

No. 19  
STATE OF MICHIGAN  
**Journal of the Senate**  
100th Legislature  
**REGULAR SESSION OF 2019**

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Senate Chamber, Lansing, Tuesday, February 26, 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—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

Senator Wayne A. Schmidt of the 37th District offered the following invocation:

Dear God, thank You for Your amazing power and work in our lives. Thank You for Your goodness and for Your blessings over us. Thank You that You are able to bring hope through even the toughest times, strengthening us for Your purposes. Thank You for Your great love and care. Thank You for Your mercy and grace. Thank You that You are always there with us and never leave us. Thank You for Your incredible sacrifice so that we might have freedom and life.

Help us to set our eyes and hearts upon You. Renew our spirits and fill us with Your peace and joy.

We give You praise and thanks. In Your name we pray. Amen.

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

### Motions and Communications

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

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

Senator Shirkey entered the Senate Chamber.

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

February 25, 2019

Pursuant to MCL 324.32803, I appoint the following individuals to the **Water Use Advisory Council**.

Andrew Such, MMA representing Business and Manufacturing  
Laura Campbell, Farm Bureau representing Agricultural Organization  
Bryan Burroughs, Trout Unlimited representing Anglers Association  
Dr. Gary Dawson, Consumers Energy representing Public Utilities

Sincerely,  
Mike Shirkey  
16th Senate District  
Senate Majority Leader

The communication was referred to the Secretary for record.

The following communication was received and read:  
Office of the Auditor General

February 21, 2019

Enclosed is a copy of the following reports:

- Report on Internal Control, Compliance, and Other Matters for the Michigan Strategic Fund (186-0401-19).
- Report on Internal Control, Compliance, and Other Matters for the Michigan Economic Development Corporation (186-0406-19).
- Performance audit report on the Michigan State Disbursement Unit, Office of Child Support, Michigan Department of Health and Human Services (431-0142-18).

Sincerely,  
Doug Ringler  
Auditor General

The audit reports were referred to the Committee on Oversight.

The following communications were received:  
Department of State

Administrative Rules  
Notices of Filing

January 2, 2019

In accordance with the requirements 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 Office of Regulatory

Reinvention filed Administrative Rule #2018-008-MA (Secretary of State Filing #19-01-01) on this date at 4:04 p.m. for the Department of Military and Veteran Affairs entitled, "Veterans Home Rules."

These rules become effective immediately upon filing with the Secretary of State unless adopted under section 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 requirements 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 Office of Regulatory Reinvention filed Administrative Rule #2018-010-TP (Secretary of State Filing #19-01-02) on this date at 4:04 p.m. for the Department of Transportation entitled, "Motor Bus Transportation."

These rules become effective immediately upon filing with the Secretary of State unless adopted under section 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 requirements 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 Office of Regulatory Reinvention filed Administrative Rule #2018-056-IF (Secretary of State Filing #19-01-03) on this date at 4:04 p.m. for the Department of Insurance and Financial Services entitled, "Credit for Reinsurance."

These rules become effective immediately upon filing with the Secretary of State unless adopted under section 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.

### Messages from the Governor

The following message from the Governor was received and read:

February 22, 2019

I respectfully submit to the Senate pursuant to Public Act 346 of 1966, MCL 125.1421, please be advised of the following appointment to office:

#### **Michigan State Housing Development Authority**

Mr. Paul Ajegba, of 3738 Creekside Court, Ann Arbor, Michigan 48105, county of Washtenaw, is appointed to represent principal department heads of the executive branch of the state government for a term commencing February 22, 2019 and expiring at the pleasure of the Governor.

Respectfully,  
Gretchen Whitmer  
Governor

The appointment was referred to the Committee on Advice and Consent.

The following message from the Governor was received and read:

February 22, 2019

I respectfully submit to the Senate pursuant to Public Act 346 of 1966, MCL 125.1421, please be advised of the following withdrawal of appointment:

#### **Michigan State Housing Development Authority**

Ms. Stephanie Beckhorn, 105 W. Allegan Street, Lansing, Michigan 48933, county of Ingham, is appointed to represent principal department heads of the executive branch of the state government for a term commencing February 15, 2019 and expiring at the pleasure of the Governor.

Respectfully,  
Gretchen Whitmer  
Governor

The message was referred to the Committee on Advice and Consent.

**Recess**

Senator Lauwers moved that the Senate recess subject to the call of the Chair.  
The motion prevailed, the time being 10:08 a.m.

11:01 a.m.

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

During the recess, Senator Ananich entered the Senate Chamber.

**Third Reading of Bills**

The following bill was read a third time:

**Senate Bill No. 3, entitled**

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending section 5744 (MCL 600.5744), as amended by 2004 PA 105.

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. 9**

**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  
**Resolutions**

Senator Lauwers moved that rule 3.204 be suspended to permit immediate consideration of the following resolution:

**Senate Resolution No. 17**

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

Senators Lucido and Nesbitt offered the following resolution:

**Senate Resolution No. 17.**

A resolution to honor the Michigan Fraternal Order of Police (FOP) on their 80th Anniversary.

Whereas, The State Lodge of Michigan was formed in 1939 and is proud to be one of Michigan's largest and oldest law enforcement organizations which has a membership of over 10,000 members organized in 54 lodges located throughout the state; and

Whereas, The Michigan FOP is recognized as the voice of law enforcement in Michigan where it has held a seat on the Michigan Commission on Law Enforcement Standards (MCOLES) since its inception in 1965, holds a seat on the 911 Advisory Board, and a seat on the statewide Sheriff's Advisory Committee; and

Whereas, Our state congratulates the Michigan Fraternal Order of Police for their strong influence in the legislature, their considerate and charitable efforts on behalf of the officers in need, and for the FOP's efforts at increasing the public's confidence toward the police to the benefit of the peace as well as the public; and

Whereas, Each and every day, these selfless men and women put on their uniform and risk their lives for their communities; and

Whereas, For the FOP, it is more than a job- it is a calling; and

Whereas, We want to take this time to honor and appreciate the members of the Michigan Fraternal Order of Police on their anniversary by saying thank you to all of their brave officers; now, therefore, be it

Resolved by the Senate, That the members of this legislative body honor the 80th Anniversary of the Michigan Fraternal Order of Police; and be it further

Resolved, That copies of this resolution be transmitted to the Governor of the state of Michigan.

The question being on the adoption of the resolution,

The resolution was adopted.

Senators Ananich, Bizon, Brinks, Bullock, Bumstead, Geiss, Hertel, Hollier, Horn, Johnson, MacDonald, MacGregor, McCann, Outman, Polehanki, Schmidt, VanderWall, Victory, Wojno and Zorn were named co-sponsors of the resolution.

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

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

**Senate Bill No. 123, entitled**

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 4a (MCL 205.54a), as amended by 2018 PA 113.

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

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

**Senate Bill No. 124, entitled**

A bill to amend 1937 PA 94, entitled "Use tax act," by amending section 4 (MCL 205.94), as amended by 2018 PA 114.

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

Senator Barrett introduced

**Senate Bill No. 125, entitled**

A bill to amend 1995 PA 29, entitled "Uniform unclaimed property act," by amending section 18 (MCL 567.238), as amended by 2010 PA 197.

The bill was read a first and second time by title and referred to the Committee on Families, Seniors and Veterans.

Senators Chang, Geiss, Bayer, Wojno, Polehanki and Bullock introduced

**Senate Bill No. 126, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1258.

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

Senators VanderWall, Hertel, Geiss, Wojno, Ananich, Victory, Bayer, Barrett, Polehanki, Runestad and Chang introduced

**Senate Bill No. 127, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 7303a (MCL 333.7303a), as amended by 2018 PA 101.

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

Senators Hertel, VanderWall, Geiss, Wojno, Ananich, Victory, Bayer, Barrett, Polehanki, Runestad and Chang introduced

**Senate Bill No. 128, entitled**

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 7104 (MCL 333.7104), as amended by 2001 PA 233.

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

Senators Schmidt, Bumstead, Daley, Bayer, Barrett, Polehanki, Geiss, MacGregor and VanderWall introduced

**Senate Bill No. 129, entitled**

A bill to amend 2016 PA 436, entitled “Unmanned aircraft systems act,” by amending section 5 (MCL 259.305).

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

### **Announcements of Printing and Enrollment**

The Secretary announced that the following bills were printed and filed on Thursday, February 21, and are available on the Michigan Legislature website:

**Senate Bill Nos. 117 118 119 120 121 122**

**House Bill Nos. 4218 4219 4220 4221 4222 4223 4224 4225 4226 4227 4228**

### **Committee Reports**

#### **COMMITTEE ATTENDANCE REPORT**

The Committee on Advice and Consent submitted the following:

Meeting held on Thursday, February 21, 2019, at 12:00 noon, Room 1300, Binsfeld Office Building

Present: Senators Lucido (C), LaSata, Nesbitt, McBroom and Hertel

#### **COMMITTEE ATTENDANCE REPORT**

The Committee on Health Policy and Human Services submitted the following:

Meeting held on Thursday, February 21, 2019, at 1:00 p.m., Room 1100, Binsfeld Office Building

Present: Senators VanderWall (C), Bizon, Johnson, LaSata, MacDonald, Theis, Brinks, Hertel, Santana and Wojno

#### **COMMITTEE ATTENDANCE REPORT**

The Subcommittee on Natural Resources and Environmental Quality submitted the following:

Meeting held on Tuesday, February 26, 2019, at 8:30 a.m., Rooms 402 and 403, Capitol Building

Present: Senators Bumstead (C), Outman, Victory, McCann and Bayer

### **Scheduled Meetings**

**Advice and Consent** - Wednesday, February 27, 3:00 p.m., Room 1100 and Thursday, February 28, 11:30 a.m., Room 1300, Binsfeld Office Building (517) 373-5312

**Agriculture and Agriculture and Rural Development Appropriations Subcommittee** - Thursday, February 28, 3:00 p.m., Room 1300, Binsfeld Office Building (517) 373-5314

**Appropriations and House Appropriations** - Tuesday, March 5, 11:00 a.m., Senate Hearing Room, Ground Floor, Boji (517) 373-5307

#### **Subcommittees -**

**Agriculture and Rural Development and Agriculture-** Thursday, February 28, 3:00 p.m., Room 1300, Binsfeld Office Building (517) 373-2768

**Community Health/Human Services** - Wednesday, February 27, 12:00 noon, Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building (517) 373-2768

**Justice and Public Safety** - Thursday, February 28, 1:30 p.m., Room 1300, Binsfeld Office Building (517) 373-2768

**K-12 and Michigan Department of Education** - Thursday, February 28, 8:30 a.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building (517) 373-2768

**Criminal Justice Policy Commission** - Wednesday, March 6, 9:00 a.m., Room 405, 4th Floor, Capitol Building (517) 373-0212

**Economic and Small Business Development** - Thursday, February 28, 12:00 noon, Room 1200, Binsfeld Office Building (517) 373-1721

**Finance** - Wednesday, February 27, 12:30 p.m., Room 1200, Binsfeld Office Building (517) 373-5312

**Health Policy and Human Services** - Thursday, February 28, 1:00 p.m., Room 1100, Binsfeld Office Building (517) 373-5323

**Insurance and Banking** - Wednesday, February 27, 8:30 a.m., Room 1100, Binsfeld Office Building (517) 373-5314

**Judiciary and Public Safety** - Thursday, February 28, 8:30 a.m., Room 1100, Binsfeld Office Building (517) 373-5312

**Natural Resources** - Wednesday, February 27, 9:00 a.m. EST, Room 1300, Binsfeld Office Building  
Remote Access: Dickinson County Circuit Court, 705 S. Stephenson Avenue, Iron Mountain (517) 373-5312

Senator Lauwers moved that the Senate adjourn.  
The motion prevailed, the time being 11:10 a.m.

The President pro tempore, Senator Nesbitt, declared the Senate adjourned until Wednesday, February 27, 2019, at 10:00 a.m.

MARGARET O'BRIEN  
Secretary of the Senate

