

No. 35
STATE OF MICHIGAN
Journal of the Senate
100th Legislature
REGULAR SESSION OF 2019

Senate Chamber, Lansing, Wednesday, April 17, 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 Assistant 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—excused
McCann—present
McMorrow—present
Moss—present
Nesbitt—present

Outman—present
Polehanki—present
Runestad—excused
Santana—present
Schmidt—present
Shirkey—present
Stamas—present
Theis—present
VanderWall—present
Victory—present
Wojno—present
Zorn—present

Bishop Adolphus L. Cast of Life Application Ministries of Warren offered the following invocation:

Almighty God, we believe that You created man as an individual to be autonomous and to be governed by his own conscience, but as a people You have ordained government that we may live in harmony with each other. You have given us this great country as our heritage to govern.

We humbly pray that we may always remember Your generosity and faithfulness for entrusting us with such a high level of legislative power. Bless our state and especially those who serve to strive for statesmanship. Bless them with honesty, truthfulness, and an honorable way of life to defend our liberty and strengthen the people who have come from throughout the world to make America and the state of Michigan their home.

Lead us to choose the difficult right instead of the easier wrong. Help us to appreciate the opportunities that are still ours here in America as we struggle to bring harmony to an unsettled world. May we balance our concern for justice with mercy and our concern for security with the willingness to take a risk with others that will produce a worthwhile change for the good of all. Lord, we pray for Your guidance as we work together for the best interests of our community—our police force, our local government, and all of their staff, our nation, our world—an ultimate goal of peace.

In times of prosperity let us be thankful, and in troubled times may our deepest trust be in You. 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 Johnson be temporarily excused from today's session.
The motion prevailed.

Senator MacGregor moved that Senators McBroom and Runestad be excused from today's session.
The motion prevailed.

Senator Chang moved that Senators Ananich and Hertel be temporarily 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 communication was received:
Michigan Strategic Fund

April 16, 2019

Attached you will find the final report from our Michigan Business Development Program (MBDP) Effectiveness Study as required in the Michigan Strategic Fund Act (1984 PA 270). Through an RFP process, MEDC selected an independent third-party to evaluate the effectiveness of MBDP in achieving its goals in three key areas: economic return on investment for the program; the importance of its milestone-based grants in securing projects for Michigan; and a competitor analysis with similar programs in other states.

To provide a true reflection of the program's economic costs and benefits, the scope of the study exceeds what is statutorily required in Section 9 of the MSF Act (MCL 125.2009(5)(e)).

Authored by Tim Bartik, the W.E. Upjohn Institute for Employment Research, and the team at the Center for Regional Economic Competitiveness, the final report finds that MBDP is a modest, well-run program that is achieving what it set out to do: to provide an additional, compelling consideration in the decision-making process for companies considering investing in Michigan. The report finds the structure of MBDP is competitive with similar grant programs in other states, while delivering a higher return on investment, and is also structured in a way that maximizes the state's return on investment in these projects.

The Michigan Strategic Fund and Michigan Economic Development Corporation are consistently working on benchmarking, optimizing and improving MBDP and its measures, along with all programs administered by the MEDC. The final report outlines opportunities for continued optimization which are currently being evaluated by the MEDC, while confirming the overall implementation of the program as being fundamentally sound.

Please contact the MEDC Office of Government Relations at 517.335.1847 if you have any questions.

Jeff Mason, President
Michigan Strategic Fund

The communication was referred to the Secretary for record.

Messages from the Governor

The following message from the Governor was received:

Date: April 16, 2019

Time: 1:27 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 203 (Public Act No. 3), being

An act to amend 2016 PA 281, entitled “An act to license and regulate medical marihuana growers, processors, provisioning centers, secure transporters, and safety compliance facilities; to provide for the powers and duties of certain state and local governmental officers and entities; to create a medical marihuana licensing board; to provide for interaction with the statewide monitoring system for commercial marihuana transactions; to create an advisory panel; to provide immunity from prosecution for marihuana-related offenses for persons engaging in certain activities in compliance with this act; to prescribe civil fines and sanctions and provide remedies; to provide for forfeiture of contraband; to provide for taxes, fees, and assessments; and to require the promulgation of rules,” by amending section 102 (MCL 333.27102), as amended by 2018 PA 648.

(Filed with the Secretary of State on April 16, 2019 at 2:36 p.m.)

Respectfully,
Gretchen Whitmer
Governor

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 Bizon 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 bill:

Senate Bill No. 61, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending section 627 (MCL 257.627), as amended by 2016 PA 445.

The bill was placed on the order of Third Reading of Bills.

During the Committee of the Whole, Senators Ananich and Hertel entered the Senate Chamber.

By unanimous consent the Senate proceeded to the order of
Introduction and Referral of Bills

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

Senate Bill No. 270, entitled

A bill to amend 1976 PA 451, entitled “The revised school code,” by amending section 1507b (MCL 380.1507b), as added by 2004 PA 165, and by adding section 1507c.

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

Senators Hollier, Alexander, Bullock, Wojno, Santana, Moss, Irwin, Polehanki, McMorrow and Chang introduced
Senate Bill No. 271, entitled

A bill to amend 1939 PA 178, entitled “An act to provide for the collection of water or sewage system rates, assessments, charges, or rentals; and to provide a lien for water or sewage system services furnished by municipalities as defined by this act,” by amending the title and section 6 (MCL 123.166), as amended by 1981 PA 132, and by adding sections 1a, 1b, 1c, 1d, and 1e.

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

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

Senate Bill No. 272, entitled

A bill to amend 1973 PA 116, entitled “An act to provide for the protection of children through the licensing and regulation of child care organizations; to provide for the establishment of standards of care for child care organizations; to prescribe powers and duties of certain departments of this state and adoption facilitators; to provide penalties; and to repeal acts and parts of acts,” by repealing sections 14e and 14f (MCL 722.124e and 722.124f).

The bill was read a first and second time by title and referred to the Committee on Families, Seniors and Veterans.

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

Senate Bill No. 273, entitled

A bill to amend 1939 PA 288, entitled “Probate code of 1939,” by repealing section 23g of chapter X (MCL 710.23g).

The bill was read a first and second time by title and referred to the Committee on Families, Seniors and Veterans.

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

Senate Bill No. 274, entitled

A bill to amend 1939 PA 280, entitled “The social welfare act,” by repealing section 5a (MCL 400.5a).

The bill was read a first and second time by title and referred to the Committee on Families, Seniors and Veterans.

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

Senate Bill No. 275, entitled

A bill to amend 1939 PA 288, entitled “Probate code of 1939,” by amending sections 24, 41, and 51 of chapter X (MCL 710.24, 710.41, and 710.51), section 24 as amended by 2016 PA 191, section 41 as amended by 1994 PA 222, and section 51 as amended by 2016 PA 143.

The bill was read a first and second time by title and referred to the Committee on Families, Seniors and Veterans.

House Bill No. 4051, entitled

A bill to amend 1974 PA 258, entitled “Mental health code,” (MCL 330.1001 to 330.2106) by adding section 165.

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 Health Policy and Human Services.

House Bill No. 4156, entitled

A bill to amend 1943 PA 240, entitled “State employees’ retirement act,” by amending section 68c (MCL 38.68c), as amended by 2018 PA 357.

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.

Recess

Senator MacGregor moved that the Senate recess subject to the call of the Chair.

The motion prevailed, the time being 10:14 a.m.

10:21 a.m.

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

During the recess, Senator Johnson entered the Senate Chamber.

Announcements of Printing and Enrollment

The Secretary announced that the following House bills were received in the Senate and filed on Tuesday, April 16:

House Bill Nos. 4051 4156

The Secretary announced the enrollment printing and presentation to the Governor on Tuesday, April 16, for her approval the following bill:

Enrolled Senate Bill No. 203 at 10:28 a.m.

The Secretary announced that the following bills and resolutions were printed and filed on Tuesday, April 16, and are available on the Michigan Legislature website:

Senate Bill Nos. 266 267 268 269

Senate Resolution Nos. 34 35

House Bill Nos. 4455 4456 4457 4458 4459 4460 4461 4462 4463 4464 4465 4466

Committee Reports

The Committee on Education and Career Readiness reported

Senate Bill No. 113, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending section 101 (MCL 388.1701), as amended by 2018 PA 586.

With the recommendation that the substitute (S-2) be adopted and that the bill then pass.

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

Lana Theis
Chairperson

To Report Out:

Yeas: Senators Theis, Horn, Bumstead, Runestad and Daley

Nays: None

The bill and the substitute recommended by the committee were referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Education and Career Readiness submitted the following:

Meeting held on Tuesday, April 16, 2019, at 12:00 noon, Room 1300, Binsfeld Office Building

Present: Senators Theis (C), Horn, Bumstead, Runestad, Daley, Polehanki and Geiss

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Transportation submitted the following:

Meeting held on Tuesday, April 16, 2019, at 12:00 noon, Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building

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

COMMITTEE ATTENDANCE REPORT

The Committee on Environmental Quality submitted the following:

Meeting held on Tuesday, April 16, 2019, at 1:00 p.m., Room 1200, Binsfeld Office Building

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

Excused: Senator McBroom

COMMITTEE ATTENDANCE REPORT

The Committee on Energy and Technology submitted the following:

Meeting held on Tuesday, April 16, 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 Subcommittee on Talent and Economic Development/MEDC submitted the following:
Meeting held on Tuesday, April 16, 2019, at 3:00 p.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building

Present: Senators Horn (C), Hollier and Schmidt

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

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

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

K-12 and Michigan Department of Education and Education and Career Readiness - Thursday, April 18, 8:30 a.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building (517) 373-2768

Licensing and Regulatory Affairs (LARA)/Department of Insurance and Financial Services (DIFS) - Thursday, April 18, 8:30 a.m., Room 1300, Binsfeld Office Building (517) 373-2768

Universities and Community Colleges - Thursday, April 18, 3:00 p.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building (517) 373-2768

Education and Career Readiness and K-12 and Michigan Department of Education Appropriations Subcommittee - Thursday, April 18, 8:30 a.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building (517) 373-5314

Health Policy and Human Services - Thursday, April 18, 1:00 p.m., Room 1100, Binsfeld Office Building (517) 373-5323

Judiciary and Public Safety - Thursday, April 18, 8:30 a.m., Room 1100, Binsfeld Office Building (517) 373-5312

Senator MacGregor moved that the Senate adjourn.
The motion prevailed, the time being 10:22 a.m.

The President pro tempore, Senator Nesbitt, declared the Senate adjourned until Thursday, April 18, 2019, at 10:00 a.m.

MARGARET O'BRIEN
Secretary of the Senate