

No. 93
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REGULAR SESSION OF 2019

Senate Chamber, Lansing, Thursday, October 3, 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—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—excused
Polehanki—present
Runestad—present
Santana—present
Schmidt—present
Shirkey—present
Stamas—present
Theis—present
VanderWall—present
Victory—present
Wojno—present
Zorn—present

Pastor Alan Leonhardt of Hastings Assembly of God of Hastings offered the following invocation:

Dear heavenly Father, I just pray first of all for peace on this Senate because Your word says “but whatever house you enter, first say, ‘Peace to this house’” and we declare peace—shalom—over this house. I ask for happiness and joy. Your word says “happy are the people whose God is the Lord.” We also ask for righteousness in this Senate Chamber because “righteousness exalts a nation, but sin is a reproach to any people.”

Finally, Lord, I ask for wisdom. Solomon, when he began his reign, was feeling overwhelmed and insignificant to rule such a great people and in a dream, God came to him and told him he could ask for anything. In his prayer he said, “therefore give to Your servant an understanding heart to judge Your people, that I may discern between good and evil. For who is able to judge this great people of Yours?” King Solomon prayed for this wisdom and God gave him great discernment to know the difference between good and evil, and I pray this discernment on this chamber.

In the name of Jesus we pray. 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 Senator Outman be excused from today’s session.

The motion prevailed.

Senator MacGregor moved that Senator Horn be temporarily excused from today’s session.

The motion prevailed.

Senator Hollier 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 Schmidt 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. 4549, entitled

A bill to amend 1973 PA 116, entitled “An act to provide for the protection of children through the licensing and regulation of child care organizations; to provide for the establishment of standards of care for child care organizations; to prescribe powers and duties of certain departments of this state and adoption facilitators; to provide penalties; and to repeal acts and parts of acts,” by amending section 10 (MCL 722.120), as amended by 2017 PA 257.

Substitute (S-1)

The Senate agreed to the substitute recommended by the Committee of the Whole, and the bill as substituted was placed on the order of Third Reading of Bills.

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

House Bill No. 4550, entitled

A bill to amend 2008 PA 260, entitled “Guardianship assistance act,” by amending section 4 (MCL 722.874), as amended by 2015 PA 227.

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.

By unanimous consent the Senate proceeded 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 Horn entered the Senate Chamber.

Senators Bayer, Santana, Moss, Irwin, McMorrow, Polehanki, Brinks, Bullock, Wojno, Alexander, McCann, Chang, Geiss, Runestad, Johnson, VanderWall and LaSata offered the following resolution:

Senate Resolution No. 81.

A resolution to recognize October 2019 as Domestic Violence Awareness Month.

Whereas, According to the National Coalition Against Domestic Violence (NCADV), Domestic Violence Awareness Month was launched nationwide in October 1981 as a way to connect and unite individuals and organizations working on domestic violence issues and raise awareness for those issues; and

Whereas, NCADV defines domestic violence as the willful intimidation, physical assault, battery, sexual assault, and/or other abusive behavior as part of a systematic pattern of power and control perpetrated by one intimate partner against another. It includes physical violence, sexual violence, psychological violence, and emotional abuse; and

Whereas, Domestic violence impacts individuals in every community of our state, regardless of age, economic status, sexual orientation, gender, race, religion, or nationality; and

Whereas, Perpetrators of domestic violence intentionally engage in a pattern of behavior to exert coercive control in intimate partner relationships, violating the fundamental human rights of those they abuse; and

Whereas, According to the National Network to End Domestic Violence (NNEDV), many of these dynamics of power and control are rooted in gender roles and stereotypes, and conscious education and action is required in order to address these ingrained inequities; and

Whereas, The Michigan Coalition to End Domestic & Sexual Violence (MCEDSV) documented, for the 2018 NNEDV National Census of Domestic Violence Services, that MCEDSV member programs provided counseling, advocacy, shelter, and/or other forms of support for over 2,649 survivors during the 24-hour survey period, while additionally providing education and training for over 319 individual community members across our state; and

Whereas, Throughout the last three decades, much progress has been made to support domestic violence victims and survivors and to hold abusers accountable. Continued awareness, education, and action are crucial to intervention in and prevention of domestic violence; and

Whereas, We must work together to educate our entire population about what can be done to prevent domestic violence, hold perpetrators accountable, support the individual and unique needs of survivors, and ensure that survivors are not re-victimized; now, therefore, be it

Resolved by the Senate, That the members of this legislative body declare October 2019 as Domestic Violence Awareness Month; and be it further

Resolved, That we strongly support the efforts of national, state, and local partners, as well as every citizen to actively engage in public and private efforts to prevent domestic violence. In turn, we will take appropriate action and support one another in order to create a safer environment and help end domestic violence.

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

Senator MacGregor moved that the rule be suspended.

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

The resolution was adopted.

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

The motion prevailed.

Senator Bayer's statement is as follows:

Today I rise to ask for your support in a resolution declaring October 2019 as Domestic Violence Awareness Month.

Domestic violence is defined as the willful intimidation, physical assault, battery, sexual assault, or other abusive behavior as part of a systematic pattern of power and control perpetrated by one intimate partner on another. It includes physical violence, sexual violence, psychological violence, and emotional abuse. These behaviors have wide-ranging effects for everyone, from children who may normalize such horrible actions and repeat them later in their lives to people being murdered or taking their own lives.

According to the National Coalition Against Domestic Violence, more than 10 million people will experience physical abuse in a given year. Colleagues, I have friends who have experienced the terror of domestic violence and there is a very good likelihood that you have as well, because one out of three women experience domestic violence in their lifetimes. One out of every four men experience the same physical abuse. But statistics hide the emotion in the stories. Today I urge you to remember that behind these numbers are human beings. They are our mothers and fathers, our aunts and uncles, our nieces and our nephews; they are people who deserve to be safe and secure. Progress has been made to support domestic violence victims and survivors and to hold accusers accountable, but continued awareness, education, and action are crucial in intervention and prevention of domestic violence. And so today, colleagues, I ask for your support on this important resolution.

Introduction and Referral of Bills

Senators Polehanki, McMorrow, Bullock, Geiss, Wojno, Alexander, Bayer, Hertel, Ananich, Chang and Hollier introduced

Senate Bill No. 540, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1247.

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

Senators Polehanki, McMorrow, Bullock, Geiss, Wojno, Alexander, Bayer, Hertel, Ananich, Chang and Hollier introduced

Senate Bill No. 541, entitled

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2020; and to provide for the expenditure of the appropriations.

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

Announcements of Printing and Enrollment

The Secretary announced that the following House bills were received in the Senate and filed on Wednesday, October 2:

House Bill Nos. 4315 4316

The Secretary announced that the following bills and resolutions were printed and filed on Wednesday, October 2, and are available on the Michigan Legislature website:

Senate Bill Nos. 538 539

Senate Resolution Nos. 79 80

Committee Reports

The Committee on Families, Seniors, and Veterans reported

Senate Bill No. 539, entitled

A bill to amend 1973 PA 116, entitled "An act to provide for the protection of children through the licensing and regulation of child care organizations; to provide for the establishment of standards of care for child care

organizations; to prescribe powers and duties of certain departments of this state and adoption facilitators; to provide penalties; and to repeal acts and parts of acts,” by amending sections 5d and 5k (MCL 722.115d and 722.115k), as amended by 2017 PA 256.

With the recommendation that the bill pass.

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

John Bizon, M.D.
Chairperson

To Report Out:

Yeas: Senators Bizon, Barrett, Runestad, Johnson, Zorn, Bullock and Alexander

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on Wednesday, October 2, 2019, at 3:00 p.m., Room 1200, Binsfeld Office Building

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

Scheduled Meetings

Regulatory Reform - Tuesday, October 8, 3:00 p.m., Room 1200, Binsfeld Office Building (517) 373-5314

Senator MacGregor moved that the Senate adjourn.

The motion prevailed, the time being 10:15 a.m.

The President, Lieutenant Governor Gilchrist, declared the Senate adjourned until Tuesday, October 8, 2019, at 10:00 a.m.

MARGARET O'BRIEN
Secretary of the Senate

