, Michigan 49855, county of Marquette, is appointed for a term expiring December 31, 2019.

Erin Kuhn of 316 Morris Avenue, Suite 340, Muskegon, Michigan 49440, county of Muskegon, is appointed for a term expiring December 31, 2021.

Palencia Mobley of 18307 Ardmore Drive, Detroit, Michigan 48235, county of Wayne, is appointed for a term expiring December 31, 2020.

David E. Wresinski of 2586 Sanibel Hollow, Holt, Michigan 48842, county of Ingham, is appointed for a term expiring December 31, 2021.

August 8, 2018

Due to an error on the letter dated January 23, 2018, and filed with your office on January 30, 2018, please be advised of the following corrections appearing in **bold** print.

Governor's Task Force on Child Abuse and Neglect

Daniel Patrick Babin of 6823 Kenowa Avenue, S.W., Grandville, Michigan 49418, county of Ottawa, representing adult former victims of child abuse or neglect, is appointed for a term expiring December 31, **2020**.

Danita Echols of 1048 Western Avenue, Ann Arbor, Michigan 48103, county of Washtenaw, representing individuals experienced in working with homeless children and youths, succeeding herself, is reappointed for a term expiring December 31, **2020**.

Shannon M. Lowder of 3724 Luella Street, Jackson, Michigan 49201, county of Jackson, representing mental health professionals, succeeding herself, is reappointed for a term expiring December 31, **2020**.

Julie A. Nakfoor Pratt of 97 Sherwood Drive, Hastings, Michigan 49058, county of Barry, representing judges and attorneys, succeeding herself, is reappointed for a term expiring December 31, **2020**.

Jennifer Pintar of 884 Townline Road, Tawas City, Michigan 48764, county of Iosco, representing law enforcement officers, succeeding herself, is reappointed for a term expiring December 31, **2020**.

Kelly A. Ramsey of Frank Murphy Hall of Justice 1441 St. Antoine, Room 704, Detroit, Michigan 48226, county of Wayne, representing judges and attorneys, succeeding herself, is reappointed for a term expiring December 31, **2020**.

Christopher M. Wirth of 3551 Jamesridge Drive, Hudsonville, Michigan 49426, county of Ottawa, representing judges and attorneys, succeeding himself, is appointed for a term expiring December 31, **2020**.

Sincerely,
Rick Snyder
Governor

The messages 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 10:18 a.m.

11:12 a.m.

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

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

The following communications were received and read:
Office of the Senate Majority Leader

June 15, 2018

Pursuant to MCL 484.1713, I nominate the following individual to the State 9-1-1 Committee:
April Heinze

July 24, 2018

Pursuant to **PA 323 of 2018**, I appoint the following person to the **Michigan Infrastructure Council** for a 2 year term, expiring December 31, 2020:

John Weiss - Executive Director, Grand Valley Metro Council

Sincerely,
Arlan Meekhof
30th Senate District
Senate Majority Leader

The communications were referred to the Secretary for record.

The following communication was received and read:
Office of the Senate Minority Leader

July 18, 2018

Pursuant to Public Act 323 of 2018, I hereby appoint John H. Daly III to the Michigan Infrastructure Council.

Sincerely,
Jim Ananich
Senate Minority Leader
District 27

The communication was referred to the Secretary for record.

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

June 7, 2018

Enclosed is a copy of the following report:
• Performance audit report on State Public Universities' Reporting of Selected Higher Education Institutional Data Inventory (HEIDI) Data for fiscal year 2017 (331-0300-18).

June 13, 2018

Enclosed is a copy of the following report:
• Performance audit report on the Partnership. Accountability. Training. Hope. (PATH) Program, Michigan Department of Health and Human Services and Talent Investment Agency, Department of Talent and Economic Development (431-3301-16).

June 27, 2018

Enclosed is a copy of the following report:

- Performance audit report on the Flint Water Service Line Replacement Expenditures, Department of Environmental Quality (791-3017-17).

June 28, 2018

Enclosed is a copy of the following report:

- Single audit report for the State of Michigan for the fiscal year ended September 30, 2017 (000-0100-18).

July 3, 2018

Enclosed is a copy of the following report:

- Preliminary survey summary of State Agencies' Use of Transportation-Related Funding for the period October 1, 2015 through September 30, 2017 (591-0105-18).

July 10, 2018

Enclosed is a copy of the following report:

- Performance audit report on the Administration of Act 51-Related Funds, Michigan Department of Transportation (591-0410-17).

July 31, 2018

Enclosed is a copy of the following reports:

- Performance audit report on the Flint Emergency Expenditures, State of Michigan (000-2018-18).
- Performance audit report on the Offender Management System, DOC and DTMB (471-0593-17).

August 7, 2018

Enclosed is a copy of the following report:

- Follow-up report on the IT Project Management Processes, Department of Technology, Management and Budget (071-0585-16F).

August 29, 2018

Enclosed is a copy of the following reports:

- Financial audit report on the Emergency 9-1-1 Fund, Michigan Department of State Police and Department of Treasury, for the fiscal years ended September 30, 2017 and September 30, 2016 (271-0265-18).
- Preliminary survey summary of the Biometrics and Identification Division, Michigan Department of State Police (551-0133-18).

Sincerely,
Doug Ringler
Auditor General

The audit reports and preliminary survey summaries were referred to the Committee on Government Operations.

The following communication was received and read:
Department of State

July 30, 2018

I, Ruth Johnson, Secretary of State of the State of Michigan, certify that the attached proposed law appeared on the legislative initiative petition filed with the Secretary of State on May 29, 2018 by MI Time to Care, P.O. Box 1502, Royal Oak, Michigan 48068. I further certify that on July 27, 2018, the Michigan Board of State Canvassers determined that said initiative petition contains "at least the minimum number of valid signatures required under Article 2, Section 9, of the Constitution of the State of Michigan of 1963." I therefore submit to the Michigan State Legislature said legislative proposal for consideration as provided under Article 2, Section 9, of the Constitution of 1963.

Sincerely,
Ruth A. Johnson
Secretary of State

INITIATION OF LEGISLATION

An initiation of legislation to provide workers with the right to earn sick time for personal or family health needs, as well as purposes related to domestic violence and sexual assault and school meetings needed as the result of a child's disability, health issues or issues due to domestic violence and sexual assault; to specify the conditions for accruing and

using earned sick time; to prohibit retaliation against an employee for requesting, exercising, or enforcing rights granted in this act; to prescribe powers and duties of certain state departments, agencies, and officers; to provide for promulgation of rules; and to provide remedies and sanctions.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

Sec. 1. This act shall be known and may be cited as the “earned sick time act.”

Sec. 2. As used in this act:

- (a) “Department” means the department of licensing and regulatory affairs.
- (b) “Director” means the director of the department of licensing and regulatory affairs or his or her designee.
- (c) “Domestic partner” means an adult in a committed relationship with another adult, including both same-sex and different-sex relationships. “Committed relationship” means one in which the employee and another individual share responsibility for a significant measure of each other’s common welfare, such as any relationship between individuals of the same or different sex that is granted legal recognition by a state, political subdivision, or the District of Columbia as a marriage or analogous relationship, including, but not limited to, a civil union.
- (d) “Domestic violence” has the same meaning as provided in section 1 of 1978 PA 389, MCL 400.1501.
- (e) “Earned sick time” means time off from work that is provided by an employer to an employee, whether paid or unpaid, that can be used for the purposes described in subsection (1) of section 4 of this act.
- (f) “Employee” means an individual engaged in service to an employer in the business of the employer, except that employee does not include an individual employed by the United States government.
- (g) “Employer” means any person, firm, business, educational institution, nonprofit agency, corporation, limited liability company, government entity, or other entity that employs 1 or more individuals, except that employer does not include the United States government.
- (h) “Family member” includes all of the following:
 - (i) A biological, adopted or foster child, stepchild or legal ward, a child of a domestic partner, or a child to whom the employee stands in loco parentis.
 - (ii) A biological parent, foster parent, stepparent, or adoptive parent or a legal guardian of an employee or an employee’s spouse or domestic partner or a person who stood in loco parentis when the employee was a minor child.
 - (iii) A person to whom the employee is legally married under the laws of any state or a domestic partner.
 - (iv) A grandparent.
 - (v) A grandchild.
 - (vi) A biological, foster, or adopted sibling.
 - (vii) Any other individual related by blood or affinity whose close association with the employee is the equivalent of a family relationship.
- (i) “Health care professional” means any of the following:
 - (i) Any person licensed under federal law or the law of this state to provide health care services, including, but not limited to, nurses, doctors, and emergency room personnel.
 - (ii) A certified midwife.
- (j) “Retaliatory personnel action” means any of the following:
 - (i) Denial of any right guaranteed under this act.
 - (ii) A threat, discharge, suspension, demotion, reduction of hours, or other adverse action against an employee or former employee for exercise of a right guaranteed under this act.
 - (iii) Sanctions against an employee who is a recipient of public benefits for exercise of a right guaranteed under this act.
 - (iv) Interference with, or punishment for, an individual’s participation in any manner in an investigation, proceeding, or hearing under this act.
- (k) “Sexual assault” means any act that constitutes a violation of section 520b, 520c, 520d, 520e, 520f, or 520g of the Michigan penal code, 1931 PA 328, MCL 750.520b, 750.520c, 750.520d, 750.520e, 750.520f, and 750.520g.

(l) “Small business” means an employer for which fewer than 10 individuals work for compensation during a given week. In determining the number of individuals performing work for compensation during a given week, all individuals performing work for compensation on a full-time, part-time, or temporary basis shall be counted, including individuals made available to work through the services of a temporary services or staffing agency or similar entity. An employer is not a small business if it maintained 10 or more employees on its payroll during any 20 or more calendar workweeks in either the current or the preceding calendar year.

Sec. 3. (1) Each employer shall provide earned sick time to each of the employer’s employees in this state.

- (a) Employees of a small business shall accrue a minimum of one hour of earned sick time for every 30 hours worked but shall not be entitled to use more than 40 hours of paid earned sick time in a year unless the employer selects a higher limit. If an employee of a small business accrues more than 40 hours of earned

sick time in a calendar year, the employee shall be entitled to use an additional 32 hours of unpaid earned sick time in that year, unless the employer selects a higher limit. Employees of a small business must be entitled to use paid earned sick time before using unpaid earned sick time.

- (b) All other employees shall accrue a minimum of one hour of paid earned sick time for every 30 hours worked but shall not be entitled to use more than 72 hours of paid earned sick time per year, unless the employer selects a higher limit.
- (c) Earned sick time shall carry over from year to year, but a small business is not required to permit an employee to use more than 40 hours of paid earned sick time and 32 hours of unpaid earned sick time in a single year, and other employers are not required to permit an employee to use more than 72 hours of paid earned sick time in a single year.

(2) Earned sick time as provided in this section shall begin to accrue on the effective date of this law, or upon commencement of the employee's employment, whichever is later. An employee may use accrued earned sick time as it is accrued, except that an employer may require an employee hired after April 1, 2019, to wait until the ninetieth calendar day after commencing employment before using accrued earned sick time.

(3) For purposes of subsection (1), "year" shall mean a regular and consecutive twelve-month period, as determined by an employer.

(4) For purposes of earned sick time accrual under this act, an employee who is exempt from overtime requirements under section 13(a)(1) of the Fair Labor Standards Act, 29 USC 213(a)(1), is assumed to work 40 hours in each workweek unless the employee's normal work week is less than 40 hours, in which case earned sick time accrues based upon that normal workweek.

(5) An employer other than a small business is in compliance with this section if the employer provides any paid leave in at least the same amounts as that provided under this act that may be used for the same purposes and under the same conditions provided in this act and that is accrued at a rate equal to or greater than the rate described in subsections (1) and (2). An employer that is a small business is in compliance with this section if the employer provides paid leave in at least the same amounts as that provided under this act that may be used for the same purposes and under the same conditions provided in this act and that is accrued at a rate equal to or greater than the rate described in subsections (1) and (2) provided further that that employees of the small business are entitled to use paid earned sick time before using unpaid earned sick time. For purposes of this subsection, "paid leave" includes but is not limited to paid vacation days, personal days, and paid time off.

(6) An employer shall pay each employee using paid earned sick time at a pay rate equal to the greater of either the normal hourly wage for that employee or the minimum wage established under the workforce opportunity wage act, 2014 PA 138, MCL 408.411 to 408.424, but not less than the minimum wage rate established in section 4 of the workforce opportunity wage act, 2014, PA 138, MCL 408.414. For any employee whose hourly wage varies depending on the work performed, the "normal hourly wage" means the average hourly wage of the employee in the pay period immediately prior to the pay period in which the employee used paid earned sick time.

(7) An employer shall not require an employee to search for or secure a replacement worker as a condition for using earned sick time.

Sec. 4. (1) An employer shall permit an employee to use the earned sick time accrued under section 3 for any of the following:

- (a) The employee's mental or physical illness, injury, or health condition; medical diagnosis, care, or treatment of the employee's mental or physical illness, injury, or health condition; or preventative medical care for the employee.
- (b) For the employee's family member's mental or physical illness, injury, or health condition; medical diagnosis, care, or treatment of the employee's family member's mental or physical illness, injury, or health condition; or preventative medical care for a family member of the employee.
- (c) If the employee of the employee's family member is a victim of domestic violence or sexual assault, for medical care or psychological or other counseling for physical or psychological injury or disability; to obtain services from a victim services organization; to relocate due to domestic violence or sexual assault; to obtain legal services; or to participate in any civil or criminal proceedings related to or resulting from the domestic violence or sexual assault.
- (d) For meetings at a child's school or place of care related to the child's health or disability, or the effects of domestic violence or sexual assault on the child; or
- (e) For closure of the employee's place of business by order of a public official due to a public health emergency; for an employee's need to care for a child whose school or place of care has been closed by order of a public official due to a public health emergency; or when it has been determined by the health authorities having jurisdiction or by a health care provider that the employee's or employee's family member's presence in the community would jeopardize the health of others because of the employee's or family member's exposure to a communicable disease, whether or not the employee or family member has actually contracted the communicable disease.

(2) If the employee's need to use earned sick time is foreseeable, an employer may require advance notice, not to exceed 7 days prior to the date the earned sick time is to begin, of the intention to use the earned sick time. If the employee's need for the earned sick time is not foreseeable, an employer may require the employee to give notice of the intention as soon as practicable.

(3) Earned sick time may be used in the smaller of hourly increments or the smallest increment that the employer's payroll system uses to account for absences of use of other time.

(4) For earned sick time of more than 3 consecutive days, an employer may require reasonable documentation that the earned sick time has been used for a purpose described in subsection (1). Upon the employer's request, the employee must provide the documentation to the employer in a timely manner. The employer shall not delay the commencement of earned sick time on the basis that the employer has not yet received documentation. Documentation signed by a health care professional indicating that earned sick time is necessary is reasonable documentation for purposes of this subsection. In cases of domestic violence or sexual assault, one of the following types of documentation selected by the employee shall be considered reasonable documentation: (a) a police report indicating that the employee or the employee's family member was a victim of domestic violence or sexual assault; (b) a signed statement from a victim and witness advocate affirming that the employee or employee's family member is receiving services from a victim services organization; or (c) a court document indicating that the employee or employee's family member is involved in legal action related to domestic violence or sexual assault. An employer shall not require that the documentation explain the nature of the illness or the details of the violence. If an employer chooses to require documentation for earned sick time, the employer is responsible for paying all out-of-pocket expenses the employee incurs in obtaining the documentation. If the employee does have health insurance, the employer is responsible for paying any costs charged to the employee by the health care provider for providing the specific documentation required by the employer.

(5) An employer shall not require disclosure of details relating to domestic violence or sexual assault or the details of an employee's or an employee's family member's medical condition as a condition of providing earned sick time under this act. If an employer possesses health information or information pertaining to domestic violence or sexual assault about an employee or employee's family member, the employer shall treat that information as confidential and shall not disclose that information except to the affected employee or with the permission of the affected employee.

(6) This act does not require an employer to provide earned sick time for any purposes other than as described in this section.

Sec. 5. (1) If an employee is transferred to a separate division, entity, or location, but remains employed by the same employer, the employee shall retain all earned sick time that was accrued at the prior division, entity, or location and may use all accrued earned sick time as provided in section 4. If an employee separates from employment and is rehired by the same employer within 6 months of the separation, the employer shall reinstate previously accrued, unused earned sick time and shall permit the reinstated employee to use that earned sick time and accrue additional earned sick time upon reinstatement.

(2) If a different employer succeeds or takes the place of an existing employer, the successor employer assumes the responsibility for the earned sick time rights that employees who remain employed by the successor employer accrued under the original employer. Those employees are entitled to use earned sick time previously accrued on the terms provided in this act.

(3) This act does not require an employer to provide financial or other reimbursement to an employee for accrued earned sick time that was not used upon the employee's termination, resignation, retirement, or other separation from employment.

Sec. 6. (1) An employer or any other person shall not interfere with, restrain, or deny the exercise of, or the attempt to exercise, any right protected under this act.

(2) An employer shall not take retaliatory personnel action or discriminate against an employee because the employee has exercised a right protected under this act. Rights protected by this act include, but are not limited to, the right to use earned sick time pursuant to this act, the right to file a complaint or inform any person about any employer's alleged violation of this act, the right to cooperate with the department in its investigations of alleged violations of this act, and the right to inform any person of his or her rights under this act.

(3) An employer's absence control policy shall not treat earned sick time taken under this act as an absence that may lead to or result in retaliatory personnel action.

(4) The protections in this section apply to any person who mistakenly but in good faith alleges a violation of this section.

(5) There is a rebuttable presumption of a violation of this section if an employer takes adverse personnel action against a person within 90 days after that person does any of the following:

- (a) Files a complaint with the department or a court alleging a violation of this act.
- (b) Informs any person about an employer's alleged violation of this act.
- (c) Cooperates with the department or another person in the investigation or prosecution of any alleged violation of this act.
- (d) Opposes any policy, practice, or act that is prohibited under this act.
- (e) Informs any person of his or her rights under this act.

Sec. 7. (1) If an employer violates this act, the employee affected by the violation, at any time within 3 years after the violation or the date when the employee knew of the violation, whichever is later, may do any of the following:

- (a) Bring a civil action for appropriate relief, including, but not limited to, payment for used earned sick time; rehiring or reinstatement to the employee's previous job; payment of back wages; reestablishment of employee benefits to which the employee otherwise would have been eligible if the employee had not been subjected to retaliatory personnel action or discrimination; and an equal additional amount as liquidated damages together with costs and reasonable attorney fees as the court allows.
- (b) File a claim with the department, which shall investigate the claim. Filing a claim with the department is neither a prerequisite nor a bar to bringing a civil action.

(2) (a) The director shall enforce the provisions of this act. In effectuating such enforcement, the director shall establish a system utilizing multiple means of communication to receive complaints regarding non-compliance with this act and investigate complaints received by the department in a timely manner.

- (b) Any person alleging a violation of this chapter shall have the right to file a complaint with the department. The department shall encourage reporting pursuant to this subsection by keeping confidential, to the maximum extent permitted by applicable laws, the name and other identifying information of the employee or person reporting the violation, provided, however, that with the authorization of such person, the department may disclose his or her name and identifying information as necessary to enforce this chapter or for other appropriate purposes.
- (c) Upon receiving a complaint alleging a violation of this chapter, the department shall investigate such complaint and attempt to resolve it through mediation between the complainant and the subject of the complaint, or other means. The department shall keep complainants notified regarding the status of their complaint and any resultant investigation. If the department believes that a violation has occurred, it shall issue to the offending person or entity a notice of violation and the relief required of the offending person or entity. The department shall prescribe the form and wording of such notices of violation including any method of appealing the decision of the department.
- (d) The department shall have the power to impose penalties and to grant an employee or former employee all appropriate relief including but not limited to payment of all earned sick time improperly withheld, any and all damages incurred by the complaint as the result of violation of this act, back pay and reinstatement in the case of job loss.

(3) If the director determines that there is reasonable cause to believe that an employer violated this act and the department is subsequently unable to obtain voluntary compliance by the employer within a reasonable time, the department shall bring a civil action as provided in subsection (1)(a) on behalf of the employee. The department may investigate and file a civil action under subsection (1)(a) on behalf of all employees that employer who are similarly situated at the same work site and who have not brought a civil action under subsection (1)(a). A contract or agreement between the employer and the employee or any acceptance by the employee of a paid or unpaid leave policy that provides fewer rights or benefits than provided by this act is void and unenforceable.

(4) In addition to liability for civil remedies described in this section, an employer who fails to provide earned sick time in violation of this act or takes retaliatory personnel action against an employee or former employee is subject to a civil fine of not more than \$1,000.00

(5) An employer that willfully violates a notice or posting requirement of section 8 is subject to a civil fine of not more than \$100.00 for each separate violation.

Sec. 8. (1) An employer subject to this act shall provide written notice to each employee at the time of hiring or by April 1, 2019, whichever is later, including, but not limited to, all of the following:

- (a) The amount of earned sick time required to be provided to an employee under this act.
- (b) The employer's choice of how to calculate a "year" according to subsection 3 of section 3.
- (c) The terms under which earned sick time may be used.
- (d) That retaliatory personnel action by the employer against an employee for requesting or using earned sick time for which the employee is eligible is prohibited.
- (e) The employee's right to bring a civil action or file a complaint with the department for any violation of this act.

(2) The notice required under subsection (1) shall be in English, Spanish, and any language that is the first language spoken by at least 10% of the employer's workforce, as long as the department has translated the notice into such language.

(3) An employer shall display a poster at the employer's place of business, in a conspicuous place that is accessible to employees, that contains the information in subsection (1). The poster displayed should be in English, Spanish, and any language that is the first language spoken by at least 10% of the employer's workforce, as long as the department has translated the poster into such language.

(4) The department shall create and make available to employers notices and posters that contain the information required under subsection (1) for employers' use in complying with this section. The department shall provide such notices and posters in English, Spanish, and any other languages deemed appropriate by the department.

Sec. 9. The department shall develop and implement a multilingual outreach program to inform employees, parents, and persons who are under the care of a health care provider about the availability of earned sick time under this act. This program must include distribution of notices and other written material in English and in other languages to child care and elder care providers, domestic violence shelters, schools, hospitals, community health centers, and other health care providers.

Sec. 10. An employer shall retain for not less than 3 years records documenting the hours worked and earned sick time taken by employees. To monitor compliance with the requirements of this act, an employer shall allow the department access to those records, with appropriate notice and at a mutually agreeable time. If a question arises as to whether an employer has violated an employee's right to earned sick time under this act and the employer does not maintain or retain adequate records documenting the hours worked and earned sick time taken by the employee or does not allow the department reasonable access to those records, there is a presumption that the employer has violated the act, which can be rebutted only by clear and convincing evidence.

Sec. 11. (1) This act provides minimum requirements pertaining to earned sick time and shall not be construed to preempt, limit, or otherwise affect the applicability of any other law, regulation, requirement, policy, or standard, including a collective bargaining agreement, that provides for greater accrual or use of time off, whether paid or unpaid, or that extends other protections to employees.

(2) This act does not do any of the following:

- (a) Prohibit an employer from providing more earned sick time than is required under this act.
- (b) Diminish any rights provided to any employee under a collective bargaining agreement.
- (c) Subject section 12, preempt or override the terms of any collective bargaining agreement in effect prior to the effective date of this act.
- (d) Prohibit an employer from establishing a policy that permits an employee to donate unused accrued earned sick time to another employee.

Sec. 12. If an employer's employees are covered by a collective bargaining agreement in effect on the effective date of this act, this act applies beginning on the stated expiration date in the collective bargaining agreement, notwithstanding any statement in the agreement that it continues in force until a future date or event or the execution of a new collective bargaining agreement.

Sec. 13. The director may promulgate rules in accordance with the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328, as necessary to administer this act.

Sec. 14. If any portion of this act or the application thereof to any person or circumstances shall be found to be invalid by a court, such invalidity shall not affect, impair, or invalidate the other portions or applications of the act that can be given effect without the invalid portion or application, and to this end the provisions of this act are declared to be severable.

CERTIFICATION OF PETITION TO INITIATE LEGISLATION

We, the undersigned members of the Michigan Board of State Canvassers, hereby certify that on July 27, 2018, the legislative initiative petition filed with the Secretary of State on May 29, 2018 by MI Time to Care was certified to contain at least the minimum number of valid signatures required under Article 2, Section 9, of the Constitution of the State of Michigan of 1963. The minimum number of valid signatures required is 252,523.

Julie Matuzak
Vice-Chairperson

Colleen Pero
Member

Jeanette Bradshaw
Member

The initiative petition was received in the Senate on July 30, 2018, at 9:12 a.m.
The communication was referred to the Secretary for record.

The following communication was received and read:
Department of State

August 27, 2018

I, Sally Williams, Director of the Bureau of Elections, Michigan Department of State, certify that the attached proposed law appeared on the legislative initiative petition filed with the Secretary of State on May 21, 2018 by Michigan One Fair Wage, P.O. Box 35174, Detroit, Michigan 48235. I further certify that on August 24, 2018, the Michigan Board of State Canvassers determined that said initiative petition contains "at least the minimum number of valid signatures required under Article 2, Section 9, of the Constitution of the State of Michigan of 1963." I therefore submit to the Michigan State Legislature said legislative proposal for consideration as provided under Article 2, Section 9, of the Constitution of 1963.

Sincerely,
Sally Williams
Director of Elections

INITIATION OF LEGISLATION

An initiation of legislation to enact the Improved Workforce Opportunity Wage Act which would fix minimum wages for employees within this state; prohibit wage discrimination; provide for a wage deviation board; provide for the administration and enforcement of the act; prescribe penalties for the violation of the act; and supersede certain acts and parts of acts including 2014 PA 138.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

Sec. 1.

This act shall be known and may be cited as the “improved workforce opportunity wage act”.

Sec. 2.

As used in this act:

- (a) “Commissioner” means the director of the department of licensing and regulatory affairs.
- (b) “Employ” means to engage, suffer, or permit to work.
- (c) “Employee” means an individual not less than 16 years of age employed by an employer on the premises of the employer or at a fixed site designated by the employer, and includes a minor employed subject to section 15(1) of the youth employment standards act, 1978 PA 90, MCL 409.115.

(d) “Employer” means a person, firm, or corporation, including this state and its political subdivisions, agencies, and instrumentalities, and a person acting in the interest of the employer, who employs 2 or more employees at any 1 time within a calendar year. An employer is subject to this act during the remainder of that calendar year. Except as specifically provided in the franchise agreement, as between a franchisee and franchisor, the franchisee is considered the sole employer of workers for whom the franchisee provides a benefit plan or pays wages.

Sec. 3.

An employer shall not pay any employee at a rate this is less than prescribed in this act.

Sec. 4. (1). Subject to the exceptions specified in this act, the minimum hourly wage rate is:

- a. Beginning January 1, 2019, \$10.00.
- b. Beginning January 1, 2020, \$10.65.
- c. Beginning January 1, 2021, \$11.35.
- d. Beginning January 1, 2022, \$12.00.

(2) Every October beginning in October, 2022, the state treasurer shall calculate an adjusted minimum wage rate. The adjustment shall increase the minimum wage by the rate of inflation. The increase shall be calculated by multiplying the otherwise applicable minimum wage by the 12-month percentage increase, if any, in the consumer price index for urban wage earners and clerical workers, CPI-W, or a successor index, as published by the bureau of labor statistics of the United States department of labor, based upon the most recent 12-month period for which data are available. The adjusted minimum wage rate shall be published by November 1 of the year it is calculated and shall be effective beginning January 1 of the succeeding year.

(3) An increase in the minimum hourly wage rate as prescribed in subsection (2) does not take effect if the unemployment rate determined by the bureau of labor statistics, United States department of labor, for this state is 8.5% or greater for the year preceding the year of the prescribed increase.

Sec.4a.

(1) Except as otherwise provided in this act, an employee shall receive compensation at not less than 1-1/2 times the regular rate at which the employee is employed for employment in a workweek in excess of 40 hours.

(2) This state or a political subdivision, agency, or instrumentality of this state does not violate subsection (1) with respect to the employment of an employee in fire protection activities or an employee in law enforcement activities, including security personnel in correctional institutions, if any of the following apply:

- (a) In a work period of 80 consecutive days, the employee receives for tours of duty, which in the aggregate exceed 216 hours, compensation for those hours in excess of 216 at a rate not less than 1-1/2 times the regular rate at which the employee is employed. The employee’s regular rate shall be not less than the statutory minimum hourly rate.
- (b) For an employee to whom a work period of at least 7 but less than 28 days applies, in the employee’s work period the employee receives for tours of duty, which in the aggregate exceed a number of hours which bears the same ratio to the number of consecutive days in the employee’s work period as 216 bears to 28 days, compensation for those excess hours at a rate not less than 1-1/2 times the regular rate at which the employee is employed. The employee’s regular rate shall be not less than the statutory minimum hourly rate.
- (c) If an employee engaged in fire protection activities would receive overtime payments under this act solely as a result of that employee’s trading of time with another employee pursuant to a voluntary trading time arrangement, overtime, if any, shall be paid to employees who participate in the trading of time as if the time trade had not occurred. As used in this subdivision, “trading time arrangement” means a practice under which employees of a fire department voluntarily substitute for one another to allow an employee to attend to personal matters, if the practice is neither for the convenience of the employer nor because of the employer’s operations.

(3) This state or a political subdivision, agency, or instrumentality of this state engaged in the operation of a hospital or an establishment that is an institution primarily engaged in the care of the sick, the aged, or the mentally ill or developmentally disabled who reside on the premises does not violate subsection (1) if both of the following conditions are met:

- (a) Pursuant to a written agreement or written employment policy arrived at between the employer and the employee before performance of the work, a work period of 14 consecutive days is accepted instead of the workweek of 7 consecutive days for purposes of overtime computation.
 - (b) For the employee's employment in excess of 8 hours in a workday and in excess of 80 hours in the 14-day period, the employee receives compensation at a rate of 1-1/2 times the regular rate, which shall be not less than the statutory minimum hourly rate at which the employee is employed.
- (4) Subsections (1), (2), and (3) do not apply to any of the following:
- (a) An employee employed in a bona fide executive, administrative, or professional capacity, including an employee employed in the capacity of academic administrative personnel or teacher in an elementary or secondary school. However, an employee of a retail or service establishment is not excluded from the definition of employee employed in a bona fide executive or administrative capacity because of the number of hours in the employee's workweek that the employee devotes to activities not directly or closely related to the performance of executive or administrative activities, if less than 40% of the employee's hours in the workweek are devoted to those activities.
 - (b) An individual who holds a public elective office.
 - (c) A political appointee of a person holding public elective office or a political appointee of a public body, if the political appointee described in this subdivision is not covered by a civil service system.
 - (d) An employee employed by an establishment that is an amusement or recreational establishment, if the establishment does not operate for more than 7 months in a calendar year.
 - (e) An employee employed in agriculture, including farming in all its branches, which among other things includes: cultivating and tilling soil; dairying; producing, cultivating, growing, and harvesting agricultural or horticultural commodities; raising livestock, bees, fur-bearing animals, or poultry; and a practice, including forestry or lumbering operations, performed by a farmer or on a farm as an incident to or in conjunction with farming operations, including preparation for market, delivery to storage, or delivery to market or to a carrier for transportation to market or processing or preserving perishable farm products.
 - (f) An employee who is not subject to the minimum hourly wage provisions of this act.
- (5) The director of the department of licensing and regulatory affairs shall promulgate rules under the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328, to define the terms used in subsection (4).
- (6) For purposes of administration and enforcement, an amount owing to an employee that is withheld in violation of this section is unpaid minimum wages under this act.
- (7) The legislature shall annually appropriate from the general fund to each political subdivision affected by subsection (2) an amount equal to the difference in direct labor costs before and after the effective date of this act arising from any change in existing law that results from the enactment of subsection (2) and incurred by the political subdivision.
- (8) In lieu of monetary overtime compensation, an employee subject to this act may receive compensatory time off at a rate that is not less than 1-1/2 hours for each hour of employment for which overtime compensation is required under this act, subject to all of the following:
- (a) The employer must allow employees a total of at least 10 days of leave per year without loss of pay and must provide the compensatory time to the employee under either of the following:
 - (i) Applicable provisions of a collective bargaining agreement, memorandum of understanding, or any other written agreement between the employer and representative of the employee.
 - (ii) If employees are not represented by a collective bargaining agent or other representative designated by the employee, a plan adopted by the employer and provided in writing to its employees that provides employees with a voluntary option to receive compensatory time off for overtime work when there is an express, voluntary written request to the employer by an individual employee for compensatory time off in lieu of overtime pay before the performance of any overtime assignment.
 - (b) The employee has not earned compensatory time in excess of the applicable limit prescribed by subdivision (d).
 - (c) The employee is not required as a condition of the employment to accept or request compensatory time. An employer shall not directly or indirectly intimidate, threaten, or coerce or attempt to intimidate, threaten, or coerce an employee for the purpose of interfering with the employee's rights under this section to request or not request compensatory time off in lieu of payment of overtime compensation for overtime hours, or requiring an employee to use compensatory time. In assigning overtime hours, an employer shall not discriminate among employees based upon an employee's choice to request or not request compensatory time off in lieu of overtime compensation. An employer who violates this subsection is subject to a civil fine of not more than \$1,000.00.

- (d) An employee may not accrue more than a total of 240 hours of compensatory time. An employer shall do both of the following:
 - (i) Maintain in an employee's pay record a statement of compensatory time earned by that employee in the pay period that the pay record identifies.
 - (ii) Provide an employee with a record of compensatory time earned by or paid to the employee in a statement of earnings for the period in which the compensatory time is earned or paid.
- (e) Upon request of an employee who has earned compensatory time, the employer shall, within 30 days following the request, provide monetary compensation for that compensatory time at a rate not less than the regular rate earned by the employee at the time the employee performed the overtime work.
- (f) An employee who has earned compensatory time authorized under this subsection shall, upon the voluntary or involuntary termination of employment or upon expiration of this subsection, be paid unused compensatory time at a rate of compensation not less than the regular rate earned by the employee at the time the employee performed the overtime work. A terminated employee's receipt of or eligibility to receive monetary compensation for earned compensatory time shall not be used by either of the following:
 - (i) The employer to oppose an employee's application for unemployment compensation under the Michigan employment security act, 1936 (Ex Sess) PA 1, MCL 421.1 to 421.75.
 - (ii) The state to deny unemployment compensation or diminish an employee's entitlement to unemployment compensation benefits under the Michigan employment security act, 1936 (Ex Sess) MCL 421.1 to 421.75.
- (g) An employee shall be permitted to use any compensatory time accrued under this subsection for any reason unless use of the compensatory time for the period requested will unduly disrupt the operations of the employer.
- (h) Unless prohibited by a collective bargaining agreement, an employer may terminate a compensatory time plan upon not less than 60 days' notice to employees.
- (i) As used in this subsection:
 - (i) "Compensatory time" and "compensatory time off" mean hours during which an employee is not working and for which the employee is compensated in accordance with this subsection in lieu of monetary overtime compensation.
 - (ii) "Overtime assignment" means an assignment of hours for which overtime compensation is required under this act.
 - (iii) "Overtime compensation" means the compensation required under this section.

Sec. 4b.

(1) An employer may pay a new employee who is less than 20 years of age a training hourly wage of \$4.25 for the first 90 days of that employee's employment. The hourly wage authorized under this subsection is in lieu of the minimum hourly wage otherwise prescribed by this act.

(2) Except as provided in subsection (1), the minimum hourly wage for an employee who is less than 18 years of age is 85% of the general minimum hourly wage established in section 4.

(3) An employer shall not displace an employee to hire an individual at the hourly wage authorized under this section. As used in this subsection, "displace" includes termination of employment or any reduction of hours, wages, or employment benefits.

(4) A person who violates subsection (3) is subject to a civil fine of not more than \$1,000.00

Sec. 4c.

On petition of a party in interest or on his or her own initiative, the commissioner shall establish a suitable scale of rates for apprentices, learners, and persons with physical or mental disabilities who are clearly unable to meet normal production standards. The rates established under this section may be less than the regular minimum wage rate for workers who are experienced and who are not disabled.

Sec. 4d.

(1) The minimum hourly wage rate of an employee shall be as established under subsection (2) if all of the following occur:

- (a) The employee receives gratuities in the course of his or her employment.
- (b) The gratuities described in subdivision (a) equal or exceed the difference between the minimum hourly wage rate established under subsection (2) and the minimum hourly wage established under section 4.
- (c) The gratuities are proven gratuities as indicated by the employee's declaration for purposes of the federal insurance contribution act, 26 USC 3101 to 3128.
- (d) The entirety of the gratuities are retained by the employee who receives them, except as voluntarily shared with other employees who are directly or indirectly part of the chain of service and whose duties are not primarily managerial or supervisory.
- (e) The employee was informed by the employer of the provisions of this section in writing, at or before the time of hire, and gave written consent.

(2) For purposes of subsection (1) the minimum hourly wage rate of an employee shall be 48% of the minimum hourly wage rate established under section 4 effective January 1, 2019; beginning January 1, 2020, it shall be 60% of the minimum hourly wage rate established under section 4; beginning January 1, 2021, it shall be 70% of the minimum hourly wage rate established under section 4; beginning January 1, 2022, it shall be 80% of the minimum hourly wage rate established under section 4; beginning January 1, 2023, it shall be 90% of the minimum hourly wage rate established under section 4; and beginning January 1, 2024 and thereafter, it shall be 100% of the minimum hourly wage rate established under section 4.

(3) As used in this section, "gratuities" means tips or voluntary monetary contributions received by an employee from a guest, patron, or customer for services rendered to that guest, patron, or customer and that the employee reports to the employer for purposes of the federal insurance contributions act, 26 USC 3101 to 3128.

(4) Gratuities will remain property of the employee who receives them, except pursuant to a valid and voluntary tip sharing agreement outlined in subsection (1)(d) above, regardless of whether the employer pays the lower tipped hourly wage described in subsection (2) or the full minimum hourly rate established under section 4. Gratuities and service charges paid to an employee are in addition to, and may not count towards, wages due to the employee.

(5) Employers must provide employees and consumers written notice of their plan to distribute service charges.

(6) Employer shall keep records showing compliance with provisions of Section 4d for no less than 3 years from the date of employee's last pay period.

Sec. 5.

(1) The governor shall appoint, with the advice and consent of the senate, a wage deviation board composed of 3 representatives of the employers, 3 representatives of the employees, and 3 persons representing the public. One of the 3 persons representing the public shall be designated as chairperson. Members shall serve for terms of 3 years, except that of the members first appointed, 1 from each group shall be appointed for 1 year, 1 for 2 years, and 1 for 3 years. The commissioner shall be secretary of the wage deviation board.

(2) A majority of the members of the board constitute a quorum, and the recommendation or report of the board requires a vote of not less than a majority of its members. The business which the wage deviation board may perform shall be conducted at a public meeting of the board held in compliance with the open meetings act, 1976 PA 267, MCL 15.261 to 15.275. Public notice of the time, date, and place of the meeting shall be given in the manner required by that act.

(3) A writing prepared, owned, used, in the possession of, or retained by the wage deviation board in the performance of an official function shall be made available to the public in compliance with the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246.

(4) The per diem compensation of the board and the schedule for reimbursement of expenses shall be established annually by the legislature.

(5) The wage deviation board may request data of any employer, subject to the provisions of this act, as to the wages paid and hours worked by the employer's employees and may hold hearings as necessary in the process of obtaining this information.

(6) The wage deviation board shall submit its report to the commissioner, who shall file it in his or her office as a public record together with the regulations established by the board.

(7) At any time after a deviated wage rate has been in effect for 6 months or more, the wage deviation board may reconsider the rate.

Sec. 6.

The commissioner may promulgate rules necessary for administration of this act under the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328.

Sec. 7.

An employer who is subject to this act or any regulation or order issued under this act shall furnish each employee with a statement of the hours worked by the employee and of the wages paid to the employee, listing deductions made each pay period. The employer shall furnish the commissioner, upon demand, a sworn statement of the wage information. The records shall be open to inspection by the commissioner, his or her deputy, or any authorized agent of the department at any reasonable time. An employer subject to this act or any regulation or order issued under this act shall keep a copy of this act and regulations and orders promulgated under this act posted in a conspicuous place in the workplace that is accessible to employees. The commissioner shall furnish copies of this act and the regulations and orders to employee without charge.

Sec 8.

The commissioner shall administer and enforce this act and, at the request of the wage deviation board, may investigate and ascertain the wages of employees of an employer subject to this act. The commissioner and the commissioner's employees shall not reveal facts or information obtained in the course of official duties, except as when required by law, to report upon or take official action or testify in proceedings regarding the affairs of an employer subject to this act.

Sec. 9.

(1) If an employer violates this act, the employee affected by the violation, at any time within 3 years, may do any of the following:

- (a) Bring a civil action for the recovery of the difference between the amount paid and the amount that, but for the violation, would have been paid the employee under this act and an equal additional amount as liquidated damages together with costs and reasonable attorney fees as are allowed by the court.
- (b) File a claim with the commissioner who shall investigate the claim.

(2) If the commissioner determines there is reasonable cause to believe that the employer has violated this act and the commissioner is subsequently unable to obtain voluntary compliance by the employer within a reasonable period of time, the commissioner shall bring a civil action under subsection (1)(a). The commissioner may investigate and file a civil action under subsection (1)(a) on behalf of all employees of that employer who are similarly situated at the same work site and who have not brought a civil action under subsection (1)(a). A contract or agreement between the employer and the employee or any acceptance of a lesser wage by the employee is not a bar to the action.

(3) In addition to bearing liability for civil remedies described in this section, an employer who fails to pay the minimum hourly wage in violation of this act, or who violates a provision of section 4a governing an employee's compensatory time, is subject to a civil fine of not more than \$1,000.00.

Sec. 10.

(1) This act does not apply to an employer that is subject to the minimum wage provisions of the fair labor standards act of 1938, 29 USC 201 to 219, unless those federal minimum wage provisions would result in a lower minimum hourly wage than provided in this act. Each of the following exceptions applies to an employer who is subject to this act only by application of this subsection:

- (a) Section 4a does not apply.
- (b) This act does not apply to an employee who is exempt from the minimum wage requirements of the fair labor standards act of 1938, 29 USC 201 to 219.

(2) Notwithstanding subsection (1), an employee shall be paid in accordance with the minimum wage and overtime compensation requirements of sections 4 and 4a if the employee meets either of the following conditions:

- (a) He or she is employed in domestic service employment to provide companionship services as defined in 29 CFR 552.6 for individuals who, because of age or infirmity, are unable to care for themselves and is not a live-in domestic service employee as described in 29 CFR 552.102.
- (b) He or she is employed to provide child care, but is not a live-in domestic service employee as described in 29 CFR 552.102. However, the requirements of sections 4 and 4a do not apply if the employee meets all the following conditions:
 - (i) He or she is under the age of 18.
 - (ii) He or she provides services on a casual basis as defined in 29 CFR 552.5.
 - (iii) He or she provides services that do not regularly exceed 20 hours per week, in the aggregate.

(3) This act does not apply to persons employed in summer camps for not more than 4 months or to employees who are covered under section 14 of the fair labor standards act of 1938, 29 USC 214.

(4) This act does not apply to agricultural fruit growers, pickle growers and tomato growers, or other agricultural employers who traditionally contract for harvesting on a piecework basis, as to those employees used for harvesting, until the board has acquired sufficient data to determine an adequate basis to establish a scale of piecework and determines a scale equivalent to the prevailing minimum wage for that employment. The piece rate scale shall be equivalent to the minimum hourly wage in that, if the payment by unit of production is applied to a worker of average ability and diligence in harvesting a particular commodity, he or she receives an amount not less than the hourly minimum wage.

(5) Notwithstanding any other provision of this act, subsection (1)(a) and (b) and subsection (2) do not deprive an employee or any class of employees of any right that existed on September 30, 2006 to receive overtime compensation or to be paid the minimum wage.

Sec. 11.

An employer that discharges or in any other manner discriminates against an employee because the employee has served or is about to serve on the wage deviation board or has testified or is about to testify before the board, or because the employer believes that the employee may serve on the board or may testify before the board or in any investigation under this act, and any person who violates any provision of this act or of any regulation or order issued under this act, is guilty of a misdemeanor.

Sec. 12.

Any employer that consistently discharges employees within 10 weeks of their employment and replaces the discharged employees without work stoppage is presumed to have discharged them to evade payment of the wage rates established in this act and is guilty of a misdemeanor.

Sec. 13.

(1) An employer having employees subject to this act shall not discriminate between employees within and establishment on the basis of sex by paying wages to employees in the establishment at a rate less than the rate at which

the employer pays wages to employees of the opposite sex for equal work on jobs, the performance of which requires equal skill, effort, and responsibility and that is performed under similar working conditions, except if the payment is made under 1 or more of the following:

- (a) A seniority system.
- (b) A merit system.
- (c) A system that measures earning by quantity or quality of production.
- (d) A differential based on a factor other than sex.

(2) An employer that is paying a wage differential in violation of this section shall not reduce the wage rate of an employee to comply with this section.

(3) For purposes of administration and enforcement, any amount owing to an employee that has been withheld in violation of this section is considered unpaid minimum wages under this act.

Sec. 14.

An employer operating a massage establishment as defined in section 2 of former 1974 PA 251 that violates this act is guilty of a misdemeanor punishable by imprisonment for not more than 1 year or a fine of not more than \$1,000.00, or both.

Sec. 15.

(1) Except as provided in subsection (2), this act shall supersede any acts or parts of acts inconsistent with or in conflict with this act, but only to the extent of such inconsistency or conflict.

(2) This act does not repeal, abrogate, amend, limit, modify, supersede, or otherwise affect Act No. 166 of the Public Acts of 1965, as amended, being sections 408.551 to 408.558 of the Michigan Compiled Laws, or any other prevailing wage law.

(3) Any reference in any law to 2014 Public Act 138, the Workforce Opportunity Wage Act, or to the state minimum wage law shall be considered a reference to this act.

CERTIFICATION OF PETITION TO INITIATE LEGISLATION

We, the undersigned members of the Michigan Board of State Canvassers, hereby certify that on August 24, 2018, the legislative initiative petition filed with the Secretary of State on May 21, 2018 by Michigan One Fair Wage was certified to contain at least the minimum number of valid signatures required under Article 2, Section 9, of the Constitution of the State of Michigan of 1963. The minimum number of valid signatures required is 252,523.

Norman D. Shinkle
Chairperson

Julie Matuzak
Vice-Chairperson

Colleen Pero
Member

The initiative petition was received in the Senate on August 27, 2018, at 9:09 a.m.
The communication was referred to the Secretary for record.

The following communications were received:
Department of State

Administrative Rules Notices of Filing

May 24, 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 1995-96, this is to advise you that the Michigan Department of Technology, Management and Budget and the State Office of Regulatory Reinvention filed Emergency Administrative Rule #2018-036-NR (Secretary of State Filing #18-05-10) on this date at 11:38 a.m. for the Department of Natural Resources entitled, "Establishment of Restricted Anchor and Vessel Equipment Zone in the Straits of Mackinac."

These rules take effect upon filing with the Secretary of State and shall remain in effect for 6 months.

May 30, 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 1995-96, this is to advise you that the Michigan Department of Technology, Management and Budget and the State Office of Regulatory Reinvention filed Emergency Administrative Rule #2018-038-LR (Secretary of State Filing #18-05-11) on this date at 10:53 a.m. for the Department of Licensing and Regulatory Affairs entitled, "Medical Marihuana Facilities Licensing Act."

These rules take effect upon filing with the Secretary of State and shall remain in effect for 6 months.

June 7, 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 #2017-017-EQ (Secretary of State Filing #18-06-01) on this date at 3:50 p.m. for the Department of Environmental Quality entitled, "Oil and Gas Operations."

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.

June 14, 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 #2017-008-EQ (Secretary of State Filing #18-06-02) on this date at 1:14 p.m. for the Department of Environmental Quality entitled, "Supplying Water to the Public."

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.

June 15, 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 Emergency Administrative Rule #2018-043-LR (Secretary of State Filing #18-06-03) on this date at 3:13 p.m. for the Department of Licensing and Regulatory Affairs entitled, "Weight Classes for Unarmed Combat Contestants."

These rules take effect immediately upon filing with the Secretary of State and shall remain in effect for 6 months.

July 16, 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 #2017-078-EQ (Secretary of State Filing #18-07-01) on this date at 3:57 p.m. for the Department of Environmental Quality entitled, "Air Pollution Control - Part 16. Declaratory Ruling Requests."

These rules become effective immediately upon filing with the Secretary of State unless adopted under MCL 24.233, MCL 24.244, or MCL 24.245a(6). Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

July 16, 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 #2017-079-EQ (Secretary of State Filing #18-07-02) on this date at 3:57 p.m. for the Department of Environmental Quality entitled, "Air Pollution Control - Part 17. Hearings."

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.

August 30, 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 #2018-013-HS (Secretary of State Filing #18-08-01) on this date at 4:10 p.m. for the Department of Health and Human Services entitled, "Community Health Programs."

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.

August 30, 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 #2018-014-HS (Secretary of State

Filing #18-08-02) on this date at 4:10 p.m. for the Department of Health and Human Services entitled, "Guardianship for Recipients of Mental Health Services."

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.

August 30, 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 #2018-022-LR (Secretary of State Filing #18-08-03) on this date at 4:10 p.m. for the Department of Licensing and Regulatory Affairs entitled, "Homes for the Aged."

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.

August 30, 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 #2018-052-ED (Secretary of State Filing #18-08-04) on this date at 4:10 p.m. for the Department of Education entitled, "Financial Accounting Systems for Public Schools."

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.

August 30, 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 #2018-048-TB (Secretary of State Filing #18-08-05) on this date at 4:10 p.m. for the Department of Technology, Management and Budget entitled, "Parking on State Property."

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.

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 following communication was received:
Department of State

June 8, 2018

This will acknowledge receipt of the initiative petition to repeal 1965 PA 166, entitled, "An act to require prevailing wages and fringe benefits on state projects; to establish the requirements and responsibilities of contracting agents and bidders; and to prescribe penalties," (MCL 408.551 to 408.558); and to provide for an appropriation for related purposes", adopted by the Michigan Senate on June 6, 2018, and filed with the Department of State, Office of the Great Seal, on June 6, 2018, at 2:14 p.m. The initiative petition was approved by the Michigan House of Representatives on June 6, 2018, and filed with the Department of State, Office of the Great Seal, on June 6, 2018, at 3:54 p.m. A letter from the Michigan Senate and the House of Representatives was filed with the Department of State, Office of the Great Seal, on June 7, 2018, at 4:28 p.m. to reflect that this Public Act took effect immediately.

The initiative petition has been assigned Public Act Number 171, Public Acts of 2018.

Sincerely,
Ruth Johnson
Secretary of State

The communication was referred to the Secretary for record.

The following communication was received:
Office of the Attorney General

June 21, 2018

Thank you for reauthorizing OK2SAY and for the corresponding appropriations. Your support ensures that OK2SAY remains Michigan's most effective prevention-based reporting mechanism.

Attached is the 2017 Annual Report required by the School Safety Act and the OK2SAY Spring Newsletter. In 2017, OK2SAY logged 4,605 tips. Since its inception in 2014, OK2SAY has logged more than 10,000 tips. That's 10,000 times someone reported threatening behavior.

Together we can continue to make a positive difference in the lives of Michigan's most valuable resource—our children!

Sincerely,
Bill Schuette
Attorney General

The communication was referred to the Secretary for record.

The following communications were received:
State Budget Office

June 27, 2018

Transmitted under this cover is a schedule entitled "Statement of Revenue Subject to Constitutional Limitation - Legal Basis." The statement is submitted pursuant to Sections 18.1350(a) through 18.1350(e) of the Michigan Compiled Laws for the purpose of demonstrating compliance with Article 9, Sections 26 and 33 of the Michigan Constitution for the fiscal year 2017.

The statement has been reviewed by the Office of the Auditor General and a copy of the independent accountant's review is enclosed.

If you have questions regarding this report, please contact Mr. Michael J. Moody, Director, Office of Financial Management, at 373-1010.

June 27, 2018

This letter transmits the "Statement of the Proportion of Total State Spending From State Sources Paid to Units of Local Government - Legal Basis" for fiscal year 2017, which has been prepared in accordance with Sections 18.1115(5), 18.1303-18.1305, 18.1349, 18.1350, 18.1497, and 18.1498 of the Michigan Compiled Laws for the purpose of demonstrating compliance with Article 9, Section 30 of the Michigan Constitution.

The computed percentage of total state spending from state sources paid to local governments for fiscal year 2017 is 55.88%, which is \$2.1 billion more than the minimum required.

The statement has been reviewed by the Office of the Auditor General and a copy of their independent accountant's review letter is enclosed.

If you have questions regarding this report, please contact Mr. Michael J. Moody, Director, Office of Financial Management, at 373-1010.

Sincerely,
John J. Walsh
State Budget Director

The communications were referred to the Secretary for record.

The following communication was received:
Municipal Employees' Retirement System

June 27, 2018

Enclosed please find a copy of the Comprehensive Annual Financial Report (CAFR) for the Municipal Employees' Retirement System (MERS) of Michigan for the fiscal year ending December 31, 2017, pursuant to MCL 38.1536(2)(f).

As one of your appointed members on the Responsible Retirement Reform Task Force, you will note that MERS' policies are in alignment with the recommendations of the task force and subsequent legislation enacted in Public Act 202 of 2017. Those policies include conducting an actuarial experience study at least every five years, with a peer actuarial audit or rotation of actuaries at least every eight years. MERS has also led proactive policy efforts by instituting a fixed amortization policy, developed a tax exempt trust to pre-fund OPEB liabilities and continues to offer innovative plan designs in an effort to assist local units in addressing unfunded liability concerns while offering competitive benefits.

The recently enacted legislation impacts local municipalities across the state, over 85% of which are MERS members. We will continue to work with our members in assuring transparency and assistance in fulfilling the requirement of the recently enacted law. While there is more work to be done, we remain committed to helping establish and maintain

responsible benefits practices for the long-term sustainability of the retirement system and benefit to generations of retirees for years to come.

As you know, MERS is an independent, professional retirement services company that was created to administer the retirement plans for Michigan local units of government on a not-for-profit basis. Today we administer retirement plans ranging from traditional pensions to defined contribution plans - and mix of both, called a hybrid plan. As the fiduciary for our retirement plans, our primary goal is to ensure that each municipality's assets are adequate to provide for the benefits that are expected to be paid, and that each plan is making reasonable progress to achieve full funding. We are proud of the fact that during the past five years, 73% of municipalities within MERS have taken additional steps to manage their benefit commitments by lowering their costs through plan design changes or by making voluntary contributions to close their funding gap.

If you have any questions concerning this report, please contact me. The report can also be found on our website at www.mersofmich.com.

Sincerely,
Chris DeRose
Chief Executive Officer

The communication was referred to the Secretary for record.

The following communication was received:
Department of Treasury

June 29, 2018

The attached annual report on the operation of the New Jobs Training Program is provided to you in accordance with MCL 206.713.

Scott Darragh, Economist
Office of Revenue and Tax Analysis

The communication was referred to the Secretary for record.

The following communications were received:
Department of State Police

June 30, 2018

I am pleased to present to the Michigan Legislature the 25th annual Asset Forfeiture Report. Michigan's asset forfeiture laws provide for the seizure of cash and property assets of drug traffickers and other criminal organizations when that property is obtained through illegal activity. The report this year is the second to be submitted as required by The Uniform Forfeiture Reporting Act, 2015 PA 148, which became effective February 1, 2016.

The act repealed the prior asset forfeiture reporting requirements and requires submission of a summary to the Michigan Department of State Police of the reporting agency's activities regarding forfeiture of property under the following sections of law: Public Health Code, MCL 333.7521-333.7533 (Controlled Substances); the Identity Theft Protection Act, MCL 445.79d; Revised Judicature Act of 1961; MCL 600.4701-600.4709 (Omnibus); and Revised Judicature Act of 1961, MCL 600.3801-600.3840 (Public Nuisance). Additionally, the type of information to be reported for each seizure and forfeiture of property was expanded to provide for greater transparency regarding the government seizure of private property.

This report covers the period of January 1, 2017, through December 31, 2017. This is the first report in which all reporting agencies submitted forfeiture data based upon the calendar year. Over \$13 million in cash and assets amassed by drug traffickers was forfeited. Extensive multi-agency coordination is evident in this report and, as a result, considerable assets were obtained through the joint enforcement efforts of agencies at the federal, state, and local levels.

Asset forfeiture funds were used to enhance law enforcement by providing resources for equipment, personnel, vehicles, training, and supplies. Assets seized pursuant to this program also allowed some agencies to contribute monies to non-profit organizations that assist in obtaining information from citizens for solving crimes.

I commend our law enforcement community for the tremendous job they have done and submit this report for your information and review.

July 18, 2018

The Michigan State Police (MSP) Criminal Justice Information Center has developed and published the 2017 *Crime in Michigan* Report. This publication is a compilation of incident-based crime statistics collected by 568 active police agencies in Michigan and is available on the MSP website at www.michigan.gov/micr.

The Federal Bureau of Investigation (FBI), Uniform Crime Reporting Program anticipates the release of their annual *Crime in the U.S.* in September of 2018. Each state across the nation is required to submit to the FBI the crime incidents received by law enforcement agencies within their state. The FBI then publishes their summary-based crime statistics for all law enforcement agencies across the nation.

If you have any questions regarding the information in this report, please feel free to contact the MSP Data Analysis and Reporting Unit at 517-284-3326.

Sincerely,
Kriste Etue
Director

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 June 30, 2018:

Senator Darwin Booher	April 29	Great Lakes Legislative Caucus Meeting Mileage Lombard, IL	\$	556.57
Senator Ken Horn	April 6	MI Legislative Visit at the Microsoft Campus Redmond, WA	\$	45.28
Senator Tom Casperson	May 21	Meet with EPA Region 5 Director Chicago, IL	\$	87.20

By unanimous consent the Senate proceeded to the order of

Introduction and Referral of Bills

Michigan One Fair Wage

Legislative Initiative Petition

An initiation of legislation to enact the Improved Workforce Opportunity Wage Act which would fix minimum wages for employees within this state; prohibit wage discrimination; provide for a wage deviation board; provide for the administration and enforcement of the act; prescribe penalties for the violation of the act; and supersede certain acts and parts of acts including 2014 PA 138.

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

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

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

MI Time to Care

Legislative Initiative Petition

An initiation of legislation to provide workers with the right to earn sick time for personal or family health needs, as well as purposes related to domestic violence and sexual assault and school meetings needed as the result of a child's disability, health issues or issues due to domestic violence and sexual assault; to specify the conditions for accruing and using earned sick time; to prohibit retaliation against an employee for requesting, exercising, or enforcing rights granted in this act; to prescribe powers and duties of certain state departments, agencies, and officers; to provide for promulgation of rules; and to provide remedies and sanctions.

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

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

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

By unanimous consent the Senate returned to the order of

Third Reading of Bills

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

Michigan One Fair Wage Legislative Initiative Petition

MI Time to Care Legislative Initiative Petition

The motion prevailed.

The following initiative petition was read a third time:

Legislative Initiative Petition

An initiation of legislation to enact the Improved Workforce Opportunity Wage Act which would fix minimum wages for employees within this state; prohibit wage discrimination; provide for a wage deviation board; provide for the administration and enforcement of the act; prescribe penalties for the violation of the act; and supersede certain acts and parts of acts including 2014 PA 138.

The question being on the adoption of the initiative petition,

The initiative petition was adopted, a majority of the members serving voting therefor, as follows:

Roll Call No. 556

Yeas—24

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

Nays—13

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

Excused—0

Not Voting—0

In The Chair: President

The initiative petition was referred to the Secretary for filing with the Secretary of State.

The following initiative petition was read a third time:

Legislative Initiative Petition

An initiation of legislation to provide workers with the right to earn sick time for personal or family health needs, as well as purposes related to domestic violence and sexual assault and school meetings needed as the result of a child's disability, health issues or issues due to domestic violence and sexual assault; to specify the conditions for accruing and using earned sick time; to prohibit retaliation against an employee for requesting, exercising, or enforcing rights granted in this act; to prescribe powers and duties of certain state departments, agencies, and officers; to provide for promulgation of rules; and to provide remedies and sanctions.

The question being on the adoption of the initiative petition,

The initiative petition was adopted, a majority of the members serving voting therefor, as follows:

Roll Call No. 557

Yeas—24

Booher	Hildenbrand	Marleau	Robertson
Brandenburg	Horn	Meekhof	Rocca

Casperson	Jones	Nofs	Schmidt
Emmons	Knollenberg	O'Brien	Shirkey
Green	Kowall	Pavlov	Stamas
Hansen	MacGregor	Proos	Zorn

Nays—13

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

Excused—0

Not Voting—0

In The Chair: President

The initiative petition was referred to the Secretary for filing with the Secretary of State.

Protests

Senators Colbeck, Hertel and Ananich, under their constitutional right of protest (Art. 4, Sec. 18), protested against the adoption of the Michigan One Fair Wage Initiative Petition and the MI Time to Care Initiative Petition and moved that the statements they made during the discussion of the Michigan One Fair Wage Initiative Petition be printed as their reasons for voting “no.”

The motion prevailed.

Senator Colbeck’s statement is as follows:

These initiatives and these votes before us remind me of *The Adventures of Tom Sawyer*. If you guys remember back in your school days, Tom Sawyer found a way to trick all of his friends in to going off and painting or white-washing a fence. That’s what we’re doing here with these bills.

You know, we should be engaging in a debate over the merits of these policies. That was a hallmark of our constitutional republic since its beginning. I just got back from the first vacation I’ve had in nine years, and we went to Colonial Williamsburg. You heard the debates that happened back then. You heard reenactments of the debates over some very important topics. We don’t have those debates in this body. Sometimes we don’t have those debates in the back rooms here. We need to do better, folks. Right now, we’re trying to use a procedural gimmick to go off and try to avoid a three-quarter vote threshold. That’s not how we should be doing things. We should be debating the merits of the legislation, not just trying to circumvent a three-quarter vote threshold.

Now, most of the people in this room who are going to be voting in favor of this actually oppose the premise of the legislation, at least the idea that we should be increasing the minimum wage or we should be mandating, from a state perspective, paid sick leave. That’s something most of us—at least with an “R” next to their name—typically oppose because it hurts individuals seeking employment and it hurts employers. That affects both of these pieces of legislation.

I got to hand it to the Democrats. You can’t blame them for using these methods, because every single time they put it up, we go off and do the same thing. When they can’t win seats to go off and vote on this in a legislative body like this, they use gimmicks like this. They’ve got a canned group of signature gatherers who will get that core amount, and that’s how you get onto the ballot every single time. They know that they can get us to paint their fence for them. If that fails, they go off and use the court system via lawfare. It’s a tried and true trick of the trade that they’re using, and we’re falling for it every single time because we are now unwilling or unable to debate these pieces of legislation on the merit of the legislation.

So, my colleagues, I urge you to vote “no.” It’s important to go off and win the argument or else we’re going to continue to have these white-washing events like we have before us today. I don’t know about you, but I would like to

leave *The Adventures of Tom Sawyer* back in my youthful memories. I don't want to keep reliving it, and I don't want future generations of legislators to keep on reliving it here. Let's win on the merit of our vote, not go off and try and play these procedural gimmicks.

Senator Hertel's statement is as follows:

I have a hard time imagining or dreaming that we are here. I never thought I'd see the other side of the aisle take up a living wage increase or paid sick leave. I never thought I'd be so disappointed in seeing those taken up as well. But, a vote for these initiatives, unfortunately, is not a vote for workers. It's a vote only to allow my Republican colleagues to make whatever changes they please behind closed doors once no one is looking and to strip from the voters their power at the ballot box.

Because if you truly supported workers and actually wanted to see fairer wages and paid sick time in our workforce, we wouldn't be voting on this at all. You wouldn't be pulling out all the stops to try to prevent this initiative from being on the ballot. You'd let the people decide for themselves in November. Adopting this measure today is nothing more than a classic bait-and-switch—a trick on the voters here in Michigan and an attack on our democracy.

My colleagues on the other side of the aisle want to appear to be on the side of Michigan workers, baiting voters with an initiative they know their constituents strongly support. But on November 7, as soon as their constituents aren't looking, this will be swapped out for something much, much worse, and you don't even have the respect—the common decency—to the voters who sent you here to tell them what you will pass. The basic respect for the citizens to tell them what the next plan is. You are ignoring that today. I don't know who you all think you're fooling, but it's not this side of the aisle and it's certainly not the voters. Your constituents know you don't support Michigan workers and you have the record to prove it. From right to work to attack on pensions and public employees, this Legislature has taken every opportunity to attack Michigan workers. Need I remind you that the last time we met this body voted to cut the wages of Michigan workers by repealing prevailing wage? Do you really believe that we all believe that you went back to your districts over the summer and somehow decided that you'd changed your mind and that Michigan workers finally deserve a living wage? Do you really think that the voters are that stupid or that we are that stupid?

On top of that, this Legislature has had several opportunities to take up paid sick leave—there's a bill in your committees right now—but each time, the majority has declined. If you didn't support Michigan working men and women then, why should we believe that you'll support them now? The people of Michigan have absolutely no reason to trust that the Republican Legislature has their interests at heart by adopting this legislation. Adopting this legislation would mean passing a bill without even knowing what's in it. I can't vote for a bill that promises Michigan workers higher wages, promises paid sick leave, knowing full well that your plan is to steal it away.

I have seen the comments from the good Senators from the 16th and 30th Districts. We know what the plan is. We know the plan is to pass this now and later on to come up with a different proposal, or to amend it later. What I would ask from my colleagues is to take this off the board now—to slow this process down—and to, at the very least, tell the citizens, tell us, and tell everyone in this room what the plan is to amend it after. That's all I'm asking, so we know what is on the table and so the citizens know what is on the table. That is the basic level of respect for your colleagues in this chamber and the basic level of respect for the voters and the citizens of this state who deserve to have a right to know about what we're voting on today.

We cannot wait until November. We cannot wait until after the elections. They must know your plan now. I would ask my colleagues to please vote “no.” You have no idea what you'll be asked to vote “yes” for in November, and if they've told you, please tell your voters. Please tell your own constituents. If they've handed you a plan, you do not work for the Michigan Chamber of Commerce. You do not work for the other interests in this state. You work for the people. You have a responsibility to tell them what your plan is, and until you do so, until you are willing to lay that plan in front of the public, I ask you to vote “no” on this proposal.

Do not let the citizens of this state be tricked. Do not take their democracy away. I ask you to vote “no” on both of these initiatives. Sadly, very sadly, but I ask you to vote “no.”

Senator Ananich's statement is as follows:

Most of you in this chamber should know that I am a staunch supporter of earned paid sick leave and have been since I came to the Legislature. In fact, I have the bill to do it. And as all of you know, I'm a huge supporter of putting more money in the pockets of workers. I have introduced paid sick leave every single session since I came to Lansing in 2011.

So it's curious that now, because it's on the ballot, Republicans seems so eager to make this a reality. It's because you know that voters care that they can take two days off to recover from the flu and not worry about making rent payments next month. Voters care that moms and dads can tend to sick kids without fear of losing their job. This has wide support across the state. Michiganders organized thousands of signatures—thousands of signatures were collected—and voters deserve the chance to make their opinion known at the ballot box.

But I'm not convinced that the other side of the aisle truly cares about this. I've noticed that you've come up with a catchy term to refer to what you're trying to do here, called “adopt and amend.” In reality, it's “approve and remove,” or even more cynically on my part, “undo and screw.”

So we're going to hold you accountable on November 7, the day we get back for lame duck and all the way through lame duck so when you pulverize this bill, or repeal it entirely, voters know that you only did this as a bait-and-switch.

Recess

Senator Kowall moved that the Senate recess until 1:30 p.m.
The motion prevailed, the time being 11:32 a.m.

The Senate reconvened at the expiration of the recess and was called to order by the President pro tempore, Senator Schuitmaker.

Recess

Senator Kowall moved that the Senate recess subject to the call of the Chair.
The motion prevailed, the time being 1:31 p.m.

2:47 p.m.

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

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

Senator Kowall moved that Senator Knollenberg be excused from the balance of today's session.
The motion prevailed.

By unanimous consent the Senate returned to the order of
Introduction and Referral of Bills

Senators Warren and Bieda introduced
Senate Bill No. 1073, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 627a (MCL 257.627a), as amended by 2016 PA 446.

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

Senators Warren and Bieda introduced
Senate Bill No. 1074, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 320a, 320d, and 601b (MCL 257.320a, 257.320d, and 257.601b), section 320a as amended by 2016 PA 448, section 320d as amended by 2012 PA 498, and section 601b as amended by 2011 PA 60.

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

Senators Warren, Hopgood and Bieda introduced
Senate Bill No. 1075, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 5125a.
The bill was read a first and second time by title and referred to the Committee on Health Policy.

Senators Ananich, Knezek, Young, Hopgood, Gregory, Bieda and Rocca introduced
Senate Bill No. 1076, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 235b.
The bill was read a first and second time by title and referred to the Committee on Government Operations.

Senators Ananich, Knezek, Young, Hopgood, Gregory, Bieda and Rocca introduced

Senate Bill No. 1077, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16m of chapter XVII (MCL 777.16m), as amended by 2014 PA 192.

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

Senators Ananich, Warren, Knezek, Hopgood, Young, Gregory, Green, Bieda, Rocca and Emmons introduced

Senate Bill No. 1078, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1272b (MCL 380.1272b), as amended by 2015 PA 42.

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

Senators Ananich, Bieda, Warren, Hopgood, Young, Knezek, Gregory and Rocca introduced

Senate Bill No. 1079, entitled

A bill to amend 2004 PA 46, entitled "Public safety officers benefit act," by amending sections 2 and 4 (MCL 28.632 and 28.634), section 2 as amended by 2016 PA 284.

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

Senators Warren, Young, Gregory and Hood introduced

Senate Bill No. 1080, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 4g (MCL 205.54g), as amended by 2015 PA 171.

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

Senators Warren, Gregory and Hood introduced

Senate Bill No. 1081, entitled

A bill to amend 1937 PA 94, entitled "Use tax act," by amending section 4d (MCL 205.94d), as amended by 2015 PA 172.

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

Senators Warren, Ananich, Conyers and Young introduced

Senate Bill No. 1082, entitled

A bill to establish gestational surrogate parentage contracts; to allow gestational surrogate parentage contracts for compensation; to provide for a child conceived, gestated, and born according to a gestational surrogate parentage contract; to prescribe the duties of certain state departments; to provide for penalties and remedies; 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 Families, Seniors and Human Services.

Senators Warren, Ananich, Conyers and Young introduced

Senate Bill No. 1083, 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 Families, Seniors and Human Services.

Senators Warren, Ananich and Conyers introduced

Senate Bill No. 1084, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 2831, 2832, and 2891 (MCL 333.2831, 333.2832, and 333.2891), sections 2831 and 2832 as amended by 1996 PA 307 and section 2891 as amended by 2013 PA 136.

The bill was read a first and second time by title and referred to the Committee on Families, Seniors and Human Services.

Senators Jones, Hopgood, Gregory, Ananich, Emmons and Green introduced

Senate Bill No. 1085, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending section 57e (MCL 400.57e), as amended by 2011 PA 131, and by adding section 24a.

The bill was read a first and second time by title and referred to the Committee on Families, Seniors and Human Services.

Senators Hopgood, Jones, Gregory, Ananich, Emmons and Green introduced

Senate Bill No. 1086, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending section 57g (MCL 400.57g), as amended by 2014 PA 375.

The bill was read a first and second time by title and referred to the Committee on Families, Seniors and Human Services.

Senator Jones introduced

Senate Bill No. 1087, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 2081.

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

Senator Bieda introduced

Senate Bill No. 1088, entitled

A bill to prohibit the sale, offering for sale, and distribution for sale of nonflushable nonwoven disposable wipe products without do not flush labeling; to prescribe the powers and duties of certain state officers and entities; to provide for penalties and civil fines; and to provide for the promulgation of rules.

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

Senator Jones introduced

Senate Bill No. 1089, 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 bill was read a first and second time by title and referred to the Committee on Judiciary.

Senator Stamas introduced

Senate Bill No. 1090, entitled

A bill to amend 1956 PA 40, entitled "The drain code of 1956," by amending sections 191, 192, 196, 201, and 262 (MCL 280.191, 280.192, 280.196, 280.201, and 280.262), section 196 as amended by 2008 PA 509 and section 201 as added by 2016 PA 171.

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

Senator Hopgood introduced

Senate Bill No. 1091, entitled

A bill to amend 2018 PA 57, entitled "Recodified tax increment financing act," by amending section 229 (MCL 125.4229).

The bill was read a first and second time by title and referred to the Committee on Economic Development and International Investment.

Senator Jones introduced

Senate Bill No. 1092, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 1335 (MCL 600.1335), as amended by 2014 PA 10.

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

Senator Hood introduced

Senate Bill No. 1093, entitled

A bill to amend 1976 PA 331, entitled "Michigan consumer protection act," by amending section 3 (MCL 445.903), as amended by 2018 PA 211.

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

Senator Stamas introduced

Senate Bill No. 1094, 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 bill was read a first and second time by title and referred to the Committee on Regulatory Reform.

Senator Schmidt introduced

Senate Bill No. 1095, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 321 and 646a (MCL 168.321 and 168.646a), section 321 as amended by 2003 PA 302 and section 646a as amended by 2015 PA 197.

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

Senator Green introduced

Senate Bill No. 1096, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 27 (MCL 211.27), as amended by 2013 PA 162.

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

Senator Brandenburg introduced

Senate Bill No. 1097, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 607 (MCL 206.607), as amended by 2018 PA 38.

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

Senator Jones introduced

Senate Bill No. 1098, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending section 6 (MCL 388.1606), as amended by 2018 PA 266.

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

Senator Jones introduced

Senate Bill No. 1099, entitled

A bill to amend 1945 PA 327, entitled "Aeronautics code of the state of Michigan," by amending section 80f (MCL 259.80f), as added by 2001 PA 225.

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

Senator Jones introduced

Senate Bill No. 1100, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 7212 (MCL 333.7212), as amended by 2013 PA 268.

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

Senator Jones introduced

Senate Bill No. 1101, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," (MCL 436.1101 to 436.2303) by adding section 232.

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

Senator Jones introduced

Senate Bill No. 1102, entitled

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending section 3212 (MCL 600.3212), as amended by 2011 PA 301.

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

Senator Jones introduced

Senate Bill No. 1103, entitled

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending sections 8401a, 8402, 8403, 8404, 8405, 8406, 8409, 8412, 8420, and 8423 (MCL 600.8401a, 600.8402, 600.8403, 600.8404, 600.8405, 600.8406, 600.8409, 600.8412, 600.8420, and 600.8423), section 8401a as amended by 1998 PA 547, sections 8402 and 8409 as amended by 1991 PA 192, sections 8404 and 8412 as amended by 1984 PA 278, section 8405 as amended by 1996 PA 579, and section 8420 as amended by 2005 PA 151.

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

Senator MacGregor introduced

Senate Bill No. 1104, entitled

A bill to amend 1978 PA 260, entitled “An act to revise and codify the laws relating to blind persons and persons with a visual disability; to create a commission; to prescribe its powers and duties and those of other state agencies relative to blind persons; to provide services, education, training, and assistance to blind persons; to regulate concessions operated by blind persons; to transfer powers, duties, functions, and appropriations; and to repeal acts and parts of acts,” by amending section 10 (MCL 393.360).

The bill was read a first and second time by title and referred to the Committee on Veterans, Military Affairs and Homeland Security.

Senator MacGregor introduced

Senate Bill No. 1105, entitled

A bill to amend 1954 PA 188, entitled “An act to provide for the making of certain improvements by townships; to provide for paying for the improvements by the issuance of bonds; to provide for the levying of taxes; to provide for assessing the whole or a part of the cost of improvements against property benefited; and to provide for the issuance of bonds in anticipation of the collection of special assessments and for the obligation of the township on the bonds,” by amending section 2 (MCL 41.722), as amended by 2002 PA 585.

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

Senator MacGregor introduced

Senate Bill No. 1106, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 73102, 73104, and 73105 (MCL 324.73102, 324.73104, and 324.73105), section 73102 as amended by 1998 PA 546 and sections 73104 and 73105 as added by 1995 PA 58.

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

Senator Stamas introduced

Senate Bill No. 1107, entitled

A bill to amend 1935 PA 59, entitled “An act to provide for the public safety; to create the Michigan state police, and provide for the organization thereof; to transfer thereto the offices, duties and powers of the state fire marshal, the state oil inspector, the department of the Michigan state police as heretofore organized, and the department of public safety; to create the office of commissioner of the Michigan state police; to provide for an acting commissioner and for the appointment of the officers and members of said department; to prescribe their powers, duties, and immunities; to provide the manner of fixing their compensation; to provide for their removal from office; and to repeal Act No. 26 of the Public Acts of 1919, being sections 556 to 562, inclusive, of the Compiled Laws of 1929, and Act No. 123 of the Public Acts of 1921, as amended, being sections 545 to 555, inclusive, of the Compiled Laws of 1929,” by amending section 2 (MCL 28.2).

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

Senator Stamas introduced

Senate Bill No. 1108, entitled

A bill to amend 2000 PA 489, entitled "Michigan trust fund act," by amending section 7 (MCL 12.257), as amended by 2014 PA 504.

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

Senator O'Brien introduced

Senate Bill No. 1109, entitled

A bill to authorize the issuance of general obligation bonds of this state and to pledge the full faith and credit of this state for the payment of principal and interest on the bonds to finance infrastructure projects for drinking water systems, sewage systems, stormwater systems, and drainage systems; the cleanup of environmental contamination; and the abatement of lead hazards; to pay for issuing the bonds; to provide for other measures relating to the bonds; and to provide for the submission of the question of the issuance of the bonds to the electors of this state.

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

Senator Casperson introduced

Senate Bill No. 1110, entitled

A bill to amend 1976 IL 1, entitled "A petition to initiate legislation to provide for the use of returnable containers for soft drinks, soda water, carbonated natural or mineral water, other nonalcoholic carbonated drink, and for beer, ale, or other malt drink of whatever alcoholic content, and for certain other beverage containers; to provide for the use of unredeemed bottle deposits; to prescribe the powers and duties of certain state agencies and officials; and to prescribe penalties and provide remedies," by amending sections 3a, 3b, and 3c (MCL 445.573a, 445.573b, and 445.573c), section 3a as added by 1989 PA 148, section 3b as amended by 1998 PA 473, and section 3c as amended by 1996 PA 384.

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

Senator Casperson introduced

Senate Bill No. 1111, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 4a (MCL 205.54a), as amended by 2018 PA 113.

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

Senator Casperson introduced

Senate Bill No. 1112, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 9f (MCL 211.9f), as amended by 2017 PA 261.

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

Senator Casperson introduced

Senate Bill No. 1113, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," (MCL 211.1 to 211.155) by adding section 7xx.

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

Senator Casperson introduced

Senate Bill No. 1114, entitled

A bill to amend 1987 PA 230, entitled "Municipal health facilities corporations act," by amending the title and sections 103, 304, and 307 (MCL 331.1103, 331.1304, and 331.1307), the title and sections 304 and 307 as amended by 1988 PA 502 and section 103 as amended by 2010 PA 331, and by adding section 306a.

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

Senator Casperson introduced

Senate Bill No. 1115, entitled

A bill to amend 1937 PA 94, entitled "Use tax act," by amending section 4 (MCL 205.94), as amended by 2018 PA 114.

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

Senators Hansen and Knollenberg introduced

Senate Bill No. 1116, entitled

A bill to amend 1987 PA 231, entitled "An act to create a transportation economic development fund in the state treasury; to prescribe the uses of and distributions from this fund; to create the office of economic development and to prescribe its powers and duties; to prescribe the powers and duties of the state transportation department, state transportation commission, and certain other bodies; and to permit the issuance of certain bonds," by amending sections 3, 9, 10, 11, and 13 (MCL 247.903, 247.909, 247.910, 247.911, and 247.913), sections 3, 11, and 13 as amended by 2016 PA 501, section 9 as amended by 2016 PA 500, and section 10 as amended by 1993 PA 149.

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

Senators Hildenbrand, Green, Horn, Booher, Hansen, Jones, Stamas, Shirkey, MacGregor, Pavlov, Ananich, Kowall, Bieda, Hertel, Brandenburg, Marleau, Schmidt, Knezek, Conyers, Warren, Hood, Hopgood, Gregory, Young and Emmons introduced

Senate Bill No. 1117, entitled

A bill to enter into the interstate compact to elect the president by national popular vote; and for related purposes.

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

Senator Hansen introduced

Senate Bill No. 1118, entitled

A bill to authorize the department of technology, management, and budget to convey or transfer state-owned property in Muskegon County; to prescribe conditions for the conveyance; to provide for the powers and duties of certain state departments in regard to the property; and to provide for the disposition of revenue derived from the conveyance.

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

Senator Pavlov introduced

Senate Bill No. 1119, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 73110 (MCL 324.73110), as amended by 2013 PA 176.

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

House Bill No. 4926, entitled

A bill to create the lawful internet gaming act; to impose requirements for persons to engage in internet gaming; to create the division of internet gaming; to provide for the powers and duties of the division of internet gaming and other state governmental officers and entities; to impose fees; to impose a tax on the conduct of licensed internet gaming; to create the internet gaming fund; to prohibit certain acts in relation to internet gaming and to prescribe penalties for those violations; to require the promulgation of rules; and to provide remedies.

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 Government Operations.

House Bill No. 4927, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 310d.

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 Government Operations.

House Bill No. 4928, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 14d of chapter XVII (MCL 777.14d), as amended by 2016 PA 272.

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 Government Operations.

House Bill No. 5143, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 9i (MCL 211.9i), as added by 2002 PA 549.

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

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

House Bill No. 5680, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending sections 27 and 34d (MCL 211.27 and 211.34d), section 27 as amended by 2013 PA 162 and section 34d as amended by 2014 PA 164.

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

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

House Bill No. 5889, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 30711 (MCL 324.30711), as added by 1995 PA 59.

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 Natural Resources.

House Bill No. 6013, entitled

A bill to amend 1951 PA 51, entitled "An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to promote safe and efficient travel for motor vehicle drivers, bicyclists, pedestrians, and other legal users of roads, streets, and highways; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, local bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts," (MCL 247.651 to 247.675) by adding section 10q.

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

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

House Bill No. 6014, entitled

A bill to amend 1951 PA 51, entitled "An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to promote safe and efficient travel for motor vehicle drivers, bicyclists, pedestrians, and other legal users of roads, streets, and highways; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, local bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the

state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts,” by amending sections 10 and 11 (MCL 247.660 and 247.661), section 10 as amended by 2016 PA 246 and section 11 as amended by 2015 PA 175, and by adding section 10r.

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

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

House Bill No. 6015, entitled

A bill to amend 1951 PA 51, entitled “An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to promote safe and efficient travel for motor vehicle drivers, bicyclists, pedestrians, and other legal users of roads, streets, and highways; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, local bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts,” (MCL 247.651 to 247.675) by adding section 10s.

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

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

House Bill No. 6076, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 2150 (MCL 324.2150), as amended by 2012 PA 603.

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 Natural Resources.

Recess

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

The motion prevailed, the time being 3:10 p.m.

3:34 p.m.

The Senate was called to order by the Assistant President pro tempore, Senator O’Brien.

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

Senator Kowall moved that Senator Robertson be excused from the balance of today's session.
The motion prevailed.

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

House Bill No. 4679

Senate Bill No. 1051

House Bill No. 5377

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

By unanimous consent the Senate returned to the order of
General Orders

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

The motion prevailed, and the Assistant President pro tempore, Senator O'Brien, designated Senator Hildenbrand as Chairperson.

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

House Bill No. 4679, entitled

A bill to amend 1986 PA 268, entitled "Legislative council act," (MCL 4.1101 to 4.1901) by adding sections 502 and 602.

Senate Bill No. 1051, entitled

A bill to amend 1984 PA 431, entitled "The management and budget act," by amending sections 363, 367, and 447 (MCL 18.1363, 18.1367, and 18.1447), section 363 as amended by 1999 PA 8, section 367 as amended by 2016 PA 221, and section 447 as added by 2012 PA 535, and by adding section 495.

House Bill No. 5377, entitled

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

The 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. 821, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 803e (MCL 257.803e), as amended by 2011 PA 46.

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.

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

Senator Kowall moved that the rules be suspended and that the following bills, now on the order of Third Reading of Bills, be placed on their immediate passage at the head of the Third Reading of Bills calendar:

House Bill No. 4679

Senate Bill No. 1051

House Bill No. 5377

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

The following bill was read a third time:

House Bill No. 4679, entitled

A bill to amend 1986 PA 268, entitled “Legislative council act,” (MCL 4.1101 to 4.1901) by adding sections 502 and 602.

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. 558

Yeas—35

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

Nays—0

Excused—2

Knollenberg	Robertson
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Not Voting—0

In The Chair: O’Brien

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 create the legislative council; to prescribe its membership, powers, and duties; to create a legislative service bureau to provide staff services to the legislature and the council; to provide for operation of legislative parking facilities; to create funds; to provide for the expenditure of appropriated funds by legislative council agencies; to authorize the sale of access to certain computerized data bases; to establish fees; to create the Michigan commission on uniform state laws; to create a law revision commission; to create a senate fiscal agency and a house fiscal agency; to create a Michigan capitol committee; to create a commission on intergovernmental relations; to prescribe the powers and duties of certain state agencies and departments; to repeal certain acts and parts of acts; and to repeal certain parts of this act on specific dates.”

The Senate agreed to the full title.

The following bill was read a third time:

Senate Bill No. 1051, entitled

A bill to amend 1984 PA 431, entitled “The management and budget act,” by amending sections 363, 367, and 447 (MCL 18.1363, 18.1367, and 18.1447), section 363 as amended by 1999 PA 8, section 367 as amended by 2016 PA 221, and section 447 as added by 2012 PA 535, and by adding section 495.

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. 559**Yeas—35**

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

Nays—0**Excused—2**

Knollenberg	Robertson
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Not Voting—0

In The Chair: O'Brien

The Senate agreed to the title of the bill.

The following bill was read a third time:

House Bill No. 5377, entitled

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

The 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. 560**Yeas—31**

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

Nays—4

Brandenburg	Colbeck	Green	Hune
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Excused—2

Knollenberg

Robertson

Not Voting—0

In The Chair: O'Brien

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 probationers and probation officers, to pardons, reprieves, commutations, and paroles, to the administration of correctional institutions, correctional farms, and probation recovery camps, to prisoner labor and correctional industries, and to the supervision and inspection of local jails and houses of correction; to provide for the siting of correctional facilities; to create a state department of corrections, and to prescribe its powers and duties; to provide for the transfer to and vesting in said department of powers and duties vested by law in certain other state boards, commissions, and officers, and to abolish certain boards, commissions, and offices the powers and duties of which are transferred by this act; to allow for the operation of certain facilities by private entities; to prescribe the powers and duties of certain other state departments and agencies; to provide for the creation of a local lockup advisory board; to provide for a lifetime electronic monitoring program; to prescribe penalties for the violation of the provisions of this act; to make certain appropriations; to repeal certain parts of this act on specific dates; and to repeal all acts and parts of acts inconsistent with the provisions of this act.”.

The Senate agreed to the full title.

The President pro tempore, Senator Schuitmaker, resumed the Chair.

By unanimous consent the Senate returned to the order of

Resolutions

Senator O'Brien offered the following resolution:

Senate Resolution No. 176.

A resolution recognizing the life and achievements of United States Senator John McCain.

Whereas, It is with great sadness that we learned of the passing of U.S. Senator John McCain on August 25, 2018 at the age of 81; and

Whereas, John Sidney McCain III was born in 1936 and spent his entire career in public service; and

Whereas, U.S. Senator John McCain graduated from the United States Naval Academy in 1958 and became a naval aviator, flying ground attack aircraft; and

Whereas, McCain served in the Vietnam War as a bomber pilot. He was shot down in October 1967 and was subsequently captured and held as a prisoner of war (POW) by the North Vietnamese for 5 1/2 years; and

Whereas, U.S. Senator John McCain had the opportunity to be released from captivity early because his father was promoted to be the Commander of U.S. Forces in the Pacific. However, he displayed true courage and heroism by honoring the POW code of conduct and refused to be released before others who were captured before him; and

Whereas, He retired from the Navy in 1981 and was elected to the United States House of Representatives from Arizona in 1982. McCain served on the House Committee on Interior Affairs as well as the House Foreign Affairs Committee before being elected to the United States Senate in 1986; and

Whereas, U.S. Senator John McCain was at the center of many important political issues during his time in the Senate. He helped the U.S. to normalize diplomatic relations with Vietnam in the 1990s and fought against pork barrel spending by members of Congress; and

Whereas, McCain ran for President of the United States twice, in 2000 and again in 2008. While he never was elected president, his campaigns both exemplified his commitment to service and putting his country first; and

Whereas, U.S. Senator John McCain's professional career set a standard for service and dignity that we should all strive to achieve; now, therefore, be it

Resolved by the Senate, That the members of this legislative body recognize the lifetime of service and achievements United States Senator John McCain exemplified.

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, Hansen, Hopgood, Horn, Kowall, Proos, Rocca and Schmidt were named co-sponsors of the resolution.

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

The motion prevailed.

Senator O'Brien's statement is as follows:

I rise today because our country has lost a great American hero. On August 25, 2018, John McCain, United States Senator and war hero, passed away from brain cancer at the age of 81. As his wife Cindy said, "he passed the way he lived, on his own terms, surrounded by the people he loved, in the place he loved best."

John S. McCain III was the son and grandson of admirals. It was said he was destined to follow their footsteps into the Navy, and while he did not attain the rank of admiral, he distinguished himself in other ways. In October 1967, McCain was shot down while flying a bombing mission deep over enemy territory. He was captured by the North Vietnamese and held as a prisoner of war where he was tortured for five and a half years. He showed his true courage a year after his capture when he was offered early release because his father had become commander of U.S. forces in the Pacific. Sticking true to the code of honor for prisoners of war, John McCain denied his captors a propaganda victory by refusing to be released earlier than those who were captured before him.

In 1981, he retired from the Navy as a captain and moved to Arizona. The next year, he ran for the United States House of Representatives where he would serve for four years before being elected to the United States Senate. As a Senator, he gained his reputation as a maverick, always fighting for what he believed was right, regardless of which party supported or opposed him. John McCain was instrumental in normalizing diplomatic relations between the United States and Vietnam, he fought against wasteful pork-barrel spending, and he reformed campaign finance laws.

John McCain also exemplified civility in politics. In an era where compromise and showing respect toward members on the other side of the aisle seemed old-fashioned, he always strove to build consensus and friendships with all of his colleagues. I can think of no greater example of his commitment to these principles than when at his funeral, both of the men he ran against for President gave heartfelt eulogies about him. This spoke to his true character, and America will sorely miss this great man.

Senator John McCain leaves behind a legacy of courage and civility, conviction and compromise, and service and dignity. We would all do well to follow in his footsteps. Let's remember his family as they mourn his passing. I ask for a moment of silence to honor the service, sacrifice, and the life of John McCain.

A moment of silence was observed in memory of John McCain, United States Senator.

Senator Hildenbrand offered the following resolution:

Senate Resolution No. 177.

A resolution to recognize October 7-13, 2018, as Case Management Week.

Whereas, Case managers serve as trusted frontline providers of healthcare for patients in our state; and

Whereas, Case management is a multidisciplinary profession comprised of registered nurses, licensed practical nurses, licensed respiratory therapists, community health workers, licensed social workers and medical care coordinators; and

Whereas, During the week of October 7-13, 2018, the nation will celebrate and recognize case managers including Michigan's more than 4,100 case workers who seek to assure the delivery of quality, appropriate, efficient, and cost-effective healthcare services to patients throughout the state; and

Whereas, These managers function in a variety of practice settings including hospitals, home healthcare, long-term care, rehabilitation, eldercare, managed care, and occupational health to facilitate the coordination of care services; and

Whereas, Case management is the sole medical management strategy that fosters the careful shepherding of healthcare dollars, while maintaining a primary and consistent focus on patient advocacy; and

Whereas, Such services enhance not only the quality of life for patients, but also promote the achievement of positive healthcare outcomes; now, therefore, be it

Resolved by the Senate, That the members of this legislative body recognize October 7-13, 2018, as Case Management Week; and be it further

Resolved, That Michigan joins the Priority Health case management team to raise awareness of case management as an integral component of healthcare delivery in our state.

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, Hansen, Hopgood, Kowall, Proos and Schmidt were named co-sponsors of the resolution.

Senator Ananich offered the following resolution:

Senate Resolution No. 178.

A resolution to recognize and congratulate the Flint Community Players on their 90th Theatrical Season.

Whereas, The Flint Community Players are an amateur theatre company whose purpose is to foster and promote, through dramatic productions and other related activities, a community interest and active participation in the dramatic arts on an educational basis; and

Whereas, They presented their first performance, "Meet the Wife," on June 27, 1929 at Flint Central High School, under the name of "The Theater Guild of Flint"; and

Whereas, The Flint Community Players continued to present theatrical productions throughout the Great Depression; and

Whereas, They adopted a constitution and bylaws to become a participatory membership organization in 1945; and

Whereas, The Flint Community Players continued to present their productions in various schools and other facilities throughout the city of Flint for many years until becoming a tenant of the F.A. Bower Theatre in 1958, which became an integral part of the Flint Cultural Center for many years as well; and

Whereas, They built and dedicated their own workshop on south Ballenger Highway on December 13, 1959; and

Whereas, The Flint Community Players have continued to produce five shows a year during their regular seasons since World War II, including a children's show and a summer musical whenever possible; and

Whereas, They have maintained active involvement in the community by sponsoring Young Adult Theatre and Explorer Scout Troops, providing educational programs, Reader's Theater, vintage fashion shows, and costume rental services; and

Whereas, The Flint Community Players have won numerous awards for both their theatrical productions and community involvement; and

Whereas, They have also dedicated the Tom and Bea Nobles Performance Hall at their location on south Ballenger Highway in the city of Flint, where it has continued to present a full season of theatrical productions each year; and

Whereas, The Flint Community Players will begin their 90th season in September 2018; now, therefore, be it

Resolved by the Senate, That the members of this legislative body recognize and congratulate the Flint Community Players on their 90th Theatrical Season; and be it further

Resolved, That the state of Michigan joins with the city of Flint and County of Genesee to honor the Flint Community Players for their years of service and commitment.

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, Hansen, Hopgood, Horn, Kowall, Proos, Rocca and Schmidt were named co-sponsors of the resolution.

Senator Kowall offered the following concurrent resolution:

Senate Concurrent Resolution No. 37.

A concurrent resolution prescribing the legislative schedule.

Resolved by the Senate (the House of Representatives concurring), That when the Senate adjourns on Wednesday, September 5, 2018, it stands adjourned until Tuesday, September 25, 2018, at 10:00 a.m.; and be it further

Resolved, That when the House of Representatives adjourns on Thursday, September 6, 2018, it stands adjourned until Tuesday, September 25, 2018, at 1:30 p.m.

Pending the order that, under rule 3.204, the concurrent 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 concurrent resolution was adopted.

Senators Brandenburg, Conyers, Hansen, Proos and Schmidt were named co-sponsors of the concurrent resolution.

Statements

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

The motion prevailed.

Senator Proos' statement is as follows:

Earlier this summer in Southwest Michigan, we lost our local register of deeds in Berrien County, and one of the finest public servants and community leaders who I have known and also a great friend, Lori Jarvis. Lori was currently serving her fifth term as register of deeds in the county of Berrien. She held the position since 2000 and was reelected four times by the people of Berrien County. Without a doubt, she was a passionate leader and loved Southwest Michigan.

In her role as register of deeds and as a legislative partner with members of this body for many, many years, at some point, each of you have met with Lori. As the register of deeds in Berrien County, she offered innovative service to ensure that the county residents who she served, would be well served. She certainly enjoyed the passion and bold leadership that allowed her to craft legislation with each and every one of us, and that brought together communities and really gave us the opportunity to see the very best service provided by this critical function in our county operations.

She played an active role in the association as the go-to person for all of the statewide registers of deeds when it came to legislative initiatives. Any questions about the law, any questions or concerns about the legislative process and how the law impacted the registers of deeds, she was the one who was asked that question and she had a ready answer. She is the reason that, today, we have predictable recording fees in the state of Michigan. She was a driving force behind those changes and she called them predictable fees as opposed to just simply flat fees. This took many hours, many meetings, and work with each of us in the Legislature. She would travel to the U.P., in fact, to make sure that those particular registers of deeds understood exactly what was happening, making it easier to answer those questions in person rather than requiring those registers of deeds to come to the State Capitol to meet and discuss.

She was active, not only as secretary, but was elected vice president, and then in 2007, was elected president of the Register of Deeds Association. She was the co-chair and chair of the legislative committee for 18 years, recognized twice, in 2009 and 2016, as the only register of deeds to be recognized twice as the Register of the Year for the state of Michigan. In her service as a register of deeds, she served also in many different capacities in Berrien County, not the least of which was in the Republican Party. She was recently appointed by Governor Snyder to represent Michigan on a committee to address the electronic filing document recording that is becoming the norm.

Lori's passion for service began at a young age at the University of Nebraska-Lincoln. It was there that led her to Washington, D.C. with the Nebraska Federation of Young Republicans. She would eventually meet her great husband, Butch, in Washington, D.C. Her other areas of service include the SADD chapter in Coloma, co-chair of the after prom for over five years, steering committee of the Coloma Public Schools, and she also served as a volunteer with the Varsity Soccer Program of which her beloved children participated. Lori was devoted to her community and certainly devoted to her family. She was devoted to the registers of deeds all across this state, and this state had a great loss with her sudden passing just a few months ago.

A moment of silence was observed in memory of Lori Jarvis, Berrien County Register of Deeds.

Senator Colbeck's statement is as follows:

You know, I routinely hold office hours with my constituents, but in addition to that over the last few months, I've had the opportunity, as you have, to chat with quite a few citizens across our state. Our citizens are yearning for solutions to high rates of auto insurance, they want our roads fixed—and many of them know it's not about the money—they want their tax burdens eased, they want truly affordable health care, they want better schools, they want to have a choice in their energy providers or whether or not they can keep their analog meters, so perhaps this is why I find it strange that the topics before us today were minimum wage hikes and paid sick leave. Who's pushing for these policy initiatives? Not the people I've been talking with.

I know that this is election season, but would it be too much to ask for us to lower auto insurance rates by eliminating state mandates? Would it be too much to ask to incentivize higher-quality road construction? Would it be too much to ask to increase the spending power of our working families by reducing income tax rates rather than increasing the minimum wage? Would it be too much to ask for us to promote improved civics education so that our citizens and fellow legislators better understand and follow the Constitution we have before we consider changing it? Would it be too much to ask for us to empower the customers of our education system—parents and students—by enabling them to better determine how education dollars are spent? Would it be too much to ask to allow our citizens forced into a virtual electric utility monopoly to retain their analog meters—meters which have worked well for decades—if that is their preference?

You know, we have four months left in this Legislature. I suggest it's time we re-evaluate our priorities. For many, such as myself, our tenure in the Michigan Senate is at an end on December 31. It's my hope that we're going to use these last four months to institute the priorities of our citizens.

Committee Reports

The Committee on Judiciary reported

House Bill No. 5377, entitled

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

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

Rick Jones
Chairperson

To Report Out:

Yeas: Senators Jones, Emmons and Bieda
Nays: None
The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Judiciary submitted the following:
Meeting held on Wednesday, September 5, 2018, at 9:00 a.m., Room 1300, Binsfeld Office Building
Present: Senators Jones (C), Schuitmaker, Emmons and Bieda
Excused: Senator Rocca

The Committee on Government Operations reported

Senate Bill No. 1051, entitled

A bill to amend 1984 PA 431, entitled "The management and budget act," by amending sections 363, 367, and 447 (MCL 18.1363, 18.1367, and 18.1447), section 363 as amended by 1999 PA 8, section 367 as amended by 2016 PA 221, and section 447 as added by 2012 PA 535, and by adding section 495.

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

Arlan B. Meekhof
Chairperson

To Report Out:

Yeas: Senators Meekhof, Hansen, Kowall, Ananich and Hood
Nays: None
The bill was referred to the Committee of the Whole.

The Committee on Government Operations reported

House Bill No. 4679, entitled

A bill to amend 1986 PA 268, entitled "Legislative council act," (MCL 4.1101 to 4.1901) by adding sections 502 and 602.
With the recommendation that the bill pass.

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

Arlan B. Meekhof
Chairperson

To Report Out:

Yeas: Senators Meekhof, Hansen, Kowall, Ananich and Hood
Nays: None
The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Government Operations submitted the following:
Meeting held on Wednesday, September 5, 2018, at 9:00 a.m., Rooms 402 and 403, Capitol Building
Present: Senators Meekhof (C), Hansen, Kowall, Ananich and Hood

COMMITTEE ATTENDANCE REPORT

The Subcommittee on State Police and Military Affairs submits the following:
Meeting held on Wednesday, September 5, 2018, at 9:00 a.m., Room 5550, Binsfeld Office Building
Present: Senators Nofs (C), O'Brien and Knezek

Scheduled Meetings

Economic Development and International Investment - Thursday, September 6, 1:30 p.m., Room 1200, Binsfeld Office Building (373-5323)

Elections and Government Reform - Thursday, September 6, 8:30 a.m., Room 1300, Binsfeld Office Building (373-5323)

Energy and Technology - Thursday, September 6, 12:30 p.m., Room 1100, Binsfeld Office Building (373-1721)

Oversight - Thursday, September 6, 8:30 a.m., Room 1200, Binsfeld Office Building (373-1721)

Senate Fiscal Agency Board of Governors - Thursday, September 6, 9:00 a.m., Rooms 402 and 403, Capitol Building (373-2768)

Transportation - Thursday, September 6, 8:30 a.m., Room 1100, Binsfeld Office Building (373-5312)

Senator Kowall moved that the Senate adjourn.
The motion prevailed, the time being 4:02 p.m.

Pursuant to Senate Concurrent Resolution No. 37, the President pro tempore, Senator Schuitmaker, declared the Senate adjourned until Tuesday, September 25, 2018, at 10:00 a.m.

JEFFREY F. COBB
Secretary of the Senate

