

No. 57  
STATE OF MICHIGAN  
**Journal of the Senate**  
100th Legislature  
REGULAR SESSION OF 2019

---

---

Senate Chamber, Lansing, Wednesday, June 5, 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—excused  
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

His Excellency the Most Reverend Bishop Robert J. Fisher of the Archdiocese of Detroit offered the following invocation:

Good and gracious God, You shower us with countless blessings for which we are forever grateful, and we approach You once again humbly asking for Your grace and mercy.

Bless the women and men who comprise the Senate of the state of Michigan. Give them sensitivity to the needs of the people of Michigan, especially the poor and the marginalized. Give them clarity of vision that looks to the future in a spirit of hope. Give them a spirit of cooperation that allows for listening even in the midst of disagreement. Help them keep political ambitions secondary to the noble cause for which they have been elected. And above all, give them wisdom, the wisdom that comes from You alone.

Imploring Your Holy Spirit to renew the face of the earth, we make our prayer through Christ, our Lord. Amen.

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

**Motions and Communications**

Senator MacGregor moved that Senator Shirkey be temporarily excused from today’s session. The motion prevailed.

Senator McMorrow moved that Senators Hollier and Ananich be temporarily excused from today’s session. The motion prevailed.

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

June 4, 2019

Pursuant to MCL 399.73, I appoint the following individual to the **Michigan Iron Industry Museum Advisory Board**:  
Ron Basso, Iron River

Sincerely,  
Mike Shirkey  
16th Senate District  
Senate Majority Leader

The communication was referred to the Secretary for record.

The following communication was received:  
Office of Senator Rosemary Bayer

June 4, 2019

Per Senate Rule 1.110(c), I am requesting that my name be added as a co-sponsor to Senate Bill 315 introduced by Senator Irwin on May 14, 2019.

Sincerely,  
Rosemary Bayer  
12th Senate District  
State Senator

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, Lieutenant Governor Gilchrist, designated Senator MacDonald 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:

**House Bill No. 4304, entitled**

A bill to amend 1982 PA 295, entitled “Support and parenting time enforcement act,” by amending sections 2, 5a, and 26 (MCL 552.602, 552.605a, and 552.626), section 2 as amended by 2015 PA 256 and sections 5a and 26 as amended by 2002 PA 572.

**House Bill No. 4305, entitled**

A bill to amend 1982 PA 294, entitled "Friend of the court act," by amending sections 2, 2a, 17, and 19 (MCL 552.502, 552.502a, 552.517, and 552.519), section 2 as amended by 2015 PA 253 and sections 2a, 17, and 19 as amended by 2009 PA 233.

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

During the Committee of the Whole, Senator Ananich entered the Senate Chamber.

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

**Senate Resolution No. 56**

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

Senators Bayer, Wojno, McCann, Alexander, Polehanki, McMorro, Ananich, Hertel, Bullock, Irwin, Moss, Brinks, Santana, Geiss, Johnson, Theis, Outman, Runestad, Victory, Lucido, Daley and Hollier offered the following resolution:

**Senate Resolution No. 56.**

A resolution to recognize June 2019 as Aphasia Awareness Month.

Whereas, Aphasia is defined as an impairment of language, affecting the production and/or comprehension of speech and the ability to read and/or write; and

Whereas, It causes individuals to have trouble speaking, understanding others, and the inability to process long words and infrequently used words; and

Whereas, The National Aphasia Association estimates that aphasia affects nearly two million Americans, with roughly 180,000 Americans developing the disorder each year; and

Whereas, The most common cause of aphasia is stroke, with 15 percent of individuals under the age of 65 experiencing aphasia after their first ischemic stroke, and 43 percent of individuals over the age of 85. Other causes include head injury, brain tumor, or other neurological issues; and

Whereas, There are three types of aphasia, including Wernicke's Aphasia, Broca's Aphasia, and Global Aphasia. All three types vary in severity and symptoms, but can leave a patient feeling frustrated and isolated; and

Whereas, Aphasia not only takes a physical toll, but can also take an emotional one as patients can feel trapped in their own mind as they struggle to express themselves and speak with their friends and family; and

Whereas, If the symptoms of aphasia last longer than three months after a stroke, many individuals never completely recover. However, with continued rehabilitation and support some patients can continue to improve over the years and even decades; and

Whereas, The American Heart Association and the American Stroke Association seek to increase aphasia awareness throughout the month of June by sharing communication tips, informing about the effects of having aphasia, and further educating people on aphasia itself; now, therefore, be it

Resolved by the Senate, That the members of this legislative body recognize June 2019 as Aphasia Awareness Month; and be it further

Resolved, That we commend The American Heart Association and the American Stroke Association for their continued work in educating individuals during Aphasia Awareness Month; and be it further.

Resolved, That we urge key entities to continue to improve patient care, prioritize new research, provide ongoing education to health professionals, and raise public awareness about the severity of aphasia.

The question being on the adoption of the resolution,

The resolution was adopted.

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

The motion prevailed.

Senator Bayer's statement is as follows:

Today I'm introducing a resolution to recognize June 2019 as Aphasia Awareness Month in Michigan.

As most of you know, I am personally aware of the impact aphasia can have on individuals and their families. My husband John suffered a stroke in March, and while he has recovered amazingly well, he now suffers from aphasia. Aphasia is a communication disorder that affects how a person comprehends or formulates communication. It does not affect intelligence, which is a blessing and also a curse. Friends and family must work with speech pathologists and other experts to help their loved ones regain their communication skills, things that we take for granted like reading and writing, and for someone like my husband who is a storyteller, speech—the ability to speak. Over two million Americans are living with aphasia today, 180,000 more join the ranks every year.

As John and I know, surviving a stroke is intensely challenging and the resulting aphasia means a very long return to normalcy. We have been fortunate to be able to work with incredible speech pathologists who are continuing to lead us through this, likely through the rest of this year.

In recognizing June 2019 as Aphasia Awareness Month in Michigan, we are acknowledging the importance of aphasia awareness and of the support for speech pathologists making a difference for families every day. I urge my colleagues to support this resolution.

Senators Shirkey and Hollier entered the Senate Chamber.

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

The following messages from the Governor were received:

Date: June 4, 2019  
 Time: 10:32 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 106 (Public Act No. 18), being**

An act to amend 1915 PA 31, entitled "An act to prohibit the selling, giving, or furnishing of tobacco products to minors; to prohibit the purchase, possession, or use of tobacco products by minors; to regulate the retail sale of tobacco products; to prescribe penalties; and to prescribe the powers and duties of certain state agencies and departments," by amending the title and sections 1, 2, and 4 (MCL 722.641, 722.642, and 722.644), as amended by 2006 PA 236.

(Filed with the Secretary of State on June 4, 2019 at 12:06 p.m.)

Date: June 4, 2019  
 Time: 10:34 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 155 (Public Act No. 17), being**

An act to amend 1915 PA 31, entitled "An act to prohibit the selling, giving, or furnishing of tobacco products to minors; to prohibit the purchase, possession, or use of tobacco products by minors; to regulate the retail sale of tobacco products; to prescribe penalties; and to prescribe the powers and duties of certain state agencies and departments," (MCL 722.641 to 722.645) by adding sections 2b and 2c.

(Filed with the Secretary of State on June 4, 2019 at 12:04 p.m.)

Respectfully,  
 Gretchen Whitmer  
 Governor

**Messages from the House**

**Senate Bill No. 239, entitled**

A bill to amend 1980 PA 299, entitled "Occupational code," by amending section 1803 (MCL 339.1803).

The House of Representatives has amended the bill as follows:

1. Amend page 2, line 11, by striking out all of enacting section 1.

The House of Representatives has passed the bill as amended, 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 amendment made to the bill by the House,  
 The amendment was concurred in, a majority of the members serving voting therefor, as follows:

**Roll Call No. 126****Yeas—37**

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

**Nays—0****Excused—1**

Chang

**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.

**Third Reading of Bills**

Senator MacGregor moved that the Senate proceed to consideration of the following bill:  
**Senate Bill No. 294**  
 The motion prevailed.

The following bill was read a third time:

**Senate Bill No. 294, entitled**

A bill to amend 1972 PA 230, entitled “Stille-DeRossett-Hale single state construction code act,” (MCL 125.1501 to 125.1531) by adding section 13h.

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. 127**

**Yeas—33**

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

**Nays—4**

Ananich	Geiss	Hertel	Irwin
---------	-------	--------	-------

**Excused—1**

Chang

**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  
**Introduction and Referral of Bills**

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

**Senate Bill No. 351, entitled**

A bill to amend 1976 PA 453, entitled “Elliott-Larsen civil rights act,” by amending the title and sections 102, 103, 202, 203, 204, 205, 206, 207, 209, 302, 302a, 402, 502, 504, 505, and 506 (MCL 37.2102, 37.2103, 37.2202, 37.2203, 37.2204, 37.2205, 37.2206, 37.2207, 37.2209, 37.2302, 37.2302a, 37.2402, 37.2502, 37.2504, 37.2505, and 37.2506), the title as amended by 1992 PA 258, sections 102, 502, 504, 505, and 506 as amended by 1992 PA 124, section 103 as amended by 1999 PA 202, section 202 as amended by 2009 PA 190, section 302a as added by 1992 PA 70, and section 402 as amended by 1993 PA 216.

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

Senator Lucido introduced

**Senate Bill No. 352, entitled**

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” (MCL 750.1 to 750.568) by adding section 50d.

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

Senator Lucido introduced

**Senate Bill No. 353, entitled**

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 16b of chapter XVII (MCL 777.16b), as amended by 2018 PA 652.

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

Senators Polehanki, MacDonald, Bizon, Lucido, Zorn, Alexander, Wojno, Bullock, Runestad and Hollier introduced

**Senate Bill No. 354, entitled**

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” (MCL 257.1 to 257.923) by adding section 803s. The bill was read a first and second time by title and referred to the Committee on Transportation and Infrastructure.

Senators Bizon, Hollier, Polehanki, MacDonald, Lucido, Zorn, Bullock, Wojno and Irwin introduced

**Senate Bill No. 355, entitled**

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending sections 217d, 803l, and 804 (MCL 257.217d, 257.803l, and 257.804), section 217d as amended by 2006 PA 562, section 803l as amended by 2000 PA 77, and section 804 as amended by 2015 PA 78.

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

Senators Hollier, MacDonald, Alexander, Bullock, Polehanki and Bizon introduced

**Senate Bill No. 356, entitled**

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending section 803o (MCL 257.803o), as amended by 1999 PA 183.

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

Senators McBroom, Theis, Barrett, LaSata and Horn introduced

**Senate Bill No. 357, entitled**

A bill to require testing for a fetal heartbeat before the performance of an abortion; to place certain requirements and restrictions on the performance of an abortion if a fetal heartbeat is detected; to provide for the powers and duties of certain state and local governmental officers and entities; and to prescribe penalties and provide remedies.

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

Senators McBroom, Theis, Barrett, LaSata and Horn introduced

**Senate Bill No. 358, entitled**

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 13k of chapter XVII (MCL 777.13k), as amended by 2018 PA 587.

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

Senators LaSata, Bumstead, Horn and Ananich introduced

**Senate Bill No. 359, entitled**

A bill to amend 2008 PA 549, entitled “Michigan promise zone authority act,” by amending sections 3 and 7 (MCL 390.1663 and 390.1667), section 3 as amended by 2013 PA 210 and section 7 as amended by 2016 PA 9.

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

Senators Stamas, Ananich, Nesbitt, Hertel, Horn, MacGregor, Schmidt, Zorn, Victory, Outman, Lucido, Bizon and Hollier introduced

**Senate Bill No. 360, 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 Economic and Small Business Development.

Senator Ananich introduced

**Senate Bill No. 361, entitled**

A bill to amend 2011 PA 256, entitled “Michigan fireworks safety act,” by amending section 12 (MCL 28.462), as amended by 2018 PA 634.

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

Senators Hertel, Shirkey, Ananich, MacGregor, Geiss, Wojno, Stamas, MacDonald, Brinks, LaSata, Bullock, Outman, Polehanki, VanderWall, McMorro, Irwin, Alexander, Hollier and Schmidt introduced **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 bill was read a first and second time by title and referred to the Committee on Health Policy and Human Services.

Senators Shirkey, Hertel, Ananich, MacGregor, Geiss, Wojno, Stamas, MacDonald, Brinks, LaSata, Bullock, Polehanki, Outman, VanderWall, McMorro, Irwin, Alexander, Hollier and Schmidt introduced **Senate Bill No. 363, 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 bill was read a first and second time by title and referred to the Committee on Health Policy and Human Services.

Senator Zorn introduced

**Senate Bill No. 364, entitled**

A bill to amend 1951 PA 51, entitled "An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to promote safe and efficient travel for motor vehicle drivers, bicyclists, pedestrians, and other legal users of roads, streets, and highways; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, local bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts," (MCL 247.651 to 247.675) by adding section 11i.

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 and resolutions were printed and filed on Tuesday, June 4 and are available on the Michigan Legislature website:

<b>Senate Bill No.</b>	<b>350</b>
<b>Senate Resolution Nos.</b>	<b>54 55</b>
<b>House Bill Nos.</b>	<b>4687 4688</b>

### Committee Reports

The Committee on Energy and Technology reported

**House Bill No. 4249, entitled**

A bill to amend 1986 PA 32, entitled "Emergency 9-1-1 service enabling act," by amending section 413 (MCL 484.1413), as amended by 2008 PA 379; and to repeal acts and parts of acts.



With the recommendation that the bill pass.

The committee further recommends that the bill be given immediate effect.

Dan Lauwers  
Chairperson

To Report Out:

Yeas: Senators Lauwers, Horn, LaSata, Nesbitt, Barrett, Bumstead, Outman, McCann, Brinks and  
McMorrow

Nays: None

The bill was referred to the Committee of the Whole.

#### COMMITTEE ATTENDANCE REPORT

The Committee on Energy and Technology submitted the following:

Meeting held on Tuesday, June 4, 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 Judiciary and Public Safety submitted the following:

Meeting held on Tuesday, June 4, 2019, at 8:00 a.m., Room 1100, Binsfeld Office Building

Present: Senators Lucido (C), VanderWall, Barrett, Johnson, Runestad and Irwin

Excused: Senator Chang

#### COMMITTEE ATTENDANCE REPORT

The Committee on Environmental Quality submitted the following:

Meeting held on Tuesday, June 4, 2019, at 1:00 p.m., Room 1200, Binsfeld Office Building

Present: Senators Outman (C), Daley, Johnson, VanderWall, McBroom, Bayer and Brinks

#### COMMITTEE ATTENDANCE REPORT

The Committee on Regulatory Reform submitted the following:

Meeting held on Tuesday, June 4, 2019, at 3:00 p.m., Room 1200, Binsfeld Office Building

Present: Senators Nesbitt (C), Theis, Johnson, Lauwers, VanderWall, Zorn, Moss, Polehanki and Wojno

#### Scheduled Meetings

**Advice and Consent** - Wednesday, June 12, 3:00 p.m., Room 1100, Binsfeld Office Building  
(517) 373-5312

**Agriculture** - Thursday, June 6, 8:30 a.m., Room 1200, Binsfeld Office Building (517) 373-5314

**Economic and Small Business Development** - Thursday, June 6, 12:00 noon, Room 1200, Binsfeld Office  
Building (517) 373-5314

**Health Policy and Human Services** - Thursday, June 6, 1:00 p.m., Room 1100, Binsfeld Office Building  
(517) 373-5323

**Local Government** - Thursday, June 6, 1:30 p.m., Room 1200, Binsfeld Office Building (517) 373-5312

Senator MacGregor moved that the Senate adjourn.

The motion prevailed, the time being 10:24 a.m.

The President, Lieutenant Governor Gilchrist, declared the Senate adjourned until Thursday, June 6, 2019, at 10:00 a.m.

MARGARET O'BRIEN  
Secretary of the Senate