

**No. 71**  
**STATE OF MICHIGAN**  
**Journal of the Senate**  
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**REGULAR SESSION OF 2017**

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Senate Chamber, Lansing, Thursday, September 14, 2017.

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  
Johnson—present  
Jones—present  
Knezek—present  
Knollenberg—present  
Kowall—present  
MacGregor—present  
Marleau—present  
Meekhof—present  
Nofs—present

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

Pastor Bob Winter of Faith Baptist Church of Greenville offered the following invocation:

Heavenly Father, we come to You this morning recognizing You are the almighty God, the Creator of heaven and earth. We recognize that Your Son Jesus Christ is the King of kings and the Lord of lords. Father, we want to remember this morning, in our prayers, fellow Americans who live in Texas, Florida, Georgia, South Carolina, and other places where there has been death, injury, and loss of property. While we have enjoyed in Michigan these lovely days of fall, the beginning of a new season, we have Americans who are suffering and in need. We pray for them, we pray for their safety, and we pray for relief and help that they need, that it may come quickly, especially for those whose lives may be in jeopardy.

Father, we do give thanks this morning for Your Son Jesus Christ who loves us and died on the cross for us in order to forgive our sin. This morning, we come in His name. We come with humility. We come with the desire for You to give us forgiveness of our sin. We agree this morning with the words of President Abraham Lincoln, who in 1863 in his Proclamation Appointing a Day of National Humiliation, Fasting, and Prayer, he said, "It behooves us then, to humble ourselves before the offended Power, to confess our national sins, and to pray for clemency and forgiveness."

In the scriptures, we have it said that You told us that "Doing what is right makes a nation great, but sin will bring disgrace to any people." Lord, we admit that as a people in America we have sometimes followed the path of wrong. We have set aside those things You have taught us. Father, we pray that You would forgive us for our pride and for our greed, for doing what is right in our own eyes rather than consulting You in Your truth. Forgive us for using coded words that are used to try to make wrong look right, words like "choice" to disguise what in reality is the taking of an innocent life, or "alternative lifestyle" to disguise what in reality is moral sin, and for using "freedom of speech" to disguise what is truly hateful speech.

Father, we beg You to show us mercy. We pray, Father, for Your forgiveness. Lord, we want to humble ourselves and pray for Your guidance this morning. The Psalmist said that in Psalm 33:12, "Blessed is the nation whose God is the Lord." We pray that our country and our state may be a place where our God is You, our Lord. We pray that as a nation we would return to You. We call on You this morning, and we believe that You can do great work in our land, a country where our forefathers—and even today, service people—have fought and died.

Father, I thank You this morning for these men and women who serve our great state of Michigan. Give to each Senator what You gave to King Solomon, impart to each one the wisdom and discernment they need as they deliberate and lead our state. Give them the ability to decide between right and wrong, and even also, between what is better and what the absolute best is. Give them the courage of a Daniel who was willing to stand for what was right and refuse to do what was wrong. Give them the administrative ability and insight that You gave to Moses as he led Your country, Your people out of bondage in Egypt and into freedom. May the spirit of God be their guide and enable them to understand every issue that they will discuss today and liken their minds, may they be cognizant of Your love and Your presence.

May this session of the State Senate bring success and blessing on the residents of Michigan. Father, we thank You for this high privilege, the responsibility You have given to each one who serves in this state. You have chosen them for this high calling. Give them what they need today to serve our state and to please You.

In these things we pray in the name of our Lord Jesus Christ. Amen.

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

### Motions and Communications

Senator Kowall moved that Senators Pavlov and Shirkey be excused from today's session.  
The motion prevailed.

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

Senator Kowall moved that rule 3.902 be suspended to allow the guests of Senator Stamas admittance to the Senate floor.

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

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

#### **Senate Resolution No. 85**

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

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

The motion prevailed.

Senator Stamas' statement is as follows:

Today, it's a pleasure to say goodbye to Meghann Keit. She has been with our office for nearly four years. She's worked on so many things—from the Good Jobs package to working with our veterans, and working on energy policy to helping the residents of Midland and northeast Michigan. She's truly made a huge difference in my community, in our office, and, I think, throughout Lansing.

She also has been a big supporter of Habitat for Humanity and the Children's Trust Fund, but Meghann brings and has brought so much more to the office. She brought the ability to build relationships throughout all the activities she does. She's helped maintain peace within the office multiple times, and she brings a presence that continues to grow. I'm excited to see her take her next adventure. She'll be joining the Michigan Association of Counties to help with health services.

It's a hard one for me because I'm just honestly honored that she's been able to serve with us for so long and make such a difference. She's somebody who I'm very proud of. She will always be part of the Stamas team and also part of my family. We will miss you, but I'm excited for your adventure. Good luck Meghann.

By unanimous consent the Senate proceeded to the order of

### General Orders

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

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

After some time spent therein, the Committee arose; and the President pro tempore, Senator Schuitmaker, having assumed the Chair, the Committee reported back to the Senate, favorably and without amendment, the following bill:

#### **Senate Bill No. 510, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 732 (MCL 257.732), as amended by 2015 PA 11.

The bill was placed on the order of Third Reading of Bills.

By unanimous consent the Senate returned to the order of

### Third Reading of Bills

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

#### **Senate Bill No. 100**

#### **Senate Bill No. 101**

The motion prevailed.

The following bill was read a third time:

#### **Senate Bill No. 100, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 2421b, 2421c, 2421d, and 2421e (MCL 600.2421b, 600.2421c, 600.2421d, and 600.2421e), as added by 1984 PA 197.

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. 334**

**Yeas—32**

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

**Nays—3**

Hood	Hopgood	Warren
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**Excused—3**

Pavlov	Shirkey	Young
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**Not Voting—0**

In The Chair: Schuitmaker

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 101, entitled**

A bill to amend 1969 PA 306, entitled “Administrative procedures act of 1969,” by amending sections 71, 72, 80, 87, 115, 122, and 123 (MCL 24.271, 24.272, 24.280, 24.287, 24.315, 24.322, and 24.323), section 71 as amended by 1984 PA 28, section 80 as amended and section 123 as added by 1984 PA 196, section 115 as amended by 1996 PA 489, and section 122 as amended by 2011 PA 247.

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. 335****Yeas—32**

Ananich	Green	Jones	O’Brien
Bieda	Gregory	Knezek	Proos
Booher	Hansen	Knollenberg	Robertson
Brandenburg	Hertel	Kowall	Rocca
Casperson	Hildenbrand	MacGregor	Schmidt
Colbeck	Horn	Marleau	Schuitmaker
Conyers	Hune	Meekhof	Stamas
Emmons	Johnson	Nofs	Zorn

**Nays—3**

Hood	Hopgood	Warren
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**Excused—3**

Pavlov	Shirkey	Young
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**Not Voting—0**

In The Chair: Schuitmaker

The Senate agreed to the title of the bill.

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

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

**Senate Concurrent Resolution No. 10**

**House Concurrent Resolution No. 3**

The motion prevailed.

**Senate Resolution No. 85.**

A resolution to encourage support for Aquila Resources' Back Forty Proposed Mine and express confidence that the proposed mine meets federal and state requirements to protect the environment, natural resources, and public health.

The question being on the adoption of the resolution,

The resolution was adopted.

Senators Hansen, Horn, Knollenberg, Booher, Conyers, Marleau, Schmidt and Bieda offered the following resolution:

**Senate Resolution No. 90.**

A resolution recognizing September 24-30, 2017, as National Rail Safety Week.

Whereas, Nationally, rail road crossing collisions have plummeted by 83 percent over the past four decades due to education, engineering, and enforcement, and we must continue our progress; and

Whereas, In 2016, 68 crashes occurred at public highway-rail grade crossings, resulting in eight fatalities and 26 injuries in the state of Michigan; and

Whereas, Last year, 12 trespassing incidents resulted in nine pedestrian deaths as well as six injuries while trespassing on railroad right-of-ways in Michigan; and

Whereas, Michigan ranked tenth nationally for highway-rail crossing collisions in 2016; and

Whereas, Michigan Operation Lifesaver, as well as local and railroad law enforcement officers, first responders, and area railroad companies, partner together in an effort to eliminate crashes at highway-rail grade crossings and prevent trespasser incidents along railroad right-of-ways; and

Whereas, In 2017 Michigan will be joining 47 other states in implementing "Operation Lifesaver," a regional rail safety initiative during the Inaugural National Rail Safety Week; now, therefore, be it

Resolved by the Senate, That we recognize the importance of improving awareness of rail safety, acknowledge that by educating and informing the general public about rail safety, reminding the public that railroad right-of-ways are private property, enhancing public awareness of the dangers associated with highway-rail grade crossings, ensuring pedestrians and motorists are looking and listening while near railways, and obeying established traffic laws can help prevent these incidents; and be it further

Resolved by the Senate, That we recognize September 24-30, 2017, as National Rail Safety Week.

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

Senator Kowall moved that the rule be suspended.

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

The resolution was adopted.

Senators Brandenburg, Casperson, Gregory, Hopgood, Kowall, MacGregor, Proos, Warren and Zorn were named co-sponsors of the resolution.

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

Senator Hildenbrand introduced

**Senate Bill No. 570, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending sections 9f, 9m, 9n, 9o, 19, and 53b (MCL 211.9f, 211.9m, 211.9n, 211.9o, 211.19, and 211.53b), section 9f as amended by 2016 PA 329, sections 9m and 9n as amended by 2017 PA 42, section 9o as amended by 2013 PA 153, and sections 19 and 53b as amended by 2016 PA 108.

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

Senator Brandenburg introduced

**Senate Bill No. 571, entitled**

A bill to amend 2014 PA 92, entitled "State essential services assessment act," by amending section 7 (MCL 211.1057), as amended by 2016 PA 107.

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

Senator Robertson introduced  
**Senate Bill No. 572, entitled**

A bill to amend 2014 PA 93, entitled "Alternative state essential services assessment act," by amending section 7 (MCL 211.1077), as amended by 2016 PA 109.

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

Senator Proos introduced  
**Senate Bill No. 573, entitled**

A bill to amend 1974 PA 198, entitled "An act to provide for the establishment of plant rehabilitation districts and industrial development districts in local governmental units; to provide for the exemption from certain taxes; to levy and collect a specific tax upon the owners of certain facilities; to impose and provide for the disposition of an administrative fee; to provide for the disposition of the tax; to provide for the obtaining and transferring of an exemption certificate and to prescribe the contents of those certificates; to prescribe the powers and duties of the state tax commission and certain officers of local governmental units; and to provide penalties," by amending section 11a (MCL 207.561a), as amended by 2016 PA 110.

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

Senators Hildenbrand, Pavlov, Colbeck, Shirkey, MacGregor and Kowall introduced  
**Senate Bill No. 574, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 705 (MCL 380.705), as amended by 2016 PA 192.

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

**House Bill No. 4665, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1311g (MCL 380.1311g), as amended by 2014 PA 256.

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 Education.

### **Recess**

Senator Kowall moved that the Senate recess subject to the call of the Chair.  
The motion prevailed, the time being 10:24 a.m.

10:49 a.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 rule 2.106 be suspended to allow committees to meet during Senate session.  
The motion prevailed, a majority of the members serving voting therefor.

### **Recess**

Senator Kowall moved that the Senate recess until 12:00 noon.  
The motion prevailed, the time being 10:50 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 12:01 p.m.

12:16 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  
**Third Reading of Bills**

Senator Kowall moved that the following bills be placed at the head of the Third Reading of Bills calendar:  
**Senate Bill No. 335**  
**Senate Bill No. 336**  
The motion prevailed.

The following bill was read a third time:

**Senate Bill No. 335, entitled**

A bill to amend 1976 PA 388, entitled “Michigan campaign finance act,” by amending sections 3, 4, 6, 9, 11, 17, 24, 26, 33, 35, 44, 51, 54, and 55 (MCL 169.203, 169.204, 169.206, 169.209, 169.211, 169.217, 169.224, 169.226, 169.233, 169.235, 169.244, 169.251, 169.254, and 169.255), sections 3 and 11 as amended by 2012 PA 273, sections 4, 6, 9, 24, 33, 35, 54, and 55 as amended by 2015 PA 269, sections 17 and 51 as amended by 1989 PA 95, section 26 as amended by 2013 PA 252, and section 44 as amended by 1994 PA 411, and by adding sections 24b and 24c.

The question being on the passage of the bill,

Senator Bieda offered the following amendment:

1. Amend page 46, following line 4, by inserting:

“Enacting section 1. This amendatory act does not take effect unless Senate Concurrent Resolution No. 22 of the 99th Legislature is adopted by the House and Senate.”.

The amendment was not adopted, a majority of the members serving not voting therefor.

Senator Hood requested the yeas and nays.

The yeas and nays were ordered, 1/5 of the members present voting therefor.

The amendment was not adopted, a majority of the members serving not voting therefor, as follows:

**Roll Call No. 336**

**Yeas—12**

Ananich	Gregory	Hopgood	O’Brien
Bieda	Hertel	Johnson	Rocca
Conyers	Hood	Knezek	Warren

**Nays—23**

Booher	Hansen	Kowall	Robertson
Brandenburg	Hildenbrand	MacGregor	Schmidt
Casperson	Horn	Marleau	Schuitmaker
Colbeck	Hune	Meekhof	Stamas
Emmons	Jones	Nofs	Zorn
Green	Knollenberg	Pros	

**Excused—3**

Pavlov	Shirkey	Young
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**Not Voting—0**

In The Chair: O'Brien

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. 337****Yeas—23**

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

**Nays—12**

Ananich	Gregory	Hopgood	O'Brien
Bieda	Hertel	Johnson	Rocca
Conyers	Hood	Knezek	Warren

**Excused—3**

Pavlov	Shirkey	Young
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**Not Voting—0**

In The Chair: O'Brien

The Senate agreed to the title of the bill.

**Protests**

Senators Warren, Ananich, Johnson, Hopgood, Hood and Bieda, under their constitutional right of protest (Art. 4, Sec. 18), protested against the passage of Senate Bill No. 335.

Senators Warren and Bieda moved that statements they made during the discussion of the bill be printed as their reasons for voting "no."

The motion prevailed.

Senator Warren's statement, in which Senators Ananich, Johnson, Hopgood and Hood concurred, is as follows:

I rise to give my "no" vote explanation on Senate Bill No. 335.

It's a fundamental principle of our democracy that each person gets one vote and every person's vote matters equally. It's not supposed to matter how much money you have, but the growing influence of money in our elections—particularly corporate and special-interest money—has made the wealthiest votes the loudest and the ones with the most access and influence on political candidates and government officials.

In 2010, the United States Supreme Court made this problem much worse with its 5-4 decision in *Citizens United v. Federal Election Commission*. The Court ruled that election spending by corporations and special interests is protected



free speech under the Constitution and cannot be limited. The practical implication of the Supreme Court's ruling is that unchecked political spending by corporations and special interests overwhelms the voices of ordinary citizens. *Citizens United* rigged the game in favor of huge corporations, moneyed special interests, and the wealthy, and gave them undue control over our elections, government policy, and our democracy.

Senate Bill No. 335 is going even further, not only allowing for the establishment of expanded independent expenditure committees here in Michigan, but even allowing candidates to coordinate fundraising with them and to use the same vendors and the same attorneys. This bill takes us in exactly the wrong direction. If we're going to legislate on campaign finance, we should be focused on ensuring we're protecting the rights of each of our individual constituents, not trying to add any additional ways to allow for increased political spending. Let's work to return control of our democracy once again to the people—not corporations and not special interests, but our citizens, our constituents, and our voters.

I urge my colleagues to join me in voting “no” on Senate Bill No. 335.

Senator Bieda's statement is as follows:

I rise in opposition to Senate Bill No. 335.

There's a problem with super PACs and dark money in politics on both sides of the aisle. Even without this bill, we've already seen the effects of unrestricted, uncontrolled flow of outside money into our political process and, frankly, it's not very pretty. This bill to codify and expand the reach of the *Citizens United* ruling flies in the face of what the citizens of Michigan actually want. Michiganders do not want more money in politics. Michiganders do not want corporations interfering with elections. Michiganders do not want a small group of the super-rich elite deciding who is and who is not elected. And they certainly don't want to be governed by a state ranked dead last—dead last—when it comes to transparency and ethics.

This bill firmly points Michigan in the wrong direction, toward a future of dark money and a more convoluted electoral process. In short, it makes the swamp even swampier and it feeds the swamp monsters even more. This legislation would blur the lines on our already cloudy campaign finance laws. It would allow candidates to solicit funds on behalf of super PACs after their donors have already maxed out on their donations to that particular candidate. It's past time to show corruption and dark money the way of the drain and return our elections to the voters, and this legislation will not do either one of those things.

So, colleagues, I ask you to vote “no” on the swamp and vote “no” on this legislation. It is the right thing to do and it's what the people of Michigan would want.

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

The motion prevailed.

Senator Bieda's statement is as follows:

Colleagues, I rise today to offer an amendment to Senate Bill No. 335. My amendment would tie-bar this legislation to Senate Concurrent Resolution No. 22, a resolution to urge the United States Congress to enact federal legislation that adds transparency to our electoral process by improving disclosure laws on political spending.

We've all seen the studies that show Michigan ranks dead last when it comes to transparency and accountability. We didn't just get a “C” or a “D”, we got an “F.” But instead of focusing on a real, sustainable future, this legislative body continues to align themselves with the corporate allies and powerful political donors. They've opened doors to dark money, and now we're looking to codify and expand the reach of the *Citizens United* ruling. No voter wants more special interest money interfering with elections, or wants to cede their free speech rights to a corporation. But if this legislative body is dead set on allowing unlimited campaign spending, then we should be able to see where it is coming from and who it is coming from, and that is exactly what this amendment would do.

I'd like to encourage my colleagues to support this amendment.

The following bill was read a third time:

**Senate Bill No. 336, entitled**

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 11e of chapter XVII (MCL 777.11e), as amended by 2012 PA 274.

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. 338**

**Yeas—23**

Booher  
Brandenburg

Hansen  
Hildenbrand

Kowall  
MacGregor

Robertson  
Schmidt

Casperson	Horn	Marleau	Schuitmaker
Colbeck	Hune	Meekhof	Stamas
Emmons	Jones	Nofs	Zorn
Green	Knollenberg	Proos	

**Nays—12**

Ananich	Gregory	Hopgood	O'Brien
Bieda	Hertel	Johnson	Rocca
Conyers	Hood	Knezek	Warren

**Excused—3**

Pavlov	Shirkey	Young
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**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. 335 and 336 and moved that the statement he made during the discussion of Senate Bill No. 335 be printed as his reasons for voting “no.”

The motion prevailed.

Senator Hertel's statement is as follows:

Colleagues, I rise to offer my “no” vote explanation for this bill under consideration and the entire package. Recently I had more than 300 constituents reach out to my office about this legislation. All but seven of them don't want this to pass because they do not want their votes to be paid for by special interest groups. Let's be very clear here: this bill has nothing to do with speech and everything to do with power. The power to manipulate the political system to favor those with the most money over those with the least. This bill will expand the loopholes in Michigan's already outdated campaign finance laws to give more muscle and leverage to special interests and political donors.

No one outside of this Chamber, and I mean no one, believes that we need more money in politics. Only politicians believe that we need more money in politics. The right and left might not agree on much, but when it comes to elections, both sides love to attack each other over political spending. With this bill, Michigan's campaign finance loopholes will only become larger. With this bill, the perception that everyday regular folks already have—that their government does not work for them—remains unchanged and actually gets worse.

Colleagues, we stand here and talk a lot about accountability and metrics. But like this bill before us, we have yet to do anything—anything at all—to substantially improve transparency and reduce corruption. In fact, we are doing quite the opposite here. We should not be in the business of helping dark money get an additional foothold in our state and in our elections process. We should be making it easier for people to know who is influencing our elections, and our votes in this body.

This bill simply doesn't help the people. So let's vote against dark money. Let's vote to fix the transparency issues that we have in this state, and most importantly, let us all remember who we actually work for. At the end of the day, we don't represent lobby groups or organizations, we represent the people who sent us here. We shouldn't be allowing for undue influence in the process of those who can remain hidden from the people. We need to shine a light on the campaign finance issues, and this bill does an excellent job of covering up those exact finances. I encourage my colleagues to vote “no.”

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

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

The motion prevailed.

Senator Colbeck's statement is as follows:

Yesterday, two of our colleagues expressed concerns about the overreach of authority by nonelected government officials in our executive branch, and our state's representative from the Midland area has also expressed similar concerns regarding attempts to eliminate choice from our electricity market via the Michigan Public Service Commission. On September 18, the Michigan Civil Rights Commission will hear arguments related to an attempt to amend the Michigan Civil Rights Act without a vote by elected officials. Every day citizens such as pig farmers have had their livelihood taken away as a result of executive rule changes. I have also heard many of you share concerns over unresponsive agencies throughout state government.

This needs to change. We need to promote accountability for unelected officials to the people that we all serve. I believe that it is time for a constitutional amendment to help do so. We need a constitutional amendment that will empower citizens to rein in an executive branch that often exceeds legislative intent with their regulations. A properly functioning government is one that is accountable to the people and features a balance between three branches: the legislative, the executive, and the judicial. We have officials in our executive branch who continue to promote regulations that go well beyond expressed legislative intent. That needs to change considering the real world impacts these regulations have upon the people we serve.

The push to rein in the powers of the executive branch has a renewed sense of urgency in light of proposals to reduce the influence of the legislative branch via a part-time Legislature. Michigan is only 1 of 12 states that have a full-time Legislature. The Legislature is supposed to be the voice of the people. I am a strong and longtime supporter of a part-time Legislature, but I want to make sure that any power lost by the Legislature goes to the people not the executive branch. Part-time Legislatures work just fine in the majority of other states, and one of the keys to the success of a part-time Legislature, though, is an appreciation for limited government. Full-time Legislatures are typically found in states known for big government policies where people depend heavily upon government services. Our challenge in Michigan, after decades of big government policies, is to restore an appreciation for freedom and the empowerment of our citizens to manage their own lives. Big government policies also require lots of information about our citizens, and today we have a government that has more information on the people than the people have about the government. We need to flip that around.

For starters, our citizens deserve to know how effectively our government spends your hard-earned tax dollars. We need to make sure that our citizens have practical information about how government operates, specifically about government fiscal and service performance. When I was honored to serve as chair of the State Police and Department of Military and Veterans Affairs budgets, we paid special attention to this need. I am happy to say that the current chair of these budgets has continued this tradition, but many other budget areas operate in the dark regarding fiscal and service performance of agencies responsible for the expenditure of billions of taxpayer dollars every year.

In response to our current issue with executive branch overreach, and the need to enhance government transparency, my proposed constitutional amendment would amend Articles IV and V of the Michigan Constitution. The Article IV changes would improve regulatory oversight by the Legislature. The Article V changes would provide improved transparency regarding executive budget priorities and agency performance analogous the successful oversight policies that I implemented as the former chair of the State Police and DMVA budgets. I would like to note that our colleagues who have sighted the need for improved transparency on the other side of the aisle should be very supportive of this legislation as it does enhance our transparency and our accountability to our citizens. Once approved by both chambers, the proposal would be subject to a vote of the people before any changes would be made to our Michigan Constitution, as it should be. It is my hope that each of you will join me in the pursuit of this amendment to rein in the power of the executive branch and empower our citizens.

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

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

September 14, 2017

I would like Senate Bill 574 re-referred to the Senate Committee on Education.

If you have any questions regarding this matter, please do not hesitate to contact me.

Sincerely,  
Arlan Meekhof  
30th Senate District  
Senate Majority Leader

The communication was referred to the Secretary for record.

**Announcements of Printing and Enrollment**

The Secretary announced that the following House bill was received in the Senate and filed on Wednesday, September 13:  
**House Bill No. 4665**

The Secretary announced that the following bills were printed and filed on Wednesday, September 13, and are available at the Michigan Legislature website:

<b>Senate Bill Nos.</b>	<b>552</b>	<b>553</b>	<b>554</b>	<b>555</b>	<b>556</b>	<b>557</b>	<b>558</b>	<b>559</b>	<b>560</b>	<b>561</b>	<b>562</b>	<b>563</b>	<b>564</b>	<b>565</b>
	<b>566</b>	<b>567</b>	<b>568</b>	<b>569</b>										
<b>House Bill Nos.</b>	<b>4931</b>	<b>4932</b>	<b>4933</b>	<b>4934</b>	<b>4935</b>	<b>4936</b>	<b>4937</b>	<b>4938</b>	<b>4939</b>	<b>4940</b>	<b>4941</b>	<b>4942</b>	<b>4943</b>	<b>4944</b>
	<b>4945</b>	<b>4946</b>	<b>4947</b>	<b>4948</b>	<b>4949</b>	<b>4950</b>	<b>4951</b>							

**Committee Reports**

The Committee on Natural Resources reported  
**Senate Resolution No. 85.**

A resolution to encourage support for Aquila Resources’ Back Forty Proposed Mine and express confidence that the proposed mine meets federal and state requirements to protect the environment, natural resources, and public health.  
(For text of resolution, see Senate Journal No. 68, p. 1353.)  
With the recommendation that the resolution be adopted.

Thomas A. Casperson  
Chairperson

To Report Out:

Yeas: Senators Casperson, Pavlov, Robertson and Stamas  
Nays: Senator Warren  
The resolution was placed on the order of Resolutions.

**COMMITTEE ATTENDANCE REPORT**

The Committee on Natural Resources submitted the following:  
Meeting held on Wednesday, September 13, 2017, at 12:30 p.m., Room 1300, Binsfeld Office Building  
Present: Senators Casperson (C), Pavlov, Robertson, Stamas and Warren

The Committee on Appropriations reported  
**Senate Bill No. 551, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 1902, 1903, and 1907 (MCL 324.1902, 324.1903, and 324.1907), sections 1902 and 1907 as amended by 2012 PA 619 and section 1903 as amended by 2011 PA 117.  
With the recommendation that the bill pass.  
The committee further recommends that the bill be given immediate effect.

David S. Hildenbrand  
Chairperson

To Report Out:

Yeas: Senators Hildenbrand, MacGregor, Hansen, Stamas, Schuitmaker, Knollenberg, Booher, Proos, Nofs, Green, Marleau and Hertel  
Nays: Senator Knezek  
The bill was referred to the Committee of the Whole.

**COMMITTEE ATTENDANCE REPORT**

The Committee on Appropriations submitted the following:  
Meeting held on Wednesday, September 13, 2017, at 2:00 p.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building  
Present: Senators Hildenbrand (C), MacGregor, Hansen, Stamas, Schuitmaker, Knollenberg, Booher, Proos, Nofs, Green, Marleau, Gregory, Hopgood, Hertel and Knezek  
Excused: Senators Shirkey and Young

The Committee on Regulatory Reform reported

**Senate Bill No. 385, entitled**

A bill to amend 1980 PA 299, entitled "Occupational code," by amending section 915a (MCL 339.915a), as amended by 1996 PA 151.

With the recommendation that the bill pass.

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

Tory Rocca  
Chairperson

To Report Out:

Yeas: Senators Rocca, Jones, Knollenberg, Kowall and Hune

Nays: None

The bill was referred to the Committee of the Whole.

#### COMMITTEE ATTENDANCE REPORT

The Committee on Regulatory Reform submitted the following:

Meeting held on Wednesday, September 13, 2017, at 1:00 p.m., Room 1100, Binsfeld Office Building

Present: Senators Rocca (C), Jones, Knollenberg, Kowall, MacGregor, Hune, Warren, Hertel and Johnson

#### COMMITTEE ATTENDANCE REPORT

The Committee on Transportation submitted the following:

Joint meeting held on Thursday, September 14, 2017, at 8:00 a.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building

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

Excused: Senator Pavlov

#### COMMITTEE ATTENDANCE REPORT

The Committee on Oversight submitted the following:

Meeting held on Thursday, September 14, 2017, at 8:30 a.m., Room 1200, Binsfeld Office Building

Present: Senators MacGregor (C), Kowall, Schuitmaker and Stamas

Excused: Senator Gregory

#### Scheduled Meetings

##### Appropriations -

###### Subcommittee -

**K-12, School Aid, Education and House School Aid Appropriations Subcommittee** - Wednesdays, October 4, 8:00 a.m., Rooms 402 and 403, Capitol Building (CANCELED); October 11, 8:00 a.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building (373-2768)

**Finance** - Tuesday, September 19, 2:30 p.m., Room 1100, Binsfeld Office Building (373-5312)

**Health Policy** - Tuesday, September 19, 12:30 p.m., Room 1100, Binsfeld Office Building (373-5323)

**Judiciary** - Tuesday, September 19, 3:00 p.m., Room 1300, Binsfeld Office Building (373-5323)

**Legislative Council** - Wednesday, September 27, 9:00 a.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building (373-0212)

**Senate Fiscal Agency Board of Governors** - Wednesday, September 20, 10:30 a.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building (373-2768)

**Transportation and House Transportation and Infrastructure Committee** - Thursday, September 28, 8:30 a.m., Senate Hearing Room, Ground Floor, Boji Tower (373-5312)

Senator Kowall moved that the Senate adjourn.  
The motion prevailed, the time being 12:36 p.m.

The Assistant President pro tempore, Senator O'Brien, declared the Senate adjourned until Tuesday, September 19, 2017, at 10:00 a.m.

JEFFREY F. COBB  
Secretary of the Senate