

No. 87  
STATE OF MICHIGAN  
**Journal of the Senate**  
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REGULAR SESSION OF 2019

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Senate Chamber, Lansing, Wednesday, September 18, 2019.

10:00 a.m.

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

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—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

Senator Paul Wojno of the 9th District offered the following invocation:

Lord, we thank You for the many blessings You have bestowed upon us in this institution of government, this great state, and the people of Michigan.

We thank You for the opportunity to come together in our State Capitol and ask that You provide our Senate with wisdom, productivity, and respect for one another in helping us accomplish our work and our goals for this day.

In Your name we pray. Amen.

The President pro tempore, Senator Nesbitt, led the members of the Senate in recital of the *Pledge of Allegiance*.

### **Motions and Communications**

Senator Hollier entered the Senate Chamber.

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

Senator MacGregor moved that rule 3.902 be suspended to allow filming and photographs to be taken from the Senate Gallery.

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

By unanimous consent the Senate proceeded to the order of

### **Resolutions**

Senators Hertel and Ananich entered the Senate Chamber.

Senator Shirkey offered the following concurrent resolution:

**Senate Concurrent Resolution No. 13.**

A concurrent resolution of tribute offered as a memorial for Bill S. Huffman, former member of the House of Representatives and the Senate.

Whereas, It is with great sadness that the members of the Michigan Legislature learned of the passing of Billy Huffman. He was a thoughtful and devoted advocate for his constituents in southeastern Oakland County and the people of the entire state during six terms in the House and two terms in the Senate; and

Whereas, Billy Huffman had a distinguished record of public service long before he arrived in Lansing. He served in the U.S. Navy during World War II and was involved in local government, first as a member of the Madison Heights city council and then as the city's mayor. The people of Madison Heights and the surrounding areas appreciated his contributions to the community and elected him to be their representative in the House for the first time in 1962, where he served until he was elected to the Senate in 1974; and

Whereas, During his time in the Legislature, Billy Huffman was known both for his ability to forge relationships with his colleagues and skill in mastering policy. He put those talents to work serving as one of the Capitol's key powerbrokers on a wide range of issues. He did extensive work on the appropriations committees in both the House and the Senate, taking a particular interest in higher education. It was especially important to him that people from all walks of life were able to attend college and that a university education would not be out of reach for people simply because of the cost; and

Whereas, After leaving the Senate in 1982, Billy Huffman continued his efforts to improve the educational opportunities for the people of Michigan through his work with the Michigan Higher Education Association. Retirement also gave him plenty of time with his family and friends whose company he greatly cherished; and

Whereas, Billy Huffman was a consummate legislative dealmaker, tremendous colleague, and tireless public advocate. Upon his passing, we offer our condolences to his family and friends. We hope that they may find comfort in the knowledge that the community as a whole shares in their bereavement and that the legacy of Billy Huffman's contributions will long continue to enrich our state; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That we offer this expression of our highest tribute to honor the memory of Bill S. Huffman, a member of the House of Representatives from 1963 to 1974 and a member of the Senate from 1975 to 1982; and be it further

Resolved, That copies of this resolution be transmitted to the Huffman family as evidence of our lasting esteem for his memory.

Pending the order that, under rule 3.204, the concurrent resolution be referred to the Committee on Government Operations,

Senator MacGregor moved that the rule be suspended.

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

The concurrent resolution was adopted by a unanimous standing vote of the Senate.

Senator MacGregor moved that rule 3.204 be suspended to name the entire membership of the Senate and the Lieutenant Governor as co-sponsors of the concurrent resolution.

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

A moment of silence was observed in memory of Bill S. Huffman, former member of the House of Representatives and the Senate.

### Recess

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

The motion prevailed, the time being 10:11 a.m.

10:39 a.m.

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

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.

Senators McCann, Wojno, Brinks, Moss, Santana, Bullock, Chang, Geiss, Polehanki and Hollier offered the following resolution:

**Senate Resolution No. 75.**

A resolution to recognize September 22-29, 2019, as Michigan Trails Week.

Whereas, Michigan's wealth of trails provides an abundance of opportunities for residents and visitors to enjoy our state's spectacular natural resources. Michigan is known as The Trails State because of the more than 12,500 miles of designated land trails and 4,280 miles of locally-designated water trails; and

Whereas, The state's trail system is the result of a successful partnership between state agencies, local trails groups, local units of government, and non-profit organizations and businesses all over the state coming together to connect communities and people; and

Whereas, Our trail systems are designed to accommodate both motorized and nonmotorized in appropriate areas to allow for a variety of uses and, through a carefully-designed master plan, will continue to reflect emerging trail needs in the state while also striving to meet the number one recreational need of citizens for more miles of trails at the local level; and

Whereas, Destination trails continue to be an emerging need to attract both residents and out-of-state visitors; and

Whereas, Route 1 of the Great Lake to Lake Trails will be the state's first fully-marked destination trail stretching from South Haven to Port Huron. When ultimately completed, The Iron Belle Trail, stretching from Belle Isle in Detroit to Ironwood in the western Upper Peninsula, will also be a destination trail and one of the longest such trails in the nation; and

Whereas, The state's trails and trail towns are prominently featured in the new Pure Michigan Trail Designation program that will be helpful in promoting the state's specially-designated trails. Our state's trail system plays a significant role in strengthening Michigan's economy and supporting thousands of jobs, primarily through small-business owners; and

Whereas, The state's trail system provides residents with broad access to a low-cost, accessible, and enjoyable way to improve health and reduce obesity; and

Whereas, Trail-related activities, including hiking, walking, snowmobiling, running, biking, horseback riding, cross-country skiing, paddling and using off-road vehicles, are among the most popular and growing means of outdoor enjoyment; and

Whereas, The state of Michigan hosts more than 5,000 miles of hiking trails designed for walkers, hikers, trails runners, and other outdoor enthusiasts to explore the state's natural areas, including 1,200 miles of the nation's longest National Scenic Trail, the North Country National Scenic Trail; and

Whereas, Michigan is also known as one of the top states for mountain biking, with an unmatched diversity of trail systems and over 1,600 miles of natural surface trails. Many people already refer to Michigan as the mountain biking capital of the Midwest; and

Whereas, The Department of Natural Resources, working in conjunction with the Michigan Trails and Greenways Alliance, has established a new water trail designation process that resulted in eight new water trail designations this past year, will continue to designate new inland water trails in the future; and

Whereas, The existence of quality trails helps to strengthen the appeal of communities by boosting quality-of-life amenities that attract businesses and increase property values. Trails provide alternative, scenic transportation routes that help to decrease road congestion and pollution and serve to connect communities to each other; now, therefore, be it

Resolved by the Senate, That the members of this legislative body recognize September 22-29, 2019, as Michigan Trails Week; and be it further

Resolved, That Michigan's rich network of trails throughout the Upper and Lower peninsulas continue to provide residents and visitors with scenic spaces to explore nature, appreciate wildlife, experience solitude, or enjoy time with family and friends.

Pending the order that, under rule 3.204, the resolution be referred to the Committee on Government Operations,

Senator MacGregor moved that the rule be suspended.

The question being on the motion to suspend the rule,

Senator MacGregor moved that further consideration of the resolution be postponed for today.

The motion prevailed.

Senators Bayer, Johnson and McMorro were named co-sponsors of the resolution.

Senator Stamas offered the following resolution:

**Senate Resolution No. 76.**

A resolution to recognize September 15-21, 2019, as Michigan Independent Colleges and Universities Week.

Whereas, Michigan is home to 25 independent colleges and universities that serve over 120,000 students; and  
Whereas, While our state's student population has declined overall, enrollment at Michigan independent colleges and universities has increased by 30 percent in the last 16 years; and

Whereas, Michigan independent colleges and universities experienced a 21 percent growth in United States military veteran undergraduate enrollment from 2014-2015 as well as a 33 percent enrollment increase for United States military veterans in graduate programs; and

Whereas, In our state, 39 percent of United States military veterans pursuing an undergraduate degree do so at a Michigan independent college or university; and

Whereas, One of the most important factors in collegiate student success is affordability; and

Whereas, In our state, 89 percent of students who attend an independent college or university receive some form of financial aid through an institutional scholarship or grant, with the amount of scholarships and grants provided directly by institutions increasing by over \$246 million between 2005 and 2015. This is a 99 percent increase in ten years; and

Whereas, Access to quality higher education is important for low-income students, women, minorities, and veterans; and

Whereas, Half of undergraduate students at Michigan independent colleges and universities receive need-based Pell grants as well; and

Whereas, Students at independent colleges and universities in Michigan earned 20,293 diplomas in 2015; and

Whereas, Over 80 percent of graduates from Michigan independent colleges and universities chose to live and work in our state after graduation; and

Whereas, Smaller colleges and universities, like many Michigan independent colleges and universities, provide individualized support that a large institution cannot, both in the classroom and within the administration; now, therefore, be it

Resolved by the Senate, That the members of this legislative body recognize September 15-21, 2019, as Michigan Independent Colleges and Universities Week.

Pending the order that, under rule 3.204, the resolution be referred to the Committee on Government Operations,

Senator MacGregor moved that the rule be suspended.

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

The resolution was adopted.

Senators Bayer, Brinks, McMorrow and Moss were named co-sponsors of the resolution.

### **Introduction and Referral of Bills**

Senators Hertel, Bullock, Geiss, Chang, Bayer, Lucido, Alexander, Wojno, Brinks, McMorrow, Moss and Irwin introduced

#### **Senate Bill No. 531, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1310b (MCL 380.1310b), as amended by 2016 PA 362.

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

Senators Hertel, Bullock, Geiss, Chang, Bayer, Lucido, Alexander, Wojno, Brinks, McMorrow, Moss and Irwin introduced

#### **Senate Bill No. 532, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1171 (MCL 380.1171), as added by 2006 PA 324.

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

By unanimous consent the Senate returned to the order of

### **Messages from the House**

#### **Senate Bill No. 438, entitled**

A bill to amend 1972 PA 284, entitled "Business corporation act," by amending section 1060 (MCL 450.2060), as amended by 2018 PA 85.

The House of Representatives has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The Senate agreed to the full title.

The bill was referred to the Secretary for enrollment printing and presentation to the Governor.

#### **Senate Bill No. 452, entitled**

A bill to amend 1986 PA 32, entitled "Emergency 9-1-1 service enabling act," by amending section 408 (MCL 484.1408), as amended by 2018 PA 51.

The House of Representatives has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

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.

By unanimous consent the Senate proceeded to the order of

### **Third Reading of Bills**

Senator MacGregor moved that the Senate proceed to consideration of the following bill:

#### **Senate Bill No. 348**

The motion prevailed.

The following bill was read a third time:

**Senate Bill No. 348, entitled**

A bill to amend 1939 PA 280, entitled “The social welfare act,” (MCL 400.1 to 400.119b) by adding section 111n.

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. 205**

**Yeas—38**

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

**Nays—0**

**Excused—0**

**Not Voting—0**

In The Chair: Nesbitt

The Senate agreed to the title of the bill.

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 pro tempore, Senator Nesbitt, designated Senator Lauwers as Chairperson.

After some time spent therein, the Committee arose; and the President pro tempore, Senator Nesbitt, having resumed the Chair, the Committee reported back to the Senate, favorably and with a substitute therefor, the following bill:

**Senate Bill No. 460, entitled**

A bill to amend 1978 PA 368, entitled “Public health code,” by amending sections 20904 and 20910 (MCL 333.20904 and 333.20910), section 20904 as amended by 2000 PA 375 and section 20910 as amended by 2006 PA 582.

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.

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

**Senate Bill No. 110, entitled**

A bill to amend 1998 PA 386, entitled “Estates and protected individuals code,” by amending section 5306 (MCL 700.5306), as amended by 2004 PA 532.

**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.

**Recess**

Senator MacGregor moved that the Senate recess subject to the call of the Chair.  
The motion prevailed, the time being 11:08 a.m.

11:16 a.m.

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

**Announcements of Printing and Enrollment**

The Secretary announced that the following bills were printed and filed on Tuesday, September 17 and are available on the Michigan Legislature website:

**Senate Bill Nos. 528 529 530**

**House Bill Nos. 4974 4975 4976 4977 4978 4979 4980 4981 4982 4983 4984 4985 4986  
4987 4988**

**Committee Reports****COMMITTEE ATTENDANCE REPORT**

The Conference Committee on Natural Resources (HB 4241) submitted the following:  
Meeting held on Thursday, September 12, 2019, at 2:15 p.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building  
Present: Senators Bumstead, Stamas and McCann

**COMMITTEE ATTENDANCE REPORT**

The Conference Committee on Higher Education (HB 4236) submitted the following:  
Meeting held on Thursday, September 12, 2019, at 3:15 p.m., Room 352, House Appropriations Room, 3rd Floor, Capitol Building  
Present: Senators LaSata, Stamas and Irwin

**COMMITTEE ATTENDANCE REPORT**

The Conference Committee on School Aid (HB 4242) submitted the following:  
Meeting held on Thursday, September 12, 2019, at 3:30 p.m., Room 352, House Appropriations Room, 3rd Floor, Capitol Building  
Present: Senators Schmidt, Stamas and Bayer

**Scheduled Meetings****Conference Committees -**

**General Government (SB 138)** - Thursday, September 19, 3:45 p.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building (517) 373-2768

**Health and Human Services (SB 139)** - Thursday, September 19, 4:00 p.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building (517) 373-2768

**Insurance and Financial Services (SB 141)** - Thursday, September 19, 3:30 p.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building (517) 373-2768

**Military and Veterans Affairs (SB 144)** - Thursday, September 19, 2:45 p.m., Room 352, House Appropriations Room, Capitol Building (517) 373-2768

**Transportation (SB 149)** - Thursday, September 19, 4:30 p.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building (517) 373-2768

**Local Government** - Thursday, September 19, 1:30 p.m., Room 1200, Binsfeld Office Building (517) 373-5314

Senator MacGregor moved that the Senate adjourn.  
The motion prevailed, the time being 11:18 a.m.

The President pro tempore, Senator Nesbitt, declared the Senate adjourned until Thursday, September 19, 2019, at 10:00 a.m.

MARGARET O'BRIEN  
Secretary of the Senate