

No. 58
STATE OF MICHIGAN
Journal of the Senate
100th Legislature
REGULAR SESSION OF 2019

Senate Chamber, Lansing, Thursday, June 6, 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 Assistant 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—excused
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—excused
Stamas—present
Theis—present
VanderWall—present
Victory—present
Wojno—present
Zorn—present

Senator Peter MacGregor of the 28th District offered the following invocation:

Dear heavenly Father, as we proceed with the business of today's legislative session, we pause to commemorate the 75th anniversary of the Allied invasion of Normandy. The magnitude of that day and the sacrifices made by the 150,000 Allied troops who stormed that beach cannot be overstated. Father, the fate of the world depended on Your guidance—and their success—and we are forever indebted to them for their service to this great nation.

Each of us in this chamber, Father, has been called to service and we humbly ask for Your wisdom in the decisions that we make today and throughout our term in office. Give us courage to be righteous instead of popular; to be fair instead of biased; and to be caring instead of calculating. Lord, we pray this blessing upon all our Senate staff and their families.

In the name of Your Son, Jesus. Amen.

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

Motions and Communications

Senators Hollier and Schmidt entered the Senate Chamber.

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

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. 30

Senate Resolution No. 38

Senate Resolution No. 49

The motion prevailed.

Senator MacGregor 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. 55

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

Senate Resolution No. 55.

A resolution to recognize June 12, 2019, as Women Veterans Recognition Day.

The question being on the adoption of the resolution,

The resolution was adopted.

Senators Runestad, Brinks, Bullock, MacDonald, Bizon, Lucido, McMorro, Santana, Victory and Polehanki offered the following resolution:

Senate Resolution No. 57.

A resolution to commemorate June 6, 2019, as the inaugural Indian-American Legislative Day in the state of Michigan.

Whereas, The people of Michigan are honored to represent many cultures and are proud to join with all residents of Indian heritage in acknowledging the contributions of Indian-Americans to our state; and

Whereas, In 1947, India proclaimed independence and officially became a self-governing country, marking the beginning of its identity as a free and sovereign nation; and

Whereas, Like the United States, India is a diverse nation of many cultures and religions, and Indian-Americans have brought to Michigan a true melting pot of diverse Indian heritage; and

Whereas, Americans identifying as Indian-Americans in Michigan are expected to approach a population of over 100,000 by the coming census; and

Whereas, India has proved to be a courageous nation with a growing democracy, seeking to establish its basic, fundamental principles of freedom, opportunity, and justice; and

Whereas, Indian-Americans have brought to Michigan that same courage and commitment to these shared ideals; and

Whereas, Michigan residents who hail from India, or who have ancestral ties to India, continually demonstrate the greatness of the culture, arts, traditions, and natural beauty of their homeland; and

Whereas, Michigan residents who immigrated from India have achieved high levels of education with over 40% having attained a post graduate degree; and

Whereas, The contributions of these individuals are notable and reflect success in many fields, including education, medicine, science, technology, business, industry, and public policy; and

Whereas, Michigan welcomes the opportunity to promote a greater understanding of the Indian-American culture, while also providing an opportunity for Michiganders to recognize the contributions of Indian-Americans to our state's economy; now therefore, be it

Resolved by the Senate, That the members of this legislative body commemorate June 6, 2019, as the inaugural Indian-American Legislative Day in the state of Michigan; and be it further

Resolved, That copies of this resolution be transmitted to the Asian Pacific American Caucus to be distributed to Indian American communities and associations.

Pending the order that, under rule 3.204, the resolution be referred to the Committee on Government Operations, Senator MacGregor moved that the rule be suspended.

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

The resolution was adopted.

Senators Alexander, Ananich, Bayer, Geiss, Hertel, Hollier, Irwin, McCann, Moss and Wojno were named co-sponsors of the resolution.

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

The motion prevailed.

Senator Runestad's statement is as follows:

Today I stand as a proud member of the Asian Pacific Legislative Caucus to offer a resolution designating June 6 as the inauguration of the Indian-American Legislative Day here in the state of Michigan.

As a member of this caucus, I am honored to be joined by Senator Chang and Representative Padma Kuppa in recognition of contributions of Indian-Americans to Michigan's economy and their notable accomplishments in many fields, including education, medicine, science, technology, business, industry, and public policy.

Like the United States, the nation of India is a diverse nation with many different cultures and religions. The Indian-Americans have brought to Michigan a true melting pot of Indian heritage and have demonstrated a solid commitment to our shared values such as freedom, opportunity, and justice.

I encourage all members of this body to join with me in supporting Senate Resolution No. 57 to designate June 6 as the inauguration of Indian-American Legislative Day in the state of Michigan.

Senator McMorrow offered the following resolution:

Senate Resolution No. 58.

A resolution to recognize June 7, 2019, as National Gun Violence Awareness Day.

Whereas, We honor and remember all victims and survivors of gun violence. Our country must do more to reduce gun violence; and

Whereas, Every day, 100 Americans are killed by gun violence and countless others are wounded; and

Whereas, Americans are 25 times more likely to be killed with guns than people in other high-income countries; and

Whereas, Protecting public safety in the communities they serve is among a governor's highest responsibilities; and

Whereas, Support for the Second Amendment rights of law-abiding citizens goes hand-in-hand with keeping guns away from people that shouldn't have them; and

Whereas, June 2019 would have marked the 22nd birthday of Hadiya Pendleton, a teenager who marched in President Obama's second inaugural parade and was tragically shot and killed just weeks later; and

Whereas, To honor Hadiya, and the 100 Americans whose lives are cut short as well as the countless others who are wounded by gun violence every day, June 7, 2019, has been designated as the fifth National Gun Violence Awareness Day; and

Whereas, The idea was inspired by a group of Hadiya's friends who asked their classmates to commemorate her life by wearing orange; they chose this color because hunters wear orange to protect themselves and others. Orange is a color that has been embraced by the gun safety movement because it symbolizes the value of human life; and

Whereas, By wearing orange and commemorating National Gun Violence Awareness Day on June 7, Americans will raise awareness about gun violence and honor the lives and lost human potential of Americans stolen by gun violence; and

Whereas, We renew our commitment to reduce gun violence, pledge to do all we can to keep firearms out of the wrong hands, and encourage responsible gun ownership to help keep our children safe; now, therefore, be it

Resolved by the Senate, That members of this legislative body recognize June 7, 2019, as National Gun Violence Awareness Day; and be it further

Resolved, That we encourage all citizens to support their communities' efforts to prevent the tragic effects of gun violence and to honor and value human lives.

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

Senators Alexander, Ananich, Bayer, Brinks, Bullock, Geiss, Hertel, Hollier, Irwin, McCann, Moss, Polehanki, Santana and Wojno were named co-sponsors of the resolution.

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

The motion prevailed.

Senator McMorrow's statement is as follows:

On April 16, 2007, I was sitting in a theology class at the University of Notre Dame. I received a text message—this was before we had iPhones—from a friend from Virginia Tech who said there was a shooter on campus. He said he was OK and I breathed a sigh of relief, but later that day as names came out, there was another name that I knew. It was the older brother of one of my best friends—somebody who I went to high school with, somebody who I knew and saw at sleepovers, somebody who I grew up with. For the days that followed, cable news channels replayed this incident over and over again. They had animations of how the shooter entered the building, how he executed this incredibly violent attack, and how he murdered somebody that I grew up with in cold blood. I couldn't look away. It was replayed for days upon days and my friend's dad's picture was on the front page of *The Washington Post* as our national face of grief, sobbing uncontrollably.

Gun violence takes many forms and while school shootings and mass shootings often get a lot of the headlines, this isn't the only form that it takes. Suicide is something that affects many Americans, many Michiganders, and many very quietly. One hundred Americans are killed every day by guns. When we talk about suicide, those who attempt suicide by firearm have a 90 percent chance of succeeding—of killing themselves—versus attempting suicide via any other method where there's only a 10 percent success rate, which means there's a 90 percent chance that you get another chance. Right now, white males account for 70 percent of suicides and kill themselves at twice the national rate. Suicide is also the No. 2 cause of death for young people ages 10 to 24 in my county of Oakland.

We know that freedom isn't free. We hear this all the time, but I think we have to grapple with the fact that sometimes many of our freedoms are much more complicated than we might realize. We have to grapple with these realities. We have to live in this tension. We have to acknowledge the push-and-pull. We can never forget the people that we lose, the people who are close to us. In the more than a decade since Virginia Tech as I have talked to more and more people about my experience and my friend's experience, what is shocking to me is how many people tell me, "I lost somebody too." It's not an experience that we should share. What do we do when our own kill our own? What do we do when our own kill themselves?

I welcome your co-sponsorship on this resolution and invite you all to participate because gun violence is the issue here. It's not guns versus no guns. It's how do we address this horrible issue of our own dying. This day was actually started by a group of 15-year-old girls in the wake of losing one of their own, and in the wake of her death a 15-year-old girl was wearing orange, so that is why we wear orange in honor of this day. It's also widely known as a safety color in hunting. We wear it to recognize and fight for gun safety.

I invite you to join me. I invite you to put aside some of the partisan thoughts on this issue and let's talk to each other about how we solve gun violence.

Senators Brinks, Bayer, Santana, Polehanki, McMorrow, Bullock, Alexander, Victory, Runestad, Bizon, MacDonald, McBroom, Bumstead, Lucido, Schmidt, Zorn, Geiss, Wojno, Ananich, McCann, Irwin, Moss, Outman, Theis, Johnson, Hertel, Hollier, MacGregor, Barrett, Shirkey, Horn, Daley and VanderWall offered the following resolution:

Senate Resolution No. 59.

A resolution to commemorate June 10, 2019, as the 100th anniversary of Michigan's ratification of the 19th Amendment.

Whereas, Michigan was the one of the first three states to ratify the 19th Amendment, to provide suffrage to women; and

Whereas, The introduction, passage, and ultimate ratification of the 19th Amendment were the culmination of decades of work and struggle by advocates; and

Whereas, This tireless advocacy began in Michigan in 1846 when a woman named Ernestine Rose spoke to the Michigan Legislature about the need for women's suffrage; and

Whereas, Organized efforts to advocate for a vote on women's suffrage began with a petition drive in 1855; and

Whereas, By 1866, the Michigan Legislature considered its first bill to extend suffrage to women, but the measure was defeated by a single vote; and

Whereas, Over the next fifty years, proposals to grant women the right to vote were considered numerous times by the Legislature and Michigan voters, but each time the measures came up short; and

Whereas, Leading these campaigns were organizations, including the Michigan State Suffrage Association and the Michigan Equal Suffrage Association, who held rallies and worked to educate others; and

Whereas, Women from across Michigan with diverse backgrounds and political views persisted in their quest, persevering in the face of resistance; and

Whereas, These Michigan women played an instrumental role in achieving women's suffrage both in Michigan and across the country; and

Whereas, It took male allies to support women in their endeavor to vote, for it was sons, husbands, and fathers who ultimately heard the calls of women and took this historic vote on June 10, 1919; and

Whereas, In August of the following year, the 19th Amendment was ratified by three-fourths of the states and officially became part of the Constitution of the United States; and

Whereas, We thank the decades-long effort by women's rights activists, the daughters, granddaughters, and great-granddaughters of the women who fought so hard to vote, and made their voices heard at the polls for nearly 100 years; and

Whereas, Most of the women who began asking for the right to vote never lived to see the enfranchisement of women; and

Whereas, Women are now running for elected office in unprecedented numbers, following in the footsteps of these great suffragists; and

Whereas, We honor those who have championed the movement to achieve economic, social, and political equality for women in the state of Michigan; now, therefore be it

Resolved by the Senate, That the members of this legislative body commemorate June 10, 2019, as the 100th anniversary of Michigan's ratification of the 19th Amendment; and be it further

Resolved, That the Senate reaffirms Michigan's commitment to empowering and uplifting the voices of women across our great state.

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

Senator MacGregor moved that the rule be suspended.

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

The resolution was adopted.

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

The motion prevailed.

Senator Brinks' statement is as follows:

Colleagues, today I rise to offer this resolution to commemorate June 10, 2019 the 100th anniversary of Michigan's ratification of the 19th Amendment of the U.S. Constitution, which extended national suffrage to women. The women of Michigan were among the earliest leaders in the fight for national women's suffrage. Because of their tireless work, Michigan ratified the 19th Amendment on June 10, 1919, less than 10 days after it passed the U.S. Congress. As we celebrate their success a century later, it is important to honor those who championed the movement and to reflect on their unyielding persistence during the decades-long struggle.

The fight for women's suffrage began in Michigan in 1846, two years before the women's rights convention of Seneca Falls, New York. A woman named Ernestine Rose traveled to our state capitol, which was at the time located in Detroit to discuss extending suffrage to women with members of the Legislature. Just three years later a Michigan Senate committee proposed a universal suffrage amendment to the Michigan Constitution which would have extended suffrage to both women and African Americans. No action was taken on the proposal. In committee, in fact, its opponents commented on its uselessness and its needlessness. Extending voting rights would not be considered again until nearly 20 years later when in 1866, the Michigan Legislature considered its first bill to extend suffrage to women. That bill was defeated by just one vote. Undeterred, the women of our state used this shortcoming as motivation to fight harder than ever. They organized and formed the Michigan State Suffrage Association, and later, the Michigan Equal Suffrage Association. Members of those groups lobbied state lawmakers and actively campaigned to spread their message to the public.

Over the next 50 years, their hard work caused decision-makers to consider extending voting rights to women again on several occasions, resulting in four additional rejected amendments to the state Constitution, two additional rejected bills, and one short-lived victory; a law granting women's suffrage in municipal elections that was held unconstitutional by the Michigan Supreme Court shortly after it passed. Nevertheless, the women of our state persisted and continued to exert unparalleled determination to achieve suffrage. Their efforts did not go unnoticed. Instead, their efforts ignited conversations among citizens across Michigan and garnered support from men and women alike.

Finally, in 1918, 72 years after Ernestine Rose traveled to Detroit, those citizen allies passed a ballot initiative granting women the right to vote in Michigan. One year later, in 1919, Michigan became one of the first states to ratify the 19th Amendment. Thanks to the over seven-decade-long effort of these women, their daughters, granddaughters, and great-granddaughters can proudly cast their ballots. And Michigan

women were immediately presented with new opportunities, politically, socially, and economically. In 1919 alone, the first all-woman jury was seated in Detroit, Ella Eggleston of Hastings became the first woman to be appointed as a probate judge, Phoebe Patterson of Plymouth became the first woman justice of the peace, and Anna Shaw of Big Rapids became the first woman in the nation to receive the Distinguished Service Medal. One year later, in 1920, Eva McCall Hamilton of Grand Rapids, whose portrait graces the west wall of this chamber, was the first woman elected to the Michigan Legislature, serving as a State Senator.

Michigan’s ratification of the 19th Amendment was a tremendous milestone in making Michigan citizens of our state and nation more free. But there was still, and there still is, more work to be done. For many years after 1919, African Americans, Native Americans, Asian Americans, and others were still unable to freely participate fully in their government. Today while a vote cannot be denied on the basis of race, sex, or ethnicity, we still face unique challenges just as new generations of Michiganders will well into the future. But no matter the challenge, the determination of Michigan’s suffragists serves as an inspiration to any person standing strong in their convictions and fighting for change. Because while these strong women faced rejection after rejection, they were never defeated. Their persistence paved the way to their victory, and their victory will continue to inspire generations of Michiganders to be bold, to be an unstoppable force in the face of a seemingly unmovable object.

Statements

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

The motion prevailed.

Senator Barrett’s statement is as follows:

Today I just wanted to memorialize a friend of mine who passed away either Sunday or Monday. I served in the Army with a young man named David Bankston. He was a chief warrant officer two in the Army, served 12 years, and deployed at least once in support of Operation Iraqi Freedom; he was a medevac helicopter pilot over there. Sadly, he was diagnosed with a brain tumor after he returned home and suffered from that for the last several years and was in remission, and then fell victim to his illness.

I know today is a day when we remember the sacrifices made by our Greatest Generation in the heroic service of our military and I just wanted to mention Dave’s sacrifice too because he was just a really kind man who was a good person. I can recall a specific incident when I was going through training. We had to go through underwater survival school, which is not all that fun to do. I had been kind of struggling through that phase of our training and happened to bump into Dave at lunch on one of my times repeating that training because I hadn’t quite made it the first time. He gave me a lot of encouragement which was just a real kind act that I thought was particularly appreciated. We went on to serve together through flight school for almost two years and he made a significant sacrifice for our country—he served 12 years, he’s got a family that he leaves behind. I just wanted to recognize his service to our country today.

Just as a little bit of humor, I was going through his Facebook page recalling some of our memories together and the first thing that popped up was a picture from Veterans Day that said, “If you want to thank a veteran, punch a politician in the face.” I just wanted to offer that as some parting words from Dave and let him know that we’re thinking of him today in the state of Michigan.

Announcements of Printing and Enrollment

The Secretary announced that the following bills and resolution were printed and filed on Wednesday, June 5 and are available on the Michigan Legislature website:

**Senate Bill Nos. 351 352 353 354 355 356 357 358 359 360 361 362 363
364**
Senate Resolution No. 56
House Bill Nos. 4689 4690 4691 4692 4693

Committee Reports

The Committee on Transportation and Infrastructure reported

Senate Bill No. 278, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending sections 221 and 310 (MCL 257.221 and 257.310), section 221 as amended by 1998 PA 64 and section 310 as amended by 2018 PA 177.

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.

Tom Barrett
Chairperson

To Report Out:

Yeas: Senators Barrett, LaSata, McBroom, Victory, Outman, Lauwers, Geiss, Bullock and Hollier
Nays: None

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

The Committee on Transportation and Infrastructure reported

Senate Bill No. 279, entitled

A bill to amend 2008 PA 23, entitled "Enhanced driver license and enhanced official state personal identification card act," by amending section 5 (MCL 28.305), as amended by 2018 PA 606.

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.

Tom Barrett
Chairperson

To Report Out:

Yeas: Senators Barrett, LaSata, McBroom, Victory, Outman, Lauwers, Geiss, Bullock and Hollier
Nays: None

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

The Committee on Transportation and Infrastructure reported

Senate Bill No. 280, entitled

A bill to amend 2001 PA 142, entitled "Michigan memorial highway act," (MCL 250.1001 to 250.2080) by adding section 1081.

With the recommendation that the bill pass.

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

Tom Barrett
Chairperson

To Report Out:

Yeas: Senators Barrett, LaSata, McBroom, Victory, Outman, Lauwers, Geiss, Bullock and Hollier
Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Transportation and Infrastructure reported

House Bill No. 4118, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 627 (MCL 257.627), as amended by 2016 PA 445.

With the recommendation that the bill pass.

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

Tom Barrett
Chairperson

To Report Out:

Yeas: Senators Barrett, LaSata, McBroom, Victory, Outman, Lauwers, Geiss and Bullock
Nays: Senator Hollier

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Transportation and Infrastructure submitted the following:

Meeting held on Wednesday, June 5, 2019, at 12:30 p.m., Room 1100, Binsfeld Office Building

Present: Senators Barrett (C), LaSata, McBroom, Victory, Outman, Lauwers, Geiss, Bullock and Hollier

The Committee on Families, Seniors, and Veterans reported

Senate Resolution No. 55.

A resolution to recognize June 12, 2019, as Women Veterans Recognition Day.
(For text of resolution, see Senate Journal No. 56, p. 607.)

With the recommendation that the resolution be adopted.

John Bizon, M.D.
Chairperson

To Report Out:

Yeas: Senators Bizon, Barrett, Runestad, Johnson, Zorn, Bullock and Alexander

Nays: None

The resolution was placed on the order of Resolutions.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on Wednesday, June 5, 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, June 6, 2019, at 8:30 a.m., Room 1200, Binsfeld Office Building

Present: Senators Daley (C), Victory, Lauwers, Ananich and Polehanki

Scheduled Meetings

Advice and Consent - Wednesday, June 12, 3:00 p.m., Room 1100, Binsfeld Office Building (517) 373-5312

Economic and Small Business Development - Thursday, June 13, 2:30 p.m., Room 1100, Binsfeld Office Building (517) 373-5314

Regulatory Reform - Tuesday, June 25, 3:00 p.m., Room 1200, Binsfeld Office Building (517) 373-5314

Senator MacGregor moved that the Senate adjourn.

The motion prevailed, the time being 10:23 a.m.

The President, Lieutenant Governor Gilchrist, declared the Senate adjourned until Tuesday, June 11, 2019, at 10:00 a.m.

MARGARET O'BRIEN
Secretary of the Senate