

No. 95
STATE OF MICHIGAN
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REGULAR SESSION OF 2019

Senate Chamber, Lansing, Thursday, October 10, 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—excused
Bayer—present
Bizon—present
Brinks—present
Bullock—excused
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

Imam Arif Huskic of Common Word Alliance of Hamtramck offered the following invocation:

Dear God, we thank You for the blessings and the opportunity to see daylight in this day and every day. We pray for ourselves, our great state of Michigan, and for our State Senators. Shower them with light, wisdom, and guidance. Have mercy on them and guide them to make right decisions for the best interests of the lives of our citizens in this beautiful state.

Dear God, help our Senators to enforce the human rights and equal justice for all people in our state. Dear God, be passionate towards the Senators and guide them to be passionate to the poor, the hungry, and helpless in providing them with nourished food, clean water, clothing, and housing. Dear God, grant courage to them to stand against injustice, bigotry, and hate. Keep the healthy relationships among them and place the spirit of cooperation in their hearts. Dear God, grant the strength to our Senators to build bridges of creating jobs and paths for our current students; how they should work through and become tomorrow's leaders and successful businessmen and -women. Dear God, help the Senators to provide health and safety in every school and community. Dear God, help us to promote our state's values and its diversity. Keep us in peace and harmony.

Dear Allah, our Quran said about You in An-Nahl, which means chapter of the bees—chapter 16, verse 129—“Verily, Allah is with those who are righteous and those who do good.” Dear Allah, be with our Senators too, and guide them and help them to do their best and reward them, please, for their obedience.

Dear God, answer my plea. 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 Shirkey and McBroom be temporarily excused from today's session.

The motion prevailed.

Senator MacGregor moved that Senator Barrett be excused from today's session.

The motion prevailed.

Senator Chang moved that Senator Ananich be temporarily excused from today's session.

The motion prevailed.

Senator Chang moved that Senator Bullock be excused from today's session.

The motion prevailed.

The Secretary announced that pursuant to rule 1.117(e) of the Standing Rules of the Senate, the Senate Majority Leader has allocated \$0 to the standing committee operations accounts for the fiscal year ending September 30, 2020; and that accordingly, for the fiscal year ending September 30, 2020, there are no committee expenses to be reported and no committee expense reports to be filed with the Senate Business Office pursuant to rule 2.110 of the Standing Rules of the Senate.

Senator McBroom entered the Senate Chamber.

Recess

Senator MacGregor moved that the Senate recess subject to the call of the Chair.

The motion prevailed, the time being 10:11 a.m.

10:33 a.m.

The Senate was called to order by the President pro tempore, Senator Nesbitt.

During the recess, Senators Shirkey and Ananich 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 pro tempore, Senator Nesbitt, designated Senator Zorn as Chairperson.

After some time spent therein, the Committee arose; and the President pro tempore, Senator Nesbitt, having resumed the Chair, the Committee reported back to the Senate, favorably and with a substitute therefor, the following bill:

Senate Bill No. 278, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 221 and 310 (MCL 257.221 and 257.310), section 221 as amended by 1998 PA 64 and section 310 as amended by 2018 PA 177.

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:

Senate Bill No. 279, entitled

A bill to amend 2008 PA 23, entitled "Enhanced driver license and enhanced official state personal identification card act," by amending section 5 (MCL 28.305), as amended by 2018 PA 606.

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 President, Lieutenant Governor Gilchrist, resumed the Chair.

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

Senate Resolution No. 73

The motion prevailed.

Senate Resolution No. 80.

A resolution to urge the United States Congress to increase funding for sickle cell disease research.

The question being on the adoption of the resolution,

The resolution was adopted.

Senator Lauwers offered the following resolution:

Senate Resolution No. 84.

A resolution to recognize October 14-18, 2019, as Careers in Energy Week.

Whereas, Access to affordable and reliable energy is fundamental to the lives of all Michigan residents and crucial to businesses; and

Whereas, Michigan's energy industry is transforming energy generation to cleaner and greener generation technologies and infrastructure as older facilities are retired over the next ten years; and

Whereas, Energy efficiency and clean energy sources have become a priority for Michigan residents, businesses, and government; and

Whereas, Michigan's energy industry currently boasts 111,000 jobs, with total demand projected to grow by six percent through 2026. This underscores a vital need to increase Science, Technology, Engineering, and Math (STEM) and skilled trades training to increase the number of Michigan residents ready to fill the growing gap in the workforce pipeline; and

Whereas, As Michigan's economy continues to grow and become more competitive, our energy providers have hired more than 3,200 employees since January 2018; and

Whereas, The Michigan Energy Workforce Development Consortium (MEWDC) is a coalition of more than 50 representatives of industry, education, workforce, labor, government, and veterans celebrating 11 years of dedication to identifying and acting on current and future workforce issues that are crucial to building and sustaining Michigan's energy industry; and

Whereas, MEWDC has aligned with energy-related associations including the Michigan Energy Efficiency Contractor Association, Michigan Municipal Electric Association, Michigan Energy Co-operative Association, the Michigan Electric and Gas Association, and the American Petroleum Institute; and

Whereas, MEWDC has partnered with the U.S. Department of Labor, U.S. Chamber of Commerce Foundation, and the Center for Energy Workforce Development to implement talent development strategies for employment opportunities in Michigan's energy industry; and

Whereas, MEWDC has been awarded a Michigan Industry Cluster Approach 2.0 grant to advance the work of the consortium, further increasing industry involvement and opportunities for students and residents of the state; and

Whereas, MEWDC collaborated with the Michigan Department of Education in order to create Michigan's 17th "career cluster", which provides a roadmap for high school, career and technical education, and community college students to pursue jobs in the energy sector; and

Whereas, MEWDC members now have an enhanced, year-round presence in schools and on college and university campuses with a focus on hiring Michigan students, in addition to offering more than 900 industry internships, work-based learning and co-op opportunities annually for students; now, therefore, be it

Resolved by the Senate, That we recognize October 14-18, 2019, as Careers in Energy Week; and be it further

Resolved, That during this week, MEWDC will focus on energy career awareness through student tours, energy fairs, and other events to raise awareness about the many benefits of energy careers.

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.

Senators Bayer, Horn and Nesbitt were named co-sponsors of the resolution.

Senator Theis offered the following resolution:

Senate Resolution No. 85.

A resolution to recognize October 2019 as Get Smart About Credit Month.

Whereas, Financial literacy is defined as the basic knowledge and skills that allow individuals to make educated decisions about their financial resources and plan for a stable economic future; and

Whereas, Those who are proficient in financial literacy possess the capability to create and execute short-term and long-term budgets, invest in the market, save and plan for retirement, buy a house, pay off student loans, raise their credit score, and manage communications with banks and other financial institutions; and

Whereas, An important component of mastering financial literacy is the ability to maintain good credit; and

Whereas, Young Michiganders need financial education. More specifically, the generation born between 1997 and 2012 will face the highest rate of student loan debt with over 44 million students collectively owning more than \$1.4 trillion in loans before they enter the workforce; and

Whereas, During their early adult years, young Michiganders will face important decisions that will impact their financial future; and

Whereas, Many Michiganders do not know what a credit score is or how it impacts the ability to qualify for mortgages, car loans, recreational loans, or other lines of credit; and

Whereas, When surveyed, an overwhelming number of student loan borrowers often say they would borrow differently if they knew more about student loan interest and if they better understood how their credit scores impact interest rates; and

Whereas, Not every state requires high school students to learn about personal financial education; and

Whereas, Many young Michiganders have asked for the opportunity to learn about personal finance before they graduate high school so they are better prepared for financial decisions in college; and

Whereas, There is no fast and easy way to "fix" damaged credit. Repairing credit history takes time and requires the establishment of good money management over a length of time; and

Whereas, The understanding of credit management is key to the establishment of good credit in the future; and

Whereas, Access to credit in the future may assist Michiganders who face life events, both positive and negative, that drastically change financial plans. Our citizens can unexpectedly face a decline in health, medical expenses, or legal troubles, but being able to access affordable emergency lines of credit can help them avoid remaining fees, costs, fines, and other financial obligations that are difficult to manage; and

Whereas, Empowering Michiganders to be knowledgeable about their finances along with the best ways to maintain access to positive credit programs will enable them to be in a better position to boost our local economies and lower poverty rates long-term; and

Whereas, The lowering of poverty rates does not simply create more jobs, but strengthen our citizens' ability to provide for their families and to raise their children. The promotion of smart credit management and overall financial literacy helps our citizens achieve their American Dream; now, therefore, be it

Resolved by the Senate, That the members of this legislative body recognize October 2019 as Get Smart About Credit Month; and be it further

Resolved, That we urge all of Michigan's financial institutions to observe this month with appropriate programs and activities for both students and all of its citizens within the communities they serve.

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.

Senators Geiss, Horn, MacDonald, Polehanki, Runestad, Santana, VanderWall and Wojno were named co-sponsors of the resolution.

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

The motion prevailed.

Senator Theis' statement is as follows:

I rise today to ask for your support for my resolution to declare October Get Smart About Credit Month in the state of Michigan.

Financial literacy is the basic knowledge and skill that allows individuals to make educated decisions about their financial resources and plan for a stable economic future. Those who are proficient in financial literacy possess the capability to create and execute short- and long-term budgets, invest in the market, save and plan for retirement, buy a house, pay off student loans, improve their credit score, and manage communications with banks and other financial institutions.

More young Michiganders need a financial education. The generation born between 1997 and 2012 will face the highest rate of student loan debt, with over 44 million students collectively owing more than \$1.4 trillion in loans before they enter the workforce. Understanding finance and credit is establishing a solid financial future for our next generation. Empowering Michiganders to be knowledgeable about their finances and about the best ways to maintain access to a positive credit program will enable our citizens to be in a position to boost our local economies and help our state. Promoting smart credit management and overall financial literacy helps our citizens achieve their American dream.

Therefore, I ask for your support on this resolution, which is available for electronic co-mentorship.

By unanimous consent the Senate returned to the order of

Messages from the House

Senate Bill No. 47, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending sections 27 and 34d (MCL 211.27 and 211.34d), section 27 as amended by 2013 PA 162 and section 34d as amended by 2014 PA 164.

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 amended the title to read as follows:

A bill to amend 1893 PA 206, entitled "An act to provide for the assessment of rights and interests, including leasehold interests, in property and the levy and collection of taxes on property, and for the collection of taxes levied; making those taxes a lien on the property taxed, establishing and continuing the lien, providing for the sale or forfeiture and conveyance of property delinquent for taxes, and for the inspection and disposition of lands bid off to the state and not redeemed or purchased; to provide for the

establishment of a delinquent tax revolving fund and the borrowing of money by counties and the issuance of notes; to define and limit the jurisdiction of the courts in proceedings in connection with property delinquent for taxes; to limit the time within which actions may be brought; to prescribe certain limitations with respect to rates of taxation; to prescribe certain powers and duties of certain officers, departments, agencies, and political subdivisions of this state; to provide for certain reimbursements of certain expenses incurred by units of local government; to provide penalties for the violation of this act; and to repeal acts and parts of acts,” by amending section 27 (MCL 211.27), as amended by 2013 PA 162.

Pursuant to rule 3.202, the bill was laid over one day.

By unanimous consent the Senate proceeded to the order of

Introduction and Referral of Bills

Senators Irwin, Alexander, Geiss, Moss, McMorrow, Polehanki, Chang, Bayer and Brinks introduced
Senate Bill No. 568, entitled

A bill to designate the second Monday in October of each year as Indigenous Peoples’ Day in this state. The bill was read a first and second time by title and referred to the Committee on Government Operations.

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

Senate Bill No. 569, entitled

A bill to amend 1865 PA 124, entitled “An act to designate the holidays to be observed in acceptance and payment of bills of exchange, bank checks and promissory notes, the business of banking, savings and loan, building and loan, municipal offices, the holding of courts and relative to the continuance of suits,” by amending section 1 (MCL 435.101), as amended by 1984 PA 4.

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

Senators Theis, Hertel, Johnson, Barrett, LaSata, Bullock, Victory, McMorrow, MacDonald, Runestad and Daley introduced

Senate Bill No. 570, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” (MCL 333.1101 to 333.25211) by adding article 18.

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

Senators Theis, Hertel, Johnson, Barrett, LaSata, Bullock, Victory, McMorrow, MacDonald, Runestad and Daley introduced

Senate Bill No. 571, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 16221 (MCL 333.16221), as amended by 2018 PA 463.

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

Senators Hertel, Theis, Johnson, Barrett, LaSata, Bullock, Victory, McMorrow, MacDonald, Runestad and Daley introduced

Senate Bill No. 572, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” (MCL 333.1101 to 333.25211) by adding section 24505 to article 18.

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

Senators Hertel, Theis, Johnson, Barrett, LaSata, Bullock, Victory, McMorrow, MacDonald, Runestad and Daley introduced

Senate Bill No. 573, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 16226 (MCL 333.16226), as amended by 2018 PA 463.

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

Senator Lucido introduced

Senate Bill No. 574, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending section 323 (MCL 257.323), as amended by 2018 PA 99.

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

Senator Schmidt introduced

Senate Bill No. 575, entitled

A bill to amend 1979 PA 94, entitled “The state school aid act of 1979,” by amending section 22d (MCL 388.1622d), as amended by 2018 PA 265.

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

Senator Hertel introduced

Senate Bill No. 576, 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.

Senator Hertel introduced

Senate Bill No. 577, entitled

A bill to amend 1979 PA 94, entitled “The state school aid act of 1979,” by amending sections 11, 35a, and 236 (MCL 388.1611, 388.1635a, and 388.1836), sections 11 and 35a as amended by 2019 PA 58 and section 236 as amended by 2019 PA 260, and by adding section 260.

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

Senator Hertel introduced

Senate Bill No. 578, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending the title and section 465 (MCL 750.465), the title as amended by 2010 PA 107, and by adding section 465b.

The bill was read a first and second time by title and referred to the Committee on Economic and Small Business Development.

Senator MacGregor introduced

Senate Bill No. 579, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” (MCL 750.1 to 750.568) by adding section 465c.

The bill was read a first and second time by title and referred to the Committee on Economic and Small Business Development.

Senator Hertel introduced

Senate Bill No. 580, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” (MCL 750.1 to 750.568) by adding section 465d.

The bill was read a first and second time by title and referred to the Committee on Economic and Small Business Development.

House Bill No. 4325, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending sections 16201, 18101, 18107, 18111, and 18115 (MCL 333.16201, 333.18101, 333.18107, 333.18111, and 333.18115), section 16201 as amended by 2016 PA 49, sections 18101 and 18111 as added by 1988 PA 421, section 18107 as amended

by 1989 PA 262, and section 18115 as amended by 2006 PA 429, and by adding sections 18106, 18112, 18114, and 18116.

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. 4349, entitled

A bill to amend 2001 PA 142, entitled “Michigan memorial highway act,” (MCL 250.1001 to 250.2081) by adding section 42b.

The House of Representatives has passed the bill and ordered that it be given immediate effect.

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

House Bill No. 4731, entitled

A bill to amend 2001 PA 142, entitled “Michigan memorial highway act,” by amending section 21b (MCL 250.1021b), as added by 2019 PA 4.

The House of Representatives has passed the bill and ordered that it be given immediate effect.

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

Recess

Senator MacGregor moved that the Senate recess subject to the call of the Chair.
The motion prevailed, the time being 10:53 a.m.

11:17 a.m.

The Senate was called to order by the Assistant President pro tempore, Senator Theis.

Announcements of Printing and Enrollment

The Secretary announced that the following House bills were received in the Senate and filed on Tuesday, October 8:

House Bill Nos. 4325 4349 4731

The Secretary announced that the following bills and resolutions were printed and filed on Tuesday, October 8, and are available on the Michigan Legislature website:

Senate Bill Nos.	542	543	544	545	546	547	548	549	550	551	552	553	554
	555	556	557	558	559	560	561	562	563	564	565	566	567
Senate Resolution Nos.	82	83											
House Bill Nos.	5038	5039	5040	5041	5042	5043	5044	5045	5046	5047	5048	5049	5050
	5051	5052	5053	5054	5055	5056	5057	5058	5059	5060	5061	5062	5063
	5064	5065	5066	5067	5068	5069	5070	5071	5072	5073	5074	5075	5076
	5077	5078	5079	5080	5081	5082	5083	5084	5085	5086	5087	5088	5089
	5090	5091	5092										

Committee Reports

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Justice and Public Safety submitted the following:
Joint meeting held on Tuesday, October 8, 2019, at 2:00 p.m., Room 1100, Binsfeld Office Building
Present: Senators Barrett (C), Runestad and Hollier

COMMITTEE ATTENDANCE REPORT

The Committee on Oversight submitted the following:

Joint meeting held on Tuesday, October 8, 2019, at 2:00 p.m., Room 1100, Binsfeld Office Building
Present: Senators McBroom (C), Lucido, Theis, MacDonald and Irwin

COMMITTEE ATTENDANCE REPORT

The Committee on Regulatory Reform submitted the following:

Meeting held on Tuesday, October 8, 2019, at 3:00 p.m., Room 1200, Binsfeld Office Building
Present: Senators Nesbitt (C), Theis, Johnson, Lauwers, VanderWall, Zorn, Polehanki and Wojno
Excused: Senator Moss

Scheduled Meetings

Environmental Quality - Tuesday, October 15, 1:00 p.m., Room 1200, Binsfeld Office Building (517) 373-5323

Legislative Council - Tuesday, October 15, 12:45 p.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building (517) 373-0212

Michigan Law Revision Commission - Wednesday, October 23, 11:30 a.m., Legislative Council Conference Room, 3rd Floor, Boji Tower (517) 373-0212

State Drug Treatment Court Advisory Committee - Tuesday, October 15, 10:00 a.m., Legislative Council Conference Room, 3rd Floor, Boji Tower (517) 373-0212

Senator MacGregor moved that the Senate adjourn.
The motion prevailed, the time being 11:18 a.m.

The Assistant President pro tempore, Senator Theis, declared the Senate adjourned until Tuesday, October 15, 2019, at 10:00 a.m.

MARGARET O'BRIEN
Secretary of the Senate

