

**No. 84**  
**STATE OF MICHIGAN**  
**Journal of the Senate**  
**100th Legislature**  
**REGULAR SESSION OF 2019**

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Senate Chamber, Lansing, Wednesday, September 11, 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

Chief Michael O’Brian of the Brighton Area Fire Authority of Brighton offered the following invocation:

As we gather today to continue to serve the citizens of this great state, I ask that we pause to remember those who lost their lives during the morning events of September 11, 2001.

At this time during the day, both towers had been hit by hijacked aircraft, as well as the Pentagon; at 9:59 a.m., the South Tower collapsed killing over 800 people; and at 10:03 a.m., the crew and passengers of Flight 93 showed true heroism as they overtook the hijacked cockpit and forced the plane crash in Shanksville, Pennsylvania. That day has shaped our country, our first responders, and our government, and I ask that we pause for a moment of silence in invocation to honor those who died that day and the 343 FDNY firefighters, 60 police officers, EMS, and military who gave their all to save lives and keep us protected.

We come together today to ask for Your continued guidance and strength. We pray for our Senators, that they may have an open mind and a strong heart to serve the citizens of the state. We ask for Your continued protection of our first responders. We ask that You guide our firefighters and paramedics to protect our residents as they respond to emergency medical incidents and home fires. We ask for Your support of our law enforcement and keep them from harm’s way while working to keep our communities safe. We ask for Your healing hand on those first responders who are still suffering from the mental anguish and the crippling side effects from responding to events on September 11.

As we reflect on the course of that day, we ask that You continue to support the fallen’s family and that You protect them and support them.

We ask for Your continued support of our military who not only went to war after September 11, but for those who continue to serve and the families that support them.

Finally, Lord, we ask for Your continued guidance for our elected leaders, firefighters, law enforcement, EMS, dispatchers, and the military as they all continue to protect this great country and great state. We ask that You guide us in our mission and provide us with the wisdom to ensure those events do not happen again and that we never forget.

In Your name. Amen.

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

**Motions and Communications**

Senator Chang moved that Senator Geiss be temporarily excused from today’s session. The motion prevailed.

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

September 10, 2019

Pursuant to MCL 390.1665, I am appointing Edward Klobucher, of Hazel Park, to the Hazel Park Promise Zone Authority Board for the term of September 11, 2019 to September 12, 2023.

Sincerely,  
Mike Shirkey  
16th Senate District  
Senate Majority leader

The communication was referred to the Secretary for record.

The following communications were received:  
Office of Senator Rosemary Bayer

September 5, 2019

Per Senate Rule 1.110(c), I am requesting that my name be added as a co-sponsor to Senate Bill 498 introduced by Senator Moss on September 4, 2019.

September 5, 2019

Per Senate Rule 1.110(c), I am requesting that my name be added as a co-sponsor to Senate Bill 499 introduced by Senator Alexander on September 4, 2019.

September 5, 2019

Per Senate Rule 1.110(c), I am requesting that my name be added as a co-sponsor to Senate Bill 500 introduced by Senator Brinks on September 4, 2019.

Sincerely,  
Rosemary K. Bayer  
12th Senate District  
State Senator

The communications were referred to the Secretary for record.

The following communication was received:  
Office of Senator Rick Outman

September 10, 2019

I respectfully request that my name be added as a co-sponsor to Senate Bill 455, introduced by Senator Stamas. If you have any questions, please do not hesitate to contact my office. Thank you for your attention to this matter.

Sincerely,  
Rick Outman  
State Senator  
33rd District

The communication was referred to the Secretary for record.

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

Senator MacGregor 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 pro tempore, Senator Nesbitt, designated Senator Santana as Chairperson.

After some time spent therein, the Committee arose; and the President pro tempore, Senator Nesbitt, having resumed the Chair, the Committee reported back to the Senate, favorably and with a substitute therefor, the following bill:

**House Bill No. 4446, entitled**

A bill to amend 1976 PA 388, entitled "Michigan campaign finance act," by amending sections 4, 5, 6, 9, 12, 21, 24, 26, 34, 35, 41, 51, 54, and 55 (MCL 169.204, 169.205, 169.206, 169.209, 169.212, 169.221, 169.224, 169.226, 169.234, 169.235, 169.241, 169.251, 169.254, and 169.255), sections 4, 9, 24, 26, 35, 51, 54, and 55 as amended by 2017 PA 119, sections 5 and 41 as amended by 1999 PA 237, section 6 as amended by 2018 PA 607, section 12 as amended by 2001 PA 250, section 21 as amended by 2015 PA 269, and section 34 as amended by 2012 PA 277.

Substitute (S-2)

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

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 Johnson offered the following resolution:

**Senate Resolution No. 74.**

A resolution to commemorate September 11-17, 2019, as Michigan Patriot Week.

Whereas, The Michigan Legislature recognizes that understanding American history and our First Principles is indispensable to the survival of our republic as a free people. In great reverence to the victims of the

September 11, 2001 attacks, the Legislature also acknowledges that American citizens must take time to honor the First Principles, its founders, our founding documents, and the symbols of their history; and

Whereas, The events surrounding the Constitution of the United States of America by the delegates of the Constitutional Convention on September 17, 1787, not only have significance for every American, but are also honored in public schools across the nation on September 17th of each year, which is known as Constitution Day; and

Whereas, Revolution, the rule of law, social compact, equality, unalienable rights, and limited government are the First Principles upon which America was founded and flourishes; and

Whereas, Exceptional, visionary, and indispensable Americans such as Thomas Paine, Patrick Henry, John Adams, John Marshall, George Washington, Abraham Lincoln, Frederick Douglass, Martin Luther King, Jr., Elizabeth Cady Stanton, Susan B. Anthony, Thomas Jefferson, and James Madison founded and advanced the United States of America; and

Whereas, Key documents that embody America's First Principles and have advanced American liberty include the Declaration of Independence, the Constitution, the congressional resolution forwarding the Constitution to the states, *Marbury v. Madison*, the Seneca Falls Declaration of Sentiments and Resolutions, the Gettysburg Address, the Emancipation Proclamation, and the "I Have a Dream" speech; and

Whereas, The Bennington flag, the original Betsy Ross American flag, current American flag, Suffragist flag, Fort Sumter flag, Gadsden flag, United States Honor flag, and flag of the state of Michigan are fundamental physical symbols of American history and freedom that should be studied and remembered by every citizen; and

Whereas, We recognize that each generation needs to renew the spirit of America based on these First Principles, our historical figures, founding documents, and the symbols of America; and

Whereas, Citizens, schools, other educational institutions, government agencies, municipalities, as well as nonprofit, religious, labor, community, and business organizations are urged to recognize and participate in Patriot Week so that all may offer the reverence that is due to our free republic; now, therefore, be it

Resolved by the Senate, That we commemorate September 11-17, 2019, as Michigan Patriot Week which symbolically begins on September 11th and concludes on September 17th which is Constitution Day.

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 Bullock, Horn, Lucido, MacDonald, Moss, Polehanki and Santana were named co-sponsors of the resolution.

The President, Lieutenant Governor Gilchrist, assumed the Chair.

### Introduction and Referral of Bills

Senator Theis introduced

#### **Senate Bill No. 506, entitled**

A bill to amend 1969 PA 317, entitled "Worker's disability compensation act of 1969," by amending section 621 (MCL 418.621), as amended by 1994 PA 271.

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

Senators Moss, Bayer, Polehanki, McMorro, Geiss, Irwin, Chang and Alexander introduced

#### **Senate Bill No. 507, entitled**

A bill to amend 2013 PA 240, entitled "Michigan state capitol historic site act," by amending section 6 (MCL 4.1946).

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

Senators Bayer, Wojno, Irwin, Bullock, Polehanki, McMorro, Hertel, Brinks, Ananich and Santana introduced

#### **Senate Bill No. 508, entitled**

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 521 (MCL 436.1521), as amended by 2006 PA 502.

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

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

**Senate Bill No. 509, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1705.

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

**House Bill No. 4126, entitled**

A bill to amend 2018 IL 1, entitled "Michigan regulation and taxation of marihuana act," by amending section 8 (MCL 333.27958).

The House of Representatives has passed the bill by a 3/4 vote 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 Judiciary and Public Safety.

**House Bill No. 4127, entitled**

A bill to amend 2016 PA 281, entitled "Medical marihuana facilities licensing act," by amending section 206 (MCL 333.27206), as amended by 2018 PA 648.

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 Judiciary and Public Safety.

**House Bill No. 4485, entitled**

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

The House of Representatives has passed the bill and ordered that it be given immediate effect.

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

**House Bill No. 4572, entitled**

A bill to amend 2001 PA 142, entitled "Michigan memorial highway act," (MCL 250.1001 to 250.2081) by adding section 1091.

The House of Representatives has passed the bill and ordered that it be given immediate effect.

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

**House Bill No. 4611, entitled**

A bill to amend 2001 PA 142, entitled "Michigan memorial highway act," (MCL 250.1001 to 250.2081) by adding section 1089.

The House of Representatives has passed the bill and ordered that it be given immediate effect.

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

**Recess**

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

The motion prevailed, the time being 10:21 a.m.

10:36 a.m.

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

During the recess, Senator Geiss entered the Senate Chamber.

By unanimous consent the Senate returned to the order of  
**Messages from the House**

**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 House of Representatives has substituted (H-1) the bill.

The House of Representatives has passed the bill as substituted (H-1), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

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

Senator MacGregor moved that the rule be suspended.

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

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

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

**Roll Call No. 196**

**Yeas—38**

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

**Nays—0**

**Excused—0**

**Not Voting—0**

In The Chair: President

The question being on concurring in the committee recommendation to give the bill immediate effect, The recommendation was concurred in, 2/3 of the members serving voting therefor.

The Senate agreed to the full title.

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

**Senate Bill No. 362, entitled**

A bill to amend 1939 PA 280, entitled “The social welfare act,” by amending section 107b (MCL 400.107b), as added by 2018 PA 208.

The House of Representatives has substituted (H-1) the bill.

The House of Representatives has passed the bill as substituted (H-1), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

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

Senator MacGregor moved that the rule be suspended.

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

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

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

**Roll Call No. 197**

**Yeas—38**

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

**Nays—0**

**Excused—0**

**Not Voting—0**

In The Chair: President

The Senate agreed to the full title.

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

By unanimous consent the Senate proceeded to the order of

**Third Reading of Bills**

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

**Senate Bill No. 343**

The motion prevailed.

The following bill was read a third time:

**Senate Bill No. 343, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 2705 (MCL 333.2705), as amended by 2016 PA 499.

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. 198**

**Yeas—38**

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

**Nays—0**

**Excused—0**

**Not Voting—0**

In The Chair: President

The Senate agreed to the title of the bill.

By unanimous consent the Senate proceeded to the order of

**Statements**

Senators Hollier and Barrett asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator Hollier's statement is as follows:

I'd like to talk a little bit about 9/11 and the experience that I had. 18 years ago, I was a high school sophomore with the largest concern being football and whether or not I was going to start that week. But that all changed as I walked into a classroom and I saw the biggest fire I had ever seen, which for me is always very personal because my dad was a firefighter and on big fires like that my dad was absolutely going to be there.

Very quickly I realized that that was not in Detroit, as people were talking about what was happening as my class was watching and viewing something that would always change our lives. I started to think about it. I thought about what my dad would have been doing, how different that would be if that were in Detroit, but it was in New York. We watched live as planes crashed into the towers. We watched them fall. Like many of you, I had no idea how to process that kind of information. I had no idea how to deal with it. But it wasn't the first time I had had to deal with terrorism as a young child. My family is from Oklahoma and in 1995 we happened to be in Oklahoma visiting my great uncle just outside of Oklahoma City, and all morning and all weekend I had been trying to convince my parents that we really needed to go to Oklahoma City. I guess, luckily for us, we didn't, because at the time anyone with Michigan plates was being viewed very strangely because the people who perpetrated the, at the time, largest domestic terrorist event, were Michigan residents. 168 people were killed there at the federal building, but 2,977 were killed on 9/11. Not to mention the 10,000 first responders who responded, to this day, are still dealing with and grappling with the effects.

For many of us, we often think about 9/11 and as generations change we don't often think about how quickly and how impactful it was for every single one of us. My aunt was late for work that day and the reason she was late was because she missed her train. And so as she was walking up out of the subway, the tower that she worked in, where a majority of her colleagues died, was falling. But she was okay because she overslept—because she missed the train. One of my college roommates, her aunt has framed over her mantel a copy of her ticket from the flight on 9/11. She missed her flight.

Every day we deal with these very small things that make a difference. But we also represent a generation that raised their right hand and enlisted. My best friend enlisted at 17 with his mother's permission because he wanted to make a difference. And so he raised his right hand and promised—he swore—to “support and defend the Constitution of the United States against all enemies, foreign and domestic” and that he “would bear true faith and allegiance to the same;” that he would “obey the orders of the President of the United States and the orders of officers appointed over” him, so help him God. And in direct response to these terrorist attacks.

But it has been incredibly costly. The wars in Afghanistan and Pakistan have cost the lives of more than 480,000 people directly. That means killed from a bomb or bullet; not from disease, not from famine, and not from any of the other things that have impacted. The 10,000 first responders and their families are still grappling with disease, cancer, and all kinds of things that we have to reconcile with. And the reason I bring that up is because we have more than 1,000 soldiers in the Michigan Army National Guard and airmen who are deployed at this moment, defending us, standing in the gap. Over the next couple months you will say “thank you” for their services. But for the firefighters and the police officers who every day run into these buildings and respond to these issues, very few people will say “thank you.”



And so, as you think about this today and as you think about how you remember 9/11, I hope you remember all the people who every day are responding to the worst day that we could ever think about; to all these things, and to think about how they continue to impact us, because we represent a generation of people who have committed themselves to dealing with this as we now approach the longest war in our history.

Senator Barrett’s statement is as follows:

I want to just give some remarks today of course because of the anniversary we’re facing today of September 11. I appreciate my colleague’s remarks as well. We have a similar life experience that we’ve chosen to follow down this path.

I was a young private over in Korea on the side of a mountain doing field artillery training when we learned of the attacks here domestically. It was actually September 12 when we were aware of what had happened because of the incredible time zone difference between our two countries. I woke up that morning and hear a lot of radio chatter across our communication network and I asked my squad leader, “What are they talking about?” He said, “Don’t worry. The Army is giving us a training scenario for this exercise we’re involved in. It’s just part of that.” I said, “Well, they’re talking about the Pentagon getting bombed and the World Trade Center collapsing and thousands of people dead. That seems awfully far-fetched.” He said, “Yeah, I think so, but it’s what the Army came up with.” Literally it wasn’t for several more hours until we actually learned of the truth of what had happened with 9/11, and everything changed after that.

Today, 18 years later, I’m reflecting on this. It makes me really conscious of the fact that literally starting today, on September 11, 2019, a legal adult can now enlist in the military of the United States, take an oath, and serve their country, and be born after the attacks of 9/11, and yet we are still today involved in conflict in Afghanistan and in countless other places around the world. I kind of view this a bit like a chronic medical condition where you can deal with the effects but you can’t ever seem to cure the disease. That seems to be what our country is grappling with in regards to terrorism today and in conflicts we’re facing around the world.

Today especially, if we can try not to just let this day go by as another anniversary, another day of ‘oh yeah, that happened a long time ago, we’ve done this 17 times to remember this.’ Today I think is a milestone change and I’ve seen it with younger and younger and younger soldiers coming into our ranks, that we’ve hit a point just a few years ago where young soldiers coming in couldn’t even remember 9/11 because they didn’t yet have the cognitive ability to remember things as a very young child. Now, starting today, we’ll have young people coming in who weren’t even born at the time of the attacks, and yet they volunteer to serve. They’ve known nothing in their life but our country being at war in one way or another. I don’t want that to be diminished and would appreciate my colleagues’ attention to that.

A moment of silence was observed in remembrance of the 18th anniversary of the terrorist attacks of September 11, 2001.

**Announcements of Printing and Enrollment**

The Secretary announced that the following House bills were received in the Senate and filed on Tuesday, September 10:

**House Bill Nos. 4126 4127 4485 4572 4611**

The Secretary announced that the following bills and resolutions were printed and filed on Tuesday, September 10 and are available on the Michigan Legislature website:

**Senate Bill Nos. 497 498 499 500 501 502 503 504 505**

**Senate Resolution Nos. 72 73**

**House Bill Nos. 4925 4926 4927 4928 4929 4930 4931 4932 4933 4934 4935 4936 4937 4938**

**Scheduled Meetings**

**Advice and Consent** - Thursday, September 12, 12:00 noon, Room 1300, Binsfeld Office Building (517) 373-5312

**Conference Committees -**

**Community Colleges (SB 134)** - Thursday, September 12, 3:00 p.m., Room 352, House Appropriations Room, Capitol Building (517) 373-2768

**Environment, Great Lakes, and Energy (SB 137)** - Thursday, September 12, 2:30 p.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building (517) 373-2768

**General Government (SB 138)** - Thursday, September 19, 3:45 p.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building (517) 373-2768

**Health and Human Services (SB 139)** - Thursday, September 19, 4:00 p.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building (517) 373-2768

**Insurance and Financial Services (SB 141)** - Thursday, September 19, 3:30 p.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building (517) 373-2768

**Military and Veterans Affairs (SB 144)** - Thursday, September 19, 2:45 p.m., Room 352, House Appropriations Room, Capitol Building (517) 373-2768

**State Police (SB 147)** - Thursday, September 12, 2:00 p.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building (517) 373-2768

**Transportation (SB 149)** - Thursday, September 19, 4:30 p.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building (517) 373-2768

**Criminal Justice Policy Commission** - Wednesday, September 18, 9:00 a.m., Room 7900, Binsfeld Office Building (517) 373-0212

**Economic and Small Business Development** - Thursday, September 12, 12:00 noon, Room 1200, Binsfeld Office Building (517) 373-1721

**Health Policy and Human Services** - Thursday, September 12, 1:00 p.m., Room 1100, Binsfeld Office Building (517) 373-5323

**Judiciary and Public Safety** - Thursday, September 12, 8:30 a.m., Room 1100, Binsfeld Office Building (517) 373-5312

Senator MacGregor moved that the Senate adjourn.  
The motion prevailed, the time being 10:54 a.m.

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

MARGARET O'BRIEN  
Secretary of the Senate