

No. 45
STATE OF MICHIGAN
Journal of the Senate
100th Legislature
REGULAR SESSION OF 2019

Senate Chamber, Lansing, Thursday, May 9, 2019.

10:00 a.m.

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

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—present
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

Rabbi Megan Brudney of Temple Beth El of Bloomfield Hills offered the following invocation:

It is an auspicious morning indeed to get to share words of Torah because you might know that as we work our way through the five books of Moses every year, we have been deep in the book of Leviticus, which is full of arcane details about ancient sacrifice, but this week we arrive to the sparkling jewel of the book which is the portion called Kedoshim, and I'll explain that in a second. Kedoshim is a portion that focuses on these moral, ritual, and ethical rules that govern people's interactions both with each other and with God. In Parashah Kedoshim, it starts with these words: "Kedoshim tih'yu"—you shall be holy. You shall be holy—"Ki kadosh ani Adonai Eloheichem"—for I, your God, am holy. You shall be holy—for I, your God, am holy. We learn from this both that holiness is a worthwhile characteristic, first of all, and second of all, that imitating God is a worthwhile endeavor; that we should try to be godly, that we should try to be godlike in our actions.

Senators, that is where I wish to bring you in this morning. You come from all around Michigan, elected by these diverse constituencies with different interests, issues, joys, and trials. I want to pray "Kedoshim tih'yu"—may you be holy, be holy in your legislation, be holy in your conversations, and be holy in your interactions both in this room and with your own constituents. You have this incredible power to change lives with just one vote, to improve lives, to enrich lives, to disrupt lives, and even to derail lives.

"Kedoshim tih'yu"—may you be holy—in the work you do in this room and when the people of Michigan see your work, may they then strive to be holy like you. Amen.

The President pro tempore, Senator Nesbitt, led the members of the Senate in recital of the *Pledge of Allegiance*.

Motions and Communications

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

Senator Chang moved that Senators Hollier and Santana be temporarily excused from today's session. The motion prevailed.

Senator Shirkey entered the Senate Chamber.

The following communication was received:
Department of Attorney General

May 3, 2019

Pursuant to MCL 752.974(i), attached please find the Michigan Human Trafficking Commission's 2018 Report to the Governor and Legislature.

I am pleased with the progress the Commission has made over the last year and I am committed to continuing to work with the Commission to abolish human trafficking.

Please do not hesitate to contact me if you have any questions.

Sincerely,
Dana Nessel
Attorney General

The communication was referred to the Secretary for record.

Senator Hollier entered the Senate Chamber.

Third Reading of Bills

Senator MacGregor moved that the Senate proceed to consideration of the following bill:

Senate Bill No. 239

The motion prevailed.

The following bill was read a third time:

Senate Bill No. 239, entitled

A bill to amend 1980 PA 299, entitled "Occupational code," by amending section 1803 (MCL 339.1803).

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. 61

Yeas—37

Alexander	Geiss	MacDonald	Runestad
Ananich	Hertel	MacGregor	Schmidt
Barrett	Hollier	McBroom	Shirkey
Bayer	Horn	McCann	Stamas
Bizon	Irwin	McMorrow	Theis
Brinks	Johnson	Moss	VanderWall
Bullock	LaSata	Nesbitt	Victory
Bumstead	Lauwers	Outman	Wojno
Chang	Lucido	Polehanki	Zorn
Daley			

Nays—0

Excused—1

Santana

Not Voting—0

In The Chair: Nesbitt

The Senate agreed to the title of the bill.

Senator Santana entered the Senate Chamber.

By unanimous consent the Senate proceeded to the order of

Resolutions

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

Senate Resolution No. 25

Senate Resolution No. 30

Senate Resolution No. 38

The motion prevailed.

Senator MacGregor moved that rule 3.204 be suspended to permit immediate consideration of the following resolutions:

Senate Resolution No. 46

Senate Resolution No. 47

Senate Resolution No. 48

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

Senator Barrett offered the following resolution:

Senate Resolution No. 46.

A resolution to recognize May 12-18, 2019, as Police Week.

Whereas, In 1962, President Kennedy proclaimed May 15th as National Peace Officers Memorial Day and the calendar week in which May 15th falls is National Police Week; and

Whereas, National Police Week, established by a joint resolution of Congress in 1962, pays special recognition to those law enforcement officers who have lost their lives in the line of duty for the safety and protection of others; and

Whereas, There are more than 800,000 law enforcement officers serving in communities across the United States, including more than 22,000 full-time uniformed law enforcement officers in Michigan, including corrections officers. These dedicated individuals serve in more than 600 state, county, and local departments and facilities; and

Whereas, Members of law enforcement deserve the appreciation and respect of the people of Michigan for the merit, dignity, bravery, and reliability they exhibit each and every day; and

Whereas, We must also honor the sacrifices made by families of police officers, as each day they must face constant fear as their loved one works to protect us; and

Whereas, In 2018 alone, 163 law enforcement officers were killed in the line of duty across the country. The names of these dedicated public servants are engraved on the walls of the National Law Enforcement Officers Memorial in Washington, D.C.; and

Whereas, There have been hundreds of incidents of assaults on officers in corrections facilities across the state that have resulted in serious injury for officers. Michigan's fallen officers will never be forgotten, nor will their service to their respective communities; and

Whereas, By choosing to commit themselves to law enforcement, these brave individuals answered the call for service and willingly put their lives in jeopardy. We commend them for recognizing service as a noble career, and protecting the public safety; and

Whereas, Michigan citizens have also turned to members of law enforcement for assistance and support in times of distress, whether they are coping with a personal crisis, or struggling through civil disorder or a natural disaster; and

Whereas, Our communities rely on these courageous individuals when it is difficult to stand on their own and we are indebted to the unwavering public service of our local and state police and our corrections officers. We are indeed fortunate and grateful for the contributions of law enforcement officers to the people of this state; now, therefore, be it

Resolved by the Senate, That the members of this legislative body recognize May 12-18, 2019, as Police Week; and be it further

Resolved, That we publicly salute the service of law enforcement officers in our state and nation and honor those who place their lives on the line for the safety and security of their communities.

The question being on the adoption of the resolution,

The resolution was adopted.

Senators Alexander, Ananich, Bizon, Bullock, Bumstead, Chang, Daley, Hollier, Horn, Johnson, LaSata, Lauwers, Lucido, MacDonald, MacGregor, McMorrow, Moss, Polehanki, Santana, VanderWall, Wojno and Zorn were named co-sponsors of the resolution.

Senator Zorn offered the following resolution:

Senate Resolution No. 47.

A resolution to commemorate May 12-18, 2019, as STEM Awareness Week.

Whereas, Michigan's unique history in agriculture, automotive, chemistry, manufacturing, automation, and innovation across many sectors provides an opportunity to light the way for our future in computational thinking and modeling by promoting, adopting, and implementing computer science standards in our state; and

Whereas, STEM education refers to the areas of science, technology, engineering, and mathematics; and

Whereas, Currently only 35 percent of high schools nationally offer computer science, yet 90 percent of parents want their children to have access to computer science learning opportunities; and

Whereas, Computer science is a discipline in which students learn new approaches to problem solving, harness the power of computational thinking, and create, not just consume, technology; and

Whereas, The adoption of K-12 computer science standards in our state is critical in order for our students to compete regionally, nationally, and globally; and

Whereas, Participating in STEM activities increases engagement in education, promotes equity, supports literacy development, and fosters technologically alert and empowered students who gain multiple ways to frame problems and transfer knowledge to new situations; and

Whereas, A globally competitive, knowledge-based economy is a fact for students—now and in the foreseeable future—and science, technology, engineering, and mathematics are crucial drivers in that economy; and

Whereas, STEM is not only science, technology, engineering, and mathematics, but also a way of learning in which students comprehend by doing, thinking critically, and providing solutions that lead to healthy, thriving communities; and

Whereas, Occupations in STEM are among the highest paying, fastest growing, and most influential in stimulating economic growth and innovation; and

Whereas, If Michigan students become inspired by science, technology, engineering, and mathematics at an early age, they will be more likely to enter those growing career fields when they graduate; and

Whereas, The Michigan STEM Advisory Council has supported opportunities for transforming learning in computer science with statewide professional learning through the program, MI-Coding (<http://www.mi-coding.com>); and

Whereas, A STEM education will ensure our state's workforce will be equipped for the jobs of tomorrow; now, therefore, be it

Resolved by the Senate, That the members of this legislative body commemorate May 12-18, 2019, as STEM Awareness Week.

The question being on the adoption of the resolution,

The resolution was adopted.

Senators Alexander, Ananich, Barrett, Bayer, Bizon, Brinks, Bullock, Chang, Daley, Hollier, Horn, Irwin, Johnson, LaSata, Lauwers, Lucido, MacDonald, MacGregor, McCann, McMorrow, Moss, Nesbitt, Outman, Polehanki, Santana, Schmidt, Shirkey, Stamas, Theis, VanderWall and Victory were named co-sponsors of the resolution.

Senator Wojno offered the following resolution:

Senate Resolution No. 48.

A resolution to commemorate the 100th anniversary of Michigan's state parks system.

Whereas, Michigan's state parks system was established with the passage of Public Act 218 of 1919. The new law created the Michigan State Park Commission on May 12, 1919, to acquire land for state parks; and

Whereas, The establishment of Michigan's state parks system is designed to provide recreation opportunities for the citizens of Michigan, as well as preserving Michigan's beautiful natural splendor for future generations; and

Whereas, The park system operates 103 state park and recreation areas covering more than 306,000 acres and 16 state harbors on the Great Lakes. In addition to offering recreational facilities, some parks focus on historically significant events, contain museums where artifacts are exhibited, and host special presentations that bring history to life for the more than 26 million visitors per year; and

Whereas, Camping is a major activity at most parks, with 14,100 campsites in 142 campgrounds and over 900 miles of trails with facilities ranging from modern to rustic; and

Whereas, Michigan's state parks hold in trust for future generations many of the irreplaceable natural resources to be found in our outdoors. They offer a wide array of educational opportunities amid a scenic background that may include mountains of sand dunes, an eighteenth century farm, or wilderness waterfalls; and

Whereas, Whether visiting the parks in the winter, spring, summer, or autumn, the citizens of Michigan have been making memories and parks have played an important role in vacation plans for families and friends; and

Whereas, The state parks system has been instrumental in protecting our natural wonders for our citizens and sharing the magic of "Pure Michigan" with our neighbors from other states and countries. State parks are closely linked to the tourism industry and are vital assets to our state's economy. We must continue to protect and support these great natural and historic resources; now, therefore, be it

Resolved by the Senate, That the members of this legislative body commemorate the 100th anniversary of the Michigan state parks system; and be it further

Resolved, That a copy of this resolution be transmitted to officials in the Michigan Department of Natural Resources.

The question being on the adoption of the resolution,

The resolution was adopted.

Senators Alexander, Ananich, Bayer, Bizon, Brinks, Bullock, Bumstead, Chang, Daley, Hollier, Horn, Johnson, LaSata, Lauwers, Lucido, MacDonald, McMorrow, Moss, Outman, Polehanki, Santana, Stamas, VanderWall and Zorn were named co-sponsors of the resolution.

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

The motion prevailed.

Senator Wojno's statement is as follows:

I'd like to ask my Senate colleagues to join me in supporting this resolution that recognizes the 100th anniversary of our state parks system.

Since 1919, the Michigan State Park Commission has been in charge of overseeing over 103 state parks and recreational areas that span more than 300,000 acres and 16 harbors in the Great Lakes.

These areas serve over 26 million people each year. Whether you're into hunting, fishing, camping, biking, or hiking, our state parks have some incredible, irreplaceable natural and historic beauty for every one of all ages. Whether it's our sand dunes or 18th century farms and waterfalls in the wilderness, we have natural wonders in our state that no other state has. And we have a strong tourism industry because of what Mother Nature has gifted us here in our state.

It's up to us to be good stewards of our environment so that not only can we get out there and create more memories with the next generation, but so we can protect and preserve it for generations to come and hopefully for the next hundred years.

Thank you for this time to recognize this wonderful milestone.

Introduction and Referral of Bills

Senator Lucido introduced

Senate Bill No. 307, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” (MCL 333.1101 to 333.25211) by adding sections 9157 and 9157a.

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

Senators Chang, Bayer, Brinks, Irwin, Hollier, Wojno, Geiss, Bullock and Moss introduced

Senate Bill No. 308, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending section 335 (MCL 750.335), as amended by 2002 PA 672.

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

Senator Zorn introduced

Senate Bill No. 309, entitled

A bill to amend 1933 PA 254, entitled “The motor carrier act,” by amending sections 2 and 8 (MCL 478.2 and 478.8), section 2 as amended by 2014 PA 493 and section 8 as added by 1988 PA 369.

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

Senators Santana, Alexander, Bullock, Wojno, Ananich, Geiss, Irwin, Brinks, Bayer, Moss, Hollier, McMorrow, Lucido and McBroom introduced

Senate Bill No. 310, entitled

A bill to amend 1976 PA 331, entitled “Michigan consumer protection act,” by amending section 3 (MCL 445.903), as amended by 2018 PA 211.

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

Senator Alexander introduced

Senate Bill No. 311, entitled

A bill to amend 2012 PA 436, entitled “Local financial stability and choice act,” by amending section 32 (MCL 141.1572) and by adding section 14a.

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

Senator Alexander introduced

Senate Bill No. 312, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 20105a and 20120d (MCL 324.20105a and 324.20120d), section 20105a as added by 1995 PA 71 and section 20120d as amended by 2014 PA 542.

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

Senator Alexander introduced

Senate Bill No. 313, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 20114b (MCL 324.20114b), as added by 2010 PA 228.

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

Senator Alexander introduced

Senate Bill No. 314, entitled

A bill to amend 2012 PA 436, entitled “Local financial stability and choice act,” by amending sections 12 and 14 (MCL 141.1552 and 141.1554), and by adding sections 12a and 14a.

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

House Bill No. 4397, entitled

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” by amending sections 150, 2105, 2108, 2118, 2120, 3101, 3101a, 3104, 3107, 3111, 3112, 3113, 3114, 3115, 3135, 3142, 3148, 3157, 3163, 3172, 3173a, 3174, 3175, and 3177 (MCL 500.150, 500.2105, 500.2108, 500.2118, 500.2120, 500.3101, 500.3101a, 500.3104, 500.3107, 500.3111, 500.3112, 500.3113, 500.3114, 500.3115, 500.3135, 500.3142, 500.3148, 500.3157, 500.3163, 500.3172, 500.3173a, 500.3174, 500.3175, and 500.3177), section 150 as amended by 1992 PA 182, section 2108 as amended by 2015 PA 141, sections 2118 and 2120 as amended by 2007 PA 35, section 3101 as amended by 2017 PA 140, section 3101a as amended by 2018 PA 510, section 3104 as amended by 2002 PA 662, section 3107 as amended by 2012 PA 542, section 3113 as amended by 2016 PA 346, section 3114 as amended by 2016 PA 347, section 3135 as amended by 2012 PA 158, section 3163 as amended by 2002 PA 697, sections 3172, 3173a, 3174, and 3175 as amended by 2012 PA 204, and section 3177 as amended by 1984 PA 426, and by adding sections 261, 1245, 2116b, 3107c, 3107d, 3107e, 3157a, and 3157b and chapter 63.

The bill was read a first and second time by title.

Senator MacGregor moved that rule 3.203 be suspended and that the bill be referred to the Committee of the Whole and placed on the order of General Orders.

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

Senator Chang requested the yeas and nays.

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

The motion prevailed, a majority of the members voting therefor, as follows:

Roll Call No. 62

Yeas—22

Barrett	LaSata	Nesbitt	Stamas
Bizon	Lauwers	Outman	Theis
Bumstead	Lucido	Runestad	VanderWall
Daley	MacDonald	Schmidt	Victory
Horn	MacGregor	Shirkey	Zorn
Johnson	McBroom		

Nays—16

Alexander	Bullock	Hollier	Moss
Ananich	Chang	Irwin	Polehanki
Bayer	Geiss	McCann	Santana
Brinks	Hertel	McMorrow	Wojno

Excused—0

Not Voting—0

In The Chair: Nesbitt

Announcements of Printing and Enrollment

The Secretary announced that the following House bill was received in the Senate and filed on Thursday, May 9:

House Bill No. 4397

The Secretary announced that the following bill was printed and filed on Wednesday, May 8, and is available on the Michigan Legislature website:

Senate Bill No. 306

Committee Reports

COMMITTEE ATTENDANCE REPORT

The Committee on Elections submitted the following:

Meeting held on Wednesday, May 8, 2019, at 2:00 p.m., Room 1300, Binsfeld Office Building

Present: Senators Johnson (C), McBroom, Lucido and Wojno

Excused: Senator VanderWall

COMMITTEE ATTENDANCE REPORT

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

Meeting held on Wednesday, May 8, 2019, at 3:00 p.m., Room 1200, Binsfeld Office Building

Present: Senators Bizon (C), Johnson, Zorn, Bullock and Alexander

Excused: Senators Barrett and Runestad

Scheduled Meetings

Energy and Technology - Tuesday, May 14, 2:00 p.m., Room 1100, Binsfeld Office Building
(517) 373-5312

Families, Seniors, and Veterans - Wednesday, May 15, 3:00 p.m., Room 1200, Binsfeld Office Building
(517) 373-5314

Finance - Wednesday, May 15, 12:30 p.m., Room 1200, Binsfeld Office Building (517) 373-5312

Michigan State Capitol Commission - Monday, May 13, 11:00 a.m., Room H-65, Capitol Building
(517) 373-0184

Senator MacGregor moved that the Senate adjourn.

The motion prevailed, the time being 10:32 a.m.

The President pro tempore, Senator Nesbitt, declared the Senate adjourned until Tuesday, May 14, 2019, at 10:00 a.m.

MARGARET O'BRIEN
Secretary of the Senate