

No. 33  
STATE OF MICHIGAN  
**Journal of the Senate**  
100th Legislature  
REGULAR SESSION OF 2019

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Senate Chamber, Lansing, Thursday, April 11, 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—excused  
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

Pastor Chuck Towersey of Fresh Wind Christian Community of Interlochen offered the following invocation:

Almighty God, from whom all blessings flow, we thank You for this new day and all the potential and promise it holds. We thank You for the incredible privilege of serving You as we serve others and are deeply humbled to have been placed in positions of authority, even as we submit to Your authority. Above all, we are thankful especially for You, O God, for Your divine nature and character, that You are a God of love and justice, of mercy and accountability, and of grace and truth.

I pray, O God, for these Senators and other leaders assembled in this room. Guide them by Your Spirit. Bless them with wisdom that surpasses human knowledge. Strengthen them for the task at hand. Help these men and women transcend the business of politics and instead to embrace together Your good and perfect plans for our great state and its people. Your Word tells us that above any vote, You, O God, have placed these servant leaders into their governing roles. I pray protection for these gathered men and women from the fiery darts of the evil one.

I pray protection over their husbands and wives, their children and grandchildren, and their friends and colleagues, as they too become targets for the forces of evil. May You guard and shield them all and keep them from harm. May You unite these Senators and their aides to their loved ones by Your Spirit as they spend many hours and days apart one from the other. May they and their families walk in Your favor all the days of their lives.

Bless today's proceedings in this Senate Chamber. May each one here give the work at hand his or her best. Where we fall short, forgive us, correct us, and line us back up with You.

May the glory, honor, and praise be unto You, great God of heaven and earth. We ask it all in the name of Your Son, Jesus Christ. 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 MacGregor be excused from today's session.  
The motion prevailed.

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

The following communications were received:

Office of Senator Dayna Polehanki

March 21, 2019

Per Senate Rule (1.110(C)) I am requesting that my name be added as a co-sponsor to Senate Bill 238, which was introduced on March 21, 2019, by Senator Alexander, and is currently in the Committee on Government Operations.

March 26, 2019

Per Senate Rule (1.110(C)) I am requesting that my name be added as a co-sponsor to Senate Bill 202, which was introduced on March 12, 2019, by Senator Horn, and is currently in the Committee of the Whole.

March 28, 2019

Per Senate Rule (1.110(C)) I am requesting that my name be added as a co-sponsor to Senate Bill 116, which was introduced on February 19, 2019, by Senator Irwin, and is currently in the Committee on Environmental Quality.

Sincerely,  
Dayna Polehanki

The communications were referred to the Secretary for record.

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 resolutions:

**Senate Resolution No. 32**

**Senate Resolution No. 33**

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

Senators Runestad, MacDonald, Bizon, Lucido, Bayer, MacGregor, Stamas, Chang, Horn, Ananich, Johnson, Polehanki and Moss offered the following resolution:

**Senate Resolution No. 32.**

A resolution to recognize April 11, 2019, as Chaldean American Day.

Whereas, Approximately 160,000 Chaldeans reside in Michigan, the largest population outside of the Middle East; and

Whereas, The Chaldean population began immigrating to America during the 1920's for better economic, religious, and political freedom, bringing with them a strong work ethic which continues to positively add to the growth of Michigan through the establishment of 20,000 Chaldean owned businesses throughout the state; and

Whereas, The Chaldean community has undoubtedly proven their business skills and entrepreneurial spirit with nearly two-thirds of Chaldean American households owning at least one business and 39 percent owning two or more businesses; and

Whereas, The Chaldean community contributes an estimated eleven billion annually to Michigan's economy; and

Whereas, Currently, the Chaldean American Chamber of Commerce has 985 members that represent more than four thousand businesses with the goal of building community ties, while ensuring membership value and advocacy for the benefit of Chaldean people; and

Whereas, The Chaldean Community Foundation has promoted steady population growth by providing services to the newly arrived Iraqi Chaldean refugees in efforts to help refugees become contributing members to Michigan through assistance with housing, job placement, language development, as well as the social and government program directives; now, therefore, be it

Resolved by the Senate, That the members of this legislative body recognize April 11, 2019, as Chaldean American Day; and be it further

Resolved, That we acknowledge the contributions of this innovative and entrepreneurial community as an important part of Michigan's diverse history; and be it further

Resolved, That a copy of this resolution be sent to the Chaldean American Chamber of Commerce and the Chaldean Community Foundation as evidence of our highest esteem.

The question being on the adoption of the resolution,

The resolution was adopted.

Senators Alexander, Bullock, Hertel, Irwin, Lauwers, McCann, McMorrow, Santana and Wojno were named co-sponsors of the resolution.

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

The motion prevailed.

Senator Runestad's statement is as follows:

I am honored to sponsor Senate Resolution No. 32, which declares today, April 11, 2019, as Chaldean American Day in the state of Michigan.

Chaldeans are Christian Iraqis, and the state of Michigan is blessed to have a large population of Chaldean Americans residing in southeastern Michigan. In fact, southeastern Michigan has the largest population of Chaldeans outside of the Middle East. Over 160,000 Chaldeans live in Oakland and Macomb counties which is almost 10 percent of the population of these two counties. The Chaldean community contributes over \$11 billion annually to Michigan's economy and they own over 20,000 independent businesses in southeastern Michigan.

In recognition of this community, their heritage, and their contributions as Michiganders and Americans, I am asking my colleagues to please support this resolution in honoring them and declaring April 11, 2019 to be Chaldean American Day in our state.

Furthermore, I have two very special guests in the Gallery today—the president of the Chaldean Chamber and the Chaldean Community Foundation, Mr. Martin Manna, and Chief Operating Officer Paul Jona. Please give them a warm welcome; our guests are up in the Gallery from the Chaldean Chamber and the Chaldean Community Foundation.

As a reminder to my colleagues and staff, please join our distinguished guests for a traditional Chaldean meal on the first floor of the Capitol, in the north wing, starting at 11:30.

Senators Geiss, Polehanki, Chang, Hollier, Alexander, Bullock, Irwin, McMorrow, Brinks, Bayer, Santana, Moss, Wojno, Hertel, Ananich and Bizon offered the following resolution:

**Senate Resolution No. 33.**

A resolution to commemorate April 11-17, 2019, as Black Maternal Health Week.

Whereas, According to the Centers for Disease Control and Prevention (CDC), black mothers in the United States die at three to four times the rate of white mothers; and

Whereas, The CDC data from 2011-2013 for pregnancy-related deaths shows there were 12.7 deaths per 100,000 live births for white women, 43.5 deaths per 100,000 live births for black women, and 14.4 deaths per 100,000 live births for women of other races; and

Whereas, Black maternal death is one of the widest of all racial disparities in women's health; and

Whereas, Black women are 22 percent more likely to die from heart disease than white women, 71 percent more likely to die from cervical cancer, but 243 percent more likely to die from pregnancy- or childbirth-related causes; and

Whereas, According to the National Institutes of Health, when compared with white women with the conditions for preeclampsia, eclampsia, abruptio placentae, placenta previa, and postpartum hemorrhage, which are common causes of maternal death and injury, black women were two to three times more likely to die than white women who had the same condition; and

Whereas, Between 1999 to 2010, according to the Michigan Maternal Mortality Surveillance Project, black women in Michigan experienced a pregnancy-related mortality rate of 50.8 per 100,000 live births compared to 16.6 per 100,000 live births for white women in Michigan; and

Whereas, The U.S. has the highest maternal death rate in the developed world and our state ranks 27th in the nation for maternal death; and

Whereas, These alarming statistics for black maternal health cut across socio-economic status, maternal age, and education levels; and

Whereas, The Michigan Legislature recognizes the necessity for the increased attention to the state of black maternal health, studying and understanding the root causes of poor maternal health outcomes and supporting community-driven programs, care solutions, improving prenatal care and overall maternal healthcare, improving breastfeeding rates and nutrition, and amplifying the voices of black mothers, women, families, and stakeholders including black women from across the diaspora and Afro-Latinx groups; and

Whereas, We also recognize the necessity to end maternal mortality globally in order to amplify the need for maternal health and rights; now, therefore, be it

Resolved by the Senate, That the members of this legislative body commemorate April 11-17, 2019, as Black Maternal Health Week.

The question being on the adoption of the resolution,

The resolution was adopted.

Senators Lucido and McCann were named co-sponsors of the resolution.

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

The motion prevailed.

Senator Geiss' statement is as follows:

I rise to introduce a resolution to recognize and declare April 11-17, 2019 as Black Maternal Health Week in the state of Michigan.

First started in 2018, Black Maternal Health Week was founded and designed as a week of awareness designed to do multiple actions related to improving the health and outcomes of black mothers and their families, including deepening the national conversation about black maternal health; amplifying community-driven policy, research, and care solutions; centering the voices of black mothers, women, families, and stakeholders; and working towards tangible long-term, lifelong, and intergenerational outcomes that reverse and undo the systemic disparities that disproportionately affect black women.

Black maternal death is one of the widest of all racial disparities in women's health. According to the Centers for Disease Control and Prevention, black mothers in the United States die at three to four times the rate of white mothers. Compared with white women with the conditions of preeclampsia, eclampsia, abruptio placentae, placenta previa, and postpartum hemorrhage, which are common causes of maternal death and injury, black women are two to three times more likely to die than white women who had the same conditions, according to the National Institutes of Health.

We will help raise awareness to this crisis in health equity by recognizing April 11-17 as Black Maternal Health Week. And while there may be a desire to look at amplifying all maternal health, continuing to do so without recognizing and acknowledging the importance of listening to and hearing black mothers on the multiple issues that affect the health, health outcomes, and the ability to have access to the type of healthcare that will improve the health and health outcomes for us, our children, and communities, we will not improve the health and healthcare and quality of life in general for all. We must continue to deepen our conversation about inequities in black maternal health, centering the voices of black mothers, women, families, and stakeholders, and move those conversations into meaningful policy solutions that achieve access, inclusion, and equity for black maternal health issues.

Solutions that reduce and remove the health disparities that adversely affect black women and their families and communities are necessary, and we can do this with the first start of recognizing Black Maternal Health Week in the state of Michigan. I welcome the support of colleagues in this important arena of public health.

### Introduction and Referral of Bills

Senator Alexander introduced

**Senate Bill No. 258, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1293.

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

Senator Alexander introduced

**Senate Bill No. 259, entitled**

A bill to amend 2012 PA 436, entitled "Local financial stability and choice act," by amending section 32 (MCL 141.1572).

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

Senator Alexander introduced

**Senate Bill No. 260, entitled**

A bill to amend 2012 PA 436, entitled "Local financial stability and choice act," by amending sections 12, 14, 15, and 19 (MCL 141.1552, 141.1554, 141.1555, and 141.1559) and by adding sections 12a and 14a.

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

Senators Polehanki, Bayer and Hollier introduced

**Senate Bill No. 261, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 5529, 5530, 5531, 11546, and 11549 (MCL 324.5529, 324.5530, 324.5531, 324.11546, and 324.11549), section 11546 as amended by 2006 PA 56 and section 11549 as amended by 2006 PA 58.

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

Senator Santana introduced

**Senate Bill No. 262, entitled**

A bill to provide for the termination of sentences and the release from parole for certain marihuana-related offenses; and to provide for the powers and duties of certain state and local governmental officers and entities.

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

Senator Irwin introduced

**Senate Bill No. 263, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 7403 and 7404 (MCL 333.7403 and 333.7404), section 7403 as amended by 2016 PA 307 and section 7404 as amended by 2016 PA 308.

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

Senator VanderWall introduced

**Senate Bill No. 264, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending sections 2, 3, 3c, and 5 of chapter XI (MCL 771.2, 771.3, 771.3c, and 771.5), section 2 as amended by 2017 PA 10, section 3 as amended by 2012 PA 612, section 3c as amended by 2002 PA 483, and section 5 as amended by 1998 PA 520.

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

Senator Santana introduced

**Senate Bill No. 265, entitled**

A bill to amend 1953 PA 232, entitled "Corrections code of 1953," by amending sections 25a, 36, and 36a (MCL 791.225a, 791.236, and 791.236a), sections 25a and 36a as amended by 2002 PA 502 and section 36 as amended by 2012 PA 623.

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

**House Bill No. 4226, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 3240 (MCL 600.3240), as amended by 2014 PA 431.

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 Insurance and Banking.

**Announcements of Printing and Enrollment**

The Secretary announced that the following House bill was received in the Senate and filed on Wednesday, April 10:

**House Bill No. 4226**

The Secretary announced that the following bills and resolution were printed and filed on Wednesday, April 10, and are available on the Michigan Legislature website:

**Senate Bill Nos. 255 256 257**

**Senate Resolution No. 31**

**House Bill Nos. 4441 4442 4443 4444 4445 4446**

**Committee Reports**

The Committee on Appropriations reported

**House Bill No. 4244, entitled**

A bill to make, supplement, and adjust appropriations for certain capital outlay projects for the fiscal year ending September 30, 2019; to provide for expenditure of the appropriations; and to prescribe certain conditions for the appropriations.

With the recommendation that the bill pass.

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

Jim Stamas  
Chairperson

To Report Out:

Yeas: Senators Stamas, Bumstead, Barrett, Bizon, LaSata, MacDonald, Nesbitt, Outman, Runestad, Schmidt, Victory, Hertel, Bayer, Hollier, Irwin, McCann and Santana

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Appropriations reported

**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).

With the recommendation that the bill pass.

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

Jim Stamas  
Chairperson

To Report Out:

Yeas: Senators Stamas, Bumstead, Barrett, Bizon, LaSata, MacDonald, Nesbitt, Outman, Runestad, Schmidt, Victory, Hertel, Bayer, Hollier, Irwin, McCann and Santana

Nays: None

The bill was referred to the Committee of the Whole.

**COMMITTEE ATTENDANCE REPORT**

The Committee on Appropriations submitted the following:

Meeting held on Wednesday, April 10, 2019, at 2:00 p.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building

Present: Senators Stamas (C), Bumstead, Barrett, Bizon, LaSata, MacDonald, Nesbitt, Outman, Runestad, Schmidt, Victory, Hertel, Bayer, Hollier, Irwin, McCann and Santana

Excused: Senator MacGregor

## COMMITTEE ATTENDANCE REPORT

The Subcommittee on General Government submitted the following:

Meeting held on Wednesday, April 10, 2019, at 3:00 p.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building

Present: Senators Stamas (C), Victory, Bumstead and Irwin

## COMMITTEE ATTENDANCE REPORT

The Committee on Economic and Small Business Development submitted the following:

Joint meeting held on Wednesday, April 10, 2019, at 3:30 p.m., Room 519, Anderson House Office Building

Present: Senators Horn (C), VanderWall, Theis, Lauwers, Schmidt, McMorrow, Geiss and Moss

Excused: Senator MacGregor

## COMMITTEE ATTENDANCE REPORT

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

Meeting held on Thursday, April 11, 2019, at 8:30 a.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building

Present: Senators Schmidt (C), Outman, Bumstead and Daley

Excused: Senator Bayer

## COMMITTEE ATTENDANCE REPORT

The Subcommittee on Licensing and Regulatory Affairs (LARA)/Department of Insurance and Financial Services (DIFS) submitted the following:

Meeting held on Thursday, April 11, 2019, at 8:30 a.m., Room 1300, Binsfeld Office Building

Present: Senators Nesbitt (C), MacDonald and Santana

## COMMITTEE ATTENDANCE REPORT

The Committee on Judiciary and Public Safety submitted the following:

Meeting held on Thursday, April 11, 2019, at 8:30 a.m., Room 1100, Binsfeld Office Building

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

**Scheduled Meetings****Appropriations –****Subcommittees –**

**Agriculture and Rural Development** - Thursday, April 18, 3:00 p.m., Room 1300, Binsfeld Office Building (517) 373-2768

**Capital Outlay** - Wednesday, April 17, 4:00 p.m. or later after committees are given leave by the House to meet, Room 519, Anderson House Office Building (517) 373-2768

**General Government** - Wednesday, April 17, 3:00 p.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building (517) 373-2768

**Justice and Public Safety** - Thursday, April 18, 1:30 p.m., Room 1300, Binsfeld Office Building (517) 373-2768

**Natural Resources and Environmental Quality** - Tuesday, April 16, 8:30 a.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building (517) 373-2768

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

**Transportation** - Tuesday, April 16, 12:00 noon, Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building (517) 373-2768

**Environmental Quality** - Tuesday, April 16, 1:00 p.m., Room 1200, Binsfeld Office Building (517) 373-5323

**Finance** - Wednesday, April 17, 12:30 p.m., Room 1200, Binsfeld Office Building (517) 373-5312

**State Drug Treatment Court Advisory Committee** - Tuesday, April 16, 10:00 a.m., Legislative Council Conference Room, 3rd Floor, Boji Tower (517) 373-0212

Senator Lauwers moved that the Senate adjourn.  
The motion prevailed, the time being 10:19 a.m.

The President, Lieutenant Governor Gilchrist, declared the Senate adjourned until Tuesday, April 16, 2019, at 10:00 a.m.

MARGARET O'BRIEN  
Secretary of the Senate