

No. 29  
STATE OF MICHIGAN  
**Journal of the Senate**  
100th Legislature  
REGULAR SESSION OF 2019

---

---

Senate Chamber, Lansing, Wednesday, March 20, 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—present  
McBroom—present  
McCann—present  
McMorrow—present  
Moss—present  
Nesbitt—present

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

Senator Ed McBroom of the 38th District offered the following invocation:

Dear Father, we thank You again for a new day, a day that You have made, a day that we can rejoice in Your many blessings to us. Specifically the opportunity that we have to live in this country, a country that is governed by the people. In this beautiful state, Lord, I pray that You will help each of us today to work hard for You, to remember that we work for You, and that we work for Your people here. Help us to promote laws that are based on Your righteousness.

I pray that You will help us to remember those who need our help; and that in this time of reflecting on the sacrifice of Your Son, that You would help each of us to recognize the need that our communities have, for our sacrificial love for the people around us. Watch over us in this day and in our travels in the weeks to come.

I pray this in Jesus' name. Amen.

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

### Motions and Communications

Senator Ananich entered the Senate Chamber.

Senator Lauwers moved that Senators Schmidt and Zorn 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 communication was received:  
Office of Senator Betty Jean Alexander

March 19, 2019

I would like to add my name as a co-sponsor of Senate Bill 228, which was sponsored by Senator Jim Runestad. Thank you for the opportunity and please let me know if you have any questions.

Sincerely,  
Betty Jean Alexander  
State Senator  
5th District—Detroit, Dearborn Heights,  
Garden City, Inkster, and Redford

The communication was referred to the Secretary for record.

Senator Lauwers moved that rule 3.902 be suspended to allow the guests of Senator Shirkey admittance to the Senate floor, including the center aisle.

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

Senator Lauwers moved that rule 3.901 be suspended to allow photographs to be taken from the Senate floor, including the center aisle and Gallery.

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

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

The motion prevailed.

Senator Shirkey's statement is as follows:

I ask my colleagues on the Senate floor to join me in a few moments of celebration of dear Terry Edwards who is leaving and retiring on a bittersweet day today after serving more than 37 years in the state Senate.

Terry came to the Senate after accepting a position with Senator David Plawecki. At the end of his term, she accepted a temporary position with the Secretary of the Senate as a receptionist. From that point on, Terry continued to fill in for a long list of employees throughout her career. The list is too long to read.

In her time in the Senate, Terry has been through three different state accounting systems, three different Senate financial systems, and has served through 18 individual Legislatures. She is currently the Senate's accounting and financial reporting specialist—Lord knows we need an accounting and financial reporting specialist—where she keeps budgetary records and handles many of the financial duties of the Senate.

Terry is joined today in the east Gallery by her family—her husband of 42 years, Kent; with whom she has three children, sons Kent and Kristopher and daughter Kimberly. They have four grandsons—Robert, Kent, Bryce, and Eli—with a granddaughter due this September. Robert, Kent, Bryce, and Eli, you should be very proud of your grandma; very proud of your grandma. Kent, Kristopher, and Kimberly, you know how proud you should be of your mom.

After her retirement, Terry looks forward to spending time with her family, as well as relaxing at her trailer in the Thumb and being active outdoors. She told me a moment ago that she’s really very nervous about standing here next to me; I promised her I would not bite her. But, she’s not nervous at all about taking this next transition in life to enjoy the fruits of all the 37 years of labor she’s invested to spend more time with her family and friends camping. They’re involved in the Durand Wrestling Club, pairing tournaments for the Mid-Michigan Wrestling Association, the Durand chicken barbecue, serving as secretary, treasurer, and booklet chairperson for the Durand Railroad Days.

It is with great pleasure that we give this tribute to Terry and wish her the best of luck in her retirement. It is my hope, and I am sure the hope of everybody in this chamber, of all Senators and staff, that you succeed and make it an effortless transition into this new and exciting phase of your life. God bless you for your service and God bless you going forward. Thank you for being such an important part of our organization for so many years.

### **Messages from the House**

#### **Senate Bill No. 3, entitled**

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending section 5744 (MCL 600.5744), as amended by 2004 PA 105.

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

#### **General Orders**

Senator Lauwers 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 Moss 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. 4061, entitled**

A bill to amend 2001 PA 142, entitled “Michigan memorial highway act,” (MCL 250.1001 to 250.2080) by adding section 21b.

#### **Senate Bill No. 203, entitled**

A bill to amend 2016 PA 281, entitled “Medical marihuana facilities licensing act,” by amending section 102 (MCL 333.27102), as amended by 2018 PA 648.

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

### **Resolutions**

Senator MacGregor offered the following resolution:

#### **Senate Resolution No. 28.**

A resolution to commemorate March 20, 2019, as Hunger Solutions Day.

Whereas, The Food Bank Council of Michigan’s mission is to create a food secure state through advocacy, resource management, as well as the collaboration among stakeholders and Michigan’s unified food bank network; and

Whereas, Over 14 percent of Michigan residents regularly face hunger in their household and over 16 percent of our children do not have a consistent source of healthy, nutritious food; and

Whereas, The Food Bank Council of Michigan represents regional food banks that serve all 83 counties in Michigan; and

Whereas, Michigan food banks distribute food and resources to direct service agencies including pantries, after school programs, and senior centers; and

Whereas, These food banks coordinate outreach and educational programs throughout the year to promote healthy and responsible choices that affect hunger; and

Whereas, Michigan food banks organize the surplus donations from Michigan farmers in order to make available fresh, nutritious produce into the emergency food system; and

Whereas, The Food Bank Council of Michigan also coordinates the statewide food and fund drive, also known as the Michigan Harvest Gathering, which has secured nearly 79 million meals since 1991; and

Whereas, Michigan food banks are committed to increasing access to nutritious food through programs and food distribution services; and

Whereas, The Food Bank Council of Michigan advocates for policy in support of food security for all Michigan residents; and

Whereas, The state of Michigan can be proud to encourage the collaborative and innovative strategies which bring food security to families, individuals, and communities that are desperately in need of support; now, therefore, be it

Resolved by the Senate, That we commemorate March 20, 2019, as Hunger Solutions Day.

Pending the order that, under rule 3.204, the resolution be referred to the Committee on Government Operations, Senator Lauwers moved that the rule be suspended.

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

The resolution was adopted.

Senators Alexander, Ananich, Barrett, Bizon, Bullock, Daley, Geiss, Hertel, Hollier, Horn, Irwin, Johnson, LaSata, Lauwers, Lucido, MacDonald, McCann, McMorrow, Moss, Polehanki, Runestad, Santana, Theis, VanderWall, Victory, Wojno, Brinks and Chang were named co-sponsors of the resolution.

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

The motion prevailed.

Senator MacGregor's statement is as follows:

We are pleased to have Dr. Phil Knight, the executive director of the Food Bank Council of Michigan, with us in the Gallery today for the resolution naming March 20 as Hunger Solutions Day.

The Food Bank Council has been a long-term partner with many sectors in Michigan, including agribusiness, healthcare, government, and charitable sectors.

While serving in the State Legislature, I have been a proud supporter of the Food Bank Council in its efforts to help both hungry people and our farming communities. With the support of the state of Michigan, the Food Bank Council of Michigan rescues healthy, high-quality, fresh and frozen produce from farmers and processors which they are then able to distribute to those in need. For every dollar invested in the Food Bank Council's Produce-Rescue Program, it generates over \$16.00 in economic value back to the state of Michigan.

The Food Bank Network continues to find innovative ways to work towards achieving its mission of ending hunger in our state. So, we designate today—March 20, 2019—as Hunger Solutions Day for the state of Michigan as an opportunity to celebrate how far we've come and in recognition of the collaborative work that is still needed to ensure all Michiganders become food-secure.

### Introduction and Referral of Bills

Senator Alexander introduced

#### **Senate Bill No. 233, entitled**

A bill to amend 2018 PA 337, entitled "Improved workforce opportunity wage act," by amending section 4d (MCL 408.934d), as amended by 2018 PA 368, and by adding section 4f.

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

Senator Santana introduced

#### **Senate Bill No. 234, 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 8 (MCL 408.478).

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. 235, entitled**

A bill to provide for the levy, collection, and administration of an excise tax on the admission charge to an entertainment event in this state; to provide for the disposition of the proceeds of the tax; to prescribe the powers and duties of certain state departments; and to provide for certain exemptions.

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

**House Bill No. 4007, entitled**

A bill to amend 1976 PA 442, entitled “Freedom of information act,” by amending section 13 (MCL 15.243), as amended by 2018 PA 68.

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 Oversight.

**House Bill No. 4008, entitled**

A bill to amend 1976 PA 442, entitled “Freedom of information act,” by amending sections 1, 2, and 3 (MCL 15.231, 15.232, and 15.233), section 1 as amended by 1997 PA 6, section 2 as amended by 2018 PA 68, and section 3 as amended by 2018 PA 523.

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 Oversight.

**House Bill No. 4009, entitled**

A bill to amend 1976 PA 442, entitled “Freedom of information act,” (MCL 15.231 to 15.246) by adding sections 29e and 29f.

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 Oversight.

**House Bill No. 4010, entitled**

A bill to amend 1976 PA 442, entitled “Freedom of information act,” (MCL 15.231 to 15.246) by adding sections 29a and 29b.

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 Oversight.

**House Bill No. 4011, entitled**

A bill to amend 1976 PA 442, entitled “Freedom of information act,” (MCL 15.231 to 15.246) by adding part 2.

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 Oversight.

**House Bill No. 4012, entitled**

A bill to amend 1976 PA 442, entitled “Freedom of information act,” (MCL 15.231 to 15.246) by adding sections 26, 27, 28, and 29.

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 Oversight.

**House Bill No. 4013, entitled**

A bill to amend 1976 PA 442, entitled “Freedom of information act,” (MCL 15.231 to 15.246) by adding section 24.

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 Oversight.

**House Bill No. 4015, entitled**

A bill to amend 1976 PA 442, entitled “Freedom of information act,” (MCL 15.231 to 15.246) by adding sections 29c and 29d.

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 Oversight.

**House Bill No. 4016, entitled**

A bill to amend 1986 PA 268, entitled “Legislative council act,” by amending section 104a (MCL 4.1104a), as amended by 2013 PA 241.

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 Oversight.

**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.

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 Local Government.

**House Bill No. 4060, entitled**

A bill to amend 2001 PA 142, entitled “Michigan memorial highway act,” (MCL 250.1001 to 250.2080) by adding section 1083.

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 Transportation and Infrastructure.

**Announcements of Printing and Enrollment**

The Secretary announced that the following House bills were received in the Senate and filed on Tuesday, March 19:

**House Bill Nos. 4007 4008 4009 4010 4011 4012 4013 4015 4016 4055 4060**

The Secretary announced that the following bills and resolution were printed and filed on Tuesday, March 19, and are available on the Michigan Legislature website:

**Senate Bill Nos. 227 228 229 230 231 232**

**Senate Resolution No. 27**

**House Bill Nos. 4386 4387 4388 4389 4390 4391 4392 4393 4394 4395 4396 4397 4398  
4399 4400 4401 4402 4403 4404 4405**

**Committee Reports**

The Committee on Regulatory Reform reported

**Senate Bill No. 106, entitled**

A bill to amend 1915 PA 31, entitled “Youth tobacco act,” by amending the title and sections 1, 2, and 4 (MCL 722.641, 722.642, and 722.644), as amended by 2006 PA 236, and by adding sections 2b and 2c.

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.

Aric Nesbitt  
Chairperson

To Report Out:

Yeas: Senators Nesbitt, Theis, Johnson, Lauwers, VanderWall, Moss, Polehanki and Wojno

Nays: None

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

The Committee on Regulatory Reform reported

**Senate Bill No. 155, entitled**

A bill to amend 1915 PA 31, entitled “Youth tobacco act,” (MCL 722.641 to 722.645) by adding sections 2b and 2c.

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.

Aric Nesbitt  
Chairperson

To Report Out:

Yeas: Senators Nesbitt, Theis, Johnson, Lauwers, VanderWall, Moss, Polehanki 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 Regulatory Reform submitted the following:

Meeting held on Tuesday, March 19, 2019, at 3:00 p.m., Room 1200, Binsfeld Office Building

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

Excused: Senator Zorn

The Committee on Education and Career Readiness reported

**Senate Bill No. 122, entitled**

A bill to amend 1976 PA 451, entitled “The revised school code,” by amending section 1249 (MCL 380.1249), as amended by 2018 PA 235.

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, Daley, Polehanki and Geiss

Nays: None

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

The Committee on Education and Career Readiness reported

**Senate Bill No. 202, entitled**

A bill to amend 1976 PA 451, entitled “The revised school code,” by amending section 1249b (MCL 380.1249b), as added by 2015 PA 173.

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, Daley, Polehanki and Geiss

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, March 19, 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 Committee on Environmental Quality submitted the following:

Meeting held on Tuesday, March 19, 2019, at 1:00 p.m., Room 1200, Binsfeld Office Building

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

Excused: Senator Bayer

### COMMITTEE ATTENDANCE REPORT

The Committee on Energy and Technology submitted the following:

Meeting held on Tuesday, March 19, 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, March 19, 2019, at 3:00 p.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building

Present: Senators Horn (C) and Hollier

Excused: Senator Schmidt

### COMMITTEE ATTENDANCE REPORT

The Committee on Insurance and Banking submitted the following:

Meeting held on Wednesday, March 20, 2019, at 8:30 a.m., Room 1100, Binsfeld Office Building

Present: Senators Theis (C), Lauwers, LaSata, Nesbitt, Daley, Barrett, Horn, Geiss, Bullock and McMorrow

### Scheduled Meetings

#### Appropriations -

##### Subcommittees -

**Agriculture and Rural Development** - Thursday, March 21, 3:00 p.m., Room 1300, Binsfeld Office Building (517) 373-2768

**Community Health/Human Services** - Thursday, March 21, 8:00 a.m., Senate Hearing Room, Ground Floor, Boji Tower (517) 373-2768

**General Government** - Wednesdays, April 10 and April 17, 3:00 p.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building (517) 373-2768

**Justice and Public Safety** - Thursday, March 21, 1:30 p.m., Room 1300, Binsfeld Office Building (517) 373-2768

**Talent and Economic Development/MEDC** - Tuesdays, April 9 and April 16, 3:00 p.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building (517) 373-2768

**Universities and Community Colleges** - Thursday, March 21, 1:30 p.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building (517) 373-2768

Senator Lauwers moved that the Senate adjourn.

The motion prevailed, the time being 10:34 a.m.

The President, Lieutenant Governor Gilchrist, declared the Senate adjourned until Thursday, March 21, 2019, at 10:00 a.m.

MARGARET O'BRIEN  
Secretary of the Senate