

No. 56
STATE OF MICHIGAN
Journal of the Senate
100th Legislature
REGULAR SESSION OF 2019

Senate Chamber, Lansing, Tuesday, June 4, 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—excused
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

Pastor Jerry Weinzierl of Grace Christian Church of Sterling Heights offered the following invocation:

Lord God, as we've gathered together today, we pause briefly to pray and are reminded of the words of the psalmist that said this is the day that the Lord has made, let us decide to rejoice and be gladdened. God, I'm asking that You would give the members of this institution, having proven that they possess a passion to serve the citizens that they represent. I ask you to give them wisdom—the wisdom of Solomon, in the decisions they face—for you have promised in Your word, Your holy scripture, that if we lack wisdom in any area of life, we simply need to ask You for it and You'll not only provide it, but You won't belittle us for needing to ask.

I ask You God that You give them the courage of David, a shepherd boy, who ran at the giants that he faced and defeated them. For You have promised us through the words of the apostle Paul that we can do all things, through Christ who gives us strength for the task. I ask You God that You would give the insight and foresight of the prophet Elisha, who was able to see a problem before it occurred and then articulated a solution beyond his natural intellect. God, beyond everything I know and everything that I've learned about You, I'm convinced that You are a good god. You love these men and women who serve us with an unconditional love that can only come from You. I pray that out of your goodness the people serving, the people in this great state of Michigan, have a life-altering encounter with who You are—an encounter with the living God, an encounter with the loving God, an encounter with a forgiving God, an encounter with an empowering God.

God I'm asking that You bring a spiritual awakening to the state of Michigan—an awakening that transcends the things that, at times bitterly divide us. An awakening that brings a sense of unity in the midst of differing opinions. That this state and these leaders representing our nearly 10 million citizens would be marked by everything that you want, God. Guide and protect our leaders and bless these that serve in a special way today. Give them a piece that surpasses all comprehension, for You are that kind of God.

God bless America and God bless the great state of Michigan. We pray these things in the name that is above all names, the name of Jesus. Amen and 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 Senators Horn and Lauwers be temporarily excused from today's session. The motion prevailed.

Senator McMorrow moved that Senator Moss be temporarily excused from today's session. The motion prevailed.

Senator McMorrow moved that Senator Chang be excused from this week's sessions. The motion prevailed.

The following communication was received and read:
Office of the Senate Majority Leader

May 28, 2019

Pursuant to MCL 324.32202, I appoint Rick Snyder to replace Tom Casperson on the **Great Lakes Commission**.

Sincerely,
Mike Shirkey
16th Senate District
Senate Majority Leader

The communication was referred to the Secretary for record.

Senator Moss entered the Senate Chamber

The following communications were received:
Department of State

Administrative Rules
Notices of Filing

January 9, 2019

In accordance with the requirements of Section 46 of Act No. 306 of the Public Acts of 1969, being MCL 24.246, and paragraph 16 of Executive Order 1995-6, this is to advise you that the Office of Regulatory

Reinvention filed Administrative Rule #2017-091-LR (Secretary of State Filing #19-01-23) on this date at 3:58 p.m. for the Department of Licensing and Regulatory Affairs entitled, "Technical Standards for Electric Service."

These rules become effective immediately upon filing with the Secretary of State unless adopted under sections 33, 44, or 45a(6), or 48 of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

January 9, 2019

In accordance with the requirements of Section 46 of Act No. 306 of the Public Acts of 1969, being MCL 24.246, and paragraph 16 of Executive Order 1995-6, this is to advise you that the Office of Regulatory Reinvention filed Administrative Rule #2018-027-LR (Secretary of State Filing #19-01-24) on this date at 3:58 p.m. for the Department of Licensing and Regulatory Affairs entitled, "Unbundled Network Element and Local Interconnection Services."

These rules become effective on April 19, 2019.

January 9, 2019

In accordance with the requirements of Section 46 of Act No. 306 of the Public Acts of 1969, being MCL 24.246, and paragraph 16 of Executive Order 1995-6, this is to advise you that the Office of Regulatory Reinvention filed Administrative Rule #2018-002-LR (Secretary of State Filing #19-01-25) on this date at 3:58 p.m. for the Department of Licensing and Regulatory Affairs entitled, "Code of Conduct."

These rules become effective immediately upon filing with the Secretary of State unless adopted under sections 33, 44, or 45a(6), of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

January 9, 2019

In accordance with the requirements of Section 46 of Act No. 306 of the Public Acts of 1969, being MCL 24.246, and paragraph 16 of Executive Order 1995-6, this is to advise you that the Office of Regulatory Reinvention filed Administrative Rule #2018-030-LR (Secretary of State Filing #19-01-26) on this date at 3:57 p.m. for the Department of Licensing and Regulatory Affairs entitled, "Basic Local Exchange Service Customer Migration."

These rules become effective June 17, 2019.

January 10, 2019

In accordance with the requirements of Section 46 of Act No. 306 of the Public Acts of 1969, being MCL 24.246, and paragraph 16 of Executive Order 1995-6, this is to advise you that the Office of Regulatory Reinvention filed Administrative Rule #2018-025-LR (Secretary of State Filing #19-01-27) on this date at 3:57 p.m. for the Department of Licensing and Regulatory Affairs entitled, "Accountancy – General Rules".

These rules take effect immediately upon filing with the Secretary of State unless adopted under sections 33, 44, or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

January 10, 2019

In accordance with the requirements of Section 46 of Act No. 306 of the Public Acts of 1969, being MCL 24.246, and paragraph 16 of Executive Order 1995-6, this is to advise you that the Office of Regulatory Reinvention filed Administrative Rule #2017-094-LR (Secretary of State Filing #19-01-28) on this date at 3:57 p.m. for the Department of Licensing and Regulatory Affairs entitled, "Social Work – General Rules".

These rules become effective immediately upon filing with the Secretary of State unless adopted under sections 33, 44, or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

January 10, 2019

In accordance with the requirements of Section 46 of Act No. 306 of the Public Acts of 1969, being MCL 24.246, and paragraph 16 of Executive Order 1995-6, this is to advise you that the Office of Regulatory Reinvention filed Administrative Rule #2017-086-LR (Secretary of State Filing #19-01-29) on this date at 3:56 p.m. for the Department of Licensing and Regulatory Affairs entitled, "Massage Therapy – General Rules".

These rules become effective immediately upon filing with the Secretary of State unless adopted under sections 33, 44, or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

January 10, 2019

In accordance with the requirements of Section 46 of Act No. 306 of the Public Acts of 1969, being MCL 24.246, and paragraph 16 of Executive Order 1995-6, this is to advise you that the Office of Regulatory Reinvention filed Administrative Rule #2017-002-LR (Secretary of State Filing #19-01-30) on this date at 3:56 p.m. for the Department of Licensing and Regulatory Affairs entitled, "Acupuncture – General Rules".

These rules become effective immediately upon filing with the Secretary of State unless adopted under section MCL 24.233, 24.244, or 24.245a(6). Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

February 20, 2019

In accordance with the provisions of Section 46 of Act No. 306 of the Public Acts of 1969, being MCL 24.246, and paragraph 16 of Executive Order 1995-6, this is to advise you that the Michigan Department of Technology, Management and Budget and the State Office of Regulatory Reinvention filed Administrative Rule #2019-019-TY (Secretary of State Filing #19-02-01) on this date at 3:37 p.m. for the Department of Treasury entitled, "Motor Fuel Tax".

These rules take effect immediately upon filing with the Secretary of State unless adopted under sections 33, 44, or 45a(6), of 1969 PA 306, 1969 PA 306, MCL 24.233, 24.244, or 24.245a. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

February 20, 2019

In accordance with the requirements of Section 46 of Act No. 306 of the Public Acts of 1969, being MCL 24.246, and paragraph 16 of Executive Order 1995-6, this is to advise you that the Office of Regulatory Reinvention filed Administrative Rule #2018-066-ED (Secretary of State Filing #19-02-02) on this date at 3:37 p.m. for the Department of Education entitled, "School Administrator Certification Code".

These rules become effective immediately upon filing with the Secretary of State unless adopted under section 33, 44, or 45a(6) of the Administrative Procedures Act of 1969, 1969 PA 306, MCL 24.233, 24.244, or 24.245a. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

February 20, 2019

In accordance with the requirements of Section 46 of Act No. 306 of the Public Acts of 1969, being MCL 24.246, and paragraph 16 of Executive Order 1995-6, this is to advise you that the Office of Regulatory Reinvention filed Administrative Rule #2018-067-ED (Secretary of State Filing #19-02-03) on this date at 3:37 p.m. for the Department of Education entitled, "Certification and Licensure of School Counselors".

These rules become effective immediately upon filing with the Secretary of State unless adopted under section 33, 44, or 45a(6) of the Administrative Procedures Act of 1969, 1969 PA 306, MCL 24.233, 24.244, or 24.245a. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

February 20, 2019

In accordance with the requirements of Section 46 of Act No. 306 of the Public Acts of 1969, being MCL 24.246, and paragraph 16 of Executive Order 1995-6, this is to advise you that the Office of Regulatory Reinvention filed Administrative Rule #2018-068-ED (Secretary of State Filing #19-02-04) on this date at 3:37 p.m. for the Department of Education entitled, "School Psychologist Certificate Code".

These rules become effective immediately upon filing with the Secretary of State unless adopted under section 33, 44, or 45a(6) of the Administrative Procedures Act of 1969, 1969 PA 306, MCL 24.233, 24.244, or 24.245a. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

February 20, 2019

In accordance with the requirements of Section 46 of Act No. 306 of the Public Acts of 1969, being MCL 24.246, and paragraph 16 of Executive Order 1995-6, this is to advise you that the Office of Regulatory Reinvention filed Administrative Rule #2018-069-ED (Secretary of State Filing #19-02-05) on this date at 3:37 p.m. for the Department of Education entitled, "Teacher Certification Code".

These rules become effective immediately upon filing with the Secretary of State unless adopted under section 33, 44, or 45a(6) of the Administrative Procedures Act of 1969, 1969 PA 306, MCL 24.233, 24.244, or 24.245a. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

March 6, 2019

In accordance with the requirements of Section 46 of Act No. 306 of the Public Acts of 1969, being MCL 24.246, and paragraph 16 of Executive Order 1995-6, this is to advise you that the Office of Regulatory Reinvention filed Administrative Rule #2019-018-NR (Secretary of State Filing #19-03-01) on this date at 4:00 p.m. for the Department of Natural Resources entitled, "Forest and Mineral Resource Development Fund Program".

These rules become effective immediately upon filing with the Secretary of State unless adopted under section 33, 44, or 45a(6), or 48 of the Administrative Procedures Act of 1969, 1969 PA 306, MCL 24.233, 24.244, or 24.245a. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

April 25, 2019

In accordance with the provisions of Section 46 of Act No. 306 of the Public Acts of 1969, being MCL 24.246, and paragraph 16 of Executive Order 1995-6, this is to advise you that the Office of Regulatory

Reinvention filed an Emergency Rule Extension, Administrative Rule #2018-071-HS (Secretary of State Filing #19-04-01) on this date at 1:50 p.m. for the Department of Health and Human Services entitled, "Reporting of Poisonings Due to the Use of Prescription or Illicit Drugs".

These rules take effect upon filing with the Secretary of State and shall remain in effect for 6 months

April 29, 2019

In accordance with the requirements of Section 46 of Act No. 306 of the Public Acts of 1969, being MCL 24.246, and paragraph 16 of Executive Order 1995-6, this is to advise you that the Office of Regulatory Reinvention filed Administrative Rule #2019-025-LR (Secretary of State Filing #19-04-02) on this date at 3:59 p.m. for the Department of Licensing and Regulatory Affairs entitled, "Wage and Hour Division – General Rules".

These rules take effect immediately upon filing with the Secretary of State unless adopted under section MCL 24.233, 24.244, or 24.245a(6). Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

Sincerely,
Jocelyn Benson
Secretary of State
Robin L. Houston
Departmental Supervisor
Office of the Great Seal

The communications were referred to the Secretary for record.

The following communication was received:
Department of State Police

May 20, 2019

The FY18 Annual Report and Evaluation for the Secondary Road Patrol and Traffic Accident Prevention Program has been finalized and is now accessible on our website at www.michigan.gov/ohsp.

This report satisfies the reporting requirements contained in Public Act 416 of 1978, as amended. The Governor’s Office, Clerk of the House, Secretary of the Senate, Chair of the House Appropriations Committee, Chair of the Senate Appropriations Committee, each county sheriff, the Michigan Sheriffs’ Association, and the Deputy Sheriff’s Association of Michigan have all been made aware of the finalized report.

Should you have any questions about this report, please contact Mr. Spencer Simmons at 517-284-3136.

Sincerely,
Michael L. Prince, Director,
Office of Highway Safety Planning

The communication was referred to the Secretary for record.

The following communication was received:
Michigan Land Bank Fast Track Authority

May 28, 2019

In accordance with the provisions of Public Act No. 74 of 2012, I submit this Report of the Land Bank Fast Track Authority regarding the conveyance of the former Michigan State Fairgrounds.

Jeffrey M. Huntington
Interim Director

The communication was referred to the Secretary for record.

The following communication was received:
State Officers Compensation Commission

May 30, 2019

As chair of the State Officers Compensation Commission, I hereby submit its 2019 report and determinations. Copies of the report are also being provided to the governor, lieutenant governor, justices, legislative leaders, attorney general, and secretary of state, in accordance with Public Act 357 of 1968.

The commission has unanimously asked that this transmittal emphasize its strong support of reform to the current constitutional system for setting elected officers’ pay. The current system, combined with political realities, has resulted in two decades without a pay increase for these officials. This is untenable. The attached determination is for modest 5% increases in 2021 and 2022 for justices, who have not received a pay increase since 2002 and will soon earn less than judges on the Michigan Court of Appeals.

All commissioners strongly endorse the attached recommendation, urge its adoption by the legislature, and ask the legislature to consider constitutional reforms to this process.

Sincerely,
Joseph Smalley

The communication was referred to the Secretary for record.

The Secretary announced that pursuant to rule 2.110 of the Standing Rules of the Senate, the following expense reports have been filed with the Senate Business Office for the quarter from October 1, 2018 through December 31, 2018, and are available in the Senate Business Office during business hours for public inspection:

Committee

- Agriculture
- Appropriations
- Banking and Financial Institutions
- Commerce
- Economic Development and International Investment
- Education
- Elections and Government Reform
- Energy and Technology
- Families, Seniors and Human Services
- Finance
- Government Operations
- Health Policy
- Insurance
- Judiciary
- Local Government
- Michigan Competitiveness
- Natural Resources
- Outdoor Recreation and Tourism
- Oversight
- Regulatory Reform
- Transportation
- Veterans, Military Affairs and Homeland Security

Chairperson

- Senator Joe Hune
- Senator Dave Hildenbrand
- Senator Darwin Booher
- Senator Wayne Schmidt
- Senator Ken Horn
- Senator Phil Pavlov
- Senator David Robertson
- Senator Mike Nofs
- Senator Judy Emmons
- Senator Jack Brandenburg
- Senator Arlan Meekhof
- Senator Mike Shirkey
- Senator Joe Hune
- Senator Rick Jones
- Senator Dale Zorn
- Senator Mike Shirkey
- Senator Tom Casperson
- Senator Goeff Hansen
- Senator Peter MacGregor
- Senator Tory Rocca
- Senator Tom Casperson
- Senator Margaret O'Brien

Messages from the Governor

The following message from the Governor was received on June 3, 2019, and read:

EXECUTIVE ORDER
No. 2019-12

Declaration of State of Emergency

Beginning on May 25, 2019, Tuscola County experienced heavy and damaging rainfall resulting in widespread flooding, washed out roadways, culvert failures, hazardous driving conditions, and increased emergency vehicle response times due to inaccessible roadways and bridges.

Tuscola County has taken several actions to respond to this incident, which include: declaring a local state of emergency; activating its disaster response and recovery operation; issuing emergency public information; and providing aid to impacted residents. In addition to these efforts, state assistance and other outside resources are necessary to effectively respond to, and recover from, the impacts of flooding.

Under the Emergency Management Act, 1976 PA 390, MCL 30.403(4), “[t]he governor shall, by executive order or proclamation, declare a state of emergency if he or she finds that an emergency has occurred or that the threat of an emergency exists.” Therefore, acting under the Michigan Constitution of 1963 and Michigan law, including the Emergency Management Act, 1976 PA 390, MCL 30.401 to 30.421, I order the following:

1. A state of emergency is declared for Tuscola County.
2. The Emergency Management and Homeland Security Division of the Department of State Police will coordinate and maximize all state efforts and may call upon all state departments to utilize available resources to assist in the designated area under the Michigan Emergency Management Plan.

3. The state of emergency is terminated at such time as the threats to public health, safety, and property caused by the emergency no longer exist, and appropriate programs have been implemented to recover from the effects of this emergency, but in no case later than Thursday, June 27, 2019, unless extended as provided by the Emergency Management Act.

Given under my hand and the great seal of the State of Michigan,

Date: June 3, 2019

[SEAL]

Gretchen Whitmer
Governor

By the Governor:
Jocelyn Benson
Secretary of State

The executive order was referred to the Committee on Government Operations.

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.

10:48 a.m.

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

During the recess, Senator Lauwers 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 Lucido 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:

Senate Bill No. 294, 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 13h.

Substitute (S-2)

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:

House Bill No. 4397, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending sections 150, 2105, 2108, 2118, 2120, 3101, 3101a, 3104, 3107, 3111, 3112, 3113, 3114, 3115, 3135, 3142, 3148, 3157, 3163, 3172, 3173a, 3174, 3175, and 3177 (MCL 500.150, 500.2105, 500.2108, 500.2118, 500.2120, 500.3101, 500.3101a, 500.3104, 500.3107, 500.3111, 500.3112, 500.3113, 500.3114, 500.3115, 500.3135, 500.3142, 500.3148, 500.3157, 500.3163, 500.3172, 500.3173a, 500.3174, 500.3175, and 500.3177), section 150 as amended by 1992 PA 182, section 2108 as amended by 2015 PA 141, sections 2118 and 2120 as amended by 2007 PA 35, section 3101 as amended by 2017 PA 140, section 3101a as amended by 2018 PA 510, section 3104 as amended by 2002 PA 662, section 3107 as amended by 2012 PA 542, section 3113 as amended by 2016 PA 346, section 3114 as amended by 2016 PA 347, section 3135 as amended by 2012 PA 158, section 3163 as amended by 2002 PA 697, sections 3172, 3173a, 3174, and 3175 as amended by 2012 PA 204, and section 3177 as amended by 1984 PA 426, and by adding sections 261, 1245, 2116b, 3107c, 3107d, 3107e, 3157a, and 3157b and chapter 63.

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

Senator LaSata introduced

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

House Bill No. 4249, entitled

A bill to amend 1986 PA 32, entitled "Emergency 9-1-1 service enabling act," by amending section 413 (MCL 484.1413), as amended by 2008 PA 379; 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 Energy and Technology.

House Bill No. 4331, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 40111 (MCL 324.40111), as amended by 2018 PA 272.

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 Government Operations.

House Bill No. 4407, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 8512 (MCL 600.8512), as amended by 2014 PA 384.

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 Judiciary and Public Safety.

House Bill No. 4412, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 17766g.

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 Health Policy and Human Services.

House Bill No. 4434, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 227 (MCL 750.227), as amended by 1986 PA 8.

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 Government Operations.

House Bill No. 4444, entitled

A bill to amend 1976 PA 442, entitled "Freedom of information act," by amending section 11 (MCL 15.241), as amended by 2014 PA 563.

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. 4445, entitled

A bill to amend 1976 PA 442, entitled "Freedom of information act," by amending section 4 (MCL 15.234), 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.

By unanimous consent the Senate returned to the order of
Resolutions

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.

Senator MacGregor moved that rule 3.204 be suspended and that the following resolutions be referred to the Committee on Families, Seniors, and Veterans:

Senate Resolution No. 54

Senate Resolution No. 55

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

Senator Moss offered the following resolution:

Senate Resolution No. 54.

A resolution to A resolution to recognize June 2019 as Lesbian, Gay, Bisexual, and Transgender (LGBT) Pride Month.

Whereas, Michigan is a state that is rich in both diversity and community and this diversity is demonstrated to all who live, work, and visit our state; and

Whereas, Our state values and celebrates diversity and rich variation of people living in Michigan; and Whereas, Everyone benefits from the multiple talents, viewpoints, and cultural backgrounds of all of its citizens; and

Whereas, We firmly believe in a society that values the freedom, worth, and dignity of each human being; and Whereas, The people of Michigan understand, appreciate, and value the cultural, civic, and economic contributions of the LGBT communities to the greater community of the state; and

Whereas, Communities throughout Michigan will host events to celebrate the LGBT community throughout the month of June; and

Whereas, June is recognized and celebrated as LGBT Pride Month throughout the country and worldwide; now, therefore, be it

Resolved by the Senate, That the members of this legislative body recognize June 2019 as Lesbian, Gay, Bisexual, and Transgender (LGBT) Pride Month.

In pursuance of the order previously made, the resolution was referred to the Committee on Families, Seniors, and Veterans.

Senators Alexander, Ananich, Bayer, Brinks, Bullock, Geiss, Hollier, Irwin, McCann, McMorro, Polehanki and Santana were named co-sponsors of the resolution.

Senator MacGregor offered the following resolution:

Senate Resolution No. 55.

A resolution to recognize June 12, 2019, as Women Veterans Recognition Day.

Whereas, Women have proudly served their country throughout all periods of the history of the United States, whether disguised as male soldiers during the American Revolution and Civil War, as nurses in World War I, or as combat helicopter pilots in Afghanistan; and

Whereas, Women have formally been a part of the United States Armed Forces since the inception of the Army Nurse Corps in 1901, but have informally served since the inception of our nation’s military; and

Whereas, During the American Revolution, women served on the battlefield alongside the men, mainly as nurses, water bearers, often called “Molly Pitchers,” cooks, laundresses, and saboteurs. Despite Army regulations that only men could enlist, women who wanted to join in the fighting circumvented the rules by masquerading as young men or boys; and

Whereas, In 1917, the Navy announced it would open enlistment to women. About 12,000 female yeomen entered the Navy and filled a variety of jobs, including draftsmen, interpreters, couriers, and translators; and

Whereas, During World War I, 307 women enlisted in the Marine Corps. Like their sisters in the Navy, they were limited to the enlisted ranks and worked mainly in Washington, D.C., doing various administrative jobs. Women’s service contributions in World War I showed that they either had, or could quickly learn, nontraditional skills needed by the military; and

Whereas, Following Pearl Harbor, Congress authorized new components for women’s services that increased the number of active duty positions in the Army and Navy Nurse Corps. In May 1942, the Army was given the authority to establish the Women’s Army Auxiliary Corps, also known as the WAACs. The

Navy, Coast Guard, and Marine Corps followed suit, but rather than making women an auxiliary component, they opted to enroll them in the reserves on the same basis as their male counterparts, while the Army Air Forces enlisted nearly 1,100 female civilian volunteers who earned their silver wings as Women Airforce Service Pilots (WASP); and

Whereas, At the end of World War II in 1945, of the approximately 12 million people remaining in the Armed Forces, about 280,000 were women; and

Whereas, With the passage of the Women's Armed Services Integration Act of 1948, women became a permanent part of the United States military, but women continued to be restricted to two percent of the military population. That restriction was finally lifted in 1967 with the amendment of the Women's Armed Services Integration Act, which also opened senior officer ranks to women; and

Whereas, The early 1990s were a historic time for women in the military with over 40,000 women deploying in support of the Persian Gulf War, making women service members more visible in the eyes of the public. In addition, the Defense Authorization Act in 1992 repealed combat exclusion laws that had prevented women from flying combat aircrafts; and

Whereas, Women who have served in the United States military are often referred to as "invisible veterans" because their service contributions, until the 1970s, went largely unrecognized by politicians, the media, academia, and the general public; and

Whereas, Even though women have been officially serving in the military since the creation of the Army Nurse Corps in 1901, they have not always been considered qualified for veteran status for the purpose of receiving benefits from the Department of Veterans Affairs. Even after women were granted veteran status, issues of access, exclusion, and improper management of their health care still remained; and

Whereas, It was not until well after World War II that women who served in the military began to officially be recognized as veterans; and

Whereas, In the late 1970s and early 1980s, many of the contributions made by women in World War II were formally recognized through laws that granted these women with veteran status for their time in service. This opened the doors for women to take advantage of programs, opportunities, and benefits from the federal and state governments, the Department of Veterans Affairs, and other veteran service organizations; and

Whereas, Over the past 20 years, the Veterans Health Administration (VHA) has introduced initiatives designed to improve health care access and quality of care for women veterans; and

Whereas, In 2008, VHA's Women Veterans Health Strategic Health Care Group began a five-year plan to redesign the nation's health care delivery system for women. A fundamental component of this plan was to ensure that all women veterans had access to comprehensive primary care from skilled women's health providers; and

Whereas, The 1980 decennial census marked the first time that information on women veterans was ever captured in a large national survey. At the time of the 1980 decennial census, women made up just over two percent of the veteran population. Today, that proportion has increased to almost eight percent; and

Whereas, There are currently over two million women veterans living in the United States and Puerto Rico. Of this number, nearly 44,000 make Michigan their home; now, therefore, be it

Resolved by the Senate, That members of this legislative body recognize June 12, 2019, as Women Veterans Recognition Day; and be it further

Resolved, That we urge all Michiganders to honor women veterans on this momentous occasion.

In pursuance of the order previously made, the resolution was referred to the Committee on Families, Seniors, and Veterans.

Senators Alexander, Barrett, Bayer, Bizon, Brinks, Bullock, Geiss, Hollier, Irwin, Johnson, LaSata, Lucido, McCann, McMorrow, Polehanki, Santana, Theis, VanderWall and Wojno were named co-sponsors of the resolution.

Senator Horn entered the Senate Chamber.

By unanimous consent the Senate returned to the order of

Third Reading of Bills

Senator MacGregor moved that the rules be suspended and that the following bill, now on Third Reading of Bills, be placed on its immediate passage:

House Bill No. 4397

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

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

House Bill No. 4055

The motion prevailed.

The following bill was read a third time:

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 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. 123

Yeas—37

Alexander	Hertel	MacGregor	Santana
Ananich	Hollier	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
Daley	MacDonald	Runestad	Zorn
Geiss			

Nays—0

Excused—1

Chang

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 regulate the division of land; to promote the public health, safety, and general welfare; to further the orderly layout and use of land; to require that the land be suitable for building sites and public improvements and that there be adequate drainage of the land; to provide for proper ingress and egress to lots and parcels; to promote proper surveying and monumenting of land subdivided and conveyed by accurate legal descriptions; to provide for the approvals to be obtained prior to the recording and filing of plats and other land divisions; to provide for the establishment of special assessment districts and for the imposition of special assessments to defray the cost of the operation and maintenance of retention basins for land within a final plat; to establish the procedure for vacating, correcting, and revising plats; to control residential building development within floodplain areas; to provide for reserving easements for utilities in vacated streets and alleys; to provide for the filing of amended plats; to provide for the making of assessors plats; to provide penalties for the violation of the provisions of this act; to repeal certain parts of this act on specific dates; and to repeal acts and parts of acts.”.

The Senate agreed to the full title.

The following bill was read a third time:

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.

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. 124

Yeas—37

Alexander	Hertel	MacGregor	Santana
Ananich	Hollier	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
Daley	MacDonald	Runestad	Zorn
Geiss			

Nays—0

Excused—1

Chang

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 authorize the incorporation of charter townships; to provide a municipal charter therefor; to prescribe the powers and functions thereof; and to prescribe penalties and provide remedies.”.

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 4397, entitled

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” by amending sections 3009, 3109a, 3111, 3116, 3135, and 3151 (MCL 500.3009, 500.3109a, 500.3111, 500.3116, 500.3135, and 500.3151), section 3009 as amended by 2016 PA 346, section 3109a as amended by 2012 PA 454, and section 3135 as amended by 2012 PA 158, and by adding sections 2111f, 3107c, and 3107d.

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. 125

Yeas—33

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

Nays—4

Brinks

Irwin

McMorrow

Moss

Excused—1

Chang

Not Voting—0

In The Chair: President

Senator MacGregor moved that the bill be given immediate effect.

The motion prevailed, 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 revise, consolidate, and classify the laws relating to the insurance and surety business; to regulate the incorporation or formation of domestic insurance and surety companies and associations and the admission of foreign and alien companies and associations; to provide their rights, powers, and immunities and to prescribe the conditions on which companies and associations organized, existing, or authorized under this act may exercise their powers; to provide the rights, powers, and immunities and to prescribe the conditions on which other persons, firms, corporations, associations, risk retention groups, and purchasing groups engaged in an insurance or surety business may exercise their powers; to provide for the imposition of a privilege fee on domestic insurance companies and associations and the state accident fund; to provide for the imposition of a tax on the business of foreign and alien companies and associations; to provide for the imposition of a tax on risk retention groups and purchasing groups; to provide for the imposition of a tax on the business of surplus line agents; to provide for the imposition of regulatory fees on certain insurers; to provide for assessment fees on certain health maintenance organizations; to modify tort liability arising out of certain accidents; to provide for limited actions with respect to that modified tort liability and to prescribe certain procedures for maintaining those actions; to require security for losses arising out of certain accidents; to provide for the continued availability and affordability of automobile insurance and homeowners insurance in this state and to facilitate the purchase of that insurance by all residents of this state at fair and reasonable rates; to provide for certain reporting with respect to insurance and with respect to certain claims against uninsured or self-insured persons; to prescribe duties for certain state departments and officers with respect to that reporting; to provide for certain assessments; to establish and continue certain state insurance funds; to modify and clarify the status, rights, powers, duties, and operations of the nonprofit malpractice insurance fund; to provide for the departmental supervision and regulation of the insurance and surety business within this state; to provide for regulation over worker’s compensation self-insurers; to provide for the conservation, rehabilitation, or liquidation of unsound or insolvent insurers; to provide for the protection of policyholders, claimants, and creditors of unsound or insolvent insurers; to provide for associations of insurers to protect policyholders and claimants in the event of insurer insolvencies; to prescribe educational requirements for insurance agents and solicitors; to provide for the regulation of multiple employer welfare arrangements; to create an automobile theft prevention authority to reduce the number of automobile thefts in this state; to prescribe the powers and duties of the automobile theft prevention authority; to provide certain powers and duties upon certain officials, departments, and authorities of this state; to provide for an appropriation; to repeal acts and parts of acts; and to provide penalties for the violation of this act.”.

The Senate agreed to the full title.

By unanimous consent the Senate proceeded to the order of

Statements

Senators Moss and Ananich asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator Moss’ statement is as follows:

I have a resolution that was referred to committee to declare June as LBGt Pride Month and this morning we had a big press event with the Governor on bills to expand the Elliot-Larsen Civil Rights Act to include

sexual orientation and gender identity as protected classes from housing and employment discrimination. And today I can make an economic case for these bills, I can make a moral case for these bills, and I can make a political case for these bills, but I'm going to throw away those talking points and keep those newspaper fodder because instead I really want to have just an intimate conversation with 37 other people here whom I share this very special opportunity to serve and what it's like to be the only gay person here.

Back in 2014 when I was elected to the House, I didn't know what to expect. Some of the local political commentators certainly used the division around Elliot-Larsen as a narrative in their news stories. They said "here's a group of legislators leading the charge against these changes. And here are two gay legislators that are going to be serving together for the very first time." And I had reporters ask me how I was even going to be able to work with the opposing argument of these bills. My answer was pretty simple: I was just going to be myself.

Harvey Milk said that just by being out and visible to friends and family and coworkers and the people where you eat and shop, you can "break down the myths, destroy the lies and distortions." So six months into my term when the Supreme Court struck down our state's ban on marriage equality, I was my authentic self and I took to Twitter and I said "Well, now I'm just waiting for my grandma to call and tell me now there's no excuse for me to be 29 and unmarried." I was surprised when that remark resonated with so many people here, and it actually made MIRS Quote of the Year. My grandmother got a kick out of that.

Marriage equality became the law of the land and the only consequence of that is that gay people can now get married. And we all moved on and we worked together on other issues and we fought against each other on other issues. And I didn't think about that quip until four years later, just last December, walking into House session on what would eventually be that very final long day of lame-duck. And I walked into the House beside a colleague on the other side of the aisle whose term was coming to an end and I had known for four years and he said "Jeremy, did you end up getting married?" and I said I hadn't. He said "I remember that your grandmother would have wanted that. And I do too. You deserve happiness."

I had never had a conversation with him on LGBT rights before. I never advocated for him to sign on to anything. Quite honestly I was surprised and really touched that he thought to say that to me. So Harvey Milk was right. Coming out is the most political thing you can do. So today I have a resolution to declare June as Pride Month and a bill for co-sponsorship to expand the Elliot-Larsen Civil Rights Act. Some of you have known me for four-and-a-half years. And when I'm term limited here, if I get fired for being gay or turned away from public accommodations—and this is something that happens to Michiganders in 2019—I just ask you to give me some place to report it. Give me a tool to go to law enforcement to tell them I've been discriminated against and then let due process play out. The only consequence of this bill is that gay and transgender people will no longer be able to be fired or denied housing solely because they are gay or transgender. We can make it happen and then we can move on. So my ask of you this Pride Month is to add your name to a cosponsor for our Senate Bill No. 351 and to help us move forward Senate Resolution No. 54 to declare June as LGBT Pride Month.

Senator Ananich's statement is as follows:

I wanted to make sure that everyone here today knows that we had a first on Sunday—the first time a sitting member has given birth in this chamber. It wasn't in the chamber that she gave birth, but the first time we've had a member who gave birth. On Sunday, June 2, Senator Stephanie Chang and her husband Sean had a very healthy baby girl named Vera Lily Gray Chang. If we could all remotely welcome her to this world, I think she and her family would greatly appreciate it.

By unanimous consent the Senate returned to the order of

Motions and Communications

The following communication was received and read:
Michigan Legislature

June 3, 2019

Pursuant to MCL 600.1082, Speaker Lee Chatfield and I are making the following appointment and reappointments to the State Drug Treatment Court Advisory Committee:

Alma Valenzuela of Zeeland to advocate for the rights of crime victims for a four-year term that begins June 14, 2019 and expires June 13, 2023;

The Honorable Amy Ronayne Krause, to represent domestic violence service provider programs that receive funding from the state domestic violence prevention and treatment board for a four-year term that begins June 14, 2019 and expires June 13, 2023;

The Honorable Susan Dobrich to represent the Michigan Association of Drug Court Professionals for a four-year term that begins June 14, 2019 and expires June 13, 2023;

Christine Nicholas, LMSW of Rochester Hills to represent an individual representing a substance abuse coordinating agency for a four-year term that begins June 14, 2019 and expires June 13, 2023; and

Heidi Cannon of Onstead to represent a probation officer who has worked at least two years for a drug or alcohol treatment court for a four-year term that begins August 5, 2019 and expires August 4, 2023.

Sincerely,
Mike Shirkey
16th Senate District
Senate Majority Leader

Lee Chatfield
107th House District
Speaker of the House

The communication was referred to the Secretary for record.

Scheduled Meetings

Agriculture - Thursday, June 6, 8:30 a.m., Room 1200, Binsfeld Office Building (517) 373-5314

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, June 6, 12:00 noon, Room 1200, Binsfeld Office Building (517) 373-5314

Families, Seniors, and Veterans - Wednesday, June 5, 3:00 p.m., Room 1200, Binsfeld Office Building (517) 373-5314

Health Policy and Human Services - Thursday, June 6, 1:00 p.m., Room 1100, Binsfeld Office Building (517) 373-5323

Local Government - Thursday, June 6, 1:30 p.m., Room 1200, Binsfeld Office Building (517) 373-5312

Transportation and Infrastructure - Wednesday, June 5, 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 11:21 a.m.

The President, Lieutenant Governor Gilchrist, declared the Senate adjourned until Wednesday, June 5, 2019, at 10:00 a.m.

MARGARET O'BRIEN
Secretary of the Senate

