

**No. 3**  
**STATE OF MICHIGAN**  
**Journal of the Senate**  
**100th Legislature**  
**REGULAR SESSION OF 2020**

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Senate Chamber, Lansing, Tuesday, January 14, 2020.

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

Dear Father, we come before You this new day and give You praise for Your great goodness and mercy to us.

Father, You are mighty and worthy of all glory and praise and honor and obedience. You—who has created all things and is the author of life—have the right and privilege to rule and judge us; yet, You are patient with us. Like a good father, You bear with our faults and weaknesses, loving us with discipline and good gifts. Particularly in America, You have given us liberty and freedoms that we take for granted. Please continue Your mercy toward us, despite our lack of acknowledgement that You are the source of our blessings.

Father, You know me and You know my faults; You know how much I need Your mercy because of how often I forget You and Your presence. Thank You for Your forgiveness and patience.

Father, help us here today to love mercy, seek justice, and walk humbly before You. Cause us to remember the widow, the orphan, the poor, the prisoner, the weak, and the downtrodden. Let us work to lift these people up by rewarding good and condemning evil, and please give us the guidance, wisdom, and willingness to know the difference between the two.

I pray this all in the name of Your Son, Jesus. Amen.

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

**Motions and Communications**

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

The following communication was received:

Department of State

December 30, 2019

In accordance with MCL section 257.810b (7), we have attached a TACF report for the Department of State for the period of October 1, 2018 through September 30, 2019.

Deposits and charges in the TACF during this time period were \$135,053,908 and \$136,043,042 respectively. Data used in the preparation of this report was obtained from the SIGMA-BI database.

Sincerely,  
Cindy Paradine, Director  
Office of Financial Services

The communication was referred to the Secretary for record.

The following communication was received:

Office of Senator Rosemary Bayer

January 13, 2020

Per Senate Rule 1.110(c), I am requesting that my name be added as a co-sponsor to Senate Bill 0668 introduced by Senator Jim Ananich on December 4, 2019.

Sincerely,  
Rosemary K. Bayer  
12th Senate District  
State Senator

The communication was referred to the Secretary for record.

The following communication was received:

Office of Senator Dale W. Zorn

January 14, 2020

Please list my name as a co-sponsor of Senate Bill 612. Thank you.

Respectfully,  
Dale Zorn  
State Senator – District 17

The communication was referred to the Secretary for record.

Senator Ananich entered the Senate Chamber.

**Messages from the Governor**

The following messages from the Governor were received and read:

January 13, 2020

I am writing to inform you of my withdrawal of the following appointment submitted to your office on December 5, 2019 pursuant to Public Act 250 of 1982, MCL 722.604:

**Child Abuse and Neglect Prevention Board “Children’s Trust Fund”**

Ms. Nicole Wells Stallworth of 30420 Fox Club Court, Farmington Hills, Michigan 48331, county of Oakland, succeeding Krista Beach whose term expired December 19, 2019, appointed to represent the general public, for a term commencing December 20, 2019 and expiring December 19, 2022.

January 13, 2020

I am writing to inform you of my withdrawal of the following appointment submitted to your office on December 18, 2019 pursuant to Public Act 368 of 1978, MCL 333.16121 and 333.17025:

**Michigan Task Force on Physician’s Assistants**

Ms. Samantha Danek, PA-C of 8038 Walsh Road, Dexter, Michigan 48130, county of Washtenaw, filling a vacancy, appointed to represent the Michigan Board of Osteopathic Medicine and Surgery, for a term commencing December 18, 2019 and expiring December 31, 2021.

Respectfully,  
Gretchen Whitmer  
Governor

The messages 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 10:05 a.m.

10:54 a.m.

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

By unanimous consent the Senate proceeded to the order of

**Messages from the House**

**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.

(This bill was returned from the House on January 9 with a substitute (H-3), immediate effect and title amendment, and was laid over under the rules. See Senate Journal No. 2, p. 16.)

The question being on concurring in the substitute made to the bill by the House,

The substitute was concurred in, a majority of the members serving voting therefor, as follows:

**Roll Call No. 6**

**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: President

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

**Senate Bill No. 434, entitled**

A bill to amend 1980 PA 299, entitled “Occupational code,” by amending sections 1201, 1203, 1203b, 1204, 1205, 1211, 1217, and 1218 (MCL 339.1201, 339.1203, 339.1203b, 339.1204, 339.1205, 339.1211, 339.1217, and 339.1218), sections 1201, 1205, 1211, 1217, and 1218 as amended and section 1203b as added by 1997 PA 97 and section 1204 as amended by 2003 PA 57, and by adding section 1205a; and to repeal acts and parts of acts.

(This bill was returned from the House on January 9 with a House substitute (H-2), immediate effect and full title, and was laid over under the rules. See Senate Journal No. 2, p. 17.)

The question being on concurring in the substitute made to the bill by the House,

The substitute was concurred in, a majority of the members serving voting therefor, as follows:

**Roll Call No. 7**

**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: President

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.

**House Bill No. 4309, entitled**

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 14d of chapter XVII (MCL 777.14d), as amended by 2016 PA 272.

(This bill was returned from the House on January 9 with a House substitute (H-3) to the Senate substitute (S-1) and title amendment, and was laid over under the rules. See Senate Journal No. 2, p. 19.)

The question being on concurring in the House substitute made to the Senate substitute,  
The substitute was concurred in, a majority of the members serving voting therefor, as follows:

**Roll Call No. 8**

**Yeas—33**

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

**Nays—5**

Hollier	McBroom	Runestad	Victory
Irwin			

**Excused—0**

**Not Voting—0**

In The Chair: President

The Senate agreed to the title as amended.

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:

**House Bill No. 4156**

The motion prevailed.

The following bill was read a third time:

**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 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. 9**

**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: President

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.

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to provide for a state employees’ retirement system; to create a state employees’ retirement board and prescribe its powers and duties; to establish certain funds in connection with the retirement system; to require contributions to the retirement system by and on behalf of members and participants of the retirement system; to create certain accounts and provide for expenditures from those accounts; to prescribe the powers and duties of certain state and local officers and employees and certain state departments and agencies; to prescribe and make appropriations for the retirement system; and to prescribe penalties and provide remedies.”.

The Senate agreed to the full title.

The following bill was read a third time:

**Senate Bill No. 350, entitled**

A bill to amend 1895 PA 3, entitled “The general law village act,” by amending section 18 (MCL 69.18), as amended by 1984 PA 179.

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. 10**

**Yeas—37**

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

Nays—1

Hollier

**Excused—0**

**Not Voting—0**

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

**House Bill No. 4411, entitled**

A bill to amend 1994 PA 160, entitled “Credit services protection act,” by amending section 3 (MCL 445.1823).

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. 11**

**Yeas—37**

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

**Nays—1**

Johnson

**Excused—0**

**Not Voting—0**

In The Chair: President

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.

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to prohibit certain methods, acts, and practices of credit services organizations; to prescribe remedies and penalties; and to repeal certain acts and parts of acts.”

The Senate agreed to the full title.

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 MacDonald 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. 5241, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 836b (MCL 500.836b), as amended by 2016 PA 558.

**House Bill No. 5242, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 1301 (MCL 500.1301), as amended by 2015 PA 244, and by adding section 1359.

**House Bill No. 5243, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending sections 1001 and 1027 (MCL 500.1001 and 500.1027), section 1001 as amended by 2016 PA 276 and section 1027 as added by 2008 PA 342, and by adding section 1028; and to repeal acts and parts of acts.

The bills were 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 MacDonald, Victory, Alexander and Lucido introduced

**Senate Bill No. 715, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1175 (MCL 380.1175), as amended by 1995 PA 289.

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

Senators Victory, Theis, Outman, Barrett, Lauwers, Horn, MacDonald, Bizon, Daley, Bumstead, Zorn, Johnson, McBroom, VanderWall, LaSata and Lucido introduced

**Senate Bill No. 716, entitled**

A bill to amend 1951 PA 51, entitled "An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to promote safe and efficient travel for motor vehicle drivers, bicyclists, pedestrians, and other legal users of roads, streets, and highways; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, local bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line



fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts," by amending sections 18a and 18b (MCL 247.668a and 247.668b), section 18b as amended by 2002 PA 498.

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

Senators Runestad, MacDonald and Lucido introduced

**Senate Bill No. 717, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 15c of chapter IV (MCL 764.15c), as amended by 2001 PA 210.

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

### **Announcements of Printing and Enrollment**

The Secretary announced that the following bills were printed and filed on Thursday, January 9, and are available on the Michigan Legislature website:

**Senate Bill Nos. 711 712 713 714**

**House Bill Nos. 5313 5314 5315 5316 5317 5318 5319 5320 5321 5322 5323 5324 5325  
5326 5327**

### **Scheduled Meetings**

**Agriculture** - Thursday, January 16, 8:30 a.m., Room 1200, Binsfeld Office Building (517) 373-1721

**Appropriations** - Wednesday, January 15, 2:00 p.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building (517) 373-5307

**Families, Seniors, and Veterans** - Wednesday, January 15, 3:00 p.m., Room 1200, Binsfeld Office Building (517) 373-1721

**Health Policy and Human Services** - Thursday, January 16, 1:00 p.m., Room 1100, Binsfeld Office Building (517) 373-5323

**Senate Fiscal Agency Board of Governors** - Thursday, January 23, 9:00 a.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building (517) 373-2768

Senator MacGregor moved that the Senate adjourn.

The motion prevailed, the time being 11:16 a.m.

The President, Lieutenant Governor Gilchrist, declared the Senate adjourned until Wednesday, January 15, 2020, at 10:00 a.m.

MARGARET O'BRIEN  
Secretary of the Senate

