

No. 49  
STATE OF MICHIGAN  
**Journal of the Senate**  
100th Legislature  
REGULAR SESSION OF 2019

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Senate Chamber, Lansing, Tuesday, May 21, 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—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—excused

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

Senator Ken Horn of the 32nd District offered the following invocation:

Dear Lord, without You this world is too much for any one of us to handle alone. Our minds leap from problem, to problem, to problem, tangling our thoughts into anxious knots. When we think like this, Lord, leaving You out of our lives, our minds become darkened. Though You always yearn to help, You never violate our freedom. You stand silently in the background, in the background of our minds, waiting for us to remember—remember that You are within us. We turn from our problems to Your presence and our load is immediately lightened.

So Lord, on occasion, as we ponder the question, as some of us did last week—are miracles real? Are you giving us physical signs? I can say this: after what You’ve shown me personally, Lord, yes. Heaven is real. Really real. We are all connected to heaven. We are all connected to each other. We ask You to shine Your word through us, that we may light the path for one another.

So, in the name of the Father, the Son, and the Holy Spirit. 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 MacGregor moved that Senator Nesbitt be excused from today’s session. The motion prevailed.

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

The following communications were received and read:  
Office of the Auditor General

May 15, 2019

Enclosed is a copy of the following report:

- Financial audit report on the Transition in the Office of State Treasurer, Department of Treasury (271-0256-19).

May 16, 2019

Enclosed is a copy of the following report:

- Performance audit report on Selected Activities of the Bureau of Local Government Services, Department of Treasury (271-0290-16).

Sincerely,  
Doug Ringle  
Auditor General

The audit reports were referred to the Committee on Oversight.

**Messages from the Governor**

The following messages from the Governor were received and read:

May 17, 2019

I respectfully submit to the Senate the following appointment to office pursuant to Act 469 of 2016, MCL 399.833:

**Michigan Historical Commission**

Mr. Brian J. Egen of 720 O’Brien Street, Monroe, Michigan 48161, county of Monroe, reappointed for a term commencing May 22, 2019 and expiring May 21, 2023.

May 17, 2019

I respectfully submit to the Senate the following appointment to office pursuant to Act 300 of 1980, MCL 38.1322:

**Michigan Public School Employees Retirement System Board**

Mr. Timothy A. Raymer of 4144 Bulrush Drive, N.W., Grand Rapids, Michigan 49534, county of Kent, reappointed to represent a member who retired from a finance or operations management position and a member of the largest organization of retirees for a term expiring March 30, 2023.

Respectfully,  
Gretchen Whitmer  
Governor

The appointments were referred to the Committee on Advice and Consent.

### Recess

Senator MacGregor moved that the Senate recess subject to the call of the Chair.  
The motion prevailed, the time being 10:06 a.m.

11:13 a.m.

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

During the recess, Senators Ananich, Hollier and Shirkey entered the Senate Chamber.

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 bills:

**House Bill No. 4066, entitled**

A bill to amend 1941 PA 207, entitled "Fire prevention code," (MCL 29.1 to 29.33) by adding section 3d.

**House Bill No. 4067, 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 4h.

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

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:

**Senate Bill No. 184, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 17905 and 17906 (MCL 333.17905 and 333.17906), as amended by 2015 PA 166.

Substitute (S-1)

The Senate agreed to the substitute recommended by the Committee of the Whole, and the bill as substituted was placed on the order of Third Reading of Bills.

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

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

**Senate Bill No. 328, entitled**

A bill to amend 1976 PA 453, entitled "Elliott-Larsen civil rights act," (MCL 37.2101 to 37.2804) by adding section 202b.

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

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

**Senate Bill No. 329, entitled**

A bill to amend 1976 PA 453, entitled "Elliott-Larsen civil rights act," by amending section 801 (MCL 37.2801).

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

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

**Senate Bill No. 330, entitled**

A bill to amend 1978 PA 390, entitled "An act to regulate the time and manner of payment of wages and fringe benefits to employees; to prescribe rights and responsibilities of employers and employees, and the

powers and duties of the department of labor; to require keeping of records; to provide for settlement of disputes regarding wages and fringe benefits; to prohibit certain practices by employers; to prescribe penalties and remedies; and to repeal certain acts and parts of acts," by amending section 13a (MCL 408.483a), as added by 1982 PA 524.

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

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

**Senate Bill No. 331, entitled**

A bill to amend 2018 PA 337, entitled "Improved workforce opportunity wage act," by amending sections 9 and 13 (MCL 408.939 and 408.943).

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

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

**Senate Bill No. 332, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 556 (MCL 750.556).

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

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

**Senate Bill No. 333, entitled**

A bill to amend 1976 PA 453, entitled "Elliott-Larsen civil rights act," by amending section 602 (MCL 37.2602), as amended by 1992 PA 258, and by adding section 202b.

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

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

**Senate Bill No. 334, entitled**

A bill to amend 1978 PA 397, entitled "Bullard-Plawecki employee right to know act," (MCL 423.501 to 423.512) by amending the title and by adding section 9a.

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

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

**Senate Bill No. 335, entitled**

A bill to amend 1976 PA 453, entitled "Elliott-Larsen civil rights act," by amending section 202 (MCL 37.2202), as amended by 2009 PA 190.

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

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

**Senate Bill No. 336, entitled**

A bill to amend 1978 PA 609, entitled "Full employment planning act of 1978," by amending section 3 (MCL 408.903), as amended by 1981 PA 131.

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

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

**Senate Bill No. 337, entitled**

A bill to create a program to encourage and recognize employers that make progress in addressing pay inequality between men and women who perform comparable work; and to provide for the powers and duties of certain governmental officers and entities.

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

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

**Senate Bill No. 338, entitled**

A bill to amend 1976 PA 453, entitled “Elliott-Larsen civil rights act,” by amending section 209 (MCL 37.2209) and by adding section 209a.

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

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

**Senate Bill No. 339, entitled**

A bill to amend 1978 PA 390, entitled “An act to regulate the time and manner of payment of wages and fringe benefits to employees; to prescribe rights and responsibilities of employers and employees, and the powers and duties of the department of labor; to require keeping of records; to provide for settlement of disputes regarding wages and fringe benefits; to prohibit certain practices by employers; to prescribe penalties and remedies; and to repeal certain acts and parts of acts,” by amending section 7 (MCL 408.477), as amended by 2015 PA 15.

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

**House Bill No. 4227, entitled**

A bill to create a committee on Michigan’s mining future; to provide for the powers and duties of certain governmental officers and agencies; and to repeal acts and parts of acts.

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 Natural Resources.

**Statements**

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

The motion prevailed.

Senator McMorrow’s statement is as follows:

I’ve got a special introduction to make today. It’s a little bit unorthodox, but I’d like you to join me in a special virtual introduction. My grandmother, Marilyn McMorrow, has joined us watching every single session since we convened in January and every single committee. She lives on Long Island, New York and she tunes in every single day. She has opinions about what everybody’s wearing and what we’re working on, she’s learned a lot about resolutions and bills, she calls me once per week just to check in and give me some tips about how I could improve and what’s going on. She wanted you to know that she’s very excited that the answer the other week on Double Jeopardy was “quorum,” which she learned thanks to watching all of our committees, and she also wanted you to know that whenever we have guest visitors and we clap for them, she claps too; so when you’ve got guests, you’ve got somebody clapping along with you from Long Island, New York. She probably knows more about what’s happening in the Michigan Senate than anybody else. I’d like you to virtually welcome my grandmother, Marilyn McMorrow, and my uncle John.

**Announcements of Printing and Enrollment**

The Secretary announced that the following House bill was received in the Senate and filed on Thursday, May 16:

**House Bill No. 4227**

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

**Senate Bill Nos. 322 323 324 325 326 327**

**Senate Resolution Nos. 50 51**

**House Bill Nos. 4602 4603 4604 4605 4606 4607 4608 4609 4610 4611**

### Committee Reports

The Committee on Health Policy and Human Services reported

**Senate Concurrent Resolution No. 8.**

A concurrent resolution to declare Adverse Childhood Experiences (ACEs) a critical health issue, commit the Legislature to action, and encourage the Governor to direct agencies to assess and report progress on reducing ACEs.

(For text of resolution, see Senate Journal No. 46, p. 472.)

With the recommendation that the concurrent resolution be adopted.

Curtis S. VanderWall  
Chairperson

To Report Out:

Yeas: Senators VanderWall, Bizon, Johnson, LaSata, MacDonald, Theis, Brinks, Hertel, Santana and Wojno

Nays: None

The concurrent resolution was placed on the order of Resolutions.

The Committee on Health Policy and Human Services reported

**House Bill No. 4225, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 7303a (MCL 333.7303a), as amended by 2018 PA 101.

With the recommendation that the substitute (S-1) be adopted and that the bill then pass.

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

Curtis S. VanderWall  
Chairperson

To Report Out:

Yeas: Senators VanderWall, Bizon, Johnson, LaSata, MacDonald, Theis, Brinks, Hertel, Santana and Wojno

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 Health Policy and Human Services submitted the following:

Meeting held on Thursday, May 16, 2019, at 1:00 p.m., Room 1100, Binsfeld Office Building

Present: Senators VanderWall (C), Bizon, Johnson, LaSata, MacDonald, Theis, Brinks, Hertel, Santana and Wojno

The Committee on Local Government reported

**House Bill No. 4055, entitled**

A bill to amend 1967 PA 288, entitled "Land division act," by amending section 109 (MCL 560.109), as amended by 2017 PA 196.

With the recommendation that the bill pass.

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

Dale W. Zorn  
Chairperson

To Report Out:

Yeas: Senators Zorn, Johnson, Alexander and Moss

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Local Government reported

**House Bill No. 4119, entitled**

A bill to amend 1947 PA 359, entitled "The charter township act," by amending section 13a (MCL 42.13a), as amended by 2012 PA 191.

With the recommendation that the bill pass.

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

Dale W. Zorn  
Chairperson

**To Report Out:**

Yeas: Senators Zorn, Johnson, Alexander and Moss

Nays: None

The bill was referred to the Committee of the Whole.

**COMMITTEE ATTENDANCE REPORT**

The Committee on Local Government submitted the following:

Meeting held on Thursday, May 16, 2019, at 1:30 p.m., Room 1200, Binsfeld Office Building

Present: Senators Zorn (C), Johnson, Alexander and Moss

Excused: Senator Daley

**Scheduled Meetings**

**Advice and Consent** - Thursday, May 23, 12:00 noon, Room 1300, Binsfeld Office Building (517) 373-5312

**Appropriations** - Wednesday, May 22, 2:00 p.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building (517) 373-5307

**Criminal Justice Policy Commission** - Wednesday, June 5, 9:00 a.m., Room 5900, Binsfeld Office Building (517) 373-0212

**Economic and Small Business Development** - Thursday, May 23, 12:00 noon, Room 1200, Binsfeld Office Building (517) 373-5314

**Elections** - Wednesday, May 22, 1:45 p.m., Room 1300, Binsfeld Office Building (517) 373-5323

**Families, Seniors, and Veterans** - Wednesday, May 22, 3:00 p.m., Room 1200, Binsfeld Office Building (517) 373-5314

**Finance** - Wednesday, May 22, 12:30 p.m., Room 1200, Binsfeld Office Building (517) 373-5312

**Health Policy and Human Services** - Thursday, May 23, 1:00 p.m., Room 1100, Binsfeld Office Building (517) 373-5323

**Natural Resources** - Wednesday, May 22, 8:30 a.m., Room 1300, Binsfeld Office Building  
Remote Access: Baraga County 97th District Courtroom, 16 N. 3rd Street, L'Anse; and Michigan Works!, 1498 O'Dovero Drive, Marquette (517) 373-5312

**Transportation and Infrastructure** - Wednesday, May 22, 12:30 p.m., Room 1100, Binsfeld Office Building (517) 373-5323

Senator MacGregor moved that the Senate adjourn.

The motion prevailed, the time being 11:26 a.m.

The President, Lieutenant Governor Gilchrist, declared the Senate adjourned until Wednesday, May 22, 2019, at 10:00 a.m.

MARGARET O'BRIEN  
Secretary of the Senate

