

No. 24
STATE OF MICHIGAN
Journal of the Senate
100th Legislature
REGULAR SESSION OF 2019

Senate Chamber, Lansing, Thursday, March 7, 2019.

10:00 a.m.

The Senate was called to order by the President, Lieutenant Governor Garlin D. Gilchrist II.

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

Alexander—present
Ananich—present
Barrett—present
Bayer—present
Bizon—present
Brinks—present
Bullock—excused
Bumstead—present
Chang—present
Daley—present
Geiss—present
Hertel—present
Hollier—present

Horn—present
Irwin—present
Johnson—present
LaSata—present
Lauwers—present
Lucido—present
MacDonald—present
MacGregor—present
McBroom—present
McCann—present
McMorrow—present
Moss—present
Nesbitt—present

Outman—present
Polehanki—present
Runestad—present
Santana—present
Schmidt—present
Shirkey—present
Stamas—present
Theis—present
VanderWall—present
Victory—present
Wojno—present
Zorn—present

Pastor Daniel Wilson of Covey Hill Baptist Church of Paw Paw offered the following invocation:

O sovereign Lord, maker of heaven and earth, the sea and all that is in them, You have made us, O Lord. You are just and good, and Your steadfast love endures forever. You have not only made us but we believe You have made us for these days in which we now live, and we know and feel our limitations. We doubt our ability to reliably navigate our complex callings. Our times are marked with harsh tone and division, our nation feels pulled in the direction of extremes. Yet, Jesus, we hear You say, "Blessed are the peacemakers for they will be called sons of God."

I pray for the Senate. Grant this governing body right humility and boldness for their task. May they maintain a posture of service toward the people of the state of Michigan, knowing that You, Lord Jesus, came not to be served but to serve and give Your life as a ransom for the many. The citizens of this state and the members of the Senate are among those many—the many for which You died—and your service at the cross brings eternal life for all who believe. So, remind each of these Senators today, Lord, that service is greatness. In that sense, make this body great. When change is slow, may You grant hope to this body because ultimately You make all things new. What is wrong with the world will one day be righted, when Christ returns. Father, You have proven it by raising Him from the dead. Many things disappoint but we thank You, Lord, that in Christ, hope does not disappoint—hope in the God who brings life and justice and peace, and hope in a God who raises dead things to life. Please give us hope, that just law and good policy can make a real difference and the humility to know it will not fix everything, but You will.

We are thankful for the promise of Your word—"God opposes the proud but gives grace to the humble." Lord, we humble ourselves before You, asking Your great help and wisdom to act justly and love mercy, extending the benefit of the doubt in disagreement, promising the common good.

Thank You, Lord, for these men and women charged with such responsibility to represent the interests of others. Bless them. Amen.

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

Motions and Communications

Senator Ananich entered the Senate Chamber.

Senator MacGregor moved that Senator McBroom be excused from today's session.
The motion prevailed.

Senator Chang moved that Senator Bullock be excused from today's session.
The motion prevailed.

The following communications were received:
Department of State

Administrative Rules Notices of Filing

January 2, 2019

In accordance with the provisions of Section 46 of Act No. 306 of the Public Acts of 1969, being MCL 24.246, and paragraph 16 of Executive Order 1995-6, this is to advise you that the Michigan Department of Technology, Management and Budget and the State Office of Regulatory Reinvention filed Administrative Rule #2017-006-EQ (Secretary of State Filing #19-01-04) on this date at 4:04 p.m. for the Department of Environmental Quality entitled, "Air Pollution Control - Part 9. Emission Limitations and Prohibitions - Miscellaneous."

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

January 2, 2019

In accordance with the provisions of Section 46 of Act No. 306 of the Public Acts of 1969, being MCL 24.246, and paragraph 16 of Executive Order 1995-6, this is to advise you that the Michigan Department of Technology, Management and Budget and the State Office of Regulatory Reinvention filed Administrative Rule #2017-068-EQ (Secretary of State Filing #19-01-05) on this date at 4:04 p.m. for the Department of Environmental Quality entitled, "Air Pollution Control - Part 2. Air Use Approval."

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

Sincerely,
 Jocelyn Benson
 Secretary of State
 Robin L. Houston, Departmental Supervisor
 Office of the Great Seal

The communications were referred to the Secretary for record.

Resolutions

Senator Nesbitt offered the following resolution:

Senate Resolution No. 21.

A resolution to oppose the Green New Deal as outlined in U.S. House Resolution 109 and U.S. Senate Resolution 59 and encourage our national leaders to pursue smarter evidence-based regulatory practices.

Whereas, U.S. House Resolution 109 and U.S. Senate Resolution 59 have been introduced in Congress recognizing the duty of the federal government to create a Green New Deal. The Green New Deal calls for an elimination of greenhouse gas emissions through public works projects and federal regulation. In addition to climate goals, the plan includes far reaching social promises that are contrary to traditional American principles by providing a basic income for able-bodied adults unwilling to work; and

Whereas, The projects proposed in the Green New Deal would be extremely expensive. One analysis estimated the cost could be as high as \$93 trillion over 10 years, which would lead to crippling new taxes and debt; and

Whereas, Well established American industries would be harmed by excessive environmental regulation proposed in the Green New Deal. Our trucking, automobile, and agriculture industries would all be affected, putting countless jobs at risk; and

Whereas, The Green New Deal would stifle economic development and consumers will bear the burden. Rather than allow efficient market forces to put pressure on businesses to lower greenhouse gas emissions, business decisions will be based on the whims of federal regulation at the expense of consumer affordability and employee wages; and

Whereas, Achieving the goals set out in the Green New Deal may not even be technologically feasible in the 10-year time-frame. There is no justification for the enormous economic harm this deal will cause especially if it cannot meet its stated goals; now, therefore, be it

Resolved, by the Senate, That we oppose the Green New Deal as outlined in U.S. House Resolution 109 and U.S. Senate Resolution 59 and encourage our national leaders to pursue smarter evidence-based regulatory practices; and be it further

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

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

Senators Barrett, Daley, Lauwers, Lucido, MacGregor, Runestad, Theis, VanderWall and Victory were named co-sponsors of the resolution.

Introduction and Referral of Bills

Senators McBroom, Moss, Barrett, Lucido, Theis and Runestad introduced

Senate Joint Resolution E, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 4 of article VIII, to update the enumeration of public universities and to require that the meetings of governing boards of public universities are open to the public.

The joint resolution was read a first and second time by title and referred to the Committee on Oversight.

Senators Alexander, Wojno, Bayer, McMorrow, Chang, Geiss, Ananich, Hertel, Polehanki, Hollier, Irwin, McCann, Brinks, Moss and Bullock introduced

Senate Bill No. 168, entitled

A bill to amend 2018 PA 337, entitled "Improved workforce opportunity wage act," by amending sections 4 and 4d (MCL 408.934 and 408.934d), as amended by 2018 PA 368.

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

Senator Daley introduced

Senate Bill No. 169, entitled

A bill to amend 2001 PA 142, entitled “Michigan memorial highway act,” (MCL 250.1001 to 250.2080) by adding section 1084.

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

Senator McBroom introduced

Senate Bill No. 170, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 17766c (MCL 333.17766c), as amended by 2014 PA 216.

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

Senator Stamas introduced

Senate Bill No. 171, entitled

A bill to amend 1976 PA 451, entitled “The revised school code,” by amending section 1278a (MCL 380.1278a), as amended by 2018 PA 232.

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

Senator Stamas introduced

Senate Bill No. 172, entitled

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” by amending section 513 (MCL 500.513), as added by 2001 PA 24.

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

Senator Stamas introduced

Senate Bill No. 173, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending section 676d (MCL 257.676d), as added by 2014 PA 303.

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

Senator Daley introduced

Senate Bill No. 174, entitled

A bill to amend 1988 PA 466, entitled “Animal industry act,” by amending the title and sections 1, 3, 7, 9, 11b, 12, 14, 19, 20, 22, 31, 39, 40, 43, and 44 (MCL 287.701, 287.703, 287.707, 287.709, 287.711b, 287.712, 287.714, 287.719, 287.720, 287.722, 287.731, 287.739, 287.740, 287.743, and 287.744), the title and section 43 as amended by 1996 PA 369, sections 1, 20, 39, and 40 as amended by 2000 PA 323, sections 3, 9, 11b, 14, 19, 22, and 44 as amended by 2002 PA 458, section 7 as amended by 1994 PA 41, and sections 12 and 31 as amended by 2003 PA 271, and by adding sections 3a, 3b, 12a, 12b, 14a, 17b, 17c, 17d, 40a, 40b, and 43a; and to repeal acts and parts of acts.

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

Senator Daley introduced

Senate Bill No. 175, entitled

A bill to amend 1994 PA 358, entitled “An act to regulate the possession of ferrets; to provide for the licensing of ferrets; to provide for requirements for importation and rabies control procedures for ferrets; to provide for the powers and duties of certain governmental entities; to prescribe penalties and provide remedies; and to repeal acts and parts of acts,” by amending section 1 (MCL 287.891).

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

Senator Daley introduced

Senate Bill No. 176, entitled

A bill to amend 1937 PA 284, entitled “An act to prevent the spread of infectious and contagious diseases of livestock; to require persons, associations, partnerships and corporations engaged in the buying, receiving, selling, transporting, exchanging, negotiating, or soliciting sale, resale, exchange or transportation of livestock to be licensed and bonded by the department of agriculture; to keep a producers’ proceeds account; to provide for the refusal, suspension or revocation

of such licenses; to provide for weighmasters; to provide for the inspection and disinfection of yards, premises and vehicles; and to provide penalties for the violation of this act,” by amending sections 4 and 7 (MCL 287.124 and 287.127), as amended by 2012 PA 317.

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

Senators Ananich and Daley introduced

Senate Bill No. 177, entitled

A bill to amend 1996 PA 199, entitled “Michigan aquaculture development act,” by amending sections 6 and 8 (MCL 286.876 and 286.878).

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

Senators Victory and Daley introduced

Senate Bill No. 178, entitled

A bill to amend 1893 PA 206, entitled “The general property tax act,” by amending sections 7dd and 34c (MCL 211.7dd and 211.34c), section 7dd as amended by 2015 PA 107 and section 34c as amended by 2012 PA 409.

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

Senators Victory and Daley introduced

Senate Bill No. 179, entitled

A bill to amend 1965 PA 232, entitled “Agricultural commodities marketing act,” by amending section 2 (MCL 290.652), as amended by 2002 PA 601.

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

Senators Lauwers and Daley introduced

Senate Bill No. 180, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 12m of chapter XVII (MCL 777.12m), as amended by 2015 PA 213.

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

Senators Lauwers and Daley introduced

Senate Bill No. 181, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending sections 50 and 50b (MCL 750.50 and 750.50b), as amended by 2018 PA 452.

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

Senator McBroom introduced

Senate Bill No. 182, entitled

A bill to amend 2012 PA 487, entitled “Wildlife depredations indemnification act,” by amending sections 2 and 3 (MCL 285.362 and 285.363).

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

Senators McBroom and Daley introduced

Senate Bill No. 183, entitled

A bill to amend 2000 PA 246, entitled “Wolf-dog cross act,” by amending section 2 (MCL 287.1002), as amended by 2016 PA 299.

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

Senator VanderWall introduced

Senate Bill No. 184, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending sections 17905 and 17906 (MCL 333.17905 and 333.17906), as amended by 2015 PA 166.

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

Senator Stamas introduced

Senate Bill No. 185, entitled

A bill to amend 1956 PA 40, entitled “The drain code of 1956,” by amending sections 196 and 201 (MCL 280.196 and 280.201), section 196 as amended by 2008 PA 509 and section 201 as added by 2016 PA 171.

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

Senator Hertel introduced

Senate Bill No. 186, entitled

A bill to create the lawful internet gaming act; to impose requirements for persons to engage in internet gaming; to create the division of internet gaming; to provide for the powers and duties of the division of internet gaming and other state governmental officers and entities; to impose fees; to impose tax and other payment obligations on the conduct of licensed internet gaming; to create the internet gaming fund; to prohibit certain acts in relation to internet gaming and to prescribe penalties for those violations; to require the promulgation of rules; and to provide remedies.

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

Senator Moss introduced

Senate Bill No. 187, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” (MCL 750.1 to 750.568) by adding section 310d.

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

Senator Bumstead introduced

Senate Bill No. 188, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 14d of chapter XVII (MCL 777.14d), as amended by 2016 PA 272.

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

Senator Hertel introduced

Senate Bill No. 189, entitled

A bill to amend 1996 IL 1, entitled “Michigan gaming control and revenue act,” by amending sections 2, 4, 4a, 4c, 4d, 5, 6, 6a, 6c, 7a, 7c, 8, 9, 9a, 9b, 9c, 12, 12a, 14, 18, 21, and 25 (MCL 432.202, 432.204, 432.204a, 432.204c, 432.204d, 432.205, 432.206, 432.206a, 432.206c, 432.207a, 432.207c, 432.208, 432.209, 432.209a, 432.209b, 432.209c, 432.212, 432.212a, 432.214, 432.218, 432.221, and 432.225), sections 2, 4, 5, 6, 8, 9, and 14 as amended and sections 4a, 4c, 4d, 6a, 6c, 7a, 7c, 9a, 9b, 9c, 12a, 18, 21, and 25 as added by 1997 PA 69 and section 12 as amended by 2004 PA 306; and to repeal acts and parts of acts.

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

Senator Schmidt introduced

Senate Bill No. 190, entitled

A bill to regulate the conduct of fantasy contests; to protect Michigan participants in fantasy contests; to require licensing of the operators of fantasy contests; to impose fees on the operators of fantasy contests; to provide for the powers and duties of certain state governmental officers and entities; to prohibit violations of this act; to prescribe civil sanctions; and to prescribe penalties.

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

Announcements of Printing and Enrollment

The Secretary announced that the following bills were printed and filed on Wednesday, March 6, and are available on the Michigan Legislature website:

Senate Bill No. 167

House Bill Nos. 4295 4296 4297 4298

Committee Reports

COMMITTEE ATTENDANCE REPORT

The Committee on Finance submitted the following:

Meeting held on Wednesday, March 6, 2019, at 12:30 p.m., Room 1200, Binsfeld Office Building
Present: Senators Runestad (C), Nesbitt, Daley, Bumstead, VanderWall, Chang and Alexander

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Community Health/Human Services submitted the following:

Meeting held on Wednesday, March 6, 2019, at 12:00 noon, Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building
Present: Senators MacGregor (C), Bizon, Schmidt, LaSata, MacDonald, Barrett, Hertel, Irwin and Santana

COMMITTEE ATTENDANCE REPORT

The Committee on Advice and Consent submitted the following:

Meeting held on Wednesday, March 6, 2019, at 3:00 p.m., Room 1100, Binsfeld Office Building
Present: Senators Lucido (C), LaSata, Nesbitt, McBroom and Hertel

COMMITTEE ATTENDANCE REPORT

The Committee on Families, Seniors, and Veterans submitted the following:

Meeting held on Wednesday, March 6, 2019, at 3:00 p.m., Room 1200, Binsfeld Office Building
Present: Senators Bizon (C), Barrett, Runestad, Johnson, Zorn, Bullock and Alexander

COMMITTEE ATTENDANCE REPORT

The Committee on Agriculture submitted the following:

Meeting held on Thursday, March 7, 2019, at 8:30 a.m., Room 1200, Binsfeld Office Building
Present: Senators Daley (C), Victory, Lauwers, Ananich and Polehanki

Scheduled Meetings

Appropriations - Wednesday, March 13, 2:00 p.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building (517) 373-5307

Subcommittees -

General Government - Wednesdays, March 13, March 20, April 10, and April 17, 3:00 p.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building (517) 373-2768

Justice and Public Safety - Thursdays, March 14 and March 21, 1:30 p.m., Room 1300, Binsfeld Office Building (517) 373-2768

K-12 and Michigan Department of Education - Thursday, March 14, 8:30 a.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building (517) 373-2768

Natural Resources and Environmental Quality - Tuesday, March 12, 8:30 a.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building (517) 373-2768

Talent and Economic Development/MEDC - Tuesdays, March 12, March 19, April 9, and April 16, 3:00 p.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building (517) 373-2768

Transportation - Tuesday, March 12, 12:00 noon, Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building (517) 373-2768

Families, Seniors, and Veterans - Wednesday, March 13, 3:00 p.m., Room 1200, Binsfeld Office Building (517) 373-1721

Senator MacGregor moved that the Senate adjourn.
The motion prevailed, the time being 10:16 a.m.

The President, Lieutenant Governor Gilchrist, declared the Senate adjourned until Tuesday, March 12, 2019, at 10:00 a.m.

MARGARET O'BRIEN
Secretary of the Senate