

No. 82  
STATE OF MICHIGAN  
**Journal of the Senate**  
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REGULAR SESSION OF 2019

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Senate Chamber, Lansing, Thursday, September 5, 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—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 Mike Shirkey of the 16th District offered the following invocation:

Heavenly Father, we thank You again for this gorgeous and delightful day, for the blessings You provide for all of us, and for the provisions and protections for our families. We ask that You would continue to impart upon us the Holy Spirit and guide our decision-making at every level of this privilege of serving in this capacity in the Senate of Michigan.

“May this day be a blessing to You Lord. May this day be a blessing to You. Guide our thoughts and our words. Guard our hearts from this world. May this day be a blessing; may our work be a blessing; and may our lives be a blessing to You.”

In the Lord’s name we pray. Amen.

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

### Motions and Communications

Senators Santana and Ananich entered the Senate Chamber.

The following communication was received:  
Office of Senator Curtis Hertel Jr.

September 3, 2019

I respectfully request that my name be added as a co-sponsor to Senate Bill 455, introduced by Senator Stamas. If you have any questions, please do not hesitate to contact my office. Thank you for your attention to this matter.

Sincerely,  
Curtis Hertel, Jr.  
State Senator  
District 23

The communication was referred to the Secretary for record.

### Messages from the House

#### Senate Bill No. 23, entitled

A bill to prohibit the theft of mail; to provide for the powers and duties of certain state and local governmental officers and entities; and to prescribe penalties and provide remedies.

The House of Representatives has substituted (H-1) the bill.

The House of Representatives has passed the bill as substituted (H-1) and ordered that it be given immediate effect.

Pending the order that, under rule 3.202, the bill be laid over one day,  
Senator MacGregor moved that the rule be suspended.

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

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. 192

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

**Senate Bill No. 24, entitled**

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 14h of chapter XVII (MCL 777.14h), as amended by 2018 PA 188.

The House of Representatives has substituted (H-1) the bill.

The House of Representatives has passed the bill as substituted (H-1), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

Pending the order that, under rule 3.202, the bill be laid over one day,

Senator MacGregor moved that the rule be suspended.

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

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. 193**

**Yeas—38**

Alexander	Geiss	MacGregor	Santana
Ananich	Hertel	McBroom	Schmidt
Barrett	Hollier	McCann	Shirkey
Bayer	Horn	McMorrow	Stamas
Bizon	Irwin	Moss	Thisis
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.

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. 340**  
The motion prevailed.

The following bill was read a third time:  
**Senate Bill No. 340, entitled**

A bill to amend 1978 PA 368, entitled “Public health code,” by amending sections 17707, 17708, 17709, 17722, 17726, 17739, 17741, 17742, 17748, 17751, and 17752 (MCL 333.17707, 333.17708, 333.17709, 333.17722, 333.17726, 333.17739, 333.17741, 333.17742, 333.17748, 333.17751, and 333.17752), section 17707 as amended by 2016 PA 528, section 17708 as amended by 2016 PA 499, sections 17709 and 17742 as amended by 2014 PA 280, section 17739 as added by 2014 PA 285, section 17748 as amended by 2015 PA 169, section 17751 as amended by 2017 PA 165, and section 17752 as amended by 2005 PA 73, and by adding sections 17742a and 17742b.

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. 194**

**Yeas—32**

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

**Nays—6**

Brinks	McMorrow	Polehanki	Santana
Irwin	Moss		

**Excused—0**

**Not Voting—0**

In The Chair: President

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, Lieutenant Governor Gilchrist, designated Senator Polehanki 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 with a substitute therefor, the following bill:

**House Bill No. 4728, entitled**

A bill to amend 1979 PA 94, entitled “The state school aid act of 1979,” by amending sections 11, 17b, 201, and 236 (MCL 388.1611, 388.1617b, 388.1801, and 388.1836), section 11 as amended by 2018 PA 586, section 17b as amended by 2007 PA 137, and sections 201 and 236 as amended by 2018 PA 265.

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 Chang, Wojno, McCann, Bullock, Irwin and Alexander introduced

**Senate Bill No. 495, entitled**

A bill to amend 1954 PA 116, entitled “Michigan election law,” by amending section 2 (MCL 168.2), as amended by 2018 PA 603.

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

Senator Ananich introduced

**Senate Bill No. 496, entitled**

A bill to amend 1976 PA 451, entitled “The revised school code,” by amending sections 1278a and 1278b (MCL 380.1278a and 380.1278b), section 1278a as amended by 2018 PA 232 and section 1278b as amended by 2018 PA 230.

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

**Statements**

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 appreciate my colleagues’ and staff’s attention as I go through what I consider to be a very special sharing time and announcement. I’ll ask dear Alisha to come up here and join me for a moment, and I’ve already brought the box of Kleenex for you, so you can hold the Kleenex.

Ecclesiastes 3:3 is a pretty special verse of the Bible for me: There’s a time and a place for everything. Verse 4 is particularly pertinent for today, which says there’s “a time to weep, and a time to laugh; a time to mourn, and a time to dance.” We have a colleague—a part of the family—who has an opportunity to go spread their wings and fly like an eagle. I say that is exactly the proper time to acknowledge that there’s some sadness—to weep—also, to acknowledge that the laughter that goes with those kinds of accomplishments are those of support and encouragement; mourning a loss; and also dancing with joy for what the future holds.

Dear Alisha, we are all here—and me—to tell you that we are excited for your next adventure, but let me just talk a little bit about your background first. Step up a little bit so I can look at you and also talk into the microphone. This is a tribute that I’ll give you—I’m not going to read the whole thing—it does go through some of your background. Alisha is a Jackson native; she only lives about three and a half miles from me. On occasion, we actually ride together—commute back and forth to Lansing. One of us practices to an extreme the art of listening; the other, to an extreme, the art of talking. I will leave that up to you to determine which one you think qualifies for me and for her. She and I first met while she was the government affairs person for Michigan International Speedway. She was an aggressive, snotty government affairs person there who was very in-your-face, always looking for handouts, just typical. She didn’t quite know how to handle me because I wasn’t in favor of any of that stuff. Then one day, she asked me to say the prayer at MIS for one of the race starts, and I was happy to do so. What she didn’t tell me is that it was going to be on national

television. I arrived with three days of unshaven beard and a Hawaiian shirt because I thought I was just going to be with the drivers. She still, at that time, didn't have enough grace to go find a substitute and force me to be on national TV and deliver the invocation that day. I've never quite forgiven her for that, although I got back at her a bit because the same day, she had scheduled this gorgeous, cute group of young ladies who tuned up to sing the National Anthem, and they were very good. What she told me to do was just move to the side of them after the invocation so the cameras could pan in on the ladies, and they did. What she didn't tell me, though, is don't sing. As it turned out, I was louder than the girls were so I got her back because she was very mad at me for that exchange.

I think most of you, if you've worked with Alisha, understand that she has a rather unique vocabulary. Sometimes she reaches to the visceral level of her being and I'm certain that most of that education occurred on a certain race track infield that she spent a fair amount of time on. She has been a partner, a consigliere, a confidante, never mendacious; I could always, always count on her being gut-level honest with me, even when it hurt. She has been a butt-kicker for me—not of me, well on occasion she has been a butt-kicker of me, but for the most part, I've sent her out to do some butt-kicking—a problem-solver, a very fast learner, a load-carrier—I know of few people who carry the kind of load on a day-to-day basis that she's demonstrated to me over the last few years—she's been a good cop and bad cop when we've exchanged at one another, she is absolutely a leader, she is quick to critique when it's appropriate and quick to encourage when it's appropriate. She's part of our family. We have a big family here; we each have our own small families here. She's part of our family, big and small, and over the years she's also become part of my personal family as well. Sometimes my workmate-spouse, sometimes my daughter. I can't express to you how much I appreciate our relationship and how it's grown over the years. Proverbs 27:17 is also an important verse for me—"iron sharpens iron"—and people sharpen others. Alisha, you have been my iron more than once. Some of us—none of us—are irreplaceable. Some of us may be unforgettable. I guarantee you, Alisha, that you challenge both of those statements. You're going to be hard to replace.

Some define character as the etching of one's soul, and I just wish upon all of you listening to this that you have the blessing of having somebody around you who can help etch your soul like Alisha's etched mine.

So far, I've done pretty good not crying.

Mr. President, I would ask you to ask the guests and members in this chamber and all the staff to help me recognize and acknowledge a superior member and team member of the Michigan Senate and an outstanding representative and advocate for the citizens of Michigan.

**Announcements of Printing and Enrollment**

The Secretary announced that the following House bills were received in the Senate and filed on Wednesday, September 4:

**House Bill Nos. 4372 4373 4378**

The Secretary announced that the following bills and resolution were printed and filed on Wednesday, September 4 and are available on the Michigan Legislature website:

**Senate Bill Nos. 477 478 479 480 481 482 483 484 485 486 487 488 489  
490 491 492 493 494**

**Senate Concurrent Resolution No. 11**

**House Bill Nos. 4915 4916 4917 4918 4919**

**Committee Reports**

The Committee on Finance reported

**House Bill No. 4189, entitled**

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending sections 117 and 500 (MCL 208.1117 and 208.1500), section 117 as amended by 2011 PA 292 and section 500 as amended by 2016 PA 426; and to repeal acts and parts of acts.

With the recommendation that the bill pass.

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

Jim Runestad  
Chairperson

## To Report Out:

Yeas: Senators Runestad, Nesbitt, Daley, Bumstead, VanderWall and Alexander

Nays: None

The bill was referred to the Committee of the Whole.

## COMMITTEE ATTENDANCE REPORT

The Committee on Finance submitted the following:

Meeting held on Wednesday, September 4, 2019, at 12:30 p.m., Room 1200, Binsfeld Office Building

Present: Senators Runestad (C), Nesbitt, Daley, Bumstead, VanderWall, Chang and Alexander

The Committee on Elections reported

**House Bill No. 4446, entitled**

A bill to amend 1976 PA 388, entitled "Michigan campaign finance act," by amending sections 4, 5, 6, 9, 12, 21, 24, 26, 34, 35, 41, 51, 54, and 55 (MCL 169.204, 169.205, 169.206, 169.209, 169.212, 169.221, 169.224, 169.226, 169.234, 169.235, 169.241, 169.251, 169.254, and 169.255), sections 4, 9, 24, 26, 35, 51, 54, and 55 as amended by 2017 PA 119, sections 5 and 41 as amended by 1999 PA 237, section 6 as amended by 2018 PA 607, section 12 as amended by 2001 PA 250, section 21 as amended by 2015 PA 269, and section 34 as amended by 2012 PA 277.

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.

Ruth A. Johnson

Chairperson

## To Report Out:

Yeas: Senators Johnson, McBroom, Lucido, VanderWall 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 Elections submitted the following:

Meeting held on Wednesday, September 4, 2019, at 2:00 p.m., Room 1300, Binsfeld Office Building

Present: Senators Johnson (C), McBroom, Lucido, VanderWall and Wojno

The Committee on Transportation and Infrastructure reported

**Senate Bill No. 344, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 216, 217i, 802, and 803a (MCL 257.216, 257.217i, 257.802, and 257.803a), section 216 as amended by 2009 PA 32, section 217i as added by 2018 PA 680, section 802 as amended by 2016 PA 425, and section 803a as amended by 1996 PA 404, and by adding section 803s.

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.

Tom Barrett

Chairperson

## To Report Out:

Yeas: Senators Barrett, LaSata, McBroom, Victory, Outman, Lauwers, Geiss and Bullock

Nays: Senator Hollier

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

The Committee on Transportation and Infrastructure reported

**Senate Bill No. 345, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 20a (MCL 257.20a), as amended by 2012 PA 239, and by adding sections 20b and 30d.

With the recommendation that the bill pass.

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

Tom Barrett  
Chairperson

To Report Out:

Yeas: Senators Barrett, LaSata, McBroom, Victory, Outman, Lauwers, Geiss and Bullock

Nays: Senator Hollier

The bill was referred to the Committee of the Whole.

The Committee on Transportation and Infrastructure reported

**Senate Bill No. 346, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 6311 and 6512 (MCL 324.6311 and 324.6512), as added by 1995 PA 60.

With the recommendation that the bill pass.

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

Tom Barrett  
Chairperson

To Report Out:

Yeas: Senators Barrett, LaSata, McBroom, Victory, Outman, Lauwers, Geiss and Bullock

Nays: Senator Hollier

The bill was referred to the Committee of the Whole.

The Committee on Transportation and Infrastructure reported

**Senate Bill No. 364, 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," (MCL 247.651 to 247.675) by adding section 11i.

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.

Tom Barrett  
Chairperson

To Report Out:

Yeas: Senators Barrett, LaSata, McBroom, Victory, Outman, Lauwers, Geiss, Bullock and Hollier

Nays: None

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

The Committee on Transportation and Infrastructure reported

**Senate Bill No. 379, 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,” (MCL 247.651 to 247.675) by adding section 11a.

With the recommendation that the bill pass.

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

Tom Barrett  
Chairperson

To Report Out:

Yeas: Senators Barrett, LaSata, McBroom, Victory, Outman, Lauwers, Geiss, Bullock and Hollier

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Transportation and Infrastructure submitted the following:

Meeting held on Wednesday, September 4, 2019, at 12:30 p.m., Room 1100, Binsfeld Office Building

Present: Senators Barrett (C), LaSata, McBroom, Victory, Outman, Lauwers, Geiss, Bullock and Hollier

COMMITTEE ATTENDANCE REPORT

The Committee on Families, Seniors, and Veterans submitted the following:

Meeting held on Wednesday, September 4, 2019, at 3:00 p.m., Room 1200, Binsfeld Office Building

Present: Senators Bizon (C), Barrett, Runestad, Johnson, Bullock and Alexander.

Excused: Senator Zorn

**Scheduled Meetings**

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

**Michigan State Capitol Commission** - Monday, September 9, 11:00 a.m., Room H-65, Capitol Building (517) 373 0184

**Senate Fiscal Agency Board of Governors** - Thursday, September 12, 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 10:34 a.m.

The President, Lieutenant Governor Gilchrist, declared the Senate adjourned until Tuesday, September 10, 2019, at 10:00 a.m.

MARGARET O'BRIEN  
Secretary of the Senate