

No. 72  
STATE OF MICHIGAN  
**Journal of the Senate**  
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REGULAR SESSION OF 2018

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Senate Chamber, Lansing, Wednesday, November 28, 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

Hollier—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 Margaret E. O'Brien of the 20th District offered the following invocation:

Together we gather with thankful hearts—thankful to be in Your presence, thankful to be serving and working in the Michigan Senate, and thank You for our family and friends. We pray for the men and women who are serving our country; for the first responders who serve our communities and state, all of them putting their lives on the line to keep us safe and free. We pray for their families as they worry for their loved ones. We pray a special prayer for the families who have lost a loved one; that they may feel Your loving hands during the holiday season, for this is often the time when the absence of a loved one is felt the most.

As we serve the people of our districts and of our state, please help us to serve in Your image—one with concern, kindness, and love. Let us be an example, especially when times are tough and issues are being heavily debated. Help us to lead with understanding, grace, and patience.

As many of our colleagues and staff are facing new opportunities, let us be reminded of Your words in Psalm 31:5: "Into Your hands, I commit my spirit; deliver me, Lord, my faithful God." You alone know the plan You have for us. Please guide us to do Your will and to serve Your people.

Again, we thank You, Lord, for granting us this privilege to serve in the Michigan Senate.

It's in Your 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 Emmons entered the Senate Chamber.

The Assistant President pro tempore, Senator O'Brien, assumed the Chair.

Senator Stamas moved that Senators Casperson, Green, Hansen, Hildenbrand, Kowall, Meekhof and Schmidt be temporarily excused from today's session.

The motion prevailed.

Senator Bieda moved that Senators Ananich, Hood and Young be temporarily excused from today's session.

The motion prevailed.

Senator Stamas moved that rule 2.106 be suspended to allow committees to meet during Senate session.

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

Senators Young and Schmidt entered the Senate Chamber.

### Recess

Senator Stamas moved that the Senate recess subject to the call of the Chair.

The motion prevailed, the time being 10:04 a.m.

11:10 a.m.

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

During the recess, Senators Hood, Casperson, Hansen, Kowall, Ananich and Meekhof entered the Senate Chamber.

Senator Kowall moved that rule 3.901 be suspended to allow photographs to be taken from the Senate Gallery.

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

By unanimous consent the Senate proceeded to the order of

### Resolutions

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

**Senate Concurrent Resolution No. 10**

**Senate Resolution No. 105**

**Senate Concurrent Resolution No. 20****Senate Concurrent Resolution No. 21****Senate Resolution No. 153****Senate Resolution No. 149**

The motion prevailed.

Senator Meekhof offered the following resolution:

**Senate Resolution No. 193.**

A resolution of tribute offered as a memorial for John F. Kelly, former member of the Senate.

Whereas, This body was saddened to learn of the passing of former Senator John F. Kelly, a conscientious and distinguished member of this body who served Wayne County in the First Senate District. A native of Detroit, through his life of service and contributions John Kelly left an indelible mark on his community; and

Whereas, John Kelly was a graduate of the University of Michigan, with honors, and earned his master's degree from Wayne State University. The former Georgetown University graduate student also earned a Ph.D. from Wayne State University and a law degree from the Detroit College of Law. During his graduate studies at Wayne State University, he started a decades-long career as a university instructor, adjunct professor, and academic researcher at various institutions. In 1972, Senator Kelly enlisted in the U.S. Army Reserves, advancing to the rank of colonel, and received a presidential appointment to serve in the Military Intelligence/ASA Branch, rising to the rank of major. In addition to his many civic groups and professional memberships, John Kelly was an attorney-at-law and assistant state judge advocate for the Michigan National Guard Judge Advocate General's Corps; and

Whereas, John Kelly was elected to the Michigan Senate in 1978 and faithfully served his northeastern Wayne County constituents and this state for 16 years. Not one to remain a bystander for long, Senator Kelly was elected Majority Whip by the Democratic Caucus shortly after taking office. A long-time member of the Judiciary, Health Policy, and Government Operations committees, where he was also vice chair, he served as chair of the Corporations and Economic Development Committee and Foreign Relations Committee; as vice chair on the Municipalities and Elections Committee and Administration, Rules and Elections Committee; and as a member of several select and joint committees. Known for his eloquence, passion, and pragmatic approach to matching problems with solutions and willingness to jump into the fray, Senator Kelly worked on a wide array of issues that made Michigan a better place to live and work; and

Whereas, John Kelly was a steadfast public servant who continued his deep commitment after he left the Senate. For seven years, he served as a liaison to the Detroit Federal Bureau of Investigation and as a task force officer to a federal law enforcement unit dedicated to counter-terrorism research. Years after his retirement from this body, he served as a defense attaché to the Republic of South Africa. He also is a former member of the Board of Governors at Wayne State University from 1998 to 2002 and was vice chair of the Michigan Film Advisory Board from 2002 to 2009; and

Whereas, Through his many public and community service contributions, John Kelly significantly impacted the lives of many. May the knowledge that he has made such a difference be a measure of solace for his loving family; now, therefore, be it

Resolved by the Senate, That we offer this expression of our highest tribute to honor the memory of John F. Kelly, a member of this legislative body from 1979 to 1994; and be it further

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

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 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 resolution.

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

A moment of silence was observed in honor of John F. Kelly, former member of the Senate.

**Recess**

Senator Kowall moved that the Senate recess subject to the call of the Chair.

The motion prevailed, the time being 11:17 a.m.

12:28 p.m.

The Senate was called to order by the Assistant President pro tempore, Senator O'Brien.

During the recess, Senators Green and Hildenbrand entered the Senate Chamber.

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

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:

**Senate Bill No. 1171**

**Senate Bill No. 1175**

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

By unanimous consent the Senate proceeded to the order of  
**General Orders**

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

The motion prevailed, and the Assistant President pro tempore, Senator O’Brien, designated Senator Horn 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 with a substitute therefor, the following bill:

**Senate Bill No. 1171, entitled**

A bill to amend 2018 PA 337, entitled “Improved workforce opportunity wage act,” by amending sections 2 and 4d (MCL 408.932 and 408.934d).

Substitute (S-2).

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

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

**Senate Bill No. 1175, entitled**

A bill to amend 2018 PA 338, entitled “Earned sick time act,” by amending sections 6 and 10 (MCL 408.966 and 408.970).

Substitute (S-1).

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

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

Senator Kowall moved that the 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:

**Senate Bill No. 1171**

**Senate Bill No. 1175**

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

The following bill was read a third time:

**Senate Bill No. 1171, entitled**

A bill to amend 2018 PA 337, entitled “Improved workforce opportunity wage act,” by amending sections 3, 4, 4a, 4d, 10, and 15 (MCL 408.933, 408.934, 408.934a, 408.934d, 408.940, and 408.945).

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. 604**

**Yeas—26**

Booher  
Brandenburg

Hildenbrand  
Horn

Marleau  
Meekhof

Robertson  
Schmidt

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

**Nays—12**

Ananich	Gregory	Hood	Rocca
Bieda	Hertel	Hopgood	Warren
Conyers	Hollier	Knezek	Young

**Excused—0****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:

**Senate Bill No. 1175, entitled**

A bill to amend 2018 PA 338, entitled "Earned sick time act," by amending the title and sections 1, 2, 3, 4, 5, 7, 8, 10, 11, and 14 (MCL 408.961, 408.962, 408.963, 408.964, 408.965, 408.967, 408.968, 408.970, 408.971, and 408.974); and to repeal acts and parts of acts.

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. 605****Yeas—26**

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

**Nays—12**

Ananich	Gregory	Hood	Rocca
Bieda	Hertel	Hopgood	Warren
Conyers	Hollier	Knezek	Young

**Excused—0**

**Not Voting—0**

In The Chair: O'Brien

The Senate agreed to the title of the bill.

**Protest**

Senator Hertel, under his constitutional right of protest (Art. 4, Sec. 18), protested against the passage of Senate Bill Nos. 1171 and 1175 and moved that the statement he made during the discussion of Senate Bill No. 1171 be printed as his reasons for voting "no."

The motion prevailed.

Senator Hertel's statement is as follows:

There are some times in this body that I hate being right. That is not often, but today is one of those days.

On September 5, I predicted two things: One, that when we passed the sick leave and minimum wage proposals, that it was nothing more than a political game, and that you would not tell the voters your plans to change these proposals until after the election. Lo and behold, that is exactly what has happened. Not even introducing these pieces of legislation until two days after the election. Two days after the vote. Not even giving the citizens or your colleagues on the other side of the aisle your respect to actually tell what proposals we were going to vote on until after the people had their say in the election. That does not make me Nostradamus, just someone who has seen this body casually disregard the will of the people and the cynical treatment of democracy over and over again.

Frank Kelley, perhaps the most beloved and respected public servant in Michigan's history, on March 6, 1964, was very, very clear: We do not have the right to amend this initiative today. That is for the next Legislature. That precedent set in 1964 has stood for half a century. For 54 years, the respect for the people and their democratic rights has been held sacred in this body. Unfortunately, that ends today. Why can we not wait for next session? Why can't we respect the Michigan Constitution? Why can't we respect a half a century of precedent?

And the answer to that question, to be perfectly crass, is because you don't like the results of the election. You are afraid that the negotiations would not work out the way you would like it to in the next session. I have to tell you, colleagues, that I, for one, would be willing to negotiate on these issues, but next term. I have heard concerns from some of the tipped employees in my district, but I will not support a blatant violation of our democracy. A violation of our Constitution. I have heard some of my colleagues argue that the Constitution does not say that we can't do this. Is that really how we believe that the Constitution works?

Article I, Section 1, of the Michigan Constitution states: "All political power is inherent in the people." That if we are not given specific powers in this body, we cannot take them from the people. We cannot rip that democracy away. That is not our job in this building. And the idea that for the sake of political gamesmanship, for the sake of getting what we want, for the sake of undoing the will of the people and ignoring their voice, that we are going to sit in this building and undo 50 years of precedence; take away the democratic rights that were guaranteed in the Michigan Constitution, and pretend like we are the all-powerful, and not the people, is not acceptable.

Colleagues, I ask that you reconsider your position today. The Michigan Constitution lays out a perfectly fine way to amend these acts. But it's the next Legislature's option. I'm asking you to vote today to affirm the Michigan Constitution, and your belief in the Oath of Office that you took, and do not undermine the will of the people in this body one more time.

**Recess**

Senator Kowall moved that the Senate recess until 2:45 p.m.

The motion prevailed, the time being 12:43 p.m.

The Senate reconvened at the expiration of the recess and pursuant to rule 1.101, in the absence of the Presiding Officers, the Senate was called to order by the Secretary of the Senate.

**Recess**

Senator Kowall moved that the Senate recess subject to the call of the Chair.

The motion prevailed, the time being 2:46 p.m.

3:12 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  
**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 Horn 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:

**Senate Bill No. 985, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 130.

**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.

**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.

**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 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. 822, entitled**

A bill to clarify certain powers of the governor; and to impose certain duties on certain state officials.

Substitute (S-2).

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

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

**Senate Bill No. 579, entitled**

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 233 (MCL 436.1233).

Substitute (S-2).

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

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

**Senate Bill No. 1017, entitled**

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

The following are the amendments recommended by the Committee of the Whole:

1. Amend page 2, line 10, after "'Possessor'" by inserting a comma and "subject to subdivision (g)".

2. Amend page 2, following line 18, by inserting:

“(g) Possessor does not include a person that is licensed under article 25 of the occupational code, 1980 PA 299, MCL 339.2501 to 339.2518, acting in connection with the sale or lease of the premises.” and relettering the remaining subdivisions.

3. Amend page 3, line 17, after “possessor” by inserting “or owner”.

4. Amend page 3, line 19, after “possessor’s” by inserting “or owner’s”.

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

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

Substitute (S-1).

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

By unanimous consent the Senate returned to the order of

### **Messages from the House**

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

**Senate Bill No. 35**

**Senate Bill No. 874**

**Senate Bill No. 880**

The motion prevailed.

### **Senate Bill No. 996, entitled**

A bill to amend 2003 PA 238, entitled “Michigan notary public act,” by amending the title and sections 1 and 11 (MCL 55.261 and 55.271), section 11 as amended by 2006 PA 510, and by adding section 25a.

The House of Representatives has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

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

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

The Senate agreed to the full title.

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

### **Senate Bill No. 664, entitled**

A bill to amend 2003 PA 238, entitled “Michigan notary public act,” by amending sections 3, 5, 7, 15, and 27 (MCL 55.263, 55.265, 55.267, 55.275, and 55.287), section 5 as amended by 2006 PA 426, section 15 as amended by 2006 PA 510, and section 27 as amended by 2006 PA 155, and by adding sections 26, 26a, and 54.

The House of Representatives has substituted (H-2) the bill.

The House of Representatives has passed the bill as substituted (H-2), ordered that it be given immediate effect and amended the title to read as follows:

A bill to amend 2003 PA 238, entitled “An act to provide for the qualification, appointment, and regulation of notaries; to provide for the levy, assessment, and collection of certain service charges and fees and to provide for their disposition; to create certain funds for certain purposes; to provide for liability for certain persons; to provide for the admissibility of certain evidence; to prescribe powers and duties of certain state agencies and local officers; to provide for remedies and penalties; and to repeal acts and parts of acts,” by amending sections 3, 5, 7, 15, 26b, and 27 (MCL 55.263, 55.265, 55.267, 55.275, 55.286b, and 55.287), section 5 as amended by 2006 PA 426 and sections 15 and 27 as amended and 26b as added by 2018 PA 330, and by adding sections 26 and 26a.

Pending the order that, under rule 3.202, the bill be laid over one day,

Senator Kowall moved that the rule be suspended.

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

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

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



**Roll Call No. 606****Yeas—38**

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

**Nays—0****Excused—0****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.  
 The Senate agreed to the title as amended.  
 The bill was referred to the Secretary for enrollment printing and presentation to the Governor.

**Senate Bill No. 997, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 2102 (MCL 600.2102), as amended by 2012 PA 361.

The House of Representatives has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The question being on concurring in the committee recommendation to give the bill immediate effect,  
 The recommendation was concurred in, 2/3 of the members serving voting therefor.  
 The Senate agreed to the full title.  
 The bill was referred to the Secretary for enrollment printing and presentation to the Governor.

**Senate Bill No. 998, entitled**

A bill to repeal 1969 PA 57, entitled "Uniform recognition of acknowledgments act," (MCL 565.261 to 565.270).

The House of Representatives has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The question being on concurring in the committee recommendation to give the bill immediate effect,  
 The recommendation was concurred in, 2/3 of the members serving voting therefor.  
 The Senate agreed to the full title.  
 The bill was referred to the Secretary for enrollment printing and presentation to the Governor.

**Senate Bill No. 999, entitled**

A bill to amend 2010 PA 123, entitled "Uniform real property electronic recording act," by amending sections 4 and 5 (MCL 565.844 and 565.845), section 5 as amended by 2014 PA 569.

The House of Representatives has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The question being on concurring in the committee recommendation to give the bill immediate effect,  
 The recommendation was concurred in, 2/3 of the members serving voting therefor.  
 The Senate agreed to the full title.  
 The bill was referred to the Secretary for enrollment printing and presentation to the Governor.

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 bill, now on the order of Third Reading of Bills,  
 be placed on its immediate passage:

**Senate Bill No. 1097**

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

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

**Senate Bill No. 1092**

**Senate Bill No. 1094**

**Senate Bill No. 1072**

**Senate Bill No. 1177**

**Senate Bill No. 1097**

The motion prevailed.

The following bill was read a third time:

**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 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. 607**

**Yeas—38**

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

**Nays—0**

**Excused—0**

**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:

**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 2018 PA 110.

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. 608**

**Yeas—38**

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

**Nays—0**

**Excused—0**

**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:

**Senate Bill No. 1072, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 1301, 41301, 41302, 41303, 41306, and 41325 (MCL 324.1301, 324.41301, 324.41302, 324.41303, 324.41306, and 324.41325), section 1301 as amended by 2018 PA 268, sections 41301, 41302, 41303, and 41306 as amended by 2014 PA 537, and section 41325 as added by 2009 PA 91, and by adding sections 41329, 41331, 41333, 41335, 41337, and 41341; and to repeal acts and parts of acts.

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. 609**

**Yeas—38**

Ananich	Hansen	Knollenberg	Robertson
Bieda	Hertel	Kowall	Rocca
Booher	Hildenbrand	MacGregor	Schmidt
Brandenburg	Hollier	Marleau	Schuitmaker
Casperson	Hood	Meekhof	Shirkey
Colbeck	Hopgood	Nofs	Stamas

Conyers  
Emmons  
Green  
Gregory

Horn  
Hune  
Jones  
Knezek

O'Brien  
Pavlov  
Proos

Warren  
Young  
Zorn

**Nays—0**

**Excused—0**

**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:

**Senate Bill No. 1177, entitled**

A bill to amend 1897 PA 8, entitled "An act to provide permanent headquarters in the capitol building as the Michigan veterans' headquarters, to designate the purpose for which the same shall be used, and to provide for an annual report by the commander," by amending the title and sections 1 and 2 (MCL 35.231 and 35.232).

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. 610**

**Yeas—38**

Ananich  
Bieda  
Booher  
Brandenburg  
Casperson  
Colbeck  
Conyers  
Emmons  
Green  
Gregory

Hansen  
Hertel  
Hildenbrand  
Hollier  
Hood  
Hopgood  
Horn  
Hune  
Jones  
Knezek

Knollenberg  
Kowall  
MacGregor  
Marleau  
Meekhof  
Nofs  
O'Brien  
Pavlov  
Proos

Robertson  
Rocca  
Schmidt  
Schuitmaker  
Shirkey  
Stamas  
Warren  
Young  
Zorn

**Nays—0**

**Excused—0**

**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:

**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 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. 611**

**Yeas—27**

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

**Nays—11**

Ananich	Gregory	Hood	Warren
Bieda	Hertel	Hopgood	Young
Conyers	Hollier	Knezek	

**Excused—0**

**Not Voting—0**

In The Chair: O'Brien

The Senate agreed to the title of the bill.

By unanimous consent the Senate returned to the order of

**Resolutions**

Senator Meekhof offered the following resolution:

**Senate Resolution No. 194.**

A resolution of tribute for the Honorable Coleman Young II.

Whereas, The members of this legislative chamber gladly extol Senator Coleman Young II for his work in the Senate. He served the Legislature, the First District and its residents in Detroit and surrounding areas in Wayne County, and all of the people of Michigan with passion and dedication; and

Whereas, Coleman Young attended Azusa Pacific University and Wayne State University, studying communications. He was engaged in public policy from a young age, working with the Detroit City Council Research and Analysis Division and later hosting a radio program, "The Young Effect," exploring policy and community issues. He is a member of St. Paul Church of God in Christ and active in his community. Prior to coming to the Senate, he served in the House of Representatives; and

Whereas, Elected to the Senate in 2010 and 2014, Senator Young spent eight years in this chamber. He led as minority vice chair of the Local Government and Elections; Reforms, Restructuring, and Reinventing; Outdoor Recreation and Tourism; and Local Government committees. His vast committee work also included membership on the Education, Energy and Technology, Banking and Financial Institutions, and Insurance committees, along with the Appropriations Committee and several appropriations subcommittees. He also served as Assistant Minority Caucus Chair and Assistant Minority Floor Leader

in the Senate. Though active in many policy areas, he was a champion for improving the lives of workers and families; now, therefore, be it

Resolved by the Senate, That we offer this expression of tribute to commend and thank the Honorable Coleman Young II for his notable contributions to this legislative body and to our state; and be it further

Resolved, That copies of this resolution be transmitted to Senator Young as evidence of our gratitude and best wishes.

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 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 resolution.

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

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

The motion prevailed.

Senator Young's statement is as follows:

Before I start, I have to clear some stuff up. Senator Colbeck, I owe you an apology. I know I laughed about the thing about Mother Teresa, but come on, you have to admit that was hilarious. I'm sorry, and I'm not saying this to make fun of you. I'm not saying this to be mean. I'm a big fan of delivery and how people say things and their style and the way they talk. Your delivery and your facial expression was priceless. I was thinking, because if I was in your position, I thought you were going to go with the classics—correct me if I'm wrong—Reagan, you might throw a little Cruz in there, a little Tea Party love, that's who I thought you were going to go with, and out of all the people you went with, you went with Mother Teresa. That was phenomenal. It was incredible. Look, I don't care how this goes, but I think you deserve quote of the year, sir. That was phenomenal, and if I had a hat, I would tip it to you. That was amazing. But seriously, thank you for your friendship. You have always been fair to me. I have enjoyed our relationship together. We may not agree on anything—anything—and as a matter of fact, if you were voting “no,” that was the sign, usually, for all of us to vote “yes.” In seriousness, I appreciate you and I thank you, sir, for your friendship and I will miss serving with you—and I did enjoy it by the way.

So, I have so many people to thank. First, I want to thank my angel mother. If it was not for her, I could not be here. My mother Annivory Calvert for always pressing me, for always pushing me, for always believing in me when I didn't even believe in myself. I want to thank my auntie who was more of a disciplinarian, who would tell me to buck up and stand up and get tough because, you know me, sometimes I'm a little temperamental and emotional sometimes. You know how I am. I thank her.

I also thank the greatest chief of staff in the world. When I say in the world, I mean in the world, sure enough the best and the baddest, Jewell Gillespie. I'm so glad that she was able to overcome that car accident that she had. Praise God she was able to make it through that. She was always loyal, always dedicated, and always there for me. To my main man Samuel Bowe, you will truly be missed. I wish you well, brother, in your journey and in your duties.

Before I get to some other things, and I've got some other stuff I want to talk about—I'm going to talk about marijuana a little later—before I get into all that, what I've learned here serving is that leadership is what compels people to do the right thing. The fact that I was one out of many people to serve in this great body with people who—regardless of whether or not we agreed or disagreed, the number one fundamental principle was that everybody wanted to do the right thing—is a tremendous honor. I feel very humbled and very blessed to just count myself among you as a legislator. I also want to say that I've learned something as well—that sometimes and in this very hyper-partisan, charged political climate that we're in, you're so busy trying to define your opponent and their inhumanity that you had to be careful not to lose your humanity. I think that when talking with my colleagues, whether Democratic or Republican, going out there and listening to what they have to say, I've improved as a human being and I've improved as a person. There may be a lot of people up here I've probably given grief to or given the business to, probably some more than I should have, and I may have enjoyed it more than I should have. The fact that they were always fair with me, always open with me, always told me the truth, and I always felt like I got a fair shake, you can't say that about a lot of workplaces, especially in politics and particularly in this political climate, so I say thank you for that.

Senator Jones, thank you, sir. You helped me regulate the weed. I thought we would come together to free it because, if anybody I can picture that represents the legalization of marijuana, it is you, sir. The fact that I thought we would do this together and we didn't is heartbreaking. I thought we were a fist, and you ended up chopping fingers off that dream. But it's OK, because at least we came together to regulate medical marijuana. I think it's a tremendous victory that we freed the weed, as I like to say, or legalize marijuana in a time when African-Americans are four times more likely to be convicted of marijuana possession even though they use it at the same rate as their white counterparts in this country, and are 12 times more likely to be wrongfully convicted of a drug crime. I think it is high time that we start getting these

young men and women out of these prisons and we start putting them into jobs in the cannabis industry. I think that—maybe we agree or disagree—I think the fact that we are actually talking about treatment and jobs instead of jails and for-profit prisons is a victory for the people of the state of Michigan. In this country, there are more black folks in prison now than there were slaves during the Civil War. I think to end that injustice, even though I might say it sometimes in a more humorous fashion, I think is a good thing in the long run.

I have a lot of people I want to thank and talk about. I also want to thank someone who is dear to my heart, who has helped me everywhere, who has been the face when I couldn't go to places and has always gone to meetings for me, and that's Kennis Johnson, El, you know, the Asiatic brother, my more, the original man. He has helped me tremendously. He's been with me when I was in the Senate from the beginning and we've done great things across the district. I want to thank everybody in my district, from Detroit and Downriver, the 1st District for just giving me the opportunity to serve. It is a tremendous honor to be called. Many are called, but few are chosen. To be chosen to do this work and to serve as long as I have, I have been blessed beyond my wildest imaginations, and I'm just so thankful for the opportunity to be up here and serve with you.

Before he left in the House, there was a man by the name of John Moolenaar, and John Moolenaar was important in my development because he really showed me the right hand of fellowship of God. Now, and it is going to tie into somebody here too, give me some patience. When I first came up here, it was late at night and for some sort of odd reason, I thought it would be a good idea to confront certain members about certain positions and I ran into a man by the name of Jack Brandenburg and regretted that decision immediately. The reason I say this is because it's important. Afterwards—and we all make mistakes, and that was mine, clearly—I talked to John and he showed me forgiveness, he showed me kindness, and he showed me respect. And then I talked to Jack and he showed me the same. The fact that he was willing to do that when he didn't have to, the fact that he was willing to extend that arm when he didn't need to, and after what I had done probably shouldn't have, says a lot about both their characters as men. It affected me as a person, and even though that was one of the wildest experiences you probably can have, it made me a better person because of it. I am thankful to both of those men for showing me grace, showing me love, and showing me what it is to be a true Representative, a true Senator, and a true leader.

Governor Snyder, we don't have the best of relationships, again mostly on my part, but it was educational. There were some good times that we had—I'll get into my appropriations history a little later—but I learned a lot. I learned to never judge a book by its cover. I learned that you can disagree without being disagreeable. I'm thankful that he at least was always willing to invite me to what was going on in Detroit. As you know, I didn't like most of the policies that came from here for Detroit, and if I had my way, we would have done different policies, and we still should do different policies. If you had listened to me, some of the stuff that's going on in Detroit wouldn't be going on but that's a different story. I'm just saying, I don't mean to say I told you so, but I did. I think the fact that he was willing to at least include me says something about him and to accept me for who I was says something about him. We may not have always agreed, we may not have always gotten along, and we didn't, but the fact that he was willing at least to be fair with me is something.

I also want to say that in this politically-charged climate, I think it's important that we start listening to one another and respecting one another. As an African-American person, statistically as well as anecdotally and experience-wise, it's a dangerous place right now. You have folks getting arrested or having the police called on them for just brushing up against someone. A young man was arrested not too long ago for helping his neighbor. Another—a firefighter in full regalia, firefighter regalia, with a fire truck outside—had the police called on him in California. The reason I say this is not to say that anyone is racist. The reason I say this is to say that these are the experiences that are going on for people of color in this country. Whether you're a person of color or not, we have an obligation to listen to one another and understand where we're coming from. I say this to you to put you in my experience and immerse you in what we're going through because once we have those dialogues, once we have those conversations, it cannot stop there. There has to be action and there have to be policies, because there's no reason why you have people of color who are being pulled over like they're being pulled over, who are being arrested like they're being arrested, and who are having their lives lost like they are in this country. I'm from Detroit, and young Demond Grimes was killed just for violating a civil infraction. People's lives have to be more than that—worth more than that. I understand law and order. I'm not taking away from law and order. At some point in time, we have got to start recognizing and upholding people's humanity because if we don't, we all are a threat to losing it.

My biggest accomplishment here was when I was in the House of Representatives, I passed historic civil rights legislation, making sure that pregnant women received mandatory paid leave. It was called the Tisha Prater Act, and basically, what that bill does is say there were women who were coming to the Detroit Police Department who were pregnant, and they had to cover up their pregnancies because if they were found to be pregnant, they would get unpaid mandatory leave. That was based off an arbitration decision. I thought that was not right. God forbid a pregnant woman is trying to go feed her family working for the police department, which doesn't pay a whole lot, and she has to cover up her pregnancy just to continue to get a salary. That's dangerous. God forbid, what happens if she runs and trips or a perpetrator punches her in the stomach? Imagine how horrific that would be. I passed legislation on that, and I think Senator Jones helped me on that if I'm not mistaken. I think you did, my partner in crime, at least we got that done. That

was the proudest moment I had because it was the first time that I ever saw the ACLU and Right to Life take a picture, and this was during Governor Granholm's tenure. It was Right to Life, the ACLU, and the Governor all in the same picture. I literally thought hell had frozen over at that point. That's pretty phenomenal.

My biggest regret is the fact that we did not pass auto insurance reform. I'm not saying that we can't. The clock is still open. I'm willing to work with you guys if you're willing to work with us. The fact that you have people who are paying \$5,000 on average in the city of Detroit, where auto insurance is worth more than their car now, is wrong. We're talking about the poorest of the poor, the least of these. As legislators, regardless of Republican or Democrat, it's our responsibility to do for those who can't do for themselves, to be a voice for the voiceless. That power is only important as an instrument to serve the powerless with, and that's really what I like here in this chamber is that government has an opportunity to make life easier for those who need it the most. If we can't protect those who are hurting the most, what are we doing up here? I think, not just for this session, but for the next session after that, if I would make an appeal, it would be that our children and our grandchildren and their children do not have to live in a world where they have auto insurance that is \$5,000 per year based off this system that is broken and needs reform. Our children deserve better. People may not remember what we say up here but they remember what we do, what we're about, and were we willing to make the tough decisions so that those who cannot help themselves have a better life in the future. We must always strive to pass that torch forward for tomorrow and we cannot let that flame flicker out because there are too many people here who are counting on us to do the right thing. I'm not saying that we have to agree on everything all the time. We don't. I'm not even saying that we have to not debate each other. I like a good debate. You guys know me, I like a good slap-and-tickle every once in a while, but at some point in time, we have got to be about the people's business and what we were elected up here to do.

I also just want to say this as well, I have to make sure I get these shout-outs here before I leave. I don't know where Tim Skubick is, but I want to say thank you for letting me be on *Off the Record*. That was an incredible experience. I think that I'm the only person who begged to get on that show. Most people avoid it, I wanted it. I wanted that smoke, you know what I mean? I wanted that fire. To get it and to be done with it and to look like a mammal that breathes air and drinks water and not look crazy was a good thing. It helped my career tremendously and I want to say thank you so much for that.

To my friend Curtis Hertel, the best seatmate that a man could ever ask for, there have been places that I have not been able to get into, and I mention Curtis Hertel's name and they let me walk right in; legislation that no one would pay any attention to, and I say Curtis supports it, and all of a sudden it is the best thing ever. He can do no wrong. The fact that I get to serve with a man who comes from the legacy of the Hertel Family and what they've done, not just in Lansing but in Detroit, is a tremendous honor and pleasure, and I thank you. I also want to say right before I head to my seat. I want to thank a couple of other people.

There was a man who helped me early in my career by the name of Mike Sak. For those who knew him, Mike Sak was a little bit of a character. He had the Mike Sak pants, the Mike Sak shirt, and the Mike Sak coat. He would tell kids "This is what you got to do if you want to be Mike Sak." Some people felt some type of way, he was always cool with me. He was the first one to reach out when I won and say thank you. He was the first one to encourage me. He taught me about branding, he taught me about confidence, and he taught me never be ashamed to be yourself, believe it and own it. I will miss him.

Senator Stamas, thank you so much for allowing me to get the appropriations that I received. When I ran for Congress that's all I talked about. So I want to say thank you, sir. You gave me a lot to talk about—\$800 million in appropriations. So I want to say thank you. I'll send you guys a copy, I can back up what I say. What's funny is that I asked for more and didn't get it. Usually, there would be a committee about me asking for money and not receiving it. It wasn't just with your committee, it was over time throughout the course of my career. I thank you for what I was able to do for the Charles H. Wright Museum, which was important to me, not just because it represents history. It's important for us to know about our history because we can't know where we're going if we don't know where we've been, so that's appropriate and that's necessary.

I also want to thank my good friend, my leader, Senator Morris Hood. Sir, you have given me such great advice. Sometimes I wanted to hear it, sometimes I didn't, sometimes you would be talking and I would pretend to go to the bathroom or something, but you have always given me sound advice. Every time I listened to it, I never regretted it. In life there are two types of people—there are those who detract and there are those who lift. Senator Morris Hood is one of those people who lifts you up and encourages you. They say that the good ones talk about how good they are, but the great ones talk about how good you are. That's what Senator Morris Hood represents for me in my life. So I want to say thank you, your example outlives you and outlasts you, and I say thank you.

Senator Emmons, thank you so much for those Starbursts. I can't tell you, they have gotten me through many nights. Detroit has been the target of a lot of things that I didn't like, and it was physically, mentally, and emotionally taxing on me. If I could go over there and eat those Starbursts, I knew that I would be alright. I could withstand whatever I was facing that day because I knew that was there. It's probably why I look like I look right now, but it was a good thing.



I also want to say to Senator Hildenbrand, I know that I've asked you for a lot of things that we both know I would never receive—a lot of money—but if you want to change your mind, I'm here for you. I'll gladly accept it. You have always been fair to me, you have always been professional with me, and I appreciate that. I appreciate the relationship that we had where we could always talk about whatever it was or whatever I had problems with. If it was something that you agreed with and you thought we could do, we would do it together. So I want to say thank you.

Senator Hansen, my man, we have a good relationship, an interesting relationship. You have always let me know what's going to happen, you always told me things, and you have never been afraid to speak your mind whether I like it or not. I know you can tell by my face, there were times we would talk and I didn't like what you were saying. The fact that you were willing to be that open with me, and share yourself like that with me, I appreciate. It made this experience better.

I want to thank everybody here. This has been a great journey. I'm so thankful to take it all with me. To leadership, to Senator Ananich, my man in the upper room, I appreciate you, brother. Thank you for always helping me. Senator Meekhof, thank you, sir. Even though I felt like you could have taken up more bills of mine, that I wanted you to, I appreciate you. I remember the first time we met in the House. I saw Brian Calley and we talked a little bit, and I saw Meekhof. He said, "Hey, Coleman Young, the infamous." I was like, "I was going for famous, but nice to meet you too." From there on it started a relationship where we were fast friends. I appreciate your friendship.

I just saw Senator Pavlov. Look, Senator Pavlov, I have learned more about charter schools and education than I ever wanted to know in my life—in my life, sir. It's been a tremendous ride. You were one of the few people that I would ask not to do stuff, I didn't ask you to do anything, it was more like "Don't do that. Please stop, sir. Sir, have mercy. Sir, I beg you, don't." I never felt blindsided, I never felt disrespected, I was always treated with respect, and I appreciate the honesty and the relationship that we have.

I just want to say to everybody here—thank you. I want to end with a quote that says: "Man should not stand on top of the world, but to stoop down and lift mankind higher." I think that we've done that together. If you want to go somewhere fast, you go by yourself; but, if you want to go somewhere far, you bring a whole lot of people with you. I may not have gone as fast as I wanted, but I sure went far, and that's because I served with all of you. From the bottom of my heart, thank you, God bless you. I don't want to say goodbye, but I will say, "See you next time."

The President, Lieutenant Governor Calley, resumed the Chair.

Senator Meekhof offered the following resolution:

**Senate Resolution No. 195.**

A resolution of tribute for the Honorable Jim Marleau.

Whereas, As he brings to a close his tenure of public service with the Michigan Senate, the members of this legislative body are honored to applaud the service and contributions of Jim Marleau. As a distinguished member of this legislative body, Senator Marleau exhibited commitment and dedication to his constituents of the Twelfth District as well as to citizens throughout this state; and

Whereas, In addition to earning an associate's degree in business and finance from the University of Toledo, Senator Marleau became a certified municipal financial advisor through Central Michigan University. He developed a keen business acumen through experiences as a store manager, manufacturer's representative, business owner, and Habitat for Humanity member; and

Whereas, Senator Marleau brought to the Legislature a rich and diverse background of knowledge and experience in business and community service involvement. Elected to the House of Representatives in 2004, he served for six years prior to his election to the Senate in 2010. He was a member of the Appropriations Committee where he was chair of the Health and Human Services Subcommittee and vice chair of the Licensing and Regulatory Affairs Subcommittee. The former chair of the Committee on Health Policy served on numerous other committees during his tenure, addressing issues related to banking, energy and technology, insurance, and transportation; now, therefore, be it

Resolved by the Senate, That we offer this expression of tribute to commend and thank the Honorable Jim Marleau on his completion of an 8-year tenure with the Senate and for his notable contributions to this legislative body and to our state; and be it further

Resolved, That copies of this resolution be transmitted to Senator Marleau as evidence of our gratitude and best wishes.

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 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 resolution.

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

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

The motion prevailed.

Senator Marleau's statement is as follows:

At this time I would preface that the great Senator who chairs Insurance believes strongly that brevity is very, very important, and I'm going to follow that and be brief. With that, Lieutenant Governor, I would like to address the body for the last time. I have been humbled by my 14 years of service in the Michigan Legislature, especially my last eight years with the 12th Senate District. Starting as a manufacturer's representative and local township treasurer, I would have never dreamed that I would end my public service standing here with you today on the Senate floor. As such, I want to express my gratitude to the people of the 12th Senate District who have entrusted me with the honor of representing them. I am truly honored and humbled to have served their wishes.

I am proud to have worked with so many of you, and so many talented people here in Lansing, for the betterment of the citizens of the 12th District and Michigan as a whole. Being a part of the team that assisted in Michigan's economic comeback is very exciting for me during my career here in the Legislature. I would also like to point out that one of the first pieces of legislation that I passed was Public Act No. 21—which means nothing to you—but we nicknamed it the "I'm Sorry Bill." That was a bill that allowed doctors and nurses to legally be able to tell their patients that they were sorry, and in some cases, show and express sympathy to the patients when something went wrong. In a lot of cases, the patient only wanted to hear from their medical team and they didn't want to hear from anybody else.

During my time, I have sat on many different committees and worked on countless pieces of legislation. I've been appointed the chairman of the Health Policy Committee and chairman of the DHHS subcommittee. I have always enjoyed working and helping Michiganders with health-related items. I have often prefaced a lot of my conversations by saying, "Health issues do not know the difference between a Republican and a Democrat." I also end the conversation with, "It all depends on our genes." I'm not referring to Wranglers or Levis.

There are so many people I would like to thank at this time who helped me serve as a Legislator. First and foremost, I have to thank my soulmate, my wife, Thea, who has put up with me for countless hours in my venture into the state political arena. I can only tell you that, if you could see our refrigerator at home, we started this year with some Post-it notes with her To-do list. We have now moved to a legal size pad and it's being held up with two magnets. So I have a lot of work to do as I leave here starting the first of the year. I want to also thank my two children, Jim Jr. and my daughter, Cristina; her husband, Jason; and I also have these two little rug rats, my grandchildren, Carter and Grant. They have always helped me in parades.

Of course, I want to thank my staff. I want to preface this by saying that all of us in this room understand that we are nothing without our staff. Our staff makes us what we are, and we cannot thank our staff enough for what they do for us. That is from the bottom of my heart. I would like to thank, of course, my chief of staff, Dave Jessup, and Mark Ashley and Cassidy Giltner. I would also like to thank my former chief of staff, Thadd Gormas, and Ryan Burtka, who have gone on to other endeavors here in Lansing. There has been a wonderful team of interns who have worked extremely hard for the state of Michigan behind the scenes in my office, and I want to thank all of them. During my time as DHHS chairman, I was quickly confronted with the complexity of the state's largest budget. It truly takes a team to navigate the process and I would be remiss not to thank Senate Fiscal with Steve Angelotti, Ellen Ackerman, and John Maxwell for their help, guidance, and wisdom as I went through that process.

As my time in the Senate and in public service closes, I want to thank you all for a lifetime of memories and friendship. We have sometimes fought and clashed over legislation and vision for this state, but I have never doubted anyone's love of the state and the passion to serve that I have experienced here with all of you. I am so thankful for having the opportunity of having 22 years of public service. Thanks for this time to thank all of you for eight wonderful years of membership in this body. I'm going to say this as the former Senator did, but a little bit different. I'm not going to say goodbye, I'm going to say so long, until we meet again on some other project, in some other area of the state, but I would love to work with all of you again. It's been a real pleasure. I did use brevity, Joe.

By unanimous consent the Senate proceeded to the order of

### **Introduction and Referral of Bills**

Senator Nofs introduced

#### **Senate Bill No. 1222, entitled**

A bill to amend 1996 PA 381, entitled "Brownfield redevelopment financing act," by amending section 15a (MCL 125.2665a), as amended by 2016 PA 471.

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

Senator Nofs introduced

**Senate Bill No. 1223, entitled**

A bill to amend 2018 PA 57, entitled "Recodified tax increment financing act," by amending sections 213c, 312b, and 411b (MCL 125.4213c, 125.4312b, and 125.4411b).

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

Senators MacGregor and Shirkey introduced

**Senate Bill No. 1224, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 2213b (MCL 500.2213b), as amended by 2016 PA 276.

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

Senator Shirkey introduced

**Senate Bill No. 1225, entitled**

A bill to amend 1980 PA 300, entitled "The public school employees retirement act of 1979," by amending section 61 (MCL 38.1361), as amended by 2018 PA 141.

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

Senator Bieda introduced

**Senate Bill No. 1226, entitled**

A bill to recognize November 28 of each year as Indigenous Peoples Day in this state.

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

Senator Bieda introduced

**Senate Bill No. 1227, entitled**

A bill to amend 1988 PA 426, entitled "An act to regulate dangerous animals; to provide for the confinement, tattooing, or destruction of dangerous animals; and to provide penalties for the owners or keepers of dangerous animals that attack human beings," by amending section 2 (MCL 287.322).

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

Senator Bieda introduced

**Senate Bill No. 1228, entitled**

A bill to require elected public officials to file reports concerning receipt of certain contributions or subsidies; to prescribe certain powers and duties of certain state and local agencies and officials; and to provide for fees and civil fines.

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

Senator Bieda introduced

**Senate Bill No. 1229, entitled**

A bill to amend 1972 PA 382, entitled "Traxler-McCauley-Law-Bowman bingo act," by amending section 4a (MCL 432.104a), as amended by 2012 PA 189.

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

Senator Emmons introduced

**Senate Bill No. 1230, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 3406u.

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

Senator MacGregor introduced

**Senate Bill No. 1231, entitled**

A bill to amend 1974 PA 150, entitled "Youth rehabilitation services act," by amending section 5 (MCL 803.305), as amended by 2014 PA 521.

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

Senator MacGregor introduced  
**Senate Bill No. 1232, entitled**

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending section 117a (MCL 400.117a), as amended by 2018 PA 244.

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

Senator MacGregor introduced  
**Senate Bill No. 1233, entitled**

A bill to amend 2016 PA 436, entitled "Unmanned aircraft systems act," (MCL 259.301 to 259.331) by adding section 7. The bill was read a first and second time by title and referred to the Committee on Transportation.

Senator Knezek introduced  
**Senate Bill No. 1234, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 20925. The bill was read a first and second time by title and referred to the Committee on Insurance.

Senator MacGregor introduced  
**Senate Bill No. 1235, entitled**

A bill to amend 1951 PA 33, entitled "An act to provide police and fire protection for townships and for certain areas in townships, certain incorporated villages, and certain cities; to authorize contracting for fire and police protection; to authorize the purchase of fire and police equipment, and the maintenance and operation of the equipment; to provide for defraying the cost of the equipment; to authorize the creation of special assessment districts and the levying and collecting of special assessments; to authorize the issuance of special assessment bonds in anticipation of the collection of special assessments and the advancement of the amount necessary to pay such bonds, and to provide for reimbursement for such advances by reassessment if necessary; to authorize the collection of fees for certain emergency services in townships and other municipalities; to authorize the creation of administrative boards and to prescribe their powers and duties; to provide for the appointment of traffic officers and to prescribe their powers and duties; and to repeal acts and parts of acts," by amending section 1 (MCL 41.801), as amended by 2002 PA 501.

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

**House Bill No. 6103, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 698 (MCL 257.698), as amended by 2018 PA 342.

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. 6123, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 32801 and 32803 (MCL 324.32801 and 324.32803), as amended by 2008 PA 189.

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. 6374, entitled**

A bill to amend 1956 PA 40, entitled "The drain code of 1956," by amending sections 468 and 520 (MCL 280.468 and 280.520).

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 Local Government.

**House Bill No. 6375, entitled**

A bill to amend 1956 PA 40, entitled "The drain code of 1956," by amending sections 395, 478, and 530 (MCL 280.395, 280.478, and 280.530).

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 Local Government.

**House Bill No. 6376, entitled**

A bill to amend 1956 PA 40, entitled “The drain code of 1956,” by amending sections 72, 105, 122, 123, 247, and 307 (MCL 280.72, 280.105, 280.122, 280.123, 280.247, and 280.307), section 72 as amended by 1987 PA 60 and section 307 as amended by 2016 PA 115.

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 Local Government.

**House Bill No. 6377, entitled**

A bill to amend 1956 PA 40, entitled “The drain code of 1956,” by amending sections 101, 102, 103, 191, and 192 (MCL 280.101, 280.102, 280.103, 280.191, and 280.192), section 101 as amended by 2014 PA 551.

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 Local Government.

### Statements

Senators Bieda 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 Bieda’s statement is as follows:

I’d like to take this time to honor the memory of the Honorable Judge Kenneth Noble Sanborn, who passed away on Tuesday, November 20. Judge Sanborn was born on November 14, 1926, in Detroit, Michigan. I’d like to extend our deepest sympathy to the Judge’s wife, Lois, whom he married in 1947, in addition to their children, former State Senator Alan Sanborn, Mark, Christine, Janice, and their spouses, eleven grandchildren, and nine great-grandchildren.

Judge Sanborn attended Mackenzie High School in Detroit, and at the age of 17 met his future wife, Lois at a going-away party for his cousin. He joined the U.S. Air Force in 1944 and proudly served this country during World War II. In 1947, he and Lois married and they eventually moved to Mount Clemens where they raised their children. He studied pre-law at Michigan State University and in 1949, graduated from the University of Detroit Law School. Judge Sanborn was well-known for his historic work as an attorney when he risked his legal career to defend fellow Air Force lieutenant and friend Milo Radulovich after his commission had been stripped during his alleged communist ties during the McCarthy era. The case resulted in the reinstatement of Radulovich’s commission and was the first winning legal battle to overturn public opinion on McCarthyism. Sanborn’s role in the Radulovich trial is highlighted in the book *To Strike at a King: The Turning Point in the McCarthy Witch-Hunt*. His role is also commemorated as a Michigan Legal Milestone in a plaque erected by the State Bar of Michigan.

He later served Clinton Township as their Justice of the Peace from 1951 to 1956, and then was elected to the State House of Representatives, representing a portion of Macomb County from 1957 to 1958. He served on the Macomb Community College board until 1968, serving as both trustee and then later, chairman of the board. He was elected Judge of Macomb County Probate Court in 1972, and from 2008 to 2010, he served as the acting chief judge of this court. For many years after this, he served at the 16th judicial Circuit Court as a visiting judge.

I had the honor of appearing before him several times, as an attorney, not as a defendant. He is remembered for his commitment to always doing what is right, as well as his gentleness and humility. In his spare time, the Judge loved to fly and travel the world with his wife, something they both shared a love for. They spent the last few years splitting their time between their home, a cottage in Hubbard Lake, and their vacation home in Sarasota, Florida. Judge Sanborn’s love and dedication to his family was his top priority. While we all know that all who had the pleasure of knowing Judge Sanborn will treasure their memories of him and the time spent with him, we also know that the Judge valued their love and friendship.

While Judge Sanborn lived a very full 92 years, he will not soon be forgotten, and I hope that his family will find comfort in their memories of this individual who accomplished so much.

A moment of silence was observed in memory of Kenneth Noble Sanborn, former Macomb County judge.

Senator Colbeck’s statement is as follows:

For starters here, I just want to let the good Senator from the 1st District know that I think we’re on the same side of the board more often than he’s willing to admit. As a matter of fact, I still remember the former Senate Majority Leader getting up there with his camera, taking a photo of the board with just me and him sitting in their together, on the “no” board, so anyway.

The main reason I want to get up here is that next Tuesday, we’re going to have a very special forum on wireless technology, where we’re going to discuss the benefits and the risks. A lot of us are very concerned about lead in the water, we’re all concerned about PFAS, and we want to have a discussion about something that’s pervasive right within this

chamber right now, and impacts the lives of a lot of people across our state. That is some harmful impacts associated with wireless radiation and have a discussion of those impacts, along with the benefits. We're going to have the former President of Microsoft Canada talking with us today, we're going to have medical doctors from all across the country, as well as from other countries, to come out and testify. I encourage you to come out and hear what these experts have to say on this issue.

We've invited people to talk about the benefits of this technology as well, and as a Microsoft Small Business Specialist and engineer, I'm a techy. I like this stuff as well, but we need to have a balanced discussion of some of the risks, because some of these risks are serious. Particularly on the health issue, they've got documented evidence of some of this technology actually leading to cancer, leading to issues with cardiovascular effects like AFib, and also a lot of other areas that are in what they call the micro-sickness category, everything from tinnitus to dizziness to learning disabilities. I just encourage people to come out and learn more about this wireless technology. It's going to be Monday, over in the House Office Building, from 1:00 p.m. to 5:00 p.m., out at the Mackinac Room. I encourage you to join us.

### Announcements of Printing and Enrollment

The Secretary announced that the following House bills were received in the Senate and filed on Wednesday, November 28:

**House Bill Nos. 6103 6123 6374 6375 6376 6377**

The Secretary announced that the following bills were printed and filed on Tuesday, November 27, and are available on the Michigan Legislature website:

<b>Senate Bill Nos.</b>	<b>1200</b>	<b>1201</b>	<b>1202</b>	<b>1203</b>	<b>1204</b>	<b>1205</b>	<b>1206</b>	<b>1207</b>	<b>1208</b>	<b>1209</b>	<b>1210</b>	<b>1211</b>	<b>1212</b>	<b>1213</b>
	<b>1214</b>	<b>1215</b>	<b>1216</b>	<b>1217</b>	<b>1218</b>	<b>1219</b>	<b>1220</b>	<b>1221</b>						
<b>House Bill Nos.</b>	<b>6492</b>	<b>6493</b>	<b>6494</b>	<b>6495</b>	<b>6496</b>	<b>6497</b>	<b>6498</b>	<b>6499</b>	<b>6500</b>	<b>6501</b>	<b>6502</b>	<b>6503</b>	<b>6504</b>	<b>6505</b>
	<b>6506</b>	<b>6507</b>	<b>6508</b>	<b>6509</b>	<b>6510</b>	<b>6511</b>	<b>6512</b>	<b>6513</b>	<b>6514</b>	<b>6515</b>	<b>6516</b>	<b>6517</b>	<b>6518</b>	<b>6519</b>
	<b>6520</b>	<b>6521</b>	<b>6522</b>	<b>6523</b>	<b>6524</b>	<b>6525</b>	<b>6526</b>	<b>6527</b>	<b>6528</b>	<b>6529</b>	<b>6530</b>	<b>6531</b>	<b>6532</b>	<b>6533</b>
	<b>6534</b>	<b>6535</b>	<b>6536</b>	<b>6537</b>										

### Committee Reports

The Committee on Education reported

**Senate Bill No. 885, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1284b (MCL 380.1284b), as amended by 2006 PA 235.

With the recommendation that the bill pass.

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

Phillip J. Pavlov  
Chairperson

To Report Out:

Yeas: Senators Pavlov, Knollenberg and Hopgood

Nays: Senators Booher and Hune

The bill was referred to the Committee of the Whole.

The Committee on Education reported

**House Bill No. 4421, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1233 (MCL 380.1233), as amended by 2016 PA 192.

With the recommendation that the substitute (S-3) be adopted and that the bill then pass.

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

Phillip J. Pavlov  
Chairperson

To Report Out:

Yeas: Senators Pavlov, Knollenberg, Booher and Hune

Nays: Senator Hopgood

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

The Committee on Education reported

**House Bill No. 5829, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding sections 1241 and 1241a.

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

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

Phillip J. Pavlov  
Chairperson

To Report Out:

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

Nays: None

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

The Committee on Education reported

**House Bill No. 5828, entitled**

A bill to create the comprehensive school safety plan act; to create the school safety commission and provide for its powers and duties; to create the comprehensive school safety plan fund and provide for the use of the fund; and to provide for the powers and duties of certain state and local governmental officers and entities.

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

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

Phillip J. Pavlov  
Chairperson

To Report Out:

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

Nays: None

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

The Committee on Education reported

**House Bill No. 5850, entitled**

A bill to amend 2013 PA 183, entitled "An act to create the student safety act; to provide for confidential reports of potential harm or criminal activities directed at school students, school employees, and schools; to establish a hotline for filing those reports; to create the student safety fund and to provide for contributions to and expenditures from that fund; to prescribe the powers and duties of certain state officials and departments; to provide for procedures for the release of certain confidential information; to prescribe penalties; and to repeal acts and parts of acts," by repealing enacting section 1.

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

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

Phillip J. Pavlov  
Chairperson

To Report Out:

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

Nays: None

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

#### COMMITTEE ATTENDANCE REPORT

The Committee on Education submitted the following:

Meeting held on Tuesday, November 27, 2018, at 12:00 noon, Room 1300, Binsfeld Office Building

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

The Committee on Natural Resources reported

**Senate Bill No. 1145, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 47305 (MCL 324.47305), as added by 1995 PA 57; and to repeal acts and parts of acts.

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

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

Thomas A. Casperson  
Chairperson

## To Report Out:

Yeas: Senators Casperson, Pavlov, Robertson and Warren

Nays: None

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

The Committee on Finance reported

**Senate Bill No. 1035, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 7o (MCL 211.7o), as amended by 2006 PA 681.

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

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

Jack M. Brandenburg  
Chairperson

## To Report Out:

Yeas: Senators Brandenburg, Robertson, Knollenberg, Casperson and Proos

Nays: Senators Bieda and Warren

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

The Committee on Finance reported

**Senate Bill No. 1170, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.713) by adding sections 254 and 675 and part 4.

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

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

Jack M. Brandenburg  
Chairperson

## To Report Out:

Yeas: Senators Brandenburg, Robertson, Knollenberg, Casperson, Proos and Warren

Nays: Senator Bieda

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

The Committee on Finance reported

**House Bill No. 5454, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 7cc (MCL 211.7cc), as amended by 2018 PA 133.

With the recommendation that the bill pass.

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

Jack M. Brandenburg  
Chairperson

## To Report Out:

Yeas: Senators Brandenburg, Robertson, Knollenberg, Casperson, Proos, Bieda and Warren

Nays: None

The bill was referred to the Committee of the Whole.

## COMMITTEE ATTENDANCE REPORT

The Committee on Finance submitted the following:

Meeting held on Tuesday, November 27, 2018, at 2:30 p.m., Room 1100, Binsfeld Office Building

Present: Senators Brandenburg (C), Robertson, Knollenberg, Casperson, Proos, Bieda and Warren

The Committee on Government Operations reported

**Senate Bill No. 1171, entitled**

A bill to amend 2018 PA 337, entitled "Improved workforce opportunity wage act," by amending sections 2 and 4d (MCL 408.932 and 408.934d).



With the recommendation that the substitute (S-2) be adopted and that the bill then pass.  
The committee further recommends that the bill be given immediate effect.

Arlan B. Meekhof  
Chairperson

To Report Out:

Yeas: Senators Meekhof, Hansen and Kowall

Nays: Senators Ananich and Hood

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

The Committee on Government Operations reported

**Senate Bill No. 1175, entitled**

A bill to amend 2018 PA 338, entitled "Earned sick time act," by amending sections 6 and 10 (MCL 408.966 and 408.970).

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

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

Arlan B. Meekhof  
Chairperson

To Report Out:

Yeas: Senators Meekhof, Hansen and Kowall

Nays: Senators Ananich and Hood

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

#### COMMITTEE ATTENDANCE REPORT

The Committee on Government Operations submitted the following:

Meeting held on Wednesday, November 28, 2018, at 8:15 a.m., Rooms 402 and 403, Capitol Building

Present: Senators Meekhof (C), Hansen, Kowall, Ananich and Hood

#### Scheduled Meetings

**Criminal Justice Policy Commission** - Wednesday, December 5, 9:00 a.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building (373-0212)

**Economic Development and International Investment** - Thursday, November 29, 1:30 p.m., Room 1200, Binsfeld Office Building (373-5323)

**Elections and Government Reform** - Thursday, November 29, 8:30 a.m., Room 1300, Binsfeld Office Building (373-5323)

**Michigan Law Revision Commission** - Wednesday, December 5, 12:00 noon, Legislative Council Conference Room, 3rd Floor, Boji Tower (373-0212)

**Senate Fiscal Agency Board of Governors** - Thursday, December 6, 9:30 a.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building (373-2768)

**Transportation** - Thursday, November 29, 8:30 a.m., Room 1100, Binsfeld Office Building (373-5312)

Senator Kowall moved that the Senate adjourn.

The motion prevailed, the time being 4:36 p.m.

The Assistant President pro tempore, Senator O'Brien, declared the Senate adjourned until Thursday, November 29, 2018, at 10:00 a.m.

JEFFREY F. COBB  
Secretary of the Senate

