

No. 104
STATE OF MICHIGAN
Journal of the Senate
100th Legislature
REGULAR SESSION OF 2019

Senate Chamber, Lansing, Thursday, October 31, 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—excused
Barrett—present
Bayer—present
Bizon—present
Brinks—present
Bullock—present
Bumstead—present
Chang—present
Daley—present
Geiss—excused
Hertel—present
Hollier—excused

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—excused
Shirkey—present
Stamas—present
Theis—present
VanderWall—present
Victory—present
Wojno—present
Zorn—excused

Pastor Chuck Vizthum of Whole Life Church Fellowship of Sturgis offered the following invocation:

Almighty God, we come before You this morning in the wonderful name of Jesus Christ, our Lord. Proverbs 29:2 states that when the righteous rule, the people rejoice. But when the wicked are in power, the people groan. Romans 13 states that authorities are God's servants sent for the people's good. Father, as this morning's session opens, we ask for Your wisdom, guidance, discernment, and leading as issues affecting our state and Your people are discussed and decisions made. Grant, O God, that righteousness and justice would permeate the laws enacted. Help each member of the Senate to know and understand Your standards of right and wrong, justice and injustice, and grace and mercy. Help them to love what You love and hate what You hate. Enable them to love and respect Your statutes, understanding historically that all righteous laws have emanated from Your holy law. Help them to understand once again that we are born with certain inherent, natural, and inalienable rights, and of government's responsibility to protect and cherish those rights as outlined in our Bill of Rights. Remind them again of the importance of those institutions, biblical marriage, and family, that You created to be the foundation of any healthy, vibrant culture.

I pray for each member of the Senate, that You would bless and keep them this day. Bless their families, give them strength and health to be able to serve well. Let distractions be at a minimum and Your grace be poured on each one today.

Father, may Michigan be a place where truth, righteousness, and justice prevail because her rulers are truthful, righteous and just themselves. May what is done here today glorify You. May what is done here today further Your kingdom's values of love, justice, and peace. For it is for these values that You have placed these men and women in this honored body. Your kingdom come, your will be done, on earth as it is in heaven. In Christ's name I 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 Shirkey be temporarily excused from today's session. The motion prevailed.

Senator MacGregor moved that Senators Schmidt and Zorn be excused from today's session. The motion prevailed.

Senator Chang moved that Senators Hollier, Geiss and Ananich be excused from today's session. The motion prevailed.

The following communication was received and read:
Office of the Auditor General

October 29, 2019

Enclosed is a copy of the following report:

- Performance audit report on the Aging and Adult Services Agency, Michigan Department of Health and Human Services (391-0645-18).

Sincerely,
Doug Ringle
Auditor General

The audit report was referred to the Committee on Oversight.

By unanimous consent the Senate proceeded to the order of

Messages from the House

Senate Bill No. 530, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 5501 and 5522 (MCL 324.5501 and 324.5522), section 5501 as amended by 1998 PA 245 and section 5522 as amended by 2015 PA 60.

The House of Representatives has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

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
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 Theis as Chairperson.

After some time spent therein, the Committee arose; and the President, Lieutenant Governor Gilchrist, having resumed the Chair, the Committee reported back to the Senate, favorably and without amendment, the following bills:

Senate Bill No. 432, entitled

A bill to amend 1984 PA 270, entitled "Michigan strategic fund act," by amending section 74 (MCL 125.2074), as amended by 2006 PA 616.

Senate Bill No. 172, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 513 (MCL 500.513), as added by 2001 PA 24.

The bills were 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. 4408, entitled

A bill to amend 2000 PA 321, entitled "Recreational authorities act," by amending section 27 (MCL 123.1157).

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.

During the Committee of the Whole, Senator Shirkey entered the Senate Chamber.

By unanimous consent the Senate proceeded to the order of
Introduction and Referral of Bills

Senators Runestad, Theis and Irwin introduced

Senate Bill No. 619, entitled

A bill to amend 1975 PA 238, entitled "Child protection law," (MCL 722.621 to 722.638) by adding section 8f.

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

Senators Theis, Runestad and Irwin introduced

Senate Bill No. 620, entitled

A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending section 17b of chapter XIIA (MCL 712A.17b), as amended by 2018 PA 344.

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

Senators Irwin, Runestad and Theis introduced

Senate Bill No. 621, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 2163a (MCL 600.2163a), as amended by 2018 PA 343.

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

Senators McMorrow, Chang, McCann, Moss, Bullock, Santana, Brinks, Bayer, Wojno, Hertel, Ananich, Geiss and Polehanki introduced

Senate Bill No. 622, entitled

A bill to establish certain rights related to abortion and reproductive health; to regulate the performance of abortions under certain circumstances; to provide for the powers and duties of certain state and local governmental officers and entities; to provide remedies; and to repeal acts and parts of acts.

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

Senators Chang, McMorrow, Bullock, Ananich, Geiss, Bayer, Moss, Wojno, Irwin, McCann, Alexander, Polehanki and Brinks introduced

Senate Bill No. 623, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 2803, 10102, 16221, 16226, 16245, 16299, 20106, 20131, and 22224 (MCL 333.2803, 333.10102, 333.16221, 333.16226, 333.16245, 333.16299, 333.20106, 333.20131, and 333.22224), sections 2803, 16299, and 22224 as amended by 2012 PA 499, section 10102 as amended by 2008 PA 39, sections 16221 and 16226 as amended by 2018 PA 463, section 16245 as amended by 2014 PA 413, and section 20106 as amended by 2017 PA 167.

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

Senators Brinks, McMorrow, Chang, Geiss, Moss, Bayer, Wojno, Irwin, McCann, Alexander and Polehanki introduced

Senate Bill No. 624, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending sections 16a and 16d of chapter XVII (MCL 777.16a and 777.16d), section 16a as amended by 2010 PA 97 and section 16d as amended by 2016 PA 88.

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

Senators Geiss, McMorrow, Bullock, Chang, Ananich, Moss, Bayer, Wojno, Irwin, McCann, Alexander, Polehanki and Brinks introduced

Senate Bill No. 625, entitled

A bill to amend 2002 PA 687, entitled "Born alive infant protection act," by amending section 1 (MCL 333.1071).

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

Senators Bayer, McMorrow, Geiss, Bullock, Chang, Ananich, Moss, Wojno, Irwin, Alexander, McCann, Polehanki and Brinks introduced

Senate Bill No. 626, entitled

A bill to amend 1953 PA 232, entitled "Corrections code of 1953," by amending section 33b (MCL 791.233b), as amended by 2019 PA 16.

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

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

Senate Bill No. 627, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 1021 and 5711 (MCL 600.1021 and 600.5711), section 1021 as amended by 2002 PA 682 and section 5711 as amended by 2014 PA 223.

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

Senators Alexander, Moss, Chang, Wojno, Irwin, McCann, Geiss, Polehanki and Brinks introduced

Senate Bill No. 628, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending section 6 (MCL 388.1606), as amended by 2019 PA 58.

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

Senator Runestad introduced

Senate Bill No. 629, entitled

A bill to amend 2008 PA 551, entitled “Uniform securities act (2002),” (MCL 451.2101 to 451.2703) by amending the title, as amended by 2014 PA 355, and by adding article 5A.

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

Senator Bizon introduced

Senate Bill No. 630, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending sections 16111, 16333, 17705, 17707, 17709, 17722, 17742, 17748, 17767, and 17768 (MCL 333.16111, 333.16333, 333.17705, 333.17707, 333.17709, 333.17722, 333.17742, 333.17748, 333.17767, and 333.17768), section 16111 as amended by 2006 PA 392, section 16333 as amended by 2014 PA 285, section 17705 as amended by 1986 PA 304, section 17707 as amended by 2016 PA 528, sections 17709 and 17742 as amended by 2014 PA 280, section 17748 as amended by 2015 PA 169, section 17767 as amended by 1993 PA 79, and section 17768 as amended by 2014 PA 413, and by adding section 17748e.

The bill was read a first and second time by title and referred to the Committee on Health Policy and Human Services.

By unanimous consent the Senate returned to the order of
Resolutions

Senate Concurrent Resolution No. 14

A concurrent resolution to disapprove the proposed final action taken by the Certificate of Need Commission on the Certificate of Need (CON) Review Standards for Immune Effector Cell Therapy (IECT) Services. (For text of resolution, see Senate Journal No. 103, p. 1580.)

The House of Representatives has adopted the concurrent resolution and named Representative Crawford as co-sponsor.

The concurrent resolution was referred to the Secretary for record.

Senator MacGregor moved that consideration of the following resolutions be postponed until Thursday, December 12:

Senate Resolution No. 30

Senate Resolution No. 38

Senate Resolution No. 49

The motion prevailed.

Announcements of Printing and Enrollment

The Secretary announced that the following House bills were received in the Senate and filed on Thursday, October 31:

House Bill Nos. 4173 4308 4309 4310 4311 4312 4323 4916 4917 4918

The Secretary announced that the following bills and resolution were printed and filed on Wednesday, October 30, and are available on the Michigan Legislature website:

Senate Bill Nos. 613 614 615 616 617 618

Senate Concurrent Resolution No. 14

Committee Reports

The Committee on Families, Seniors, and Veterans reported

Senate Bill No. 125, entitled

A bill to amend 1995 PA 29, entitled “Uniform unclaimed property act,” by amending section 18 (MCL 567.238), as amended by 2010 PA 197.

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.

John Bizon, M.D.
Chairperson

To Report Out:

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

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 Families, Seniors, and Veterans submitted the following:
Meeting held on Wednesday, October 30, 2019, at 3:00 p.m., Room 1200, Binsfeld Office Building
Present: Senators Bizon (C), Barrett, Runestad, Zorn, Bullock and Alexander
Excused: Senator Johnson

COMMITTEE ATTENDANCE REPORT

The Committee on Insurance and Banking submitted the following:
Meeting held on Wednesday, October 30, 2019, at 8:30 a.m., Room 1100, Binsfeld Office Building
Present: Senators Theis (C), Lauwers, LaSata, Nesbitt, Daley, Barrett, Geiss, Bullock and McMorro
Excused: Senator Horn

COMMITTEE ATTENDANCE REPORT

The Committee on Finance submitted the following:
Meeting held on Wednesday, October 30, 2019, at 12:30 p.m., Room 1200, Binsfeld Office Building
Present: Senators Runestad (C), Nesbitt, Daley, Bumstead, VanderWall, Chang and Alexander

COMMITTEE ATTENDANCE REPORT

The Committee on Transportation and Infrastructure submitted the following:
Meeting held on Wednesday, October 30, 2019, at 12:30 p.m., Room 1100, Binsfeld Office Building
Present: Senators Barrett (C), LaSata, McBroom, Victory, Outman, Lauwers, Geiss and Bullock
Excused: Senator Hollier

COMMITTEE ATTENDANCE REPORT

The Committee on Elections submitted the following:
Meeting held on Wednesday, October 30, 2019, at 2:00 p.m., Room 1300, Binsfeld Office Building
Present: Senators Johnson (C), McBroom, Lucido, VanderWall and Wojno

Scheduled Meetings

Appropriations -

Subcommittee -

Universities and Community Colleges and House Higher Education and Community Colleges -
Thursday, November 7, 9:00 a.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building
(517) 373-2768

Education and Career Readiness - Tuesday, November 5, 12:00 noon, Room 1300, Binsfeld Office Building (517) 373-5314

Insurance and Banking - Wednesday, November 6, 8:30 a.m., Room 1100, Binsfeld Office Building (517) 373-5314

Oversight - Tuesday, November 5, 2:00 p.m., Room 1300, Binsfeld Office Building (517) 373-5312

Senator MacGregor moved that the Senate adjourn.
The motion prevailed, the time being 10:18 a.m.

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

MARGARET O'BRIEN
Secretary of the Senate

