

No. 21  
STATE OF MICHIGAN  
**Journal of the Senate**  
100th Legislature  
REGULAR SESSION OF 2019

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Senate Chamber, Lansing, Thursday, February 28, 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

Dr. Michael T. Scott, Sr. of Galilee Baptist Church of Kalamazoo offered the following invocation:

Heavenly Father, we come to You now in the mighty name of our Lord and Savior, Jesus the Christ. Heavenly Father, we come to You boldly thanking You for this glorious day that You have provided for us. You've blessed us with food, with clothing, with shelter, and also with peace of mind. Yet, we pause to acknowledge countless Michiganders who are less fortunate, who are suffering and facing trauma and tribulations this day.

This morning we offer this intercessory prayer unto You on behalf of our State Legislature and the leadership that You have allowed to serve this present age. We pray that Your Holy Spirit would rest upon them. We believe that skillful and Godly wisdom has entered into the hearts of these women and men and that they will do Your will. We pray that they may have hearts and ears attentive to Your Godly counsel. Lord, make them men and women of Your integrity; that we may all lead a quiet and peaceful life in all Godliness and honesty throughout the length and breadth of our great state.

Father, we pray that wickedness and evil would be removed and that You, Lord Jesus, would be our refuge and stronghold in these turbulent times in which we are currently serving. So we speak into the atmosphere that peace, tranquility, abundance, and prosperity for all Michiganders—through laws that will be passed for the betterment of all people. We give You thanks and praise for this nation as a whole, our state, our local municipalities, and all that are affected by what will take place in the walls of this chamber today.

These blessings we pray and ask in Your name, Lord Jesus. Everyone said: Amen.

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

### Motions and Communications

Senators Ananich and Geiss entered the Senate Chamber.

### Third Reading of Bills

The following bill was read a third time:

#### **Senate Bill No. 23, entitled**

A bill to prohibit the theft of mail; to provide for the powers and duties of certain state and local governmental officers and entities; and to prescribe penalties and provide remedies.

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. 10**

#### **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.

The following bill was read a third time:

**Senate Bill No. 24, entitled**

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 14h of chapter XVII (MCL 777.14h), as amended by 2018 PA 188.

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. 11**

**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.

**Resolutions**

Senators MacDonald and Lucido offered the following resolution:

**Senate Resolution No. 18.**

A resolution to recognize May 2019 as Stroke Awareness Month.

Whereas, Stroke is one of the leading causes of death and serious long-term disability in the state of Michigan; and

Whereas, The federal government estimates show that more than \$34 billion is spent annually on strokes, including the cost of health care services, medications, and lost productivity; and

Whereas, Nearly 58 percent of Americans do not know if they are at risk for a stroke and one in three Americans cannot name any of the signs or symptoms of a stroke; and

Whereas, The F.A.S.T. warning signs and symptoms of a stroke include face drooping, arm weakness, speech difficulty, and time to call 9-1-1. Additional stroke warning signs and symptoms include sudden

numbness or weakness of the face, arm, or leg, especially on one side of the body, confusion, trouble speaking or difficulty understanding speech, trouble seeing in one or both eyes, trouble walking, dizziness, loss of balance or coordination, and severe headache with no known cause; and

Whereas, The American Heart Association urges people to lower their risk of heart disease and stroke by focusing on “Life’s Simple 7” key health factors and behaviors: manage blood pressure, control cholesterol, reduce blood sugar, get active, eat better, lose weight, and stop smoking; and

Whereas, New and effective treatments have been developed to treat and minimize the severity and damaging effect of strokes, but much more research is needed; now, therefore, be it

Resolved by the Senate, That the members of this legislative body recognize May 2019 as Stroke Awareness Month. We urge increased public awareness of the risk factors, warning signs, and symptoms of stroke; and be it further

Resolved, That copies of this resolution be transmitted to the members of the Michigan congressional delegation, the Governor of Michigan, and the Clerk of the Michigan House of Representatives.

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 question being on the adoption of the resolution,

Senator MacGregor moved that the resolution be referred to the Committee on Health Policy and Human Services.

The motion prevailed.

Senators Alexander, Ananich, Bizon, Brinks, Chang, Hollier, Moss, Polehanki, Santana, Victory, Wojno and Zorn were named co-sponsors of the resolution.

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

**Senate Resolution No. 19**

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

Senator Nesbitt offered the following resolution:

**Senate Resolution No. 19.**

A resolution commemorating March 2019 as Problem Gambling Awareness Month.

Whereas, Whereas, Legalized gambling is available in a variety of forms across Michigan; and

Whereas, For some individuals, gambling becomes an issue with significant societal and economic costs for them, their families, and their communities; and

Whereas, Problem gambling is a public health issue affecting individuals of all ages and backgrounds; and

Whereas, The National Council on Problem Gambling is coordinating the fifteenth annual National Problem Gambling Awareness Month during March, and seeks to increase public awareness of problem gambling as well as the availability of prevention, treatment, and recovery services; and

Whereas, Problem gambling is treatable and such treatment is effective in minimizing harm to both individuals and society; and

Whereas, It is important to raise public awareness of the warning signs of problem gambling and the availability and effectiveness of treatment; and

Whereas, Educating citizens about problem gambling is important not only to recognize it, but to prevent it as well; now, therefore, be it

Resolved by the Senate, That members of this legislative body commemorate March 2019 as Problem Gambling Awareness Month; and be it further

Resolved, That we urge the state of Michigan to recognize the seriousness of problem gambling and encourage all of its citizens to play responsibly.

The question being on the adoption of the resolution,

The resolution was adopted.

Senators Alexander, Ananich, Bizon, Brinks, Chang, Lucido, MacGregor, Moss, Polehanki, Victory, Wojno and Zorn were named co-sponsors of the resolution.

### Introduction and Referral of Bills

Senator Victory introduced

**Senate Bill No. 133, entitled**

A bill to make appropriations for the department of agriculture and rural development for the fiscal year ending September 30, 2020; and to provide for the expenditure of the appropriations.

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

Senator LaSata introduced

**Senate Bill No. 134, entitled**

A bill to amend 1979 PA 94, entitled “The state school aid act of 1979,” by amending sections 201 and 201a (MCL 388.1801 and 388.1801a), sections 201 and 201a as amended by 2018 PA 265.

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

Senator Barrett introduced

**Senate Bill No. 135, entitled**

A bill to make appropriations for the department of corrections for the fiscal year ending September 30, 2020; and to provide for the expenditure of the appropriations.

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

Senator Schmidt introduced

**Senate Bill No. 136, entitled**

A bill to make appropriations for the department of education for the fiscal year ending September 30, 2020; and to provide for the expenditure of the appropriations.

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

Senator Bumstead introduced

**Senate Bill No. 137, entitled**

A bill to make appropriations for the department of environmental quality for the fiscal year ending September 30, 2020; and to provide for the expenditure of the appropriations.

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

Senator Stamas introduced

**Senate Bill No. 138, entitled**

A bill to make appropriations for the legislature, the executive, the department of the attorney general, the department of state, the department of treasury, the department of technology, management, and budget, the department of civil rights, the department of talent and economic development, and certain other state purposes for the fiscal year ending September 30, 2020; to provide for the expenditure of the appropriations; to provide for the disposition of fees and other income received by the state agencies; and to declare the effect of this act.

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

Senator MacGregor introduced

**Senate Bill No. 139, entitled**

A bill to make appropriations for the department of health and human services for the fiscal year ending September 30, 2020; and to provide for the expenditure of the appropriations.

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

Senator LaSata introduced

**Senate Bill No. 140, entitled**

A bill to amend 1979 PA 94, entitled “The state school aid act of 1979,” by amending sections 236 and 236a (MCL 388.1836 and 388.1836a), sections 236 and 236a as amended by 2018 PA 265.

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

Senator Nesbitt introduced

**Senate Bill No. 141, entitled**

A bill to make appropriations for the department of insurance and financial services for the fiscal year ending September 30, 2020; and to provide for the expenditure of the appropriations.

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

Senator Barrett introduced

**Senate Bill No. 142, entitled**

A bill to make appropriations for the judiciary for the fiscal year ending September 30, 2020; and to provide for the expenditure of the appropriations.

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

Senator Nesbitt introduced

**Senate Bill No. 143, entitled**

A bill to make appropriations for the department of licensing and regulatory affairs for the fiscal year ending September 30, 2020; and to provide for the expenditure of the appropriations.

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

Senator Barrett introduced

**Senate Bill No. 144, entitled**

A bill to make appropriations for the department of military and veterans affairs for the fiscal year ending September 30, 2020; and to provide for the expenditure of the appropriations.

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

Senator Bumstead introduced

**Senate Bill No. 145, entitled**

A bill to make appropriations for the department of natural resources for the fiscal year ending September 30, 2020; and to provide for the expenditure of the appropriations.

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

Senator Schmidt introduced

**Senate Bill No. 146, entitled**

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 11 and 17b (MCL 388.1611 and 388.1617b), section 11 as amended by 2018 PA 586 and section 17b as amended by 2007 PA 137.

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

Senator Barrett introduced

**Senate Bill No. 147, entitled**

A bill to make appropriations for the department of state police for the fiscal year ending September 30, 2020; and to provide for the expenditure of the appropriations.

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

Senator Horn introduced

**Senate Bill No. 148, entitled**

A bill to make appropriations for the department of talent and economic development for the fiscal year ending September 30, 2020; and to provide for the expenditure of the appropriations.

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

Senator Schmidt introduced

**Senate Bill No. 149, entitled**

A bill to make appropriations for the state transportation department for the fiscal year ending September 30, 2020; and to provide for the expenditure of the appropriations.

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

Senator Stamas introduced

**Senate Bill No. 150, entitled**

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2019; and to provide for the expenditure of the appropriations.

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

Senator Stamas introduced

**Senate Bill No. 151, entitled**

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2019; and to provide for the expenditure of the appropriations.

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

Senator Stamas introduced

**Senate Bill No. 152, entitled**

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2020; and to provide for the expenditure of the appropriations.

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

Senator Stamas introduced

**Senate Bill No. 153, entitled**

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2020; and to provide for the expenditure of the appropriations.

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

Senator Stamas introduced

**Senate Bill No. 154, entitled**

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 11 and 17b (MCL 388.1611 and 388.1617b), section 11 as amended by 2018 PA 586 and section 17b as amended by 2007 PA 137.

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

Senators Bullock, Outman, Wojno, Johnson, McMorro, Lucido, Polehanki, Hertel, Bayer, Moss, Brinks, Zorn, McBroom, Bizon and Hollier introduced

**Senate Bill No. 155, entitled**

A bill to amend 1915 PA 31, entitled "Youth tobacco act," (MCL 722.641 to 722.645) by adding sections 2b and 2c.

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

Senators McMorro, Wojno, Geiss, Irwin, Polehanki, Bayer, Moss, Bullock, Hertel, Ananich and Hollier introduced

**Senate Bill No. 156, entitled**

A bill to provide for the issuance of restraining orders prohibiting certain individuals from possessing or purchasing firearms and ordering the surrender and seizure of a restrained individual's firearms; to provide for the powers and duties of certain state and local governmental officers and entities; to prescribe penalties; and to provide remedies.

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

Senators Geiss, Wojno, Bayer, Polehanki, Irwin, Moss, Bullock, Hertel, Ananich, McMorro and Hollier introduced

**Senate Bill No. 157, entitled**

A bill to amend 1927 PA 372, entitled "An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms, gas ejecting devices, and electro-muscular disruption devices; to prohibit the buying, selling, or carrying of certain firearms, gas ejecting devices, and electro-muscular disruption devices without a license or other authorization; to provide for the forfeiture of firearms and electro-muscular disruption devices under certain circumstances; to provide for penalties and remedies; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; to prohibit certain conduct against individuals who apply for or receive a license to carry a concealed pistol; to make appropriations; to prescribe certain conditions for the appropriations; and to repeal all acts and parts of acts inconsistent with this act," by amending sections 2, 2b, and 5b (MCL 28.422, 28.422b, and 28.425b), section 2 as amended by 2015 PA 200, section 2b as amended by 2014 PA 205, and section 5b as amended by 2017 PA 95.

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

Senators Bayer, McMorrow, Wojno, Geiss, Polehanki, Irwin, Moss, Bullock, Hertel, Ananich and Hollier introduced **Senate Bill No. 158, entitled**

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” (MCL 760.1 to 777.69) by adding section 15e to chapter XVII.

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

Senators McBroom, Moss, Brinks, McMorrow, Wojno, Polehanki, Irwin, MacDonald, Outman, Bayer, Chang and Runestad introduced

**Senate Bill No. 159, entitled**

A bill to amend 1978 PA 368, entitled “Public health code,” (MCL 333.1101 to 333.25211) by adding section 21525.

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

Senators Moss, McBroom, Irwin, Brinks, McMorrow, Wojno, Polehanki, Barrett, MacDonald, Outman, Bayer, Chang and Runestad introduced

**Senate Bill No. 160, entitled**

A bill to amend 1978 PA 368, entitled “Public health code,” (MCL 333.1101 to 333.25211) by adding section 21525a.

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

Senators Chang, Moss, McBroom, Brinks, McMorrow, Wojno, Polehanki, Irwin, Barrett, MacDonald, Outman, Bayer and Runestad introduced

**Senate Bill No. 161, entitled**

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 20165 (MCL 333.20165), as amended by 2008 PA 39, and by adding sections 17233 and 21526.

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

Senators Victory, Bumstead, Outman, Hollier, Hertel, Daley, Barrett and VanderWall introduced

**Senate Bill No. 162, entitled**

A bill to prohibit an employer from discriminating against, disciplining, or discharging an employee who is absent from work to respond to an emergency as an emergency responder; and to provide remedies for a violation of this act.

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

Senator Nesbitt introduced

**Senate Bill No. 163, entitled**

A bill to amend 1893 PA 206, entitled “The general property tax act,” (MCL 211.1 to 211.155) by adding section 9p.

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

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

The Secretary announced that the following bills were printed and filed on Wednesday, February 27, and are available on the Michigan Legislature website:

**Senate Bill Nos. 130 131 132**

**House Bill No. 4267**

### **Committee Reports**

#### **COMMITTEE ATTENDANCE REPORT**

The Subcommittee on Community Health/Human Services submitted the following:

Meeting held on Wednesday, February 27, 2019, at 12:00 noon, Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building

Present: Senators MacGregor (C), Bizon, Schmidt, LaSata, MacDonald, Barrett, Hertel, Irwin and Santana

## COMMITTEE ATTENDANCE REPORT

The Committee on Finance submitted the following:

Meeting held on Wednesday, February 27, 2019, at 12:30 p.m., Room 1200, Binsfeld Office Building  
Present: Senators Runestad (C), Nesbitt, Daley, Bumstead, VanderWall and Alexander  
Excused: Senator Chang

## COMMITTEE ATTENDANCE REPORT

The Committee on Advice and Consent submitted the following:

Meeting held on Wednesday, February 27, 2019, at 3:00 p.m., Room 1100, Binsfeld Office Building  
Present: Senators Lucido (C), LaSata, Nesbitt, McBroom and Hertel

## COMMITTEE ATTENDANCE REPORT

The Subcommittee on K-12 and Michigan Department of Education submitted the following:

Meeting held on Thursday, February 28, 2019, at 8:30 a.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building  
Present: Senators Schmidt (C), Outman, Bumstead, Daley and Bayer

**Scheduled Meetings**

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

**Appropriations -****Subcommittees -**

**General Government** - Wednesdays, March 13, March 20, April 10, and April 17, 3:00 p.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building (517) 373-2768

**Justice and Public Safety** - Thursdays, March 14 and March 21, 1:30 p.m., Room 1300, Binsfeld Office Building (517) 373-2768

**K-12 and Michigan Department of Education** - Thursday, March 14, 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, March 7, 12:00 noon, Room 1200, Binsfeld Office Building (517) 373-1721

**Energy and Technology** - Tuesday, March 5, 2:00 p.m., Room 1100, Binsfeld Office Building (517) 373-1721

**Families, Seniors, and Veterans** - Wednesday, March 6, 3:00 p.m., Room 1200, Binsfeld Office Building (517) 373-1721

Senator MacGregor moved that the Senate adjourn.  
The motion prevailed, the time being 10:25 a.m.

The President pro tempore, Senator Nesbitt, declared the Senate adjourned until Tuesday, March 5, 2019, at 10:00 a.m.

MARGARET O'BRIEN  
Secretary of the Senate

