

No. 26
STATE OF MICHIGAN
Journal of the Senate
100th Legislature
REGULAR SESSION OF 2019

Senate Chamber, Lansing, Wednesday, March 13, 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—excused
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

Leader Tejkiran Singh of the Gurdwara Singh Sabha of Canton offered the following invocation:

You are Lord. To you, I offer my prayer. My body and my soul are Your property and Your blessing. You are our mother and You are our father; we all are Your children. In Your grace, there are countless joys and pleasures. No one knows your limits; how big Your creation is.

O highest of the high, most generous God, You have connected all of your creation—this entire universe—through You as a thread through beads of garland. All accept and obey Your command. Only You and You know your state and extent.

Servant Nanak is always and always grateful to You. Servant Nanak is always and always grateful to You. They who belong to You will always be successful.

Thank you everybody.

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

Motions and Communications

Senator Ananich entered the Senate Chamber.

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

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.

11:01 a.m.

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

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, Lieutenant Governor Gilchrist, designated Senator Stamas as Chairperson.

After some time spent therein, the Committee arose; and the President, Lieutenant Governor Gilchrist, having resumed the Chair, the Committee reported back to the Senate, favorably and without amendment, the following bills:

Senate Bill No. 29, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 136b (MCL 750.136b), as amended by 2016 PA 488.

Senate Bill No. 30, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16g of chapter XVII (MCL 777.16g), as amended by 2018 PA 374.

The bills were placed on the order of Third Reading of Bills.

Resolutions

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

Senate Resolution No. 22

Senate Resolution No. 23

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

Senators Bizon, Barrett, Outman, Hollier, Nesbitt, Daley, Chang, Johnson, Stamas, Victory, Theis, Horn, Lauwers, VanderWall, Bumstead, MacDonald, MacGregor, Ananich, Moss, Lucido, Santana, Zorn, Runestad, McBroom, Schmidt, LaSata, Alexander, Bullock, McCann, McMorrow, Polehanki and Irwin offered the following resolution:

Senate Resolution No. 22.

A resolution to commemorate the 100th Anniversary of the American Legion.

Whereas, A group of World War I service members gathered in Paris, France on March 15, 1919 to organize a new veteran service organization; and

Whereas, The American Legion has been a staunch advocate for veterans and their families since 1919; and

Whereas, The American Legion began its journey when Colonel Fred M. Alger was appointed Chairman of the Michigan Temporary Committee of the New York meeting which met under the leadership of Theodore Roosevelt Jr.; and

Whereas, The American Legion of the Department of Michigan held its first meeting in the Hotel Statler in St. Louis, Missouri; and

Whereas, The American Legion of the Department of Michigan was then divided according to Congressional Districts with George C. Waldo as Temporary Chairman, Benjamin B. Bellows as Temporary Vice Commander, and Lyle B. Tabor Temporary Adjutant; and

Whereas, The American Legion Department of Michigan was incorporated under a State Charter and headquartered in Detroit. The headquarters relocated to Lansing in 1974, while maintaining a Veterans Affairs & Rehabilitation office in Detroit; and

Whereas, The American Legion Department of Michigan has fulfilled the Legion's mission since 1919 through programs such as Boys State, Scouting, an American Legion Hospital, American Legion Children's Home, the American Legion Riders, Baseball, Accredited Veteran Service Officers, and many others throughout the decades; and

Whereas, The American Legion was founded on the four pillars of care for veterans, a strong national defense, Americanism, as well as our children and youth; and

Whereas, The American Legion has played a leading role in initiatives and breakthroughs that have affected the lives of Americans in every community, from the United States Flag Code to the GI Bill; and

Whereas, The American Legion is celebrating its centennial anniversary on March 15, 2019 and we want to thank The American Legion Department of Michigan and the veterans it serves for one hundred years of dedicated service and commitment to all Michigan Veterans; now, therefore, be it

Resolved by the Senate, That the members of this legislative body commemorate the 100th Anniversary of the American Legion and honor all 56,567 members who live in the state of Michigan and the 2 million members who live in the United States; and be it further

Resolved, That copies of this resolution be transmitted to the American Legion's Commander of the Department of Michigan.

The question being on the adoption of the resolution,

The resolution was adopted.

Senators Brinks, Geiss, Hertel, Shirkey and Wojno were named co-sponsors of the resolution.

Senator Hertel offered the following resolution:

Senate Resolution No. 23.

A resolution to commemorate March 15, 2019, as Biggby Coffee Day.

Whereas, The state of Michigan seeks to support small business owners and the difference they make in their communities; and

Whereas, We acknowledge the impact that Biggby Coffee, and its more than 200 stores and 100 different locally-owned and operated franchise owners have had on the state and beyond, from St. Joseph to Marquette and from Grand Rapids to Detroit; and

Whereas, These small business owners employ thousands of Michigan citizens and support all of their baristas in pursuing a life they love; and

Whereas, They stress that every cup of Biggby Coffee supports not just the coffee shop, but its Michigan-based roasting partner, Paramount Coffee, in addition to more than a dozen other Michigan companies through professional services, co-branding, and distribution; and

Whereas, Biggby Coffee has served and caffeinated the halls of this Capitol for two decades; now, therefore, be it

Resolved by the Senate, That members of this legislative body commemorate March 15, 2019, as Biggby Coffee Day; and be it further

Resolved, That we urge the state of Michigan to honor the anniversary of the founding of Biggby Coffee while also recognizing their achievements.

The question being on the adoption of the resolution,

The resolution was adopted.

Senators Alexander, Ananich, Brinks, Bullock, Chang, Geiss, Horn, MacGregor and Santana were named co-sponsors of the resolution.

Introduction and Referral of Bills

Senators MacDonald and Lucido introduced

Senate Bill No. 203, entitled

A bill to amend 2016 PA 281, entitled "Medical marihuana facilities licensing act," by amending section 102 (MCL 333.27102), as amended by 2018 PA 648.

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

Senators Runestad, Barrett, Victory and MacDonald introduced

Senate Bill No. 204, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 11 of chapter II (MCL 762.11), as amended by 2015 PA 31.

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

Senator Hertel introduced

Senate Bill No. 205, entitled

A bill to make appropriations for various state departments and agencies; the judicial branch, and the legislative branch for the fiscal years ending September 30, 2020; to provide anticipated appropriations for the fiscal year ending September 30, 2021; to provide for certain conditions on appropriations; 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 Hertel introduced

Senate Bill No. 206, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 4, 6, 8b, 11, 11a, 11j, 11k, 11m, 11s, 15, 18, 20, 20d, 20f, 21h, 22a, 22b, 22d, 22m, 22n, 24, 24a, 25e, 26a, 26b, 26c, 31a, 31d, 31f, 31j, 31n, 32d, 32p, 35a, 39, 39a, 41, 51a, 51c, 51d, 53a, 54, 54b, 54d, 56, 61a, 61b, 62, 67, 74, 81, 94, 94a, 95a, 98, 99h, 99s, 101, 104, 104b, 104c, 107, 147, 147a, 147b, 147c, 147e, 152a, 160, 201, 206, 207a, 207b, 207c, 209, 209a, 210b, 217, 225, 229a, 230, 236, 236b, 236c, 241, 242, 245, 251, 252, 256, 263, 264, 265, 265a, 265b, 265d, 267, 268, 269, 270, 274c, 276, 277, 278, 279, 280, 281, 282, and 289 (MCL 388.1604, 388.1606, 388.1608b, 388.1611, 388.1611a, 388.1611j, 388.1611k, 388.1611m, 388.1611s, 388.1615, 388.1618, 388.1620, 388.1620d, 388.1620f, 388.1621h, 388.1622a, 388.1622b, 388.1622d, 388.1622m, 388.1622n, 388.1624, 388.1624a, 388.1625e, 388.1626a, 388.1626b, 388.1626c, 388.1631a, 388.1631d, 388.1631f, 388.1631j, 388.1631n, 388.1632d, 388.1632p, 388.1635a, 388.1639, 388.1639a, 388.1641, 388.1651a, 388.1651c, 388.1651d, 388.1653a, 388.1654, 388.1654b, 388.1654d, 388.1656, 388.1661a, 388.1661b, 388.1662, 388.1667, 388.1674, 388.1681, 388.1694, 388.1694a, 388.1695a, 388.1698, 388.1699h, 388.1699s, 388.1701, 388.1704, 388.1704b, 388.1704c, 388.1707, 388.1747, 388.1747a, 388.1747b, 388.1747c, 388.1747e, 388.1752a, 388.1760, 388.1801, 388.1806, 388.1807a, 388.1807b, 388.1807c, 388.1809, 388.1809a, 388.1810b, 388.1817, 388.1825, 388.1829a, 388.1830, 388.1836, 388.1836b, 388.1836c, 388.1841, 388.1842, 388.1845, 388.1851, 388.1852, 388.1856, 388.1863, 388.1864, 388.1865, 388.1865a, 388.1865b, 388.1865d, 388.1867, 388.1868, 388.1869, 388.1870, 388.1874c, 388.1876, 388.1877, 388.1878, 388.1879, 388.1880, 388.1881, 388.1882, and 388.1889), sections 4 and 8b as amended and section 160 as added by PA 108 of 2017, sections 6, 11, 18, 31a, 31j, 32d, 35a, 39a, 99h, 101, and 265 as amended and section 31n as added by PA 586 of 2018 sections 11a, 11j, 11k, 11m, 11s, 15, 20, 20d, 20f, 21h, 22a, 22b, 22d, 22m, 22n, 24, 24a, 25e, 26a, 26b, 26c, 31d, 31f, 32p, 39, 41, 51a, 51c, 51d, 53a, 54, 54b, 56, 61a, 61b, 62, 67, 74, 81, 94, 94a, 98, 99s, 104, 104b, 104c, 107, 147, 147a, 147b, 147c, 147e, 152a, 201, 206, 207a, 207b, 207c, 209, 210b, 217, 225, 229a, 230, 236, 236b, 236c, 241, 245, 251, 252, 256, 263, 264, 265a, 267, 268, 269, 270, 274c, 276, 277, 278, 279, 280, 281, 282, and 289 as amended and sections 54d, 209a, 265b, and 265d as added by PA 265 of 2018, section 95a as amended by PA 85 of 2015, section 242 as amended by PA 201 of 2012, and by adding sections 28 and 231; and to repeal acts and parts of acts.

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

House Bill No. 4112, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," (MCL 436.1101 to 436.2303) by adding section 905a.

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 Regulatory Reform.

House Bill No. 4129, entitled

A bill to amend 1953 PA 232, entitled "Corrections code of 1953," by amending section 35 (MCL 791.235), as amended by 2018 PA 339.

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. 4130, entitled

A bill to amend 1953 PA 232, entitled "Corrections code of 1953," by amending sections 33 and 34 (MCL 791.233 and 791.234), section 33 as amended by 2017 PA 14 and section 34 as amended by 2017 PA 265.

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. 4131, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 197d.

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. 4132, entitled

A bill to amend 1953 PA 232, entitled "Corrections code of 1953," by amending sections 33b and 65 (MCL 791.233b and 791.265), section 33b as amended by 2010 PA 94 and section 65 as amended by 2012 PA 599.

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. 4286, entitled

A bill to amend 2016 PA 343, entitled "Wrongful imprisonment compensation act," by amending the title and section 6 (MCL 691.1756).

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 Appropriations.

Announcements of Printing and Enrollment

The Secretary announced that the following House bills were received in the Senate and filed on Tuesday, March 12:

House Bill Nos. 4112 4129 4130 4131 4132 4286

The Secretary announced that the following bills were printed and filed on Tuesday, March 12, and are available on the Michigan Legislature website:

Senate Bill Nos.	191	192	193	194	195	196	197	198	199	200	201	202	
House Bill Nos.	4313	4314	4315	4316	4317	4318	4319	4320	4321	4322	4323	4324	4325
	4326	4327	4328	4329	4330	4331	4332	4333	4334	4335	4336	4337	4338
	4339	4340	4341										

Committee Reports

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Transportation submitted the following:

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

Present: Senators Schmidt (C), Victory, MacGregor, MacDonald, Zorn and Hollier

Excused: Senator Bayer

COMMITTEE ATTENDANCE REPORT

The Committee on Environmental Quality submitted the following:
Meeting held on Tuesday, March 12, 2019, at 1:00 p.m., Room 1200, Binsfeld Office Building
Present: Senators Outman (C), Daley, Johnson, VanderWall, McBroom and Brinks
Excused: Senator Bayer

COMMITTEE ATTENDANCE REPORT

The Committee on Energy and Technology submitted the following:
Meeting held on Tuesday, March 12, 2019, at 2:00 p.m., Room 1100, Binsfeld Office Building
Present: Senators Lauwers (C), Horn, LaSata, Nesbitt, Barrett, Bumstead, Outman, McCann, Brinks and McMorrow

COMMITTEE ATTENDANCE REPORT

The Committee on Oversight submitted the following:
Meeting held on Tuesday, March 12, 2019, at 2:00 p.m., Room 1300, Binsfeld Office Building
Present: Senators McBroom (C), Lucido, Theis, MacDonald and Irwin

COMMITTEE ATTENDANCE REPORT

The Committee on Regulatory Reform submitted the following:
Meeting held on Tuesday, March 12, 2019, at 3:00 p.m., Room 1200, Binsfeld Office Building
Present: Senators Nesbitt (C), Theis, Johnson, Lauwers, VanderWall, Zorn, Moss, Polehanki and Wojno

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Talent and Economic Development/MEDC submitted the following:
Meeting held on Tuesday, March 12, 2019, at 3:00 p.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building
Present: Senators Horn (C), Schmidt and Hollier

COMMITTEE ATTENDANCE REPORT

The Joint Subcommittee on Capital Outlay submitted the following:
Meeting held on Tuesday, March 12, 2019, at 4:00 p.m., House Appropriations Room, 3rd Floor, Capitol Building
Present: Senators Horn (C), Outman, Runestad, Bizon, Schmidt, Santana, Hertel and McCann
Excused: Senator Zorn

COMMITTEE ATTENDANCE REPORT

The Committee on Insurance and Banking submitted the following:
Meeting held on Wednesday, March 13, 2019, at 8:30 a.m., Room 1100, Binsfeld Office Building
Present: Senators Theis (C), Lauwers, LaSata, Nesbitt, Daley, Barrett, Horn, Geiss, Bullock and McMorrow

COMMITTEE ATTENDANCE REPORT

The Committee on Natural Resources submitted the following:
Meeting held on Wednesday, March 13, 2019, at 8:30 a.m., Room 1300, Binsfeld Office Building
Present: Senators McBroom (C), Bumstead, Outman, Schmidt and McCann

Scheduled Meetings

Advice and Consent - Thursday, March 14, 12:00 noon, Room 1300, Binsfeld Office Building (517) 373-5312

Appropriations -

Subcommittees -

Agriculture and Rural Development - Thursdays, March 14 and March 21, 3:00 p.m., Room 1300, Binsfeld Office Building (517) 373-2768

Community Health/Human Services - Thursday, March 14, 1:30 p.m., Room 1200, Binsfeld Office Building; Wednesday, March 20, 12:00 noon, Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building; and Thursday, March 21, 8:00 a.m., Senate Hearing Room, Ground Floor, Boji Tower (517) 373-2768

General Government - Wednesdays, 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

Talent and Economic Development/MEDC - Tuesdays, March 19, April 9, and April 16, 3:00 p.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building (517) 373-2768

Universities and Community Colleges - Thursday, March 14, 3:00 p.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building (517) 373-2768

Health Policy and Human Services - Thursday, March 14, 1:00 p.m., Room 1100, Binsfeld Office Building (517) 373-5323

Judiciary and Public Safety - Thursday, March 14, 8:30 a.m., Room 1100, Binsfeld Office Building (517) 373-5312

Local Government - Thursday, March 14, 12:00 noon, Room 1200, Binsfeld Office Building (517) 373-1721

Senator MacGregor moved that the Senate adjourn.
The motion prevailed, the time being 11:16 a.m.

The President, Lieutenant Governor Gilchrist, declared the Senate adjourned until Thursday, March 14, 2019, at 10:00 a.m.

MARGARET O'BRIEN
Secretary of the Senate

