

No. 9
STATE OF MICHIGAN
Journal of the Senate
100th Legislature
REGULAR SESSION OF 2019

Senate Chamber, Lansing, Tuesday, January 29, 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—excused
Ananich—excused
Barrett—present
Bayer—present
Bizon—present
Brinks—present
Bullock—excused
Bumstead—present
Chang—present
Daley—present
Geiss—present
Hertel—present
Hollier—present

Horn—present
Irwin—present
Johnson—present
LaSata—present
Lauwers—present
Lucido—present
MacDonald—present
MacGregor—present
McBroom—excused
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 Mike Shirkey of the 16th District offered the following invocation:

Heavenly Father, we thank You for this glorious day. Yes, we chuckle on occasion at the kinds of things You send our way and it just reminds us of the wonder and the beauty of not knowing what You're going to send us from one day to the next. We thank You for the opportunity to serve in this capacity, both staff and support personnel and, of course, my colleagues here in the Senate. We ask that You be present today. Make Yourself and Your Holy Spirit especially present as we consider and do the things that are consistent with Your will in our lives and for the state of Michigan.

May this day be a blessing to You, Lord; may this day be a blessing to You. Guide our thoughts and our words, guard our hearts from this world. May this day be a blessing, may our work be a blessing, may our lives be a blessing to You.

And all God's people said, Amen.

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

Motions and Communications

Senator Outman entered the Senate Chamber.

Senator MacGregor moved that Senators Schmidt and Runestad be temporarily excused from today's session.

The motion prevailed.

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

The motion prevailed.

Senator Chang moved that Senators Hollier, Santana, Geiss, Polehanki, Moss and Irwin be temporarily excused from today's session.

The motion prevailed.

Senator Chang moved that Senators Ananich, Alexander and Bullock be excused from today's session.

The motion prevailed.

Messages from the Governor

The following messages from the Governor were received and read:

January 25, 2019

I respectfully submit to the Senate, pursuant to Section 213 of Act 317 of 1969, codified at MCL 418.218, and Executive Orders 2009-53 and 2011-4, please be advised of the following appointments and reappointments to office:

Workers' Compensation Board of Magistrates

Mr. David DeGraw, a Republican, of 1110 Northwood, N.E., Grand Rapids, Michigan 49505, county of Kent, succeeding Beatrice Logan whose term has expired, is appointed for a term commencing January 27, 2019 and expiring January 26, 2023.

Mr. Michael Heck, a Democrat, of 3513 Shewood Drive, Troy, Michigan 48083, county of Oakland, succeeding Lisa Klaeren whose term has expired, is appointed for a term commencing January 27, 2019 and expiring January 26, 2023.

Mr. Phillip Della Santina, a Democrat, of 3116 Ridley Way, Howell, Michigan 48843, county of Livingston, succeeding Bryan Boyle whose term has expired, is appointed for a term commencing January 27, 2019 and expiring January 26, 2023.

Mr. Emil Louis Ognisanti, a Republican, of 625 Westfield Drive, Saginaw, Michigan 48602, county of Saginaw, is reappointed for a term expiring January 26, 2023.

Mr. Chris Slater, a Republican, of 1695 Flowers Mill Drive, N.E., Grand Rapids, Michigan 49525, county of Kent, is reappointed for a term expiring January 26, 2023.

Mr. Luke McMurray, a Democrat, of 4197 East Cook Road, Grand Blanc, Michigan 48439, county of Genesee, is reappointed for a term expiring January 26, 2023.

Mr. David Grunewald, a Democrat, of 1111 Torrey Road, Grosse Pointe Woods, Michigan 48236, county of Wayne, is reappointed for a term expiring January 26, 2023.

January 25, 2019

I respectfully submit to the Senate, pursuant Section 7 of Article 2 of the State of Michigan Constitution of 1963, please be advised of the following reappointments to office:

Board of State Canvassers

Mr. Norman Shinkle, a Republican, of 2683 Donna Drive, Williamston, Michigan 48895, county of Ingham, is reappointed for a term commencing February 1, 2019 and expiring January 31, 2023.

Ms. Julie Matuzak, a Democrat, of 84 Lodewyck Street, Mount Clemens, Michigan 48034, county of Macomb, is reappointed for a term commencing February 1, 2019 and expiring January 31, 2023.

Respectfully,
Gretchen Whitmer
Governor

The appointments were referred to the Committee on Advice and Consent.

Recess

Senator MacGregor moved that the Senate recess subject to the call of the Chair.
The motion prevailed, the time being 10:05 a.m.

10:51 a.m.

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

During the recess, Senators Santana, Moss, Runestad, Schmidt, Hollier, Polehanki, Irwin and Geiss entered the Senate Chamber.

By unanimous consent the Senate returned to the order of

Motions and Communications

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

January 29, 2019

Pursuant to Senate Rule 1.105 I hereby announce the appointment of Senators to statutory committees for this the 100th Legislature.

Legislative Council - Senators Shirkey (C), Stamas, Schmidt, Horn, Ananich and Chang.

Alternates: Senators Bizon, MacDonald and Moss.

Legislative Retirement Board of Trustees - Senators Stamas and Wojno.

Library of Michigan Board of Trustees - Senator Victory.

Michigan Commission on Uniform State Laws - Senators Lucido and Irwin.

Michigan Law Revision Commission - Senators Lucido and Chang.

Senate Fiscal Agency Governing Board - Senators Shirkey (C), Stamas, Bumstead, Ananich and Hertel.

Michigan Council on Future Mobility - Senators LaSata and Hollier.

If you have any questions regarding this matter, please do not hesitate to contact me.

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 Senator Jim Stamas

January 24, 2019

Pursuant to M.C.L. 4.1501, I hereby appoint the following Senators to the Michigan Senate Fiscal Agency Governing Board:

- Senator Jon Bumstead.
- Senator Curtis Hertel Jr.

If you have any questions regarding this matter, please do not hesitate to contact me.

Sincerely,
Sen. Jim Stamas, Chair
Senate Appropriations Committee

The communication was referred to the Secretary for record.

Introduction and Referral of Bills

Senators Wojno, Moss, Hertel, Chang, Alexander, Outman, Bullock, Geiss, McMorrow and Polehanki introduced **Senate Bill No. 68, entitled**

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending sections 6431 and 6452 (MCL 600.6431 and 600.6452).

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

Senators Wojno, Moss, Hertel, Chang, Alexander, Outman, Bullock, Geiss, McMorrow, Polehanki and Bayer introduced

Senate Bill No. 69, entitled

A bill to amend 2016 PA 343, entitled “Wrongful imprisonment compensation act,” by amending section 7 (MCL 691.1757).

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

Senators Johnson, Hollier, Irwin, Chang, Wojno, Theis, Polehanki, McMorrow, Moss, Bayer and Daley introduced **Senate Bill No. 70, entitled**

A bill to create the address confidentiality program; to provide certain protections for victims of domestic violence, sexual assault, stalking, or human trafficking; to prescribe duties and responsibilities of certain state departments; to require the promulgation of rules; to create a fund; to prohibit the disclosure of certain information and obtaining a certification under this act by fraud; and to prescribe penalties.

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

Senators Barrett, Johnson, Hollier, Irwin, Chang, Wojno, Theis, Polehanki, McMorrow, Moss, Bayer and Daley introduced

Senate Bill No. 71, entitled

A bill to amend 1954 PA 116, entitled “Michigan election law,” by amending sections 509q, 758, 759, and 761 (MCL 168.509q, 168.758, 168.759, and 168.761), section 509q as amended by 2012 PA 586, section 758 as amended by 1996 PA 207, section 759 as amended by 2012 PA 523, and section 761 as amended by 2018 PA 129, and by adding sections 499b and 735a.

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

Senators Johnson, Hollier, Irwin, Chang, Wojno, Theis, Polehanki, McMorrow, Moss, Bayer, Barrett and Daley introduced

Senate Bill No. 72, entitled

A bill to amend 1976 PA 451, entitled “The revised school code,” by amending section 1136 (MCL 380.1136), as added by 2016 PA 367.

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

Senators Chang, Johnson, Hollier, Irwin, Wojno, Theis, Polehanki, McMorrow, Moss, Bayer, Barrett and Daley introduced

Senate Bill No. 73, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending sections 40b, 307, 310, and 314 (MCL 257.40b, 257.307, 257.310, and 257.314), section 40b as amended by 2012 PA 498, sections 307 and 310 as amended by 2018 PA 177, and section 314 as amended by 2011 PA 159, and by adding section 310f.

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

Senators Geiss, Johnson, Hollier, Irwin, Wojno, Theis, Polehanki, McMorrow, Moss, Bayer and Daley introduced **Senate Bill No. 74, entitled**

A bill to amend 2008 PA 23, entitled “Enhanced driver license and enhanced official state personal identification card act,” by amending section 4 (MCL 28.304), as amended by 2018 PA 47.

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

Senators Theis, Johnson, Hollier, Irwin, Chang, Wojno, Polehanki, McMorrow, Moss, Bayer, Barrett and Daley introduced

Senate Bill No. 75, entitled

A bill to amend 1972 PA 222, entitled “An act to provide for an official personal identification card; to provide for its form, issuance and use; to regulate the use and disclosure of information obtained from the card; to prescribe the powers and duties of the secretary of state; to prescribe fees; to prescribe certain penalties for violations; and to provide an appropriation for certain purposes,” by amending sections 1, 1a, and 2 (MCL 28.291, 28.291a, and 28.292), sections 1 and 2 as amended by 2018 PA 176 and section 1a as amended by 2008 PA 31, and by adding section 2a.

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

Senators LaSata, Johnson, Hollier, Irwin, Chang, Wojno, Theis, Polehanki, McMorrow, Moss, Bayer, Barrett and Daley introduced

Senate Bill No. 76, entitled

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending sections 916 and 1307a (MCL 600.916 and 600.1307a), section 916 as amended by 2000 PA 112 and section 1307a as amended by 2012 PA 69.

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

Senators Runestad, Lucido, Johnson and Horn introduced

Senate Bill No. 77, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 20199 (MCL 333.20199) and by adding section 21788.

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

Senators Wojno, Hertel, Alexander, Hollier, McMorrow, Bullock, Geiss, Polehanki and Chang introduced

Senate Bill No. 78, entitled

A bill to amend 1954 PA 116, entitled “Michigan election law,” by amending sections 560, 568, 706, 736b, 736c, 736d, 736e, 736g, 764, and 764a (MCL 168.560, 168.568, 168.706, 168.736b, 168.736c, 168.736d, 168.736e, 168.736g, 168.764, and 168.764a), sections 560, 568, 706, and 764a as amended and sections 736g and 764 as added by 2012 PA 128 and sections 736b, 736c, 736d, and 736e as amended by 2018 PA 190.

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

Senators Wojno, Hertel, Hollier, McMorrow, Bullock, Geiss, Polehanki and Chang introduced

Senate Bill No. 79, entitled

A bill to amend 1954 PA 116, entitled “Michigan election law,” by amending section 759a (MCL 168.759a), as amended by 2012 PA 523.

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

Statements

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

The motion prevailed.

Senator Hollier’s statement is as follows:

We lost a member of our family. Joy Brickerson, who was a Senate staffer in the 2nd Senate District and served here for about two years, passed early last week of Lupus. She was very young in her 20s.

Many of you may not know what Lupus is and you would not be in a small majority, about 74 percent of people don’t know or have never heard of Lupus. It disproportionately affects black women and particularly women of color. Being almost three and half times more likely to affect black women than non-black women.

This is somebody who spent her very short life serving us. Right out of school she decided to come intern in the Legislature. She got a full-time job where she focused on serving constituents much like all of our staff. She was the type of person that when people called the office they didn’t call looking for the Senator or for other people, they called asking for Joy, not always for something that was bothering them, but to call back and say, “Thank you.” If any of you have ever answered the phone in your office, the amount of thank yous that you get is very small, but that was almost half the calls she got because she made it really matter with people, she made a personal connection, and she called to check in. When she helped constituents, she knew them, they knew her, and she followed up.

Families, Seniors, and Veterans - Wednesday, January 30, 3:00 p.m., Rooms 402 and 403, Capitol Building (373-1721)

Insurance and Banking - Wednesday, January 30 (CANCELED) and Wednesday, February 6, 8:30 a.m., Room 1100, Binsfeld Office Building (373-5314)

Judiciary and Public Safety - Thursday, January 31, 8:30 a.m., Room 1100, Binsfeld Office Building (373-5312)

Senator MacGregor moved that the Senate adjourn.
The motion prevailed, the time being 11:01 a.m.

The President pro tempore, Senator Nesbitt, declared the Senate adjourned until Wednesday, January 30, 2019, at 10:00 a.m.

MARGARET O'BRIEN
Secretary of the Senate

